

**Taylor Mill Board of Adjustment Meeting**  
**Thursday, April 7, 2016**  
**7:00 p.m.**

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**Agenda**

1. Roll Call
2. Confirmation of Quorum
3. Adoption of Minutes
4. Public Hearing BOA1603-0002
  - a. Confirmation of Notification
  - b. Declaration of Conflicts
  - c. Declaration of Site Visit
  - d. NKAPC Staff Report
  - e. Comments from Applicant
  - f. Comments from Proponents
  - g. Comments from Opponents
  - h. Discussion by Board Members
  - i. Motion/Second Regarding Findings of Facts
  - j. Vote
5. Adjournment

**Taylor Mill Board of Adjustments  
Regular Meeting  
April 7, 2016**

Chairman Lucas called the meeting to order at 7:00 p.m. The City Clerk called the roll.

Chairman Lucas	Here
Mr. Fuller	Here
Mr. Meyer	Here
Mr. Osterhage	Here
Mr. Singleton	Absent

Chairman Lucas stated that a quorum was present.

Mr. Meyer made a motion to accept the minutes from the January 7, 2016 Board of Adjustments meeting as submitted. Mr. Osterhage made a second. The City Clerk called roll.

Mr. Meyer	Yes
Mr. Osterhage	Yes
Chairman Lucas	Yes
Mr. Fuller	Yes

**MOTION CARRIED**

**PUBLIC HEARING**

Chairman Lucas stated the purpose of the meeting and reviewed for the applicant the procedure process.

APPLICANT: VIOX AND VIOX ON BEHALF OF LAKESIDE CHRISTIAN CHURCH INC.

LOCATION: 5300 Taylor Mill Road

REQUEST: To seek a conditional use permit for the expansion of the off-street parking area; the applicant proposes to add sixty-seven additional off-street parking spaces to the existing parking lot.

CONFIRMATION OF NOTIFICATION: Chairman Lucas stated that all interested parties had been notified of the meeting and packets sent out.

DECLARATION OF CONFLICTS: None

DECLARATION OF SITE VISITS: No specific site visit but Board of Adjustment Members are familiar with the site.

Chairman Lucas gave a brief explanation of the process of the hearing for everyone present.

**STAFF REPORT AND REVIEW:** Planning Development Services Associate Planner, Chris Schneider, presented and read aloud the professional staff report, which had been previously distributed to all board members. He went over in depth the site description and zoning requirements (see attached report).

**STAFF RECOMMENDATION:** To approve the conditional use permit to construct sixty-seven additional off-street parking spaces with the following conditions:

1. Meet all landscaping requirements of the Taylor Mill Zoning Ordinance.
2. All new off-street parking areas shall be paved with asphalt concrete or Portland Cement concrete.
3. Access easements to 5274 Taylor Mill Road and 5276 Taylor Mill Road be recorded.

**SUPPORTING INFORMATION/BASES FOR STAFF RECOMMENDATION:**

1. The existing church is a necessary and desirable land use which provides a service that contributes to the general well-being of the community. Allowing the parking area to expand will allow the church to accommodate vehicles for their existing services.
2. The size and scale of the proposed improvements to the site in question are consistent and compatible with the character and form of the surrounding areas.
3. The parking lot expansion will not be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity, or injurious to the property or improvements in the vicinity. The conditional use permit will not expand the capacity of the existing church.

Mr. Osterhage asked Mr. Schneider why Planning Development Services did not approve the request.

Mr. Schneider stated in the R1-C Zone, where the church is located, any expansion or change to conditional use requires approval from the Board of Adjustments. Mr. Schneider stated churches are listed as a conditional use in the R1-C Zone and any type of expansion or change to the facility will required approval from the Board.

Mr. Osterhage asked if the church lot is currently lighted.

Mr. Schneider stated not having that information.

Mr. Osterhage asked the plans for the existing basketball goal.

