

**Miami Township  
Board of Zoning Appeals  
Thursday, May 31, 2018**

**Members of the Board of Zoning Appeals present:**

James Hamilton, Chairman  
Fred Sinder  
John Broz  
Gregory Clatterbuck

**Members of Miami Township Staff present:**

Kyle Hinkelman, Deputy Director  
Alex Carlson, Planner

**Others Present:**

Keith Engwall, 2654 Saltmore Lane  
Charlene Johnson, 10033 Jamaica Road  
Ronnie Smith, 10033 Jamaica Road  
Tim Wells, 2709 Eckley Boulevard  
Cindy Fischer, 2641 Rhapsody Drive  
Sue Gossett, 2640 Rhapsody Drive  
Sean Bohn, 2549 Rossini Road  
Barb Miller, 2584 Eckley Boulevard  
David Miller, 2584 Eckley Boulevard  
Cheri Hannah, 10120 Jamaica Road  
Everette Donegan, 2578 Eckley Boulevard  
Jeff & Jody Cooper, 2542 Rossini Road  
Haley Kocol, 2542 Rossini Road  
Chris Sally, 2601 Eckley Boulevard  
Rachica Ward, 1345 Cornell Drive  
Rakesha Holmes, 6142 Green Knoll Circle

**GENERAL MEETING**

Mr. Hamilton called the meeting to order at 6:00 PM.

**Action on minutes from March 5, 2018**

Mr. Clatterbuck motioned to approve the minutes from March 5, 2018, Mr. Sinder seconded the motion, and the vote was all ayes. The motion passed.

**THE OATH**

Mr. Hamilton administered the Oath of Truth to the following people:

Alex Carlson  
Kyle Hinkelman  
Rachica Ward  
Rakesha Holmes  
Barb Miller  
Timothy Wells  
Cynthia Fisher  
David Miller  
Chris Sally  
Everette Donegan  
Sue Gossett  
Cheri Hannah  
Keith Engwall

### **NEW BUSINESS**

#### **1. Case # BZA 822-18 – Conditional Use – 2600 Eckley Boulevard**

Mr. Hamilton made a motion to open case # BZA 822-18, Mr. Clatterbuck seconded the motion, and the vote was all ayes.

Mr. Carlson stated that the case was properly filed, advertised, and the required surrounding property owners were notified.

Mr. Carlson explained that the applicant was requesting a conditional use under Article 11 for a community oriented social service facility located at 2600 Eckley Boulevard that is zoned "R-3". He noted the intent of the facility would be to care for six or fewer foster youth managed by a non-profit agency.

Mr. Carlson further explained that the board could grant the requested use under Article 1103 of the Miami Township Zoning Resolution.

Mr. Carlson noted that the facility is subject to seven requirements under section 4802 of the Miami Township Zoning Resolution. A summary of these requirements as stated by Mr. Carlson include:

- A. A minimum of 80 square feet of sleeping quarters per occupant of a single space and 60 square feet per occupant for any shared sleeping quarter.
- B. Indoor and outdoor rec areas meet the requirements of the state licensing authority.
- C. That any exterior alterations do not change the residential character of the home.
- D. That any exterior lighting of the home be consistent with that of a typical residential home.

- E. That one parking space per three occupants be available.
- F. The home is not located within 1500 feet of any other community oriented residential social service facility or home.
- G. A review or inspection of the facility be reviewed and approved by the Fire District.

Mr. Carlson noted that the layout of the home as presented would meet all the sleeping quarter and recreational space requirements, that the applicant has agreed to not make any alterations to the residential character of the home, that off-street parking requirements would exceed the number required, and all lighting requirements are met. He further noted that staff is not aware of any other social services facility located in the township. He stated that staff would be in support of conditions that no other such facility be located within 1500 square feet at the time of license and that a fire inspection of the facility by the Miami Valley Fire District be performed as already required by the state.

Mr. Clatterbuck asked if it was uncommon for square footage of bedrooms and not bathrooms be regulated by the state.

