

# LEROY TOWNSHIP ZONING BOARD OF APPEALS

October 18, 2016

The Leroy Township Zoning Board of Appeals met at the Leroy Township Hall, 6684 Paine Rd., Leroy Township, on October 18, 2016.

Gerri Hausch, chairman called the public hearing to order at 7 p.m.

Members present were: Gerri Hausch, Brian Crouse, Stu Bennett, Rudy Veselko and Sue Hanna.

Also present were: Attorney at Law, Ron Graham, representing Leroy Township, Zoning Inspector, Myron Telencio, and Assistant Zoning Inspector, Shawn Parker.

Guest: Mr. Steve Todd, representing Candlelight Villas LTD, 9437 Shepler Church Ave. S.W., Navarre, Ohio, 44662.

Purpose of Meeting: Mr. Steve Todd, owner of Candlelight Villas, LTD, is requesting a conditional use permit for property located at 6881 Kniffen Rd., Leroy Township. This location consists of 135 acres of the vacant former Girl Scout Camp, currently owned by Allen Miller.

Zoning Inspector, Myron Telencio stated that Mr. Todd has applied for a conditional use permit for a private park, on the 135 acres located at 6881 Kniffen Rd. We have a list in our zoning codes of twelve conditional uses that can be granted and one of them is private parks. However, Myron stated there is no definition for a "private park" in our zoning regulations. He and the Zoning Commission have composed a list of guidelines which has been given to the Zoning Board of Appeals members. It is just a list of ideas to be used as guidelines. Mr. Todd would like to purchase this 135 acre parcel from the current owner Mr. Allen Miller. We do have a copy of the permission by Mr. Miller, the owner of the property for Mr. Todd to request this conditional use permit. Purchase would be contingent on Mr. Todd being granted a conditional use permit. Mr. Todd has provided his explanation of what he intends to do with this property. He does have similar properties that he currently operates.

Shawn Parker: Perhaps Mr. Todd can explain what his purpose is? What is the definition of a private park?

Mr. Todd was sworn in by Atty. Graham.

Mr. Todd explained, there is a Lake House, and a split level home in the front and four cabins. Weddings, private parties, all of the current systems on the property are for this type of use. There is a large sewage system. The actual number of people for an event in the main lodge hall, is standing room 100 people, however, there is not enough room for seating that many. There are several opportunities to rent for parties, and wedding

receptions to small groups of people. It's good for a day event, private party, wedding reception, or use of cabins in the back. Perhaps a bridal party, or bride and groom would want to spend the night at the lodge. This would be a seasonal use of the cabins. May-Oct. at the most. Four cabins can hold about 10. He is not sure if there would be room for 10 adults. There is a bathroom in each cabin. The property is owned and surrounded by Hell Hollow North side, Hidden Lake across the road, and the south side by Mr. Allen Miller who owns 150 acres.

Mr. Todd explained that on his two other properties, they hold youth camps, barn dances, concerts, and overnight accommodations for families etc. All fairly small events.

He plans to move his family to live in one of the structures within a year. He would need a caretaker to live in the split level, also would like to see quarters for an event planner. It is very important to have an event planner.

Stu Bennett: How do you plan on knowing who is using or applying to use the property? Mr. Todd said they keep a very close gauge on who rents the property. How many people are coming, and exactly what they are bringing on the property.

Rudy Veslko: Are you going to maintain the other two properties as well? Mr. Todd replied, Yes, probably will keep both other ones, Hocking Hills and Wild Cat Ranch, which is mainly an equine business, for at least the next five years.

Brian Crouse: How long of a stay do you allow? Mr. Todd: At Hocking Hills property, two days. Sometimes 3 days. Mr. Todd said he sees primarily weekends. There are some guidelines already proposed by the zoning commission.

Gerri Hausch: What needs repair? Mr. Todd, currently the lodge does.

Mr. Todd: In the proposed guidelines, there are a lot of stipulations, which we are not opposed to, we will be living there as well.

