



BOARD OF ZONING APPEALS



AGENDA REGULAR MEETING 09/10/2019 at 6:30 PM City Hall – Council Chambers, 2nd Floor

1. Roll Call
2. Approval of Minutes
3. Old Business
4. New Business

Item 1. Request for conditional use:

APPLICANT: Theodore L Graham, property owner, on behalf of GP6, LLC

OWNER: Theodore L Graham, property owner, on behalf of GP6, LLC

LOCATION: 617 W. Center Street (former Marion Power Shovel plant 1)

LOT: 22.41 acres

ZONING: The site is zoned 1-2 which allows almost every industrial use without restriction including unlimited bulk storage and unlimited punch press capacity.

REQUEST: Conditional Use as authorized under Section 1145.012 1-2 (B) (3) for a use of the same general character as those listed as allowed in 1-2. More specifically, the applicant wants to raise, breed and process insect larvae from insects to be used to produce animal feed.

5. Items not on the Agenda

Four (4) members of the Board shall constitute a quorum to do business.
All actions of the Board shall have the concurrence of at least four (4) members.

- Chairman sign-off on approved minutes



BOARD OF ZONING APPEALS



MEMBERS

Andy Cumston (1st Ward, 03/02/2022)

1269 Bermuda Drive
Marion, OH 43302
740-361-4159

andycumston@gmail.com

Barry Gustin (6th Ward, 03/02/2021)

623 Concord Ave.
Marion, OH 43302
740-387-5442

gusgus1949@gmail.com

**Amy Parker (2nd Ward, 03/02/2021)
(Vice-Chair)**

499 Ballentine Ave.
Marion, OH 43302
614-314-0155

amyjoorr@yahoo.com

Dan Neidig (At-Large, 03/02/2021)

333 Forest Lawn Blvd.
Marion, OH 43302
740-751-4942

neidig5@yahoo.com

Jim Douce (3rd Ward, 03/02/2020)

670 Brightwood Drive
Marion, OH 43302
740-382-5530/740-360-5036

ipdouce@roadrunner.com

Staff: Secretary to Board of Zoning Appeals

Tarina R. Rose

233 W. Center Street
Marion, OH 433302
740-387-4935

councilclerk@marionohio.org

Ryan Hord (4th Ward, 03/02/2022)

756 Villandry Drive
Marion, OH 43302
614-905-0708/740-382-6440

ryan@storadlabel.com

**Marden Watts (5th Ward, 03/02/2020)
(Chair)**

700 Uhler Road
Marion, OH 43302
740-389-5423

mwatts@co.marion.oh.us

MINUTES OF MARION CITY BOARD OF ZONING APPEALS

January 8, 2019

Members present: Mr. Cumston, Mrs. Parker, Mr. Douce, Mr. Hord, Mr. Watts, Mr. Neidig

Members absent: Mr. Gustin (excused)

Meeting called to order at 6:30 PM by Chairman Watts.

Mr. Douce made a motion to approve the minutes of April 24, 2019, Mr. Hord 2nd; Roll call: Ayes – Mr. Cumston, Mrs. Parker, Mr. Douce, Mr. Hord, Mr. Watts, Mr. Neidig

Minutes of 04/24/2019 are approved (6-0)

NEW BUSINESS:

Item 1. Application for variance of section 1143 part 2 subsection (a) of the City of Marion Zoning Code to allow a drive-thru window on the west side of the convenient store (Applicant: Amy and Lakhwinder Singh)

Robert Morris, Marion Regional Planning, presented staff report (on file) and noted that the owners have applied to have the east half of the parcel rezoned to C-1B. The separate rezoning request has been recommended to council by the City Planning Commission and the Zoning and Annexation Committee.

Mr. Hord made a motion to grant a variance to allow for the drive thru window, but require, before the Zoning Inspector issue a permit, to go through the rezoning process to make the west side of the lot that is zoned R-1C to C-1B (as recommended by Marion Regional Planning), Mrs. Parker 2nd; Roll call: Ayes – Mr. Cumston, Mrs. Parker, Mr. Douce, Mr. Hord, Mr. Watts, Mr. Neidig
Variance granted, conditional on rezoning (6-0)

Item 2. Application for variance of section 1153.034 titled Development Standards for Off-Street Parking (Applicant: Harding Home/Harding Presidential Center)

Robert Morris, Marion Regional Planning, presented staff report (on file). The variance is requested because of a deviation from the formula calculation for the combination of the parking spots and drive aisles.