Mr. Carlson noted that the township resolution was written to mimic that of Montgomery County and that the county has never regulated square footage of bathroom facilities.

Mr. Hamilton asked for clarification regarding approval if another facility is located within 1500 square feet.

Mr. Carlson explained if another facility within 1500 square feet were able to obtain state licensing faster and prior to this facility that it be a condition of approval to prevent clustering of such facilities in one location.

Mr. Hamilton asked if the applicant(s) would like to address the board and Ms. Rashica Ward and Ms. Rakesha Holmes came forward and were sworn in.

Ms. Holmes stated that the facility would be a group home social services facility for young males that would be a state registered non-profit. She noted the facility would provide care to a growing number of foster youth who may have disabilities, mental health issues, have been neglected, or all the above and not just those who may have juvenile issues.

Ms. Holmes explained that the home would provide both long and short-term care and the ultimate goal of the facility would be to reunite the children with their families if possible. She further explained the home would be a structured environment with activities for the children who would also be enrolled in school.

Ms. Ward stated that they both are family oriented and have a history of involvement in the community through both volunteer and charity work.

Ms. Ward stated herself and Ms. Holmes are both government employees and are familiar with the intricacies of the process and are currently in the process of meeting all

the necessary state and federal regulations. She explained they are already an existing non-profit charity providing services and now have a home in which to extend those services. She added the intent is to run the facility just like a typical family home.

Ms. Ward noted there would be no exterior alterations to the building, that it would be occupied by six children or less, and that they would insure adequate staffing as well as meet any license and staffing requirements of Ohio Job and Family Services authority.

Ms. Ward commented that the children in the home would come from both nearby communities and areas outside of Ohio. She also presented a tentative schedule for the facility which was provided for the Board. She asked the board to review the material noting that obtaining a Conditional Use Certificate from Miami Township was only part of a lengthy process in meeting all the requirements to obtain a state license to operate.

Ms. Ward stated that she hopes to have the required fire inspection completed in June, have state licensing by July, and then be ready to open the facility by September.

Ms. Holmes noted that this was a passion project for both her and Ms. Ward and that they want to provide the type of home and opportunities for these children that they and many others have grown up in.

Mr. Sinder asked for more details in regards to staffing.

Ms. Ward explained that the state has specific requirements in regards to staffing which they intend to meet and that they are also working on their own preferred standards for the home which would consist of both full and part-time care givers. She continued that right now the plan would consist of at least two full-time and four part-time experienced caregivers. She stated that she and Ms. Holmes would be the staff administrators for the facility.

Mr. Hamilton asked if there was someone present all night with the children and Ms. Ward stated that there would be.

Mr. Clatterbuck asked if there was an age limit for the children staying in the home and if they were allowed to drive a vehicle.

Ms. Ward stated that the children would be 12 to 17 years of age and would not have driving privileges while in the home.

Mr. Hamilton asked for the name of the non-profit and if they were both a registered and licensed non-profit under 501(c)(3).

Ms. Ward stated the name of their non-profit is SafeWard and noted that they are not currently registered as a non-profit with the state because they are required to have a residential home for the facility prior to obtaining their state license. Which she explained is why they are seeking approval from the township prior to receiving the required state license.

Mr. Hamilton asked what their training or background is in order to run such a facility.

Ms. Holmes stated that the minimum state requirement for a group home administrator is a bachelor's degree and that both she and Ms. Ward have a master's degree.

Ms. Ward added that they both have a master's degree in business administration and that staff would be required to meet any and all state requirements for social workers.

Mr. Clatterbuck asked if all the children in the home would be from the local Dayton or Montgomery County area.

Ms. Ward stated that the children may come from areas outside Montgomery County and that in their dealings with Ohio Jobs and Family Services that children are placed as needed throughout Ohio.

Ms. Holmes and Ms. Ward added that there are far less group homes and foster homes available for the number of children in need of such facilities.

Mr. Hamilton asked if there were any proponents to give testimony in regards to this case. There were none.

Mr. Hamilton asked if any opponents would like to give testimony.