Sue Hanna: What potentials for winter use? Snowmobilers? Mr. Todd answered not snowmobilers, however cross country skiing is a possibility.

Mr. Todd stated he does own seven horses and they will be kept there when they move. The cabins are not heated, use of cabins would be May-Oct. use.

Myron Telencio stated we do have a noise ordinance 11pm to 7 am.

Dennis Keeney, a member of the Leroy Zoning Commission was sworn in by Mr. Graham. He spoke in favor of the conditional use. He stated this is an opportunity to maintain the property with one single owner, and use its current infrastructure.

Further questions directed to the board were mostly concerning noise, liquor and late night parties. Also there was concern about hunters and hunting parties renting, and going onto adjacent property.

Mr. Neil Wilson was concerned about his property which he thought abutted the property Mr. Todd wants to buy. Mr. Jeff English, a real estate broker explained that this is not part of the parcel Mr. Todd wants to buy. It is owned by Mr. Miller.

Stu Bennett asked Mr. Todd if he has a security guard at the weddings. Mr. Todd stated no, he has never had a problem that one was needed.

Attorney Ron Graham explained that the use of liquor and any liquor licenses is governed by the State. Also hunting can be defined in the conditions. Mr. Todd stated he does not intend to allow any hunting on the property.

Sue Hanna: How long before you would begin operations? Mr. Todd stated it won't start right away. Possibly next summer. There are a lot of repairs that need to be done. It could take 1-2 years before any events are held.

Michelle Priester asked how long the conditional use permit would be good for. Myron Telencio stated the time frame can be set by the board. There can be a one year limit, and then it would have to be renewed. If the conditions remain the same, and are followed then it would be renewed again. Potentially it could then be renewed for 5 years. It depends on the board and how often they feel it should be renewed.

Ron Graham stated the board can revoke a conditional use permit if the conditions set forth are not followed.

Shawn Parker stated he is not against the idea, he does not want to see the property go to waste. His concern is about a business operating in a residential area, and how it will affect future, noise, speed of cars and amount of traffic.

Mr. Wilson wanted to know if Mr. Todd has intentions to purchase the other parcel that abuts his property which is currently owned by Mr. Miller. Mr. Todd answered no.

There being no further discussion, Sue Hanna made a motion to go into executive session for the purpose of discussion and deliberation on the matter before the board. Stu Bennett 2<sup>nd</sup> the motion, all were in favor. The audience was dismissed.

Stu Bennett made a motion to adjourn executive session, 2<sup>nd</sup> by Rudy Veselko. All were in favor.

The audience was invited back into the townhall.

Stu Bennett opened the public meeting and made a motion to adopt the following conditional uses with regard to a private park, at 6881 Kniffen Rd. Leroy Township.

**Permitted Uses:**

One primary residence.

One Caretaker residence, ( the owner would need to get a zoning permit for the 2<sup>nd</sup> residence from our zoning inspector, as approved in conditional use).

**Non permitted Uses:**

No more than 100 people maximum “at evening get togethers.” This is exact language.

No firearm discharges, including archery.

No hunting parties.

Cabin rental shall be for a maximum of 7 days.

No recreational vehicles.

No tents.(used for camping overnight)

No open air bands.

The conditional use permit shall be issued for one year, after the start up of operations. Mr. Todd will notify the zoning inspector once he commences to operate as a private park. The zoning inspector shall renew his permit for one year, after that if all conditions are met, the zoning inspector shall renew the permit for a three year period. After that, if all conditions are continued to be met, the zoning inspector shall renew the permit for 5 years, and every 5 years after that.

Sue Hanna seconded the motion.

The following board members approved the conditional use permit resolution. 16-01.

Poll of the vote: Gerri Hausch, yes, Stu Bennett, yes, Brian Crouse, yes, Rudy Veselko, yes, Sue Hanna, yes.

Stu Bennett made a motion to adjourn, 2<sup>nd</sup> by Rudy Veselko, all were in favor.

Meeting was adjourned.

Respectfully submitted,  
Sharon E. Rodgers, Leroy Township  
Fiscal Officer 10/18/16