GENOA TOWNSHIP
BOARD OF ZONING APPEALS
SEPTEMBER 24, 2013

Present:	Harry Goussetis, Chair Mark Harmon Cybele Smith Mark Antonetz, Alternate Theresa Yu, Alternate
Also Present:	Susan Dorsch, Permit & Compliance Inspector
RE:	BZA 2013-05, 6351 Lewis Center Rd. (Cochran)

Mr. Goussetis called the meeting to order at 7:00 p.m.

OLD BUSINESS

Minutes – 7/23/13

Mr. Harmon moved to approve the Minutes from July 23, 2013, as written. Motion was seconded by Ms. Smith. Roll call: Mr. Goussetis, aye; Mr. Harmon, aye; Ms. Smith, aye; Mr. Antonetz, aye; Ms. Yu, abstain. **Motion carried.**

NEW BUSINESS

BZA 2013-06 (6460 Braymoore Dr.) (Romanelli & Hughes)

Ms. Dorsch stated that the Zoning Office received an email from applicant requesting a withdrawal of their application and informed the Board that the applicant is not proposing to re-file this application at a later time. The withdrawal was accepted.

BZA 2013-05 (6351 Lewis Center Rd.) (Cochran)

This hearing began at 7:03 p.m.

Mr. Goussetis read the legal notice for the record, as follows:

MELISSA COCHRAN, ON BEHALF OF SHEILA E. MILLER, TRUSTEE, REQUESTING A CONDITIONAL USE PERMIT FOR A HOME OCCUPATION PURSUANT TO §1708.02 OF THE GENOA TOWNSHIP

ZONING RESOLUTION ON PROPERTY LOCATED AT 6351 LEWIS CENTER ROAD, A RURAL RESIDENTIAL (RR) ZONING DISTRICT.

Mr. Goussetis asked everyone to sign the sign-in sheet and directed those who wished to speak to stand and be sworn in.

Mr. Goussetis marked the following as Exhibits:

Exhibit "A" – Legal Notice
Exhibit "B" – Sign-in Sheet
Exhibit "C" – Application
Exhibit "D" – Staff Report, dated 9/24/13
Exhibit "E" – Site Plan
Exhibit "F" – Email from Mr. & Mrs. Walko, dated 9/24/13

Melissa Cochran appeared and presented the application information to the Board. Ms. Cochran stated that she has a dog training business, Your Divine K-9, where she currently trains dogs out of her home. She is proposing to purchase the property at 6351 Lewis Center Road and would like to continue her business at that location. She testified she specializes in obedience training where clients drop their dogs off for a period of time, and she also plans to offer one or two one-hour classes per week, with a maximum of eight dogs at a time. She has no other employees. All training will be done between the hours of 8:00 a.m. and 8:00 p.m.

Ms. Cochran is proposing to construct an accessory building on the property which will be used as a training facility and a small office. She also proposes to add extensive fencing for the security and safety of the dogs. The fencing will be located approximately 18 feet from the west property line. Parking will be provided on the existing gravel driveway.

Ms. Dorsch stated that Ms. Cochran is before the Board for a Conditional Use Permit for the ability to run her business on the property. Ms. Dorsch clarified that she would be permitted to have a kennel on this property under the Rural Residential Zoning District for agricultural use without the need for this Conditional Use Permit. Also, the property is approximately five acres and applicant would be compliant with the Zoning Resolution with respect to the proposed accessory building.

The Board briefly discussed the comments from the Genoa Township Fire Department and determined that this business would be more of a home occupation than a commercial operation. The building standards would be the jurisdiction of the Delaware County Building Department.

Public Comment:

Terry Smith (6281 Lewis Center Rd.)

Ms. Smith stated that she lives adjacent to the property and that she does not have a problem with Ms. Cochran running a dog obedience operation as long as she keeps the dogs contained to her property. Ms. Smith stated that she has her own animals, and wants them to be safe also.

Scott Cochran (Applicant's Husband)

Mr. Cochran stated that he fully supports his wife and her dog training operation, and believes she works miracles in teaching the dogs not to bark. The existing pool will be eliminated to make room for the proposed accessory structure. The existing gravel turnaround will comfortably accommodate eight cars; however, there will be no marked parking spaces on the property.

Taylor Glass (6659 Lewis Center Rd.)

With respect to the comments from the Fire Department, Mr. Glass stated that there is a fire hydrant approximately 500 feet from the property, and does not believe this should be considered a commercial operation.

Tim Brown (Realtor)

Mr. Brown stated that the training would take place in an accessory building and that there shouldn't be a fire issue.

Board Comment:

The Board briefly reviewed applicant's compliance with a home occupation with respect to the Genoa Township Zoning Resolution, and briefly discussed any restrictions that should be placed on the Conditional Use Permit were it to be approved.

Ms. Smith moved, incorporating Exhibits "A" through "F" into evidence, to approve a Conditional Use Permit for BZA Application #2013-05, dated September 4, 2013, for a home occupation on property located at 6351 Lewis Center Road, a Rural Residential (RR) Zoning District, based on the review of §1708.02 of the Genoa Township Zoning Resolution.

Approval of this Conditional Use Permit is subject to the owner's agreement to the following conditions:

1. **Group training classes will be held no more than twice per week, with the hours of operation for that portion of the business limited to 8:00 a.m. until 8:00 p.m.**
2. **The existing parking area will not be increased.**

Motion was seconded by Mr. Harmon. Roll call: Mr. Antonetz, aye; Ms. Yu, aye; Mr. Harmon, aye; Ms. Smith, aye; Mr. Goussetis, aye. **Motion carried.**

ADDITIONAL BUSINESS

None.

Mr. Harmon moved to adjourn at 8:01 p.m. Motion was seconded by Ms. Yu. Vote: all ayes. **Motion carried.**

Respectfully submitted,

Vicki L. Stainer
Zoning Secretary

Date Approved: 10/22/13

Harry Goussetis, Chair