

BOARD OF ZONING APPEALS

Minutes of Meeting

January 18, 2022

4:46 pm

Attendance: Members Mike Aeling, Brent Barnes , Dave Lundgren, Chairman; ~~Billy Ray~~ (absent) ; Eddie Williams; Zoning Inspector Shane Howard, ~~Assistant Law Director William Morris~~ (absent), Engineering Clerk Candice Martin

Meeting held in person at the Alliance Senior Citizens Center: The meeting was called to order by Dave Lundgren at 4:46 pm. Mike Aeling, Eddie Williams were present.

Billy Ray excused. Brent Barnes will be late. Lundgren decides to table items 1,2,3 until after items 4 and 5.

Chairman Lundgren reads the Board of Zoning Appeals procedures including appellant recourse

4. Justin Evans – 1495 Freshley Ave. -- Appeal #22-001 – Day Care in an I-1 Sec.1122.03 Land Use Table/
Separation Requirement Sec. 1162.21 (d) 700 ft. variance

Shane Howard is sworn in: Zoning Inspector, 504 E. Main St. Alliance, OH. Howard explains that this appeal involves the old nursing home located at 1495 Freshley Ave. The appeal is for a daycare to be located there. It is in an I-1 which will require a use variance. There is also a separation requirement for two licensed facilities being near each other. A 700 ft. distance variance is needed.

Lundgren asks what business is near.

Howard replies a nursing home behind Staples. Both would be state licensed care facilities. There is a requirement that there must be 1,500 ft. from one state licensed residential facility to another.

Barnes arrives 4:52

Lundgren asks how long the nursing home had been closed.

Howard replies it has been 15 years or longer.

Aeling asks if there is a difference between residential and daycare. He says with the nursing home he understands the residential facility (label) because they are there more long term verses daycare. Or are they lumping it together because they are both state licensed.

Howard says state licensed residential facility.

Justin Evans is sworn in. 2856 State Rt. 183, Atwater, OH. Mr. Evans explains that the property is currently owned by the city. It is going up for auction soon and he is trying to get his ducks in a row before they pursue anything. Mr. Evans wants to put in a childcare facility. He wants to get the variances ahead of time so they are not stuck with a property they can't use. The building is about 15,000 sq. ft. They would use the building that is there and renovate it. He plans on 2/3 of it being childcare and maybe 1/3 would be rented out as commercial units someday in the future.

Lundgren asks if he has any background experience with childcare centers.

Mr. Evans replies that they own 2 childcare centers: one in Sebring and one in Atwater.

Lundgren asks how long they have been in business.

Mr. Evans replies 7 years.

Williams comments that this will be a conditional use: conditional upon the purchase of the property.
Mr. Evans replies yes.

Williams asks if Mr. Evans has been out to the property.

Mr. Evans replies yes. It is in pretty bad shape. The inside will need to be completely gutted. The roof will be a complete tear off, windows replaced, new furnace, plumbing, everything.

Aeling asks what is appealing about the location.

Mr. Evans explains that they have contemplated opening a third center. That particular location is close to the highway, commercial district, and industrial district. It has all three main areas that are going to draw customers.

Aeling asks what kind of hours.

Mr. Evans says he would like to provide afterhours care someday because of the need but not at this time. They will be offering Monday through Friday normal business hours.

Lundgren asks if there is anyone else to speak in favor or in opposition. – No one else comes forward.

Declares this public portion of the meeting now closed.

Board Members Begin Discussion

Lundgren says he sees this doing nothing but making things better. There is a decaying building. It is located in an I-1 zone but it was a residential adult facility before for many years so it was obviously used in a capacity other than an I-1 in the past. He also thinks that there is a need for daycare in Alliance and also in the industrial center.

Aeling moves to grant the use variance and the separation requirement of 700 ft. contingent on the purchase of the property. Brent Barnes seconds. Roll call vote. All agree. Conditional approval granted.

5. Hettler Engineering – 2395 Hedgewood Ave. – Appeal #22-002 – 20 ft. Property Line Setback Variance Sec. 1162.24 (c)

Howard explains this appeal is for Stark Athletic Enhancement Corp. This will be for a snack bar and restroom at the ballfields. It is a permitted use for the ballfields as an accessory to the permitted use but it is only allowed to be so close to the property lines and so it will need a 20 ft. property line set back variance.

Williams asks if they own both parcels.

Howard says it is under two separate names.