Beth McFarlane (Ohio Historical Society) further explained that they are trying to maximize off-street parking to safely accommodate not only visitors and employees, but volunteers. They are also trying to maximize some green space within the lot. Bus parking and drop off will be on Church Street.

Mrs. Parker asked if there was a reason that the dimensions are written the way they are within the code, i.e. is it to reduce the chance of accidents. She identified that cars would have less room to back up because of shortened space. It was discussed that the zoning

code is from 1969 and most cars were much larger than what they are now. Zoning Inspector Malcolm Smith stated that he did not feel that increasing the number of parking spots would increase accidents and that the lot allows for entrance and exit with added green space. When asked, Mr. Smith stated that parking space sizes vary among other municipalities. He also deferred to OHS's planning experience with 57 sites across the state. It is a combination of the space sizes and the drive aisle width that are requiring the variance. The size is determined by formula.

Without the variance, the lot would lose planned parallel parking that allows for buses, RVs, and larger vehicles. Additional street parking remains available for these types of vehicles.

Mr. Morris commented on the benefit of vegetation and green space to assist with run off. This is a large parking area going into space that was previously houses and yard.

Mr. Hord made a motion to grant the variance (as recommended by Marion Regional Planning), Mr. Cumston 2nd; Roll call: Ayes – Mr. Cumston, Mrs. Parker, Mr. Douce, Mr. Hord, Mr. Watts, Mr. Neidig
Variance granted (6-0)

OTHER BUSINESS:

Mrs. Parker stated that it is the board's role to ask questions and try to understand the implications of proposed variances. She expressed frustration with staff response to her questions regarding parking lot sizes during previous discussion.

There being no further business Chairman Watts adjourned the meeting.

Chairman Watts

Clerk of Council

CITY OF MARION BOARD OF ZONING APPEALS MEETING

STAFF REPORT

August 13th, 2019

APPLICANT: Theodore L Graham, property owner, on behalf of GP6, LLC

OWNER: Theodore L Graham, property owner, on behalf of GP6, LLC

LOCATION: 617 W. Center Street (former Marion Power Shovel plant 1)

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ZONING: The site is zoned 1-2 which allows almost every industrial use without restriction including unlimited bulk storage and unlimited punch press capacity.

REQUEST: Conditional Use as authorized under Section 1145.012 1-2 (B) (3) for a use of the same general character as those listed as allowed in 1-2. More specifically, the applicant wants to raise, breed and process insect larvae from insects to be used to produce animal feed.

COMMENT: The 1-1 LIMITED INDUSTRIAL DISTRICT allows the

"Blending, packaging, and storage of previously manufactured products," including "feed, grain, flour sugar, and other food products.

1-1 also allows "The processing or manufacture of food products, excluding pickles, sauerkraut, meats, fish, flour, sugar, or vinegar"

1-2 then allows "Any principal use permitted in the 1-1 District, provided that the exclusions and limitations listed for such uses in the 1-1 District shall not apply. It is clear then, that in 1-2 you can manufacture or process ANY type of food product. These provisions, we believe come very close to allowing the proposed use without BZA approval, but just fall just short, because the applicant would technically be raising animals.

In favor of the request, we find that:

