

BOARD OF ZONING APPEALS

Springfield, Ohio

Monday, November 18, 2019

7:00 P.M.

City Forum, City Hall

Meeting Minutes

(Summary format)

Vice Chairperson Williams called the meeting to order at 7:00 P.M.

MEMBERS PRESENT: Mr. James Burkhardt, Ms. Rhonda Zimmers, Mr. Mathew Ryan, and Ms. Denise Williams.

MEMBERS ABSENT: Mr. Mark Brown and Ms. Dori Gaier

OTHERS PRESENT: Stephen Thompson, Planning, Zoning, and Code Administrator
Cheyenne Pinkerman, Community Development Specialist

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SUBJECT: Approval October 21, 2019 meeting minutes.

Ms. Williams asked if the Board had any corrections or additions to add to the minutes.

Hearing none, Ms. Williams asked the Board members to voice yes if they were in favor of approving the minutes. Members voiced yes.

Ms. Williams asked if any opposed to voice nay. Hearing none, Ms. Williams stated the minutes stand approved.

Case #19-A-27 Request from Adriel Harris for a conditional use permit for a community center (community garden) at 1020 W Perrin Ave. in a RS-5, Low-Density, Single-Family Residence District

Ms. Williams stated that the public hearing was now open and asked for Mr. Thompson to read the staff report.

Mr. Thompson stated the applicant was unable to attend the meeting and requested the hearing be tabled until the following month.

Ms. Williams asked the board to make a motion to close and table the public hearing for the following month.

MOTION: Mr. Ryan made a motion to close and table the public hearing. Seconded by Mr. Burkhardt. Approval by voice vote.

Case #19-A-30 Request from the Ron Lowe for a conditional use permit to re-establish a non-conforming automobile sales use at 400 W High St. in a CN-2, Neighborhood Commercial District.

Ms. Williams stated that the public hearing was now open and asked for Mr. Thompson to read the staff report.

The applicant seeks a conditional use permit to reestablish a non-conforming automobile sales use. The property has been vacant for some time. The most recent use was automobile sales in 2002.

ANALYSIS for Conditional Use:

In considering an application for a conditional use, the Board shall give due regard to the nature and condition of all adjacent uses and structures, and the consistency therewith of the proposed use and development. Before authorizing a use as a conditional use, the Board shall review the facts and circumstances of each proposed conditional use in terms of the following standards and shall find adequate evidence showing that the proposed conditional use at the proposed location:

1. Would not be hazardous, harmful, noxious, offensive or a nuisance to the surrounding neighborhood by reason of noise, smoke, odor, vibration, dust and dirt, cinders, noxious gases, glare and heat, fire and safety hazards, sewage wastes and pollution, transportation and traffic, aesthetic and psychological effects. The Board shall use and give recognition to those performance standards which are available in model codes or ordinances, or have been developed by planning, manufacturing, health, architectural and engineering organizations, and can be applied to the proposed use, to assist it in reaching a fair and objective decision;

Staff Comment: It would not.

2. Is in fact a conditional use as established under the provisions of this Springfield Zoning Code as eligible to be permitted in the district involved;

Staff Comment: Yes.

3. Will be harmonious with and in accordance with the general objectives, or with any specific objective of this Springfield Zoning Code;

Staff Comment: Yes.

4. Will be designed, constructed, operated and maintained as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that the use will not change the essential character of the same area;

Staff Comment: Yes. It is an existing commercial building.

5. Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools, or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services;

Staff Comment: Yes.

6. Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community;

Staff Comment: It will not.

7. Will have vehicular approaches to the property, which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares. Upon authorizing a conditional use, the Board shall impose such requirements and conditions with respect to location, construction, maintenance and operation, in addition to those expressly stipulated in this Springfield Zoning Code for the particular conditional use, as the Board may deem necessary for the protection of adjacent properties and the public interest.

Staff Comment: Yes.

STAFF RECOMMENDATION:

Approval of the conditional use permit.

Ms. Williams asked if the Board had any questions for Mr. Thompson.