Mr. Schneider stated the applicant will address that.

Chairman Lucas asked about setbacks.

Mr. Schneider stated if approved it would meet the setback requirements.

Mr. Meyer asked if drainage is a concern.

Mr. Schneider stated if more than one acre of area is disturbed, approval is required from Sanitation District One. Mr. Schneider stated if the area being disturbed is less than one acre, the staff at Planning Development Services will review to make sure it's in compliance with the Zoning Ordinance.

Mr. Fuller asked for further information about the land and water runoff.

Mr. Randy Merten of 5224 Sandra Drive addressed the Board of Adjustments. Mr. Merten stated concerns regarding landscaping and water runoff. Mr. Merten stated water sits on Crawford Drive year-round.

Mr. Schneider stated existing trees and vegetation are allowed to be part of the landscaping. Mr. Schneider stated the Zoning Ordinance does not require trees to be planted where there are existing barriers.

Mr. Fuller asked if access will be granted to the two houses behind the church.

Mr. Schneider stated yes.

Mr. Adrian Yanes of Viox and Viox stated an easement exists but is not drawn up.

Mr. Schneider stated a condition Planning Development Services would request is documentation on the deed as proof that an easement exists, which would satisfy that condition.

#### PRESENTATION/COMMENTS BY APPLICANT:

Mr. Adrian Yanes of Viox and Viox addressed the Board of Adjustments. Mr. Yanes stated he is a design engineer for the project and is here to help the church with applying for the conditional use permit. Mr. Yanes stated an understanding for the statutes stated in the staff report. Mr. Yanes stated he agrees with the staff recommendations. Mr. Yanes stated the additional parking would help make sure all members are parked onsite without having to shuttle. Mr. Yanes stated additional parking spaces could encourage more people to participate in church activities. Mr. Yanes presented the landscaping plan (see attached plan). Mr. Yanes discussed meeting storm water regulations through Planning Development Services or Sanitation District One.

#### COMMENTS FROM PROPONENTS:

Mr. Shamus Staubach, Pastor of Lakeside Christian Church, addressed the Board of Adjustments. Mr. Staubach stated the church was formerly Hilltop Church of Christ. Mr. Staubach stated Hilltop Church of Christ approached Lakeside Christian Church in late 2014 stating they were close to closing and asked if Lakeside would be interested in taking over. Mr. Staubach stated Lakeside took over in January 2015 and a few months later started renovations. Mr. Staubach stated doors opened to the public in November 2015. Mr. Staubach stated the church is enjoying the community of Taylor Mill and participated in the Tree Lighting Event and will be participating in the Vietnam Memorial this summer.

Mr. Osterhage asked Mr. Staubach for information regarding the church shuttle service.

Mr. Staubach stated the church received access and approval to park in the lots of Fifth Third Bank and Rainbow Daycare Center on Sundays. Mr. Staubach stated the church runs a shuttle service every Sunday morning from 7:15 a.m. to 12:30 p.m. Mr. Staubach stated an average of thirty cars park offsite and take advantage of the shuttle. Mr. Staubach stated the shuttle is ran primarily from volunteers and staff members.

Mr. Osterhage asked if the church exhausts parking on Sundays.

Mr. Staubach stated very close to it. Mr. Staubach stated the church created signs in the parking lot encouraging cars to take advantage of the shuttle service.

Mr. Fuller asked if police service will need to continue.

Mr. Staubach stated the service will continue.

Mr. Osterhage asked for information regarding the basketball goal.

Mr. Staubach stated the existing basketball goal will go away to make more room for parking. Mr. Staubach stated a new basketball goal has been installed in that last couple of weeks in the back of the church.

A brief discussion took place regarding the placement of the basketball goal. Chairman Lucas stated the issue of the basketball goal is not what the Board is here to decide on tonight.