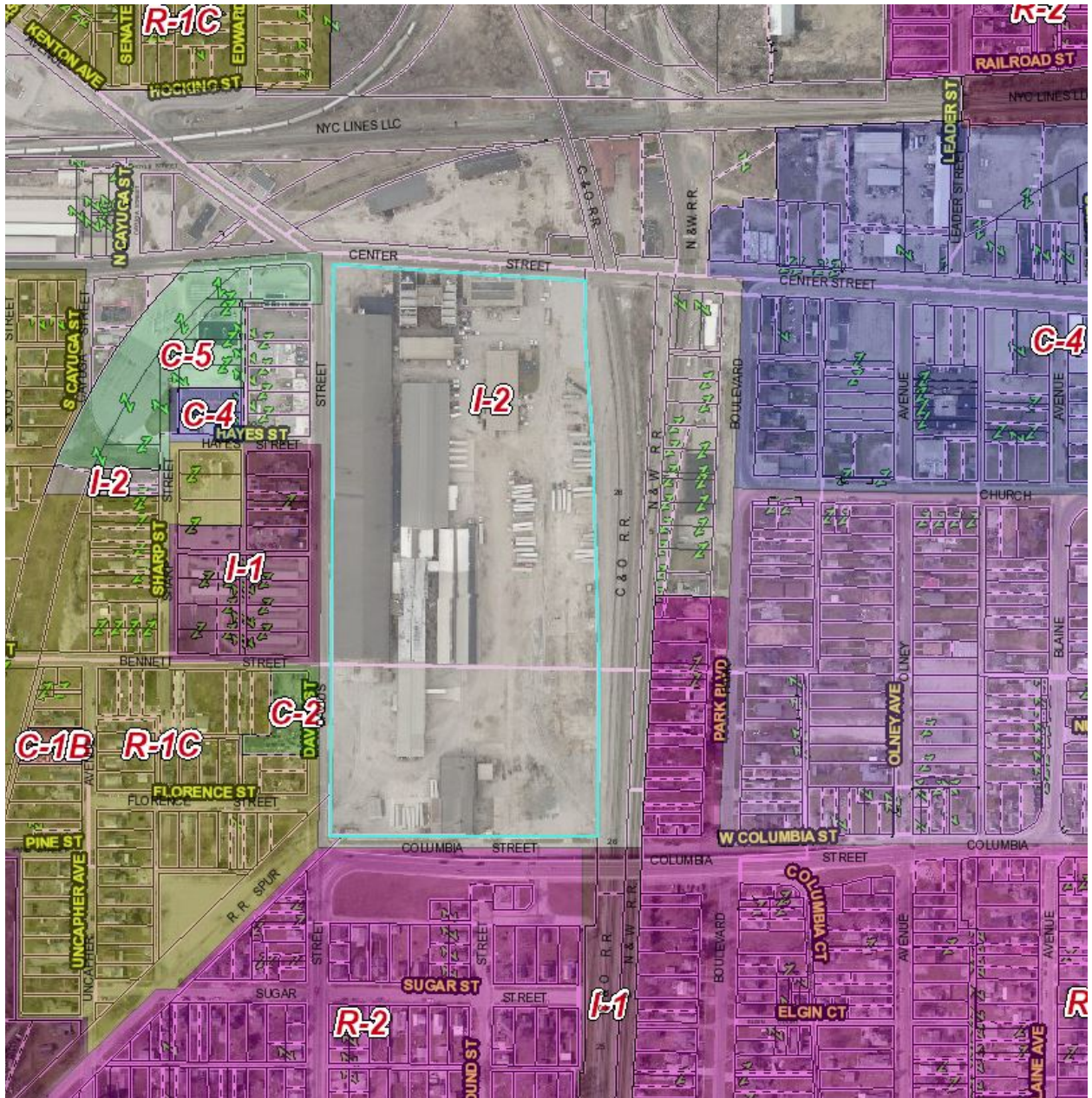
1. The Mayor, Law Director, and City Planning Staff talked to the company officials of the proposed use. They would keep the building sealed and keep negative air pressure to keep all insects inside.
2. The 1-2 District allows Slaughter houses, abattoirs, and stock yards in this district if 600 feet from a residential district and if approved by the Board of Appeals as a Conditional Use.

3. Years ago, in a residential area on the northwest side of Marion, silk worms were used in the Susquehanna Silk Mill on Joseph Street, which later became Tecumseh.

4. The proposed use would have far less noise and outside activity would be limited to transport and parking so that it would be far less intensive than most uses allowed in I-2

Against the request, we find that:

RECOMMENDATION: Based on the above comments, the staff recommends that the conditional use be granted.



CITY OF MARION, OHIO
APPLICATION TO THE BOARD OF ZONING APPEALS

The undersigned Theodore L. Graham on behalf of
GP6, LLC, hereby makes application to the Board of
Zoning Appeals under its powers defined in Title X, Chapter 1169, Section 1169.01 Original
Jurisdiction Application.

Application to the Board of Zoning Appeals for a permit is hereby made in reference to
Section 1145.012 titled I-2 General Industrial District for the property
known as 617 W. Center St., Marion, Ohio 43302.

Applicant further states the following to be the grounds on which the approval should
be granted: Applicant seeks to have a conditional principal permitted
use authorized under Section 1145.012 I-2(B)(3) for a use of the same
general character as those listed as permitted uses in division
(A)(1) and (2) of this section. Specifically, Applicant desires a
conditional use that permits the rearing, breeding and processing of
insect larvae from live insects to be used in the production of animal
feed.