Ms. Zimmers asked there had been any opposition from the community.

Mr. Thompson stated there was no opposition.

Ms. Williams asked if there were any further questions for Mr. Thompson. Hearing none, Ms. Williams asked if there was anyone else that wished to speak. Hearing no further discussion, Ms. Williams asked if there was a motion to close the public hearing.

MOTION: Mr. Burkhardt made a motion to close the public hearing. Seconded by Ms. Williams. Approval by voice vote.

Ms. Williams stated that the public hearing was now closed and asked for a motion to approve Case #19-A-30.

MOTION: Motion by Ms. Zimmers to approve case #19-A-30 Request from Ron Lowe for a conditional use permit to re-establish a non-conforming automobile sales use at 400 W High St. in a CN-2, Neighborhood Commercial District. Seconded by Mr. Ryan.

Hearing no further discussion or questions, the Board determined the following findings of facts:

1. There is no opposition.
2. It was a similar use in the past.
3. It benefits the community.

YAYS: Mr. Ryan, Mr. Burkhardt, Ms. Zimmers and Ms. Williams.

NAYS: None

Motion Approved 4 to 0.

Case #19-A-31 Request from Gwen Keller for a conditional use permit for an automobile oriented use for automobile sales at 1843 S Limestone St. in a CC-2, Community Commercial District.

Ms. Williams stated that the public hearing was now open and asked for Mr. Thompson to read the staff report.

Mr. Thompson gave the staff report.

The applicant seeks a conditional use permit to establish an automobile sales lot. The building was most recently a dry cleaning business.

ANALYSIS for Conditional Use:

In considering an application for a conditional use, the Board shall give due regard to the nature and condition of all adjacent uses and structures, and the consistency therewith of the proposed use and development. Before authorizing a use as a conditional use, the Board shall review the facts and circumstances of each proposed conditional use in terms of the following standards and shall find adequate evidence showing that the proposed conditional use at the proposed location:

1. Would not be hazardous, harmful, noxious, offensive or a nuisance to the surrounding neighborhood by reason of noise, smoke, odor, vibration, dust and dirt, cinders, noxious gases, glare and heat, fire and safety hazards, sewage wastes and pollution, transportation and traffic, aesthetic and psychological effects. The Board shall use and give recognition to those performance standards which are available in model codes or ordinances, or have been developed by planning, manufacturing, health, architectural and engineering organizations, and can be applied to the proposed use, to assist it in reaching a fair and objective decision;

Staff Comment: It would not.

2. Is in fact a conditional use as established under the provisions of this Springfield Zoning Code as eligible to be permitted in the district involved;

Staff Comment: Yes.

3. Will be harmonious with and in accordance with the general objectives, or with any specific objective of this Springfield Zoning Code;

Staff Comment: Yes.

4. Will be designed, constructed, operated and maintained as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that the use will not change the essential character of the same area;

Staff Comment: Yes. There is an existing commercial structure on the lot.

5. Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools, or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services;

Staff Comment: Yes.

6. Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community;

Staff Comment: It will not.

7. Will have vehicular approaches to the property, which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares. Upon authorizing a conditional use, the Board shall impose such requirements and conditions with respect to location, construction, maintenance and operation, in addition to those expressly stipulated in this Springfield Zoning Code for the particular conditional use, as the Board may deem necessary for the protection of adjacent properties and the public interest.

Staff Comment: Yes.

STAFF RECOMMENDATION:

Approval of the conditional use permit.

Ms. Williams asked if the Board had any questions for Mr. Thompson.

Ms. Williams asked if there was any opposition.

Mr. Thompson stated there was no opposition.

Ms. Williams asked if there were any further questions for Mr. Thompson. Hearing none, Ms. Williams asked if there was anyone else that wished to speak. Hearing no further discussion, Ms. Williams asked if there was a motion to close the public hearing.

MOTION: Ms. Zimmers made a motion to close the public hearing. Seconded by Mr. Burkhardt. Approval by voice vote.

Ms. Williams stated that the public hearing was now closed and asked for a motion to approve Case #19-A-31.