#### COMMENTS FROM OPPONENTS:

Mr. John Rennekamp of 5273 Taylor Mill Road addressed the Board of Adjustments. Mr. Rennekamp stated concerns regarding water runoff and drainage issues. Mr. Richard Jennings of 5276 Taylor Mill Road stated additional concerns regarding water runoff. Mr. Yanes stated in order for this project to pass it must meet storm water regulations. Mr. Yanes stated their storm water design will not create more water issues. Mr. Brock Mackay

of Viox and Viox addressed the Board of Adjustments. Mr. MacKay stated if there is a preexisting drainage problem within the right-of-way along the road, he is not sure they can do anything about that within the scope of their property and this project. Mr. MacKay stated they will try to intercept water the best they can at the church site.

Mr. Fuller asked where the gas and water utilities are located for the two homeowners who are located behind the church.

Mr. Yanes stated they will need to do more investigating on the location.

Mr. Fuller stated feeling their utilities should be protected somehow.

Mr. Yanes stated the church is willing to work with the property owners.

Mr. Jennings stated additional concerns regarding the basketball court. Mr. Jennings stated the church has done some great things since moving in. Mr. Jennings stated the church is asking too much by wanting to double the size of the parking lot. Mr. Jennings stated turning the green area to a parking lot will affect his property value. Mr. Jennings stated his welfare will be affected with the addition of a parking lot. Mr. Jennings stated the church does not pay property taxes, but he does. Mr. Jennings asked for additional information on the landscaping plan. Mr. MacKay reviewed the landscaping plan.

Mr. Osterhage asked Mr. Jennings where his utilities came in at.

Mr. Jennings stated where the trees are on the right hand side. Mr. Jennings stated the other homeowner's utilities would be located under the new parking lot.

Mr. Jennings stated the church should be happy with what they have. Mr. Jennings stated continued concerns with the basketball goal.

CLOSED PUBLIC HEARING: Chairman Lucas thanked those who have shown up to voice their opinion and the public hearing portion closed at 7:58 p.m.

The Board members discussed the request.

Chairman Lucas made a motion to approve the conditional use permit for the expansion of the off-street parking area in regard to application 1603-0002 to add sixty-seven additional parking spaces to the existing lot subject to the following conditions:

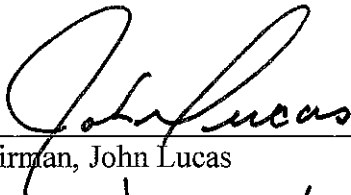
1. Meet all landscaping requirements of the Taylor Mill Zoning Ordinance.
2. All new off-street parking areas shall be paved with asphalt concrete or Portland Cement concrete.
3. Access easements to 5274 Taylor Mill Road and 5276 Taylor Mill Road be recorded.
4. The work described meet all storm water management requirements as set forth by Planning Development Services or Sanitation District One in accordance with regional storm water rules and regulations set forth by Sanitation District One.

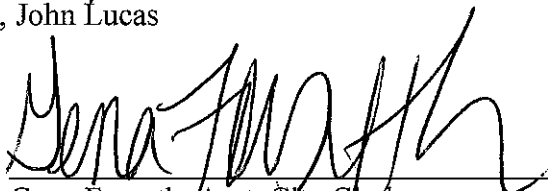
Based on this resolution, the proposed conditional use would contribute to the general well-being as part of the findings and facts of the committee and that it is not detrimental to the health, safety, or general welfare of the community of Taylor Mill. Mr. Fuller made a second. The Clerk called role.

Chairman Lucas	Yes
Mr. Fuller	Yes
Mr. Meyer	Yes
Mr. Osterhage	Yes

**MOTION CARRIED**

There being no further business to come before the Board, Chairman Lucas made a motion to adjourn at 8:23 p.m. Mr. Fuller made a second. All Board Members present were in favor. The meeting is now adjourned.

  
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Chairman, John Lucas

ATTEST:   
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Gena Forsyth, Asst. City Clerk

DATE: 6/9/2016