Applicant's Signature


Owner's Signature

3007 Harding Hwy.E., Marion, OH 43302
Mailing Address

7-16-2019
Date

740-223-3505
Telephone Number

Application Filed: _____

Notice to abutting property owners completed on _____

Secretary, Board of Zoning Appeals
740-387-4935

Ted. M. McKinniss
Attorney for Ted Graham
381 E. Church St.
Marion, OH 43302
(740) 387-1120

CITY OF MARION BOARD OF ZONING APPEALS MEETING

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In favor of the request, we find that:

1. The Mayor, Law Director, and City Planning Staff talked to the company officials of the proposed use. They would keep the building sealed and keep negative air pressure to keep all insects inside.
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Against the request, we find that:

RECOMMENDATION: Based on the above comments, the staff recommends that the conditional use be granted.



Center Street Site Layout



ADJOINING AND ABUTTING LISTING

The following is a list of all adjoining and abutting property owners for the property listed at:

617 W Center St. Marion, OH 43302

<u>Lot/Map #</u>	<u>Owner</u>	<u>Tax Mailing Address</u>	<u>Property Address</u>
1591	Marion City of	233 W Center St.	W Columbia St.
1590-19, 20	William Temple	526 W Columbia St.	Park Blvd.
1589 S	Deutsche Bank	M/S F7W35 Fort Worth, TX 76137	275 Park Blvd.
1589 N	Patsy Dow	255 Richland Rd. Apt 215	269 Park Blvd.
1588	Leo & Bonnie Wood	259 Park Blvd.	265 Park Blvd.
1587 N, S	" "	" "	259 & 255 Park Blvd.
1586	Clifton Holycross Sr.		251 Park Blvd
1585 S	" "	536 Fair Park Ave.	245 Park Blvd.
1585	Michael Maynard	676 Leetonia Rd.	239 Park Blvd.
1584	Ruth Stanley	1269 Timber Lane	229/233 Park Blvd.
1583	Tammy Criswell		223 Park Blvd.
1577-1582	Norfolk Southern	PO Box 209 Norfolk, VA 23510	
1582	Amy Gibbs	209 Park Blvd.	213 Park Blvd.
1581	" "		209 Park Blvd.
1575-80	P&DGH Real Estate		175 Park Blvd.
14-15	CSX Transportation	500 Water St. Jacksonville, FL 32202	
1572-1576	Norfolk Southern	PO Box 209 Norfolk, VA 23510	
1569-71	" "	" "	
1569-1589	" "	" "	
OL 416	Marion City of	233 w Center St.	W Center St.
2209	Moto Forsyth Inc.	PO Box 122 Belleville, IL 62222	W Center St.
2210-4	Rick Jividen	135 Davids St.	163 Davids St.
2215	Lester McMurray	658 Mt Vernon Ave.	173 Davids St.

2216	Charles Prater Jr.		179 Davids St.
2216-17	Thomas Hoffman	110 St Rt. 4	183 Davids St.
2217	Peggy Walker	763 Cheney Ave.	191 Davids St.
2218	Michael Troiano	2324 Holland Rd.	199 Davids St.
2219-22	Craig & Diana Willis	1941 Lee Rd.	231 Davids St.
12	Loph & Saengdao	956 E Center St.	261 Davids St.
15	Kimberly Rutherford		275 Davids St.
16	Larry Higgins	691 Bennett St.	283 Davids St.
4258	Michael Christian	131 Latourette St.	Florence St.
2380	Michael Maynard	676 Leetonia Rd.	319 Davids St.
2373-4	Wayne & Millie Bright	14520 W Boundary Rd. Richwood, OH 43344	315 Mound St.
33, 2372	Ohio Edison Co.	800 Cabin Hill Dr. Greensburg, PA 15601	Columbia St.
2371	" "	" "	308 Mound St.

DWright
 Applicant Signature: 2371

7-18-19
 Date:

Jean M Kaschis RS
 Marion Co. Auditor

OF LINES: 36
 # OF COPIES: 43
 Color Map: .40
 TOTAL: \$8.30

MARION TWP
 MARION CORP/WRN CITY USD 00120
 2016 GP6 LLC 7/16/19
 2017 GP6 LLC 1/10/01
 2018 GP6 LLC 1/10/01
 0000 GP6 LLC 1/10/01 OL 622 PG 22
 617 W CENTER ST
 MARION OH 43302-3506 \$700000
 2019 22.00 2.00
 2020