MOTION: Motion by Mr. Burkhardt to approve case #19-A-31 Request from Gwen Keller for a conditional use permit for an automobile oriented use for automobile sales at 1843 S Limestone St. in a CC-2, Community Commercial District. Seconded by Ms. Zimmers.

Hearing no further discussion or questions, the Board determined the following findings of facts:

1. There is no opposition.
2. It is a good location for a commercial property.
3. The building designed for a commercial use.

YAYS: Mr. Ryan, Mr. Burkhardt, Ms. Zimmers and Ms. Williams.

NAYS: None

Motion Approved 4 to 0.

Case #19-A-32 Request from Jack Sayers for a variance from Chapter 1155.06 for a digital dynamic display sign at 2101 E Home Rd. in a CC-2, Community Commercial District.

Ms. Williams stated that the public hearing was now open and asked for Mr. Thompson to read the staff report.

Mr. Thompson gave the staff report.

The applicant is requesting a variance from Chapter 1155.06 to permit a digital dynamic display in a residential sign district. Chapter 1155 prohibits digital dynamic displays in residential sign districts.

ANALYSIS for Variance:

The Board may grant a variance only where there exists a “practical difficulty” as defined by the courts in Ohio in established case law. The Ohio Supreme Court’s decision in Kisil v. City of Sandusky, (1984) 12 Ohio State 3d 30, is a land mark decision in establishing common law governing variances by distinguishing between “use” and “area variances.” Area variances involve an exception from such requirements as yard, lot, and height standards. The Supreme Court established that a practical difficulty must exist before an area variance can be granted.

Then subsequent to this case, in Duncan v. Village of Middlefield, (1986) 23 Ohio 3d 83, the Ohio Supreme Court more fully explained the practical difficulty standards. The factors to be considered and weighed in determining whether a property owner seeking a variance has

encountered a practical difficulty in the use of his/her property include, but are not limited to:

1. Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the variance;

Staff Comment: Yes.

2. Whether the variance is substantial;

Staff Comment: Yes, it would allow a sign that is not permitted in the sign district.

3. Whether the essential character of the neighborhood will be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance;

Staff Comment: No.

4. Whether the variance would adversely affect the delivery of government services (e.g., water, sewer);

Staff Comment: No.

5. Whether the property owner purchased the property with the knowledge of the zoning restrictions;

Staff Comment: Unknown.

6. Whether the property owner's predicament can be obviated through some method other than a variance; or

Staff Comment: No.

7. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.

Staff Comment: Yes.

STAFF RECOMMENDATION:

Approval for a variance to permit a digital dynamic display in a residential sign district

Ms. Williams asked if the Board had any questions for Mr. Thompson.

Ms. Zimmers questioned if there were any residential properties within view of the two Lee's Chicken digital signs.

Mr. Thompson stated he did not believe there were any residential properties within view.

Ms. Zimmers asked if there was any opposition.

Mr. Thompson stated there was no opposition.

Mr. Burkhardt questioned if the sign was one and a half times taller than the Lee's sign.

Mr. Thompson stated he was unsure.

Ms. Zimmers asked without being a digital sign, was there was a possibility of doing a single color digital sign.

Mr. Thompson explained in the residential sign district, both single and multi-color signs are prohibited. Mr. Thompson stated that would be an option, its either digital or not.

Ms. Williams asked if there were any further questions for Mr. Thompson. Hearing none, Ms. Williams asked the applicant or the applicants to take the podium.

Mr. Mark Wiseman. 721 West Home Road. Springfield, Ohio 45504, explained the car wash was located down the road from him. Mr. Wiseman stated the car wash had been in business for almost 30 years. Mr. Wiseman explained the variance request was part of an effort to revitalize and rebrand the car wash. Mr. Wiseman explained they wanted to place a digital sign to easily advertise and revitalize the business. Mr. Wiseman stated they had no intentions of getting a big flashy sign, just something small to advertise with, approximately two foot tall and four foot wide that would replace the white sign with the manual letters.