Ms. Barb Miller of 2584 Eckley came forward and was sworn in.

Ms. Miller stated that she understands and does not dispute there is a great need for foster care and these types of homes. She expressed concern that without the state 501(c)(3) license the provided information was lacking in order to permit this conditional use.

Ms. Miller noted that according to the Miami Township Zoning Resolution section 4801 that a copy of an agency's operation and occupancy standards be provided along with a detailed plan for services, the program, and the children's plan of care.

Mr. Hamilton asked if she was specifically interested in what the curriculum was during the day or something else.

Ms. Miller stated that she wanted to know the schedule of the children every day, every night, activities for their care, how they will be cared for, the experience and requirements the operators would have, requirements and qualifications of the staff, staff to resident ratio, the qualifications of the proposed residents of the facility, the code of conduct for residents, the expected average stay, and what repercussions if any if residents do not comply with any standards put in place.

Ms. Miller continued that she understands that Ms. Ward and Ms. Holmes would not own the home or the property but rent from the owner and expressed concern how routine maintenance or repairs would be resolved.

Ms. Miller mentioned a case heard by the city of Dayton that was declined on the basis that it was a transitional home and not a group home.

Ms. Miller also expressed concerns in regards to how funding for this home is obtained, who operates the SafeWard agency, the financial structure of their organization, and the short and long term funding of their organization.

Mr. Hamilton commented that staff noted the application was properly filed and asked Mr. Carlson to confirm the application was property filed.

Mr. Carlson confirmed that the application was properly filed per the Miami Township Zoning Resolution requirements and that the interpretation of the curriculum for the facility or other concerns mentioned are regulated via the jurisdiction of Ohio Job and Family Services. He noted that a conditional approval would require that any requirements set forth by Ohio Job and Family Services would be met. He further noted that for Ohio Job and Family Services to approve the license of the facility that specifications and the conditional use of the home would be needed in advance of their approval.

Mr. Hamilton asked Mr. Carlson if he could address Ms. Miller's concerns in regards to the lack of attendance from the landlord of the property.

Mr. Carlson noted that the landowner was the primary applicant in regards to this case and their signature was notarized on the conditional use application pertaining to this property.

Ms. Miller further noted that she felt the submission requirements listed under 4801 of the code were missing as it calls for a copy of an agency's operation and occupancy standards to be provided.

Mr. Carlson stated that Miami Township legal counsel advised staff that reviewing the operation and occupancy standards is better handled by Ohio Job and Family Services as they are better equipped to analyze those specifications than the Board of Zoning Appeals.

Mr. Carlson reiterated that the Ohio Job and Family Services are better equipped to analyze the facility operations whereas it is within Miami Township's jurisdiction to insure the building meets all legal zoning, space, and area requirements.

Ms. Miller appealed to the board asking that they consider the daily operation of the facility, the screening of the occupants, the financials of the agency, and residents' concerns when considering approval of this case.

Mr. Hamilton acknowledged Ms. Millers concerns and noted that per staff testimony Ohio Jobs and Family Services is the better suited jurisdiction to address concerns in relation to the daily operations of the facility. He further commented that the Board of Zoning Appeals is an extension of the zoning for the property and that the objective is to

determine if the requirements for a conditional use are met. He further commented that it would be difficult for the Board to make a decision on based on something that falls within the jurisdiction of the state.

Mr. Clatterbuck commented that the board was not the body to determine the requirements of the facility but were here to make decisions in regards to the zoning requirements for a conditional use.

Mr. Hamilton thanked Ms. Miller for her testimony and asked if there was anyone else to speak in regards to this case.

Mr. Tim Wells came forward and was sworn in.

Mr. Wells noted a signed petition by 14 area neighbors that are opposed to the proposed group home at 2600 Eckley. He stated that he did not receive notice of this case and was informed of this meeting by a neighbor.