RECORD
 13:33:41
 47.49
 2017
 2018
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 2021
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1/30/01 BOR 01-40 filed on 200 values: 5/3/01
 Remit #57 due to BOR 01-40 set value at \$635,000
 10/3/05 SMMT A DP PER LISTER BOLLERHOUSE HAS BEEN
 RAZED CW:10/11/05 due to DP 50% relief for 1/1/05
 for bollephse remaining value to be removed 1/1/06
 CW:10/23/06 Corrected #2 firm ERRECTION sup prep whs
 & #3 firm ERRECTION to prep whse for 1/1/06 per VB
 AC: 10/19/10 DP FILED DUE TO BOLLER HSE
 11/12/10 DP FILED DUE TO BOLLER HSE
 RAZED 11/10 3/22/11 PERD CWD BLDG
 GONE REMOVED ENTIRE VALUE FOR 1/1/11
 CW:
 sale# # mm dd yy to/remarks type/invalld? sales co:land co:pldgd
 1466 5 12/07/95 GTX MARION INC 2MS 760000 336140 1531940
 1304 19 11/09/92 INDRSCO INC 3MS* 4923910 36140 1531940
 1304 19 11/09/92 INDRSCO INC 3MS* 4574900 403370 1341600

P R O J E C T
 413-0000 SOTO RIVER CONSE fac s:ben ac: changed
 2018/A

617 W CENTER ST
 1 bldg type SHR+const:fxft Dixite
 1 SERVGR 2 W 18416 56.79
 2 OFFICE 2 B B 66.88
 3 OFFICE 2 B B 60.09
 4 OFFICE 2 B B 14216 39.63
 5 WHSESTOR 1 B B 39.95
 6 WHSESTOR 1 B B 39.95
 7 WHSESTOR 1 B B 35.63
 8 WHSESTOR 1 B B 54.59
 9 INDMGILT 1 M 37814 34.23

Subject property
 Joan m Kashtis RS

call back: 14.30 PRIMARY SITE @ 8.11 SECONDARY @
 sign: 25600 366080 101380
 date: 9/27/12 lister:PSN
 12-322000.0200-V123014R

CHILD-ONLY
 CARD 2 OF 3
 1/30/01 BOR 01-40 filed on 200 values: 5/3/01
 Rm#14 #57 due to BOR 01-40 set value at \$635,000;
 10/3/05 SENT A DP PER LISTER BOILERHOUSE HAS BEEN
 RAZED CW/10/11/05 due to DP 50% seller for 1/1/05
 for DP#10 these remaining value to be removed 1/1/06
 CW/10/23/06 corrected #2 from ERBCTION to Prep Wms
 R #3 firm ERBCTION to Prep Wms for 1/1/06 per VB
 AC; 10/19/10 mailed dp per demo permit dt; charged
 415-00000 SCIOTO RIVER CONSE fac's ben acf; charged
 2018/A

code	0202	617 W CENTER ST	prop cls land 35%	land 100%	land 35%	blgd 100%	blgd 35%	42430	14850	totl 100%	totl 35%	42430c	14850c
1	WHSBSTR	SHB+consfrkt	area	Dlxht	unit	rate	grade	blt/renov	cond	replac	ply	inc	trne
2	WHSBSTR	1 B B	36351	47.25	47.25	1910F	1717590	80	94	20610	10740	2640	5940
3	STGTANK	* /pp	21651	41.33	1921F	894840	80	94	10740	2640	5940	1450	5940
4	PUMPHSE	16X20	320	33.00	1940F	10560	75	90	2640	5940	1450	5940	1450
5	SUBSTAF	*	1880	3.16	1940F	5940	90	90	2640	5940	1450	5940	1450
6	CNFP	12X15	1350	11.00	1990A	14850	60	75	460	1450	5940	1450	5940
7	POLBLDGS	6' B/W	130	14.10	1950F	1830	75	75	460	1450	5940	1450	5940
8	FENCE	8' B/W	330	17.50	1950F	5780	75	75	460	1450	5940	1450	5940
9	FENCE												

-----WP-----call back:-----
 12-322000.0200-V123014R

MARION TWP MARION CORP/MRN CTTY LSD 00120 7/16/19 P e a l P r o p e r t y r e c o r d 13:23:41 MARION COUNTY, OHIO JOAN M. KASOTIS AUDITOR 12-322000.0200/02 ind 27.00-001.00 340