Mr. Ryan questioned if the display sign would be a dimly lit digital display.

Mr. Wiseman stated that was correct and explained they did not have a lot of money to put into the sign. Mr. Wiseman stated the sign would be a basic lighted sign that would advertise the different specials.

Ms. Zimmers stated the single color display puts off less light and at night they are dimmable. Ms. Zimmers questioned what the difference in the amount of light that comes from a multi colored light compared to single color.

Mr. Wiseman stated in terms of radiance, it would not be a distraction. Mr. Wiseman stated the closest residence to the property was 300-400 yards away. Mr. Wiseman stated he had driven by at night to analyze the distance and did not feel that the residence would be affected.

Mr. Burkhardt questioned lumens on the sign.

Mr. Wiseman stated he did not know.

Ms. Williams asked if there was anyone else that wished to speak. Hearing none, Ms. Williams asked for a motion to close the public hearing.

MOTION: Mr. Ryan made a motion to close the public hearing. Seconded by Mr. Burkhardt. Approval by voice vote.

Ms. Williams stated that the public hearing was now closed and asked for a motion to approve Case #19-A-32.

MOTION: Motion by Mr. Ryan to approve case #19-A-32 request from Jack Sayers for a variance from Chapter 1155.06 for a digital dynamic display sign at 2101 E Home Rd. in a CC-2, Community Commercial District. Seconded by Mr. Burkhardt.

DISCUSSION:

Mr. Burkhardt stated he felt the sign would help upgrade the business.

Ms. Zimmers stated she was all for revitalizing the business but was not sure she was for a digital sign in a residential district.

Ms. Williams stated the residence were not close enough to be affected by the sign and there was no opposition.

MOTION: Motion by Mr. Ryan to reopen the public hearing. Seconded by Mr. Burkhardt.

Ms. Williams stated the public hearing was now open.

Ms. Zimmers explained that the board would like clarification to whether the sign would be multi-color or single color and questioned what the illuminating affect would be from a multi-color sign verse a single color sign.

Mr. Thompson explained that the applicant was applying for a multi-color sign. Mr. Thompson explained as far as the brightness of the sign, single and multi-color signs are held to the same brightness standards overall. Mr. Thompson stated the signs are supposed to be equipped with automatic dimmers that take into account the ambient light and adjust accordingly. Mr. Thompson stated the signs are supposed to automatically dim in the evening as well. Mr. Thompson explained if a sign is found to be too bright or out of compliance, the owners are supposed to turn them off immediately until repairs can be made. Mr. Thompson stated the applicant hasn't actually submitted a sign permit request, so that type of information about specific brightness was not available. However, the codes are in place that hold all signs accountable whether single or multi-color.

Mr. Burkhardt questioned if part of the motion should state that the sign has to be dimmed at a certain time.

Mr. Thompson stated no, if anything they could add the sign should conform to the existing codes regarding brightness.

Ms. Zimmers questioned if there were any similar type of signage near a residential area within the city limits.

Mr. Thompson stated he was unsure.

Mr. Wiseman explained the closest multi-color sign would be the Lee's Chicken sign. Mr. Wiseman stated the sign that had looked at would not be any brighter than the current lighted box there already. Mr. Wiseman stated it would not be a bright flashing sign like Lee's, it would be a very simple message board. Mr. Wiseman stated if possible or required the sign would be dimmed at night. Mr. Wiseman explained they are just wanting to rebrand and revitalize the car wash with a two foot by four foot sign.

Ms. Zimmers asked if the board would be setting a precedence if they approved a multi-color sign near a residential area verses a single color sign.

Mr. Thompson stated he could not recall another sign in a residential area. Mr. Thompson explained yes it would be there first of its kind to be approved but each case needs to be weighed on its merits. Mr. Thompson stated it may be true that its setting a precedence but that should not dictate how the board rules in future cases either.

Mr. Ryan asked if any of the residence in the area were notified about the sign.

Mr. Thompson explained notifications were sent out to any residence within two hundred feet of the property and stated that he did not hear back from anyone who was notified.

