

Minutes for the Rushcreek Township Zoning Commission Meeting

October 17, 2022 6:30 PM

Rushcreek Township Office

A meeting of the Rushcreek Township Zoning Commission Board was called to order by Chairman, David Foltz. All stood to pledge allegiance to our country's flag.

Roll call was taken with the following board members present: David Foltz, Chairman; Bruce Duck, Vice-Chairman; Board members, Josh Shultz, Terry Borah, and Shad Kistler; and Carla Johnson, Reporter.

Order of Business: Richard Estep requested to change his conditional use Rural Residential Business to a B-1 Highway Business. Said property is the Northwest corner of State Route 37 and Oak Hill Road. Parcel # 0340016830

Richard Estep and his attorney, Bruce Broyles, explained how every step that Richard has taken toward his small on-line used car sales business follows all laws and procedures. When Richard gets a shipment of vehicles shipped to his lot, they are unloaded and delivery drivers leave. He stated that no repair work is done at this location. When a prospective buyer is interested in a vehicle he will deliver to a 150mile radius. Richard also said his business is completely fenced off and he has a light on the building that he leaves on at all times. If Richard finds that there is no interest in a vehicle, he whole-sales out to another dealer.

Shane Roberts and Bruce and RoseAnn Elliott, neighbors of Mr. Estep, voiced their concerns on Richard Estep's business. They stated that they don't want to look at a used car lot, nor do they want increased traffic on Oak Hill Road causing more accidents and road wear. They also claim that people are jumping the fence to check out the vehicles and that the light coming from his business is too bright. Mr. Estep commented that he did not want to cause problems to the neighbors and offered to turn the light off that is on the building.

Chairman Foltz commented that Estep's business conforms to what the resolutions require and that if the board denied the rezoning just because the neighbors oppose it, Estep could challenge the decision and win. The zoning Board can, according to the resolutions, add stipulations.

A motion was made and seconded on a list of amendments to the zoning of the said parcel.

MOTIONED BY BRUCE DUCK
SECONDDED BY SHAD KISTLER CAJ

1. No more than one outside light and the light can only shine downward.
2. No repairs to be done on site.
3. Limit to 10 vehicles on lot at one time.
4. Vehicles must run and drive to be on parcel.
5. When the parcel is sold, it is to be reverted back to Rural Residential parcel.

MOTIONED PASSED UNANIMOUSLY.

Richard Estep and Bruce Broyles, his attorney, were made aware of the time and procedures such changes will take. Such as; the Highway Department requirements, Regional Planning Commission review, and the Township Trustees decision. They both were agreeable and stated they would not object to the delay in time.

Amendments will be typed up and sent to the Rushcreek Township Trustees and to the Regional Planning Commission Board.

Bruce Duck motioned for the meeting to be adjourned and Shad Kistler seconded the motion.

Carla A Johnson

Rushcreek Township Zoning Commission

Official Notification

Date: October 18, 2022

To: Rushcreek Township Fiscal Officer and Trustees
Fairfield County
Bremen, OH 43107

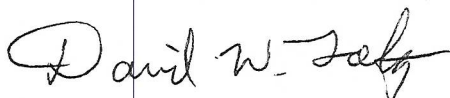
Regarding: Zoning change request from Richard Estep for Permanent Parcel No. 0340016830 located at the Northwest corner of the intersection of State Route 37 and Oak Hill Road.

The Rushcreek Zoning Commission Board, in a meeting October 17, 2022 passed a motion to recommend to the Rushcreek Township Trustees that Parcel No. 0340016830 owned by Richard Estep be changed from Zoned R-R Rural Residential District to B-1 Highway Business-Commercial District for the purpose of Automobile Sales (New or Used) only.

The following modifications/stipulations are being required.

- 1) No more than 1 outside light permitted in area of buildings and car lot. Light needs to shine down not out.
- 2) No more than 10 vehicles allowed on the lot at 1 time.
- 3) Repairs on vehicles are not permitted on property.
- 4) Vehicles must run and drive.
- 5) When Parcel is sold it must be reverted back to R-R Rural Residential District.

David W. Foltz



Chairman, Rushcreek Township Zoning Commission