Mr. Wells continued that there has been crime in the neighborhood by teenagers coming from the Knolls apartment building located nearby. He noted in his experience he felt children ages 12 to 17 with backgrounds of abandonment and mental health issues would cause crime levels to go up. He further expressed his concern for his property value, the care of the children in this facility, and the qualifications of the agency providing care. He further expressed concerns over night time supervision of the children and the overall impact the home may have on the safety of the neighborhood.

Mr. Hinkelman noted that the petition provided by Mr. Wells would be entered into the record as Exhibit A.

Mr. Hamilton asked staff if the surrounding properties had been notified.

Mr. Carlson noted that notices were provided to any property owner located within 300 feet of the property as required. He noted the map provided illustrating the location of the properties located within 300 feet.

Ms. Cynthia Fisher came forward and was sworn in.

Ms. Fisher commented that she would like her name added to the petition. She stated that her notice had been sent to her mortgage company. She expressed concerns in regards to staffing of the home in the evening, the lack of involvement by the property owner, and concerns in regards to her property value.

Mr. Hamilton asked Staff for clarification as to why notice would be sent to her mortgage company.

Mr. Carlson noted that property owner's mailing information is obtained via Montgomery County and in this circumstance the mortgage company was listed as her primary mailing address.

Mr. David Miller came forward and was sworn in.

Mr. Miller stated that he had issue with the application and with the notice of surrounding property owners. He requested, citing the submission requirements that a detailed operation plan be provided and expressed his discontent with the landowners notice distance of 300 feet and a concern for himself and his family.

Mr. Hamilton stated that the 300 feet is determined and required by law.

Mr. Broz asked if the 300 feet was the standard for all Board of Zoning Appeals cases and Mr. Carlson confirmed.

Mr. Chris Sally came forward and was sworn in.

Mr. Sally commented that he felt that a community center or the group home was in the same vein as a hardware store or other business and that it did not belong in a residential neighborhood.

Mr. Sally stated he had a question for Mr. Carlson and told him that the home did not have five bedrooms as he had mentioned in his report.

Mr. Carlson replied that staff is recommending as part of the board's approval that the bedrooms and square footage meet any requirements by the fire district and also be licensed by the state of Ohio.

Mr. Sally stated that the number of bedrooms does not fall under the fire district and expressed concerns that six children residing in this home would not access to an adequate number of a fire egress. He also noted that the required number of off-street parking would have to include utilization of the garage for parking.

Mr. Carlson stated that the garage would qualify as available off-street parking so long as the garage could be used as such.

Mr. Hinkelman was administered the oath.

Mr. Hinkelman explained that the Miami Township Zoning Code does not define rooms nor egress requirements. He further explained Miami Township is not the body that has the jurisdiction to consider those definitions.

Mr. Sally stated that his concern was that staff is considering the home as five bedroom home without evidence of such.

Mr. Carlson stated that Mr. Sally was correct in that the township cannot make the determination of what is considered a bedroom. He noted that is why staff is recommending, as a condition of approval, that the home meet all the necessary requirements of the fire district and the state who are authorized to make those determinations.



Mr. Hinkelman reminded the board that they could ask the applicant to address any concerns or questions and noted that the board could also request building code documentation from Montgomery County if they are able to provide it.

Mr. Everette Donegan came forward and was sworn in.

Mr. Donegan stated that he and others in the neighborhood he spoke with are against having the group home in their neighborhood. He stated there was no room for it and he expressed his frustration with the number of people that were notified.

Ms. Sue Gossett came forward and was administered the oath. Ms. Gossett asked if the youth that would be in the home had been through the court system or committed any crimes.

Mr. Hamilton stated that would likely fall under the jurisdiction and review by the state and would not be something the board could regulate.

Mr. Broz asked if the applicants would come forward and elaborate on what the state licensing process would entail.

Ms. Holmes explained that Ohio Jobs and Family Services require a lengthy document be submitted for licensing that includes plans for procedures and standards for the home.

Ms. Ward added that this document also includes the screening process for the children.

Ms. Holmes continued that the document had been worked on for two years and was currently 600 pages. She noted that the document still needs reviewed and completed prior to submittal. She explained that it is a heavily involved document that in addition to describing the screening processes it calls for emergency plans and resident engagements. She explained it was not submitted along with the Condition Use application initially because it was not required.