Ms. Williams asked if there were any further questions for Mr. Thompson. Hearing none, Ms. Williams asked for a motion to close the public hearing.

MOTION: Ms. Zimmers made a motion to close the public hearing. Seconded by Mr. Burkhardt. Approval by voice vote.

Ms. Williams stated that the public hearing was now closed and asked for a motion to approve Case #19-A-32

MOTION: Motion by Mr. Ryan to approve case #19-A-32 request from Jack Sayers for a variance from Chapter 1155.06 for a digital dynamic display sign at 2101 E Home Rd. in a CC-2, Community Commercial District. Seconded by Mr. Burkhardt.

Board members discussed their concerns and decided to reopen the case.

MOTION: Motion by Ms. Zimmers to reopen the public hearing. Seconded by Mr. Burkhardt.

Ms. Williams stated the public hearing was now open.

Ms. Williams asked if there was an option for the applicant to go with a single color instead of the multi-color.

Mr. Thompson stated the board had that option to put that in the motion.

Ms. Williams asked if there was a reason the applicant did not want to go to single color.

Mr. Thompson stated that was a question for the applicant.

Ms. Williams asked the applicant to approach the podium.

Ms. Williams asked if the applicant would be ok with single color over the multi-color.

Mr. Wiseman stated single color would probably be available to them and would be less expensive for them. Mr. Wiseman stated he did not think it would have the same impact as a multi-color sign. Mr. Wiseman stated they would work with what the commission wanted. Mr. Wiseman explained the car wash had just changed ownership and was very close to going out of business after 30 years. Mr. Wiseman explained there could have been a vacant retail property but a new owner came in and is now trying to rebrand the business and invest in the city of Springfield. Mr. Wiseman stated the brightness would be minimum.

Ms. Williams asked if the applicant would consider going to a single color digital sign.

Mr. Wiseman stated if that is what it would take, then they would accept that. Mr. Wiseman stated they are requesting a multi-color signed and didn't feel it would impose on anyone.

Mr. Burkhardt explained if the area was strictly commercial, the board would not have any issues, but because it's in a residential area, they have concerns. Mr. Burkhardt explained businesses near or in residential areas may want to start getting these multi-color signs. Mr. Burkhardt stated it makes it harder to turn one down if the board had previously approved one. Mr. Burkhardt stated they had that option but the board likes to treat people fairly. Mr. Burkhardt explained they take those type of situations into consideration.

Ms. Zimmers explained that the residences may seem to be far enough away but could be disrupted by the light pollution. Ms. Zimmers explained the more businesses that are allowed to have these digital signs, the more light pollution there will be.

Ms. Williams explained the board was happy that the business is staying open. Ms. Williams asked if the applicant would consider using the single color digital sign.

Mr. Wiseman explained he respected the concerns of the board members but would ask the board members to take into considering allowing the multi colored sign to help promote the business. Mr. Wiseman stated however if the board felt they could only approve the single color sign then they would work with that. Mr. Wiseman asked the board to consider what they were trying to accomplish with revitalizing the business.

Ms. Williams asked if the board could add a condition to the motion.

Mr. Thompson stated that was correct.

Ms. Williams asked if there were any further questions for Mr. Thompson. Hearing none, Ms. Williams asked for a motion to close the public hearing.

MOTION: Ms. Zimmers made a motion to close the public hearing. Seconded by Mr. Burkhardt. Approval by voice vote.

Ms. Williams stated that the public hearing was now closed.

Mr. Ryan stated that he did not have an issue with the multi-color sign but would withdraw his previous motion.

Ms. Williams asked for a motion to approve Case #19-A-32 with conditions.

MOTION: Motion by Ms. Zimmers to approve case #19-A-32 request from Jack Sayers for a variance from Chapter 1155.06 for a digital dynamic display sign at 2101 E Home Rd. in a CC-2, Community Commercial District. Seconded by Mr. Burkhardt.

Board members discussed the case.

Ms. Williams stated she did not have a problem with the multi-color sign because they can add conditions and stipulations if there are any complaints.

