

PARKMAN TOWNSHIP BOARD OF ZONING APPEALS

March 9, 2021,

Members present: Jo Lengel, Rich Hill, Bryan Mullins, Donna Newsome, Dennis Coz, Timothy Musson and Jan Helt, Secretary

Meeting called to order by the acting Chairperson **Ms. Lengel** for this conditional Use permit hearing at 7:00p.m

**Ms. Lengel** introduced herself and had the board members do the same.

There are no minutes from previous meetings that have not already been approved, so we will proceed.

The Conditional Use Application we are concerned with this evening is **2021-16375**.

This Application concerns the use of the Accessory building that is located within Parkman Township on Grove Rd, owned by Mr. Robert D. Gates. The Zoning Inspector will give his report, we will also hear from the Applicant as to his reasons for the request and we will hear from members of the public about their concerns, pro and con, about the way this building and this building only is used. The Board has the right to question the Zoning Inspector, the Applicant and anyone who gives testimony at this hearing. The Board will then discuss the issue and deliver their Ruling.

I understand there are many concerns among the public about the business and property used by the Parachute Club. For reasons of clarification, please understand that this Board has no jurisdiction over the Septic System. That lays under the purview of the Geauga County Health Department and, from my understanding, the septic system lies in Troy Township, not Parkman. The Parachute Club business also lies within the jurisdiction of Troy Township, not Parkman. If you have concerns about either of these issues, please address those concerns to the proper authorities. As I stated before, this Board has no jurisdiction over the Septic System or the Business itself and those issues are not up for discussion at this Hearing.

As for camping on the property, in Parkman Township, Mr. Spelich, the Zoning Inspector, has already addressed this issue with the property owners and they are aware that no camping is permitted on the property in Parkman Township. They are responsible for relaying this information to their tenants.

The only issue we will be discussing this evening is the use of the Accessory building, that lies on a lot, within the Parkman Township limits. Please address your questions and concerns about this Building only and not issues that this Board has no authority on which to make rulings. Thank you.

If you haven't signed in, please do so now.

**Mr. Spelich, Mr. Gates** and anyone attending this Hearing that wishes to give Testimony must take the Oath of Truthfulness. Please rise, raise your right hand and repeat after me

**Ms. Lengel** asked **Mr. Spelich**, to please give his report.

**Mr. Spelich** stated Parkman Township had been receiving a lot of complaints about the parachute club located on Grove road in Parkman Township. Mr. Robert Gated came to my office to discuss the situation at that time he brought up the accessory building on his property. Mr. Spelich stated he found some notes on the original CUP granted for the accessory building on December 6, 1974. The CUP was granted for the building to be used for storage of aircraft, packing, farm tools and air craft repairs. We are here to verify that the Prosecutor's Office said the building is grandfathered in and the air strip is also grandfathered in. Mr. Gates wanted to proceed he wants everything up to date his family has done been in this parachute business for years and the hangers are an important part of it. The parachute club was started in 1964 and we have used the hanger for parachute storage, aircraft, etc. for a long time.

**Ms. Lengel** closed that portion of meeting

**Ms. Lengel** opened to the meeting to the general public. Ms. Lengel asked everyone who wanted to give testimony in favor of this conditional Use of the building to raise their hand.

**Marcie Smith** stated she has worked at the parachute club since 2012 and we have used that building many years for different equipment.

**Ted Grove** said he has been parachute jumping at the club since the 90's. The airport does need hangers to store equipment. Mr. Grove stated he was here to support Mr. Gates today.

**Kurt Byler** on Nelson Road stated that he lived next door to Mr. Gates and that the original permit was issued in 1964.

**Brian King** stated he lives on Hazy Morning Drive he said he grew up and was inspired to become a pilot because of the Parachute club. Mr. King said that the club brings a lot of people into our community which is good for our economy. An airport needs a hanger and we need to support it.

Ms. Lengel asked if there was anyone else who wanted to speak, there was not. Ms. Lengel asked if there were any negative comments against. There was not, closed that portion of the hearing.

**Opened Board questions the Zoning Inspector and the appellant Mr. Robert Gates:**

**Mr. Hill** asked what is the size of the accessory building? Mr. Gates said it is 60x100. Mr. Hill asked if there was anything else that goes on in the building, like maybe some training going on. Mr. Gates said they do some training in the building, like packing parachutes.

**Mr. Hill** asked what farm equipment do they keep in the building? Ms. Smith said they have a roll-up door 20x20, where they store a tractor to cut the grass, a lawn roller to smooth out the bumps in the grass.

**Mr. Musson** asked Mr. Spelich why is the conditional use grandfathered in? Mr. Spelich said he found some paperwork that the original permit was issued December of 1974 and at that time it read for aircraft storage, packing, farm tools, and aircraft repair the permit was good for 2 years. As long as Mr. Gates does not change anything, he can continue with the usage of said building. The father died and Mr. Robert Gates took over the property. If Mr. Gates is issued another CUP, it will be good for 5 years. The board would review it again at that time.

**Mr. Hill** stated that the CUP does not go with the property if it is sold. The CUP will be for what is listed, that is it, if there are changes then the board would decide.

**Ms. Lengel closed that portion of the hearing.**

**Ms. Lengel** called for a motion to go into Executive Session, Mr. Coz motioned, Ms. Newsome seconded. Roll call vote was unanimous.

Ms. Lengel stated that she discussed this CUP with Geauga County Prosecutor she feels we do not need to grant this CUP. She said that there is no judge that would change this. This is allowed unless it is stopped being used for what is permitted. It is grandfathered in. We went back and forth and discussed it further with all members of the board. Ms. Newsome motioned for a roll call, Mr. Mullins seconded. It was unanimous. Mr. Coz motioned, seconded by Mr. Hill to accept the following:

**The board has discussed the CUP requested by Mr. Robert Gates. It is our understanding that the CUP is not required because the original building predates zoning. Therefore on advice from Geauga County Prosecutor's Office no CUP is necessary.**

Anyone wishing to Appeal this decision of this board may do so to the Geauga County Court of Common Pleas, within 30 days.

Discussion of this Appeal is now closed. The public may leave or stay for the review of Old Business and New Business by the Board.

**OLD Business:**

**Ms. Lengel** asked Mr. Spelich what is new in Parkman Township.

- All houses by the BP are torn down.
- Post will open in April possibly they keep changing.
- There is an investigation going on with the store in Parkman not sure what will happen.
- John said he is working on some other issues in Parkman.

**New Business:**

- There are a few variances coming up for April meeting.

**Ms. Lengel** announced that she will no longer be eligible to be on the board for Parkman Township because she is moving to Middlefield.

**Adjournment:**

**Ms. Lengel** motioned to adjourn 8:20 seconded by Ms. Newsome. All in favor.