Ms. Holmes stated she could not guarantee any of the children inside the home may have committed a crime in their past. She stated that they intend to structure the home in such a way that it would not change the current environment of the neighborhood and that the children would be busy with planned activities and school. She also reiterated the home would be open to children who may have lost both parents may be mentally disabled and their parents are unable to care for them.

Ms. Ward added that Ohio Jobs and Family Services under code 5101 actually have specific requirements for the screening process. She noted that the types of children the home is able to take in is directly related to the types of social workers, therapists, or specialist working in the home and that Ohio Jobs and Family Services will not place children in homes that are not equipped to handle delinquent behavior issues.

Ms. Holmes noted that they intend to only use the three bedrooms on the upper floor for the six resident children.

Ms. Ward added that another room would be intended for use by staff and noted that the staff does not sleep while on duty. She explained that there would be both day and night shifts where the staff would supervise the household and provide necessary care. She reiterated that the staff would not be able to sleep while working.

Ms. Holmes added that the document they must submit would be reviewed thoroughly by Ohio Jobs and Family Services. She explained that they are working with a specialist provided by the county and was told that the approval in regards to zoning was the first step in the approval process. She explained that the county specialist advised once zoning approval was completed that they would then go on to review and finalize the policies and procedures to be submit to the state.

Mr. Hamilton asked if there was a public hearing in order for the state to grant a license.

Ms. Ward stated that there was no public hearing to obtain state licensing but there would be a home inspection including the policies and procedures of the home, the staff requirements, fire inspections, training of staff, and would include a staff orientation as required by the state.

Ms. Holmes asked if Mr. Hamilton for clarification on the question.

Mr. Hamilton asked if in order for the facility to obtain state license if there would be a public hearing where neighbors would be notified.

Ms. Holmes stated that she did not believe there was a public hearing involved in that part of the process however the facility would be added to the list of available group homes in the state once licensing is received.

Ms. Ward stated that they were not aware of any public notice requirements for state licensing but would be happy to look into it if desired.

Mr. Wells stated that he still had concerns related to the owner of the home not being present to oversee the maintenance of the property and that the majority of the residents don't want this in the neighborhood as noted in the provided petition. He stated that he felt the 300 foot notification was not sufficient and repeated he does not want the home located in his neighborhood.

Mr. Clatterbuck made a motion to go into private deliberations and Mr. Sinder seconded the motion. The vote was all ayes and the motion passed.

Mr. Clatterbuck made a motion that the public hearing be reconvened and Mr. Broz seconded the motion. The vote was all ayes and the motion passed.

Mr. Hamilton stated that the board would like to continue the case with the request that the applicant provide the document they will be submitting to the state for licensing that would show they will be meeting any state requirements.

Mr. Hamilton made a motion to continue the case until July 9<sup>th</sup>, 2018 at 6:00pm. Mr. Clatterbuck seconded the motion and the vote was all ayes. The motion passed.

## **2. Case # BZA 821-18 – Conditional Use – Jamaica Road**

Mr. Hamilton stated the next case to be heard was case BZA #821-18.

Mr. Carlson stated that the case was properly filed, advertised, and the required surrounding property owners were notified.

Mr. Carlson stated that the applicant was seeking a condition use lot split for a 4.037 from an existing 75.024 acre property in an agricultural district.

Mr. Carlson noted that the irregular shape of the proposed lot was due to the small river that runs through the property.

Mr. Carlson stated that any lot split over 400 feet could legally be granted by the board.

Mr. Clatterbuck and Mr. Sinder asked for clarification on the location of the woods and the river and Mr. Carlson pointed out the specific location on the map.

Mr. Carlson stated that the irregular shape of the lot split was not typical but staff would support due to the location of the woods and the river on the property.