Mr. Ryan explained that he would vote for it because of how far away it is from residential

properties and the size of it. Mr. Ryan stated if the multi-color sign was going to be the size of the larger sign that would be a problem.

Mr. Burkhardt stated he agreed and explained the halo affect would not be as problematic with how small the sign would be.

Mr. Ryan stated he understood the concerns but didn't feel the sign would be a problem.

Ms. Williams stated she felt the sign would not be an issue due to the size.

MOTION: Motion by Mr. Ryan to approve case #19-A-32 request from Jack Sayers for a variance from Chapter 1155.06 for a multi-color digital dynamic display sign at 2101 E Home Rd. in a CC-2, Community Commercial District. Seconded by Mr. Burkhardt.

Hearing no further discussion or questions, the Board determined the following findings of facts:

1. There is no opposition.
2. It will help to re-brand the car wash.
3. It will contribute to light pollution.
4. It is not a large sign putting off a lot of light.

YAYS: Mr. Ryan, Mr. Burkhardt and Ms. Williams.

NAYS: Ms. Zimmers.

Motion Approved 3 to 1.

Case #19-A-33 Request from Stonewood Apartments for a conditional use permit for an automobile oriented use for a car wash at 2531 E Main St. in a CC-2, Community Commercial District.

Ms. Williams stated that the public hearing was now open and asked for Mr. Thompson to read the staff report.

Mr. Thompson gave the staff report.

The applicant seeks a conditional use permit to establish a car wash. This property is in the Eastern Edge Overlay District and any new construction will have to conform to those regulations.

ANALYSIS for Conditional Use:

In considering an application for a conditional use, the Board shall give due regard to the nature and condition of all adjacent uses and structures, and the consistency therewith of the proposed use and development. Before authorizing a use as a conditional use, the Board shall review the facts and circumstances of each proposed conditional use in terms of the following standards and shall find adequate evidence showing that the proposed conditional use at the proposed location:

- (1) Would not be hazardous, harmful, noxious, offensive or a nuisance to the surrounding neighborhood by reason of noise, smoke, odor, vibration, dust and dirt, cinders, noxious gases, glare and heat, fire and safety hazards, sewage wastes and pollution, transportation and traffic, aesthetic and psychological effects. The Board shall use and give recognition to those performance standards which are available in model codes or ordinances, or have been developed by planning, manufacturing, health, architectural and engineering organizations, and can be applied to the proposed use, to assist it in reaching a fair and objective decision;

Staff Comment: It would not.

- (2) Is in fact a conditional use as established under the provisions of this Springfield Zoning Code as eligible to be permitted in the district involved;

Staff Comment: Yes.

- (3) Will be harmonious with and in accordance with the general objectives, or with any specific objective of this Springfield Zoning Code;

Staff Comment: Yes.

- (4) Will be designed, constructed, operated and maintained as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that the use will not change the essential character of the same area;

Staff Comment: Yes.

- (5) Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools, or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services;

Staff Comment: Yes.

- (6) Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community;

Staff Comment: It will not.

- (7) Will have vehicular approaches to the property, which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares. Upon authorizing a conditional use, the Board shall impose such requirements and conditions with respect to location, construction, maintenance and operation, in addition to those expressly stipulated in this Springfield Zoning Code for the particular conditional use, as the Board may deem necessary for the protection of adjacent properties and the public interest.

Staff Comment: Yes.

STAFF RECOMMENDATION:

Approval of the conditional use permit.

Ms. Williams asked if the Board had any questions for Mr. Thompson.

Mr. Burkhardt questioned if the alley behind the property was paved.

Mr. Thompson stated he believed a portion of the alley was paved.

Ms. Williams asked the applicant or the applicant's agent to take the podium for questions from the board.

Mr. James Pfeiffer attorney for the applicant.

Mr. Pfeiffer questioned which alley.

Mr. Thompson pointed out the alley on the map.

Mr. Burkhardt asked if the city would be responsible for keeping up the alley.

Mr. Thompson stated if the alley was improved it would be the city's responsibility for keeping up the alley.

