

Minutes
Nimishillen Township Board of Zoning Commission
4422 Maplegrove NE, Louisville, OH 44641
Wednesday, September 7, 2022 – 7:00 PM

Board Members Present: Regan Starkey, Chairman
Herb Klebaum, Member
Brent Hunter, Member
Rich Lindner, Member
Tony Marko, Alternate

Board Members Absent: Larry Marks – Vice-Chairman

Zoning Inspector: Jeff Shipman

Purpose: Consider request by K&K Enterprises to change zoning from R-1 to B-3 for storage units at existing location at 4175 Fargo Ave. (33-03037 Parcel registered as R-1)

Call Hearing to Order:

Chairman Regan Starkey introduced the Board and other staff members present.

Map Amendment Request for Change in Zoning from R-1 to B-3

Chairman Starkey called for public speaks:

Joe Mogus: Mr. Mogus at 4285 Fargo Ave. spoke out against the change. He is concerned about possible flooding issues that could develop with the property being further developed and does not want additional storage units built there.

Chad Turcsak: Mr. Turcsak at 4251 Fargo Ave. lives adjacent to the property being considered and is also concerned about flooding stating that they already have experienced past flooding problems.

Cynthia Jett: Ms. Jett at 4240 Fargo Ave. agreed with the flooding issue.

Mike Huttler: Mr. Huttler at 1225 N. Main St. is the Civil Engineer for the project. He addressed the citizens flooding concerns and explained that they are required by codes and regulations to do something (i.e.: detention or retention) to not increase the runoff. He said that they are asking for the zoning to go back one more lot which is 60 feet. **Regan Starkey** asked what the plan is for the lot. **Mr. Huttler** said that at this point he believes they are thinking a building with storage units. It was stated that the 25 foot setback would be a buffer.

Lovel Jett: Mr. Jett at 4240 Fargo Ave. questioned whether the current road pipe would be able to handle the additional drainage. Mr. Jett asked how they could handle the additional runoff with such a small piece of property. **Mike Huttler** replied that one way would be to install 18” underground sewer pipe. **Mr. Jett** stated the he doesn’t believe 18” sewer pipe would store enough water to handle the amount of water that comes down Fargo during a heavy rain. **Mike Huttler** said that normally they would use larger pipe, but that will not fit in this location.

There was further discussion regarding flooding. **Regan Starkey** reminded the residents that Mr. Huttler is trying to answer the flooding questions without having done a study of the property. A study of the property would not be done before they were able to use the property. It was also noted that any drainage on or across Louisville St. (Route 153) is controlled by the State of Ohio.

Regan Starkey asked Chad Turcsak if the flooding could be alleviated if he would still object to the zoning change. **Chad Turcsak** answered that he still objects to the encroachment of the building to his property.

Motioned to change the zoning at 4175 Fargo Ave. (33-03037 Parcel) from R-1 to B-3

Motion to Ballot Vote: Regan Starkey **Second:** None

Motioned to NOT change the zoning at 4175 Fargo Ave. (33-03037 Parcel) from R-1 to B-3.

Motion to Ballot Vote: Regan Starkey **Second:** Herb Kleibaun

Roll Call Vote:

Rich Lindner	approved – land too low
Tony Marko	no-a study would be done and drainage would be addressed
Regan Starkey	no-pro business, current owners doing a nice job, faith in the company regarding drainage
Herb Kleibaun	approved – land too low
Brent Hunter	approved – land too low

Regan Starkey informed everyone that this vote is a recommendation to Regional Planning. The request will be sent to Regional Planning and they may or may not agree with the board. It will then come back to the Board of Zoning of Commission who will again vote on it. From there it will go to the Board of Trustees who will have the final vote.

Motion to Approve the Minutes from June 8, 2022 - All voted Aye.

Old Business:

Regional Planning rejected all the changes that were sent to them from the last meeting.

Adjournment:

REGAN STARKEY MOTIONED TO ADJOURN AT 7:42 PM SECONDED BY HERB KLEIBAUN. The Board responded by saying 'I'. ALL WERE IN FAVOR. MOTION CARRIED.

Regan Starkey, Chairman
Nimishillen Township Board of Commission

/sks

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