Mr. Hamilton asked under what conditional use the applicant was wanting to split the lot and Mr. Carlson stated that when you split a residential lot from agricultural farmland there are limits and constraints to frontage and a maximum allowed depth of 400 feet. He noted that this would be over the maximum depth in order to section off that portion of the river that would not be able to be farmed.

Ms. Cheri Hannah came forward and was administered the oath.

Ms. Hannah stated she wished to sell this portion of the property to her neighbor. She noted that the property was currently farmed by someone else.

Mr. Hinkelman asked Ms. Hannah to confirm the lot would be split and not tied to another property and she did so confirm.

Mr. Hamilton asked if there was anyone else to speak in favor or opposition of this case and there were none.

The Board discussed the case.

The Board finished deliberation and voted on the following findings of fact:

**FINDINGS OF FACT FOR CONDITIONAL USE**

In each specific case, the Board of Zoning Appeals shall not grant a Conditional Use unless it shall, make specific findings of fact directly based upon the particular evidence presented that support the following:

- A. The proposed Conditional Use will comply with all applicable regulations of this Resolution, including lot size requirements, development standards and use limitations.

Sinder: Y Clatterbuck: Y Hamilton: Y Broz: N

- B. The Adequate utility, drainage and other such necessary facilities have been or will be provided.

Sinder: Y Clatterbuck: Y Hamilton: Y Broz: Y

- C. Adequate access roads or entrance and exit drives will be provided and will be so designed as to prevent traffic hazards and to minimize traffic conflicts and congestion in public streets and alleys.

Sinder: Y Clatterbuck: Y Hamilton: Y Broz: Y

- D. All necessary permits and licenses for the use and operation of the Conditional Use have been obtained, or evidence has been submitted that such permits are obtainable for the proposed Conditional Use on the subject property.

Sinder: Y Clatterbuck: Y Hamilton: Y Broz: Y

- E. All exterior lights for artificial open-air illumination are so shaded as to avoid casting direct light upon any adjacent property located in a Residential District.

Sinder: Y Clatterbuck: Y Hamilton: Y Broz: Y

- F. The location and size of the Conditional Use, the nature and intensity of the operation involved or conducted in connection with it, the size of the site in relation to it, and the location of the site with respect to streets giving access to it, shall be such that it will be compatible with the appropriate and orderly development of the district in which it is located.

Sinder: Y Clatterbuck: Y Hamilton: Y Broz: Y

G. The location, nature, and height of buildings, structures, walls, and fences on the site and the nature and extent of landscaping and screening on the site shall be such that the use will not unreasonably hinder or discourage the appropriate development, use and enjoyment of adjacent land, buildings and structures.

Sinder: Y Clatterbuck: Y Hamilton: Y Broz: Y

H. The Conditional Use requested will not adversely affect the public health, safety, or morals.

Sinder: Y Clatterbuck: Y Hamilton: Y Broz: Y

Mr. Clatterbuck made a motion to approve case # BZA 821-18 based upon the findings of fact and Mr. Clatterbuck seconded the motion. The vote was all ayes and the motion passed.

### **3. Case # BZA 823-18 – Conditional Use – Union Road**

Mr. Hamilton stated the next case to be heard was case BZA #823-18.

Mr. Carlson stated that the case was properly filed, advertised, and the required surrounding property owners were notified.

Mr. Carlson stated that the applicant was requesting to split the existing 11.373 acre property into four individual residential lots. He explained that each of the lots would be over the minimum required acreage and meet the frontage requirements, but would be deeper than the maximum lot depth.

Mr. Carlson noted that staff recommends a professional survey be provided by the applicant to confirm the lot dimensions are correct.

Mr. Broz asked for clarification on the proposed dimensions and Mr. Carlson stated should the lot be split in a way that meets the depth requirement there would be a sliver of land that would have no road frontage.

Mr. Sinder commented that if approved these lots would mimic the existing lots in the neighborhood.

Mr. Hamilton asked about the map provided in the packet and Mr. Carlson noted that map was illustrating the 300 feet of surrounding properties notified of the conditional use.

Mr. Hinkelman reiterated that the map included in the packet is showing the notification addresses and pointed out the parcel location on that map.