Mr. Pfeiffer stated the west side alley would only be used as an exit. Mr. Pfeiffer stated they did not plan on making use of the alley in connection with the business. Mr. Pfeiffer stated the arrows were only present on the drawing because it's a public alley.

Mr. Burkhardt stated he understood it was a public alley but questioned if that was a public alley that was coming out on the egress and ingress.

Mr. Pfeiffer stated not from that facility, it would be only egress.

Ms. Zimmers asked if there was a drive through that used the same alley.

Mr. Thompson stated he was unsure.

Ms. Zimmers asked if the car wash would add to the traffic in the alley from the car wash.

Mr. Thompson explained the applicant stated they would not be directing customers to use the alley, they would direct them to main street.

Mr. Pfeiffer explained the direction traffic would go on the map.

Ms. Zimmers asked if the alley went all the way through to CVS and if so would that add to traffic.

Mr. Thompson showed where the alley ended on the map.

Ms. Zimmers asked if the alley went all the way to high street.

Mr. Pfeiffer stated if did not.

Ms. Williams asked if there were any further questions for Mr. Thompson. Hearing none, Ms. Williams asked if there were any further questions for the applicant's agent. Hearing none, Ms. Williams asked if there was anyone else that wished to speak.

Ms. Mary Hall. 2742 Seymour Lane. Springfield, Ohio 45503, explained the previous business used the alley as an exit and it does enter into the zone where residents pick up their prescriptions. Ms. Hall explained there was a lot of traffic on Main Street. Ms. Hall asked if there would be enough clearance for the cars pulling in and out of the carwash.

Mr. Pfeiffer stated the car wash would not interfere with traffic. Mr. Pfeiffer explained the area was high traffic area. Mr. Pfeiffer explained the facility was not designed to enter from the alley and there should be no interference.

Ms. Williams asked if the cars would be entering from Main Street.

Mr. Pfeiffer stated that was correct.

Ms. Zimmers questioned at what point in time the car would enter into the building. Ms. Zimmers asked how many cars would be able to fit in the parking lot before the cars would be backed up on the road.

Mr. Sabri Salhie. 328 Roscommon Drive. Springfield, Ohio 45503, stated fifty cars could be in line before traffic would enter into the street. Mr. Salhie stated similar car washes were being built in much higher traffic areas in bigger cities and they have never had problems.

Ms. Zimmers explained that the car wash seemed similar to another one in Springfield.

Mr. Pfeiffer explained the direction the traffic would go.

MOTION: Mr. Ryan made a motion to close the public hearing. Seconded by Mr. Burkhardt. Approval by voice vote.

Ms. Williams stated that the public hearing was now closed and asked for a motion to approve Case #19-A-33.

MOTION: Motion by Mr. Burkhardt to approve case #19-A-33 Request from Stonewood Apartments for a conditional use permit for an automobile oriented use for a car wash at 2531 E Main St. in a CC-2, Community Commercial District. Seconded by Mr. Ryan.

Hearing no further discussion or questions, the Board determined the following findings of facts:

1. There is no opposition.
2. It benefits the neighborhood and will use a vacant property.
3. It is a conditional use.

YAYS: Mr. Ryan, Mr. Burkhardt, Ms. Zimmers and Ms. Williams.

NAYS: None

Motion Approved 4 to 0.

2020 Board Calendar

Ms. Williams asked for a motion to approve the 2020 board calendar.

Motion by Mr. Ryan to approve the 2020 board calendar. Seconded by Ms. Zimmers.
Approval by voice vote.

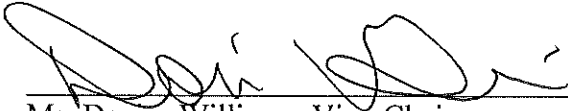
Board Comments: None.

Staff Comments: None.

Subject: Adjournment

Mr. Burkhardt made a motion to adjourn the meeting. Seconded by Mr. Ryan.

Ms. Williams adjourned the meeting at 8:10 pm.



Ms. Denise Williams, Vice-Chairperson