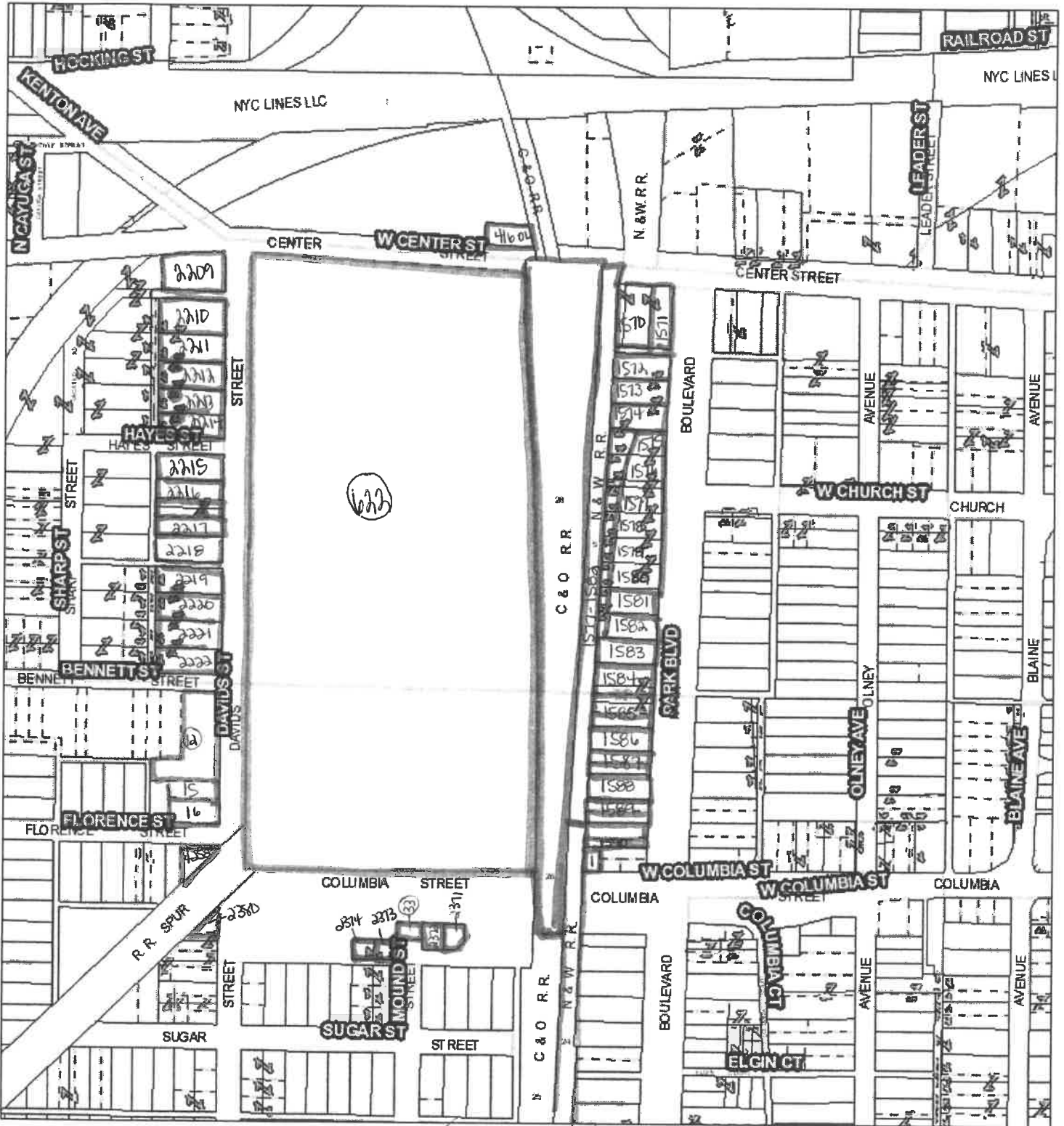
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bidg type	SHB+consfrkt area	Dixht	unit	grade	blt/renov	cond	replace	phy	inc	true
1 PAVING	ASPH	62500	1.50	1940VP	93750	90	9380	90	9380	9380
2 PAVING	ASPH	62500	1.50	1940VP	93750	90	9380	90	9380	9380

code 0202 call back: 617 W CENTER ST date: 9/27/12 lister:PSN-12-322000.0200-V123014R

GIS Map



7/16/2019, 1:37:30 PM

Search Results: Property Search

- Override 1
- Annotation Arrows
- Linework**
 - Full Line
 - Dashed

- Boundaries
- City & Villages

- Tie Marks**
- Full Tie
 - Half Tie
 - Roads

highlighted in green

"Subject property" Joak in Kasotis RS