Mr. Sinder asked about the neighboring parcels and Mr. Carlson noted that the property to the west is in Miamisburg's jurisdiction.

Mr. Hinkelman added that the property to the west was annexed about ten years ago and noted that the property to the north is owned by the township with no current plans for development.

Mr. Keith Engwall came forward and was administered the oath.

Mr. Engwall stated that they were a military family that had moved often and were now wanting to retire in the township. He explained the intention for the lot split was so that his family and his adult children could reside in the split lots in each of their individual residential homes with a community garden.

Mr. Hamilton asked if there were any questions or if there were any proponents or opponents to speak in regards to this case and there were none.

The Board discussed the case.

The Board finished deliberation and voted on the following findings of fact:

**FINDINGS OF FACT FOR CONDITIONAL USE**

In each specific case, the Board of Zoning Appeals shall not grant a Conditional Use unless it shall, make specific findings of fact directly based upon the particular evidence presented that support the following:

F. The proposed Conditional Use will comply with all applicable regulations of this Resolution, including lot size requirements, development standards and use limitations.

Sinder: Y Clatterbuck: N Hamilton: N Broz: N

G. The Adequate utility, drainage and other such necessary facilities have been or will be provided.

Sinder: Y Clatterbuck: Y Hamilton: Y Broz: Y

H. Adequate access roads or entrance and exit drives will be provided and will be so designed as to prevent traffic hazards and to minimize traffic conflicts and congestion in public streets and alleys.

Sinder: Y Clatterbuck: Y Hamilton: Y Broz: Y

I. All necessary permits and licenses for the use and operation of the Conditional Use have been obtained, or evidence has been submitted that such permits are obtainable for the proposed Conditional Use on the subject property.

Sinder: Y Clatterbuck: Y Hamilton: Y Broz: Y

J. All exterior lights for artificial open-air illumination are so shaded as to avoid casting direct light upon any adjacent property located in a Residential District.

Sinder: Y Clatterbuck: Y Hamilton: Y Broz: Y

F. The location and size of the Conditional Use, the nature and intensity of the operation involved or conducted in connection with it, the size of the site in relation to it, and the location of the site with respect to streets giving access to it, shall be such that it will be compatible with the appropriate and orderly development of the district in which it is located.

Sinder: Y Clatterbuck: Y Hamilton: Y Broz: Y

G. The location, nature, and height of buildings, structures, walls, and fences on the site and the nature and extent of landscaping and screening on the site shall be such that the use will not unreasonably hinder or discourage the appropriate development, use and enjoyment of adjacent land, buildings and structures.

Sinder: Y Clatterbuck: Y Hamilton: Y Broz: Y

H. The Conditional Use requested will not adversely affect the public health, safety, or morals.

Sinder: Y Clatterbuck: Y Hamilton: Y Broz: Y

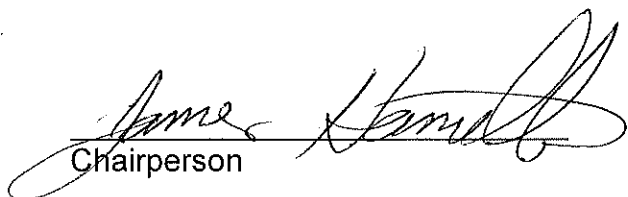
Mr. Broz made a motion to approve case # BZA 823-18 with the condition that the applicant provide a professional survey with the lot as shown in the application. Mr. Clatterbuck seconded the motion. The vote was all ayes and the motion passed.

### **OTHER BUSINESS**

Mr. Hinkelman stated that the township would formally like to thank Mr. Richard Poore, who recently passed, for his service on the Board of Zoning Appeals and noted condolences to his friends and family for their loss.

Mr. Broz made a motion to adjourn the meeting at 8:25 p.m., Mr. Clatterbuck seconded the motion, and the vote was all ayes. The motion passed.

Respectfully Submitted,  
Nicole Kessel, Recording Secretary

  
Chairperson