

FLORENCE TOWNSHIP ZONING COMMISSION
Toth Rezoning Public Hearing Minutes
October 3, 2018

Meeting was called to order by Chairman Jolynne Marsh at 7:00 p.m. Members present: Jolynne Marsh, Dan Saylor, Richard Woodin, and Milt Saylor. Absent: Jeff Blodgett and alternate Tammy McLoda.

Mr. Paul Toth, lessee, would like to rezone Parcel #08-00004.000, which is vacant land, from Residential/Agricultural (R-A) to Local Shopping District (C-1) to construct an indoor firearms and archery range with a retail component.

The secretary read the recommendation from Mr. Tim King at Erie Regional Planning Commission dated October 2, 2018 regarding parcel #07-00004.000, which is owned by Mitchell & Monica Sartoski and leased by Mr. Paul Toth. "The subject parcel is found on the east side of Florence Township and located on the north side of SR 113, north of the intersection of Market Street and SR 113 E. The subject parcel is bordered by vacant/wooded property to the north, single-family residential to the east and west and commercial use to the south. In summary, as proposed the C-1 District would principally permit a 'retail store or shop'. Given the proximity to other existing commercial uses and the fact that the balance of the subject site is already zoned C-1, staff have no objections to the rezoning from RA to C-1 as proposed."

Paul Toth, 15406 SR 113, Wakeman was sworn in. He explained that we are here today because there were originally some discrepancies in the subject parcels. Mr. Toth explained that there is one parcel that the building does not touch that is not zoned C-1; the other (5) parcels are already zoned C-1. He brought a larger site and building plan drawing for the board to review. Mr. Toth stated that he wanted to make sure all the parcels were zoned correctly so he can move forward and build his building correctly and there will not be any problems after the fact. The lots will all be cleaned up and a new building will be nice for the community.

Ms. Marsh asked if the board had any questions for Mr. Toth; there were none. Gail Truscott (daughter of Estelle Truscott), 425 E. College St., Oberlin, OH 44074 was sworn in. Ms. Truscott asked about the size of the building. Mr. Toth stated it was 90 ft. deep from the road front to back and 135 ft. in length east to west. Mr. Toth stated they met the setback for the commercial property. Ms. Truscott asked where the septic system was located and where it drained. Mr. Toth stated he has not had it assessed yet until all the zoning is approved. He stated the permit for the commercial building has to go through the State of Ohio, OSHA and the EPA and everything will be up to code. Mr. Toth stated he would like to have an updated site plan for the Trustees meeting on October 23, 2018.

Ms. Truscott was concerned about the noise level of the indoor firearms range. Mr. Toth stated that they had range representatives at the last variance meeting and the statistics show that the ambient noise of cars passing by is louder than the noise coming from the building. Mr. Toth explained that he had the building rebid and actually added more sound proofing than originally planned. The range area is completely encased in concrete which cuts down on the noise. Mr. Toth stated that the way the property is situated; the noise will actually be below ground level. He stated now the store is opened 9:00 to 8:00 every day and we will not expand hours; if it becomes a problem affecting people, we will adjust the hours. He said the point is to have a brand new building for the community and they will be hiring 10-12 people. The building will be up to code according to the State of Ohio.

Ms. Gail Truscott was concerned about the ingress and egress with the curve and slope of the road. Mr. Toth stated that the older buildings that were located there were not under the current code; this building meets the current code with 105 foot setback from the center of the road and rear setback of 15 feet. Mr. Toth stated that he would check with ODOT about putting up traffic control devices, but as it stands now, it meets the current code.

Monte Scholl, 15903 Garfield Rd., Wakeman was sworn in. He stated he understood that people were concerned about safety, but ODOT just took a traffic light out of commission because of the cost. He thought ODOT may be able to slow traffic down to 35 mph. Mr. Scholl stated that he wrote some investment checks and that he would like the project to move forward. He stated that he lives in the country where people are allowed to shoot their guns, and would be happy if they had a place to shoot so the noise would be reduced.

Estelle Truscott, 1520 SR 113 was sworn in. She apologized to Mr. Toth and Mr. Scholl that the zoning law was not observed and that it was done the wrong way; she knows everyone is trying to do it right. Mrs. Truscott stated that Mr. Toth needed the people to help him and if there was a sign put by the road, more people would come to the zoning meetings. Mr. Toth apologized that she was not notified properly; when they went back and looked at it again, they found one parcel that was not zoned correctly. Mr. Toth wanted to make sure everything was done correctly before he started building.

Milt Sayler made the motion, seconded by Dan Sayler to approve the rezoning for Mr. Toth and send the ERPC recommendation to the Trustees for their public hearing. Roll Call: Ms. Marsh, yes; Dan Sayler, yes; Mr. Woodin, yes; Milt Sayler, yes. Motion passed.

Dan Sayler made the motion, seconded by Milt Sayler to adjourn the meeting. Roll Call: Ms. Marsh, yes; Dan Sayler, yes; Mr. Woodin, yes; Milt Sayler, yes. Motion passed.

Mary E. Morog, Secretary