Mike Hettler is sworn in. Hettler Engineering: 1225 N. Main St., North Canton, OH 44720. Mr. Hettler explains that Stark Athletic Enhancement Corporation has constructed 2 baseball fields and hopefully in the future there will be a third one out along Conca St. They want to put in a concession stand and a restroom. They would like to reduce the amount from 50 ft. on the rear property line down to 30 ft. away from the property line. This will allow the rest of the property to be as open as possible for future plans. They would like to add batting cages and leave an open area as a place for players to picnic or gather. They will be butting up to the Sportszone Building. They will be closer to the driveway at 30 ft. and if they are closer it will make getting supplies into the concession stand easier.

Lundgren verifies size of building: 24 x 68 and asks about materials.

Mr. Hettler explains that it will be pole barn. All steel, steel roof, steel siding, covered patio on the south side that will be for kids and families to watch the games.

Mr. Hettler says Sportszone is owned by a different company but there are similar interests there.

Williams asks what is the relationship between Stark Athletic Enhancement Corp and Sportszone Alliance.

Joe Reese is sworn in: 1232 Parkway Blvd. Alliance, OH. Mr. Reese explains that Dennis Clunk is part of the ownership of Sportzone Alliance. Mr. Clunk also started Stark Athletic as a nonprofit 30 years ago. Mr. Reese has been president of Stark Athletic for a little over 2 years. They have a 20 year lease from Sportszone Alliance.

Williams asks what type of lease.

Mr. Reese says Novacare rents the west half from Sportzone Alliance; Stark Athletic rents the indoor soccer field and maintains all the property. This concession will tie into Sportszone's water and electric. They are working on a parking lot that will come in off of Hedgewood Ave.

Williams asks what the goals of Stark Athletic are.

Mr. Reese further explains there will be a third field going in on the southwest corner. That will be a handicap field. Mr. Reese has been in contact with Challenger Baseball out of Canton. They reached out to Challenger Baseball and asked if they built them a handicap field would they come and use it. It's all free. Currently, they have a dirt field and if it rains, no one in wheelchairs or walkers can use their field. They said absolutely. They don't pay now either. Mr. Reese has the Stark Raiders which is a travel organization. They have 8 teams – 6 baseball and 2 softball. Challenger Baseball will come and use field three and Mr. Reese's 8 teams will also do clinics and work with their kids. They haven't built field three yet because of Covid but are hoping to this summer.

Mr. Reese also explains the origins of the concession stand idea and how it started with a little food truck owned by a family that lost their young 10 year old son to cancer. The little boy played on the soccer teams at the facility and many of the children he played with are still playing there. He pitched the idea of the concession stand to the parents and explained that Stark Athletic wanted to name it DJ's Snack Shack and let them run it. Stark Athletic would build it. The family was very happy with the idea. Most of the proceeds will be donated to a cancer fund. Mr. Reese said that this park is not just built for travel ball but for Challenger baseball too. He wants to bring them all together.

Lundgren asks if there is anyone else to speak in favor or in opposition. – No one else comes forward. Declares this public portion of the meeting now closed.

Board Members Begin Discussion

Aeling doesn't think it is unreasonable.

Williams agrees. He does have concerns based on his past experience of seeing relationships falter with time. He thinks it is a great thing though. Williams questions whether the 20 ft. setback really makes much difference.

Lundgren agrees he doesn't feel it will make much difference.

Aeling moves to approve the 20 ft. property line setback variance. Williams seconds. Roll call vote. All agree. Motion passes.

1. Election of Officers:

- President, Chairman
- Vice Chair

Aeling nominates Lundgren for the Chairman position and Barnes for the Vice Chair position. Williams moves to accept. Aeling seconds. Roll Call vote. All agree. Motion passes.

2. Minutes from the September 21st, 2021 meeting:

Barnes moves approval. Williams seconds. Roll call vote. Mike Aeling, Brent Barnes, Eddie Williams in favor. Dave Lundgren abstains due to absence from the Sept. meeting. Quorum met. Minutes approved.

3. Minutes from the December 21st, 2021 meeting:

Barnes moves approval. Aeling seconds. Roll call vote. Mike Aeling, Brent Barnes, Dave Lundgren in favor. Eddie Williams abstains due to absence from the Dec. meeting. Quorum met. Minutes approved.

6. Other Business

None.

Williams moves to adjourn. Aeling seconds. Roll call vote. All in favor. Meeting adjourned at 5:30 pm.

Respectfully Submitted by:

Candice Martin

Engineering Clerk