

Liberty Township Board of Zoning Appeals June 24,2024

The meeting was called to order at 7 pm by chairperson Jerry Rea. Pledge of Allegiance recited by all present.

Members present:

Jerry Rea, Dave Brinson, Judi Brinson, Hayes Ingram, Sue Carl.

The first issue is a request for zoning variance from Laurie Eliot-Shea, through her representatives at Tilson Technology Management. She has applied for a conditional use permit for her property on Johnson Road. The rural five-acre property currently has a small fenced compound that contains a fiberglass enclosure (they call it a "hut") that houses telecommunications equipment. (See Permit #1103 from five years ago.) Ms. Eliot-Shea and her contractor wish to expand the current installation with a similar larger hut located behind the one that is there now. This would require considerably more land and a period of construction. Their proposal would qualify as a "public service facility" as defined by the Resolution, which is a legitimate conditional use in the U-1 zoning district.

This request was tabled on May 29, 2024 in an effort to assist neighbors in making sure that the following issues were addressed.

1. Noise from the diesel generator is very loud.
2. Traffic in and out of there at all hours. Main concern is work vehicles that will leave their lights, sometime flashing lights on all night.
3. Lack of upkeep around the structure.
4. Lastly, decrease in surrounding property value.

An explanation was given by Terry Turner according to the application.

Discussion

Mike Mounphiphak, a Tilson representative, addressed the concerns.

1. Noise from the diesel generator is very loud. The generator is a level one, 78 decibels, suggest a noise study, possible shield. The generator is run once a month for maintenance on a Tuesday at 10:00 am. Placement of the new generator. Will investigate generator coming on. Look into existing generator placement.
2. Traffic in and out of there at all hours. Main concern is work vehicles that will leave their lights, sometime flashing lights on all night. No record of vehicles there. Lack of security addressed, possible camera to insure traffic is affiliated with business.
3. Lack of upkeep around the structure. The company is responsible within confines of compound. There is regular maintenance. Landscaping maybe?
4. Lastly, decrease in surrounding property value. No control over this, there are no plans to add a third structure.

Neighbor, Jess Carmin, was agreeable with the Mr. Mounphiphak's suggestions.

Dave moved to approve the request for the variance with the following conditions:

A noise study shall be conducted.

Location of the generator shall be on the other side of the building away from the Carmins.

A security camera shall be installed on the outside of the building.

A contact number/email shall be provided to Terry and to the Carmins for the purpose of open communication. Information (emails) on scheduled maintenance shall be provided as well as other maintenance.

Judi seconded the motion.

Call for vote

Hayes /yes Jerry/yes Sue/yes Judi/yes Dave/yes

Motion passed

The second issue to be addressed is a Conditional Use request from Mr. and Mrs. Morehouse -- who own a 1-acre lot at 20278 Wheeler Green Road. They went before the BZA two years ago and received a variance to build a pole barn closer to the road than the Resolution allows. She and her husband now want a Conditional Use permit to operate their business out of that pole barn, this is an enforcement case.

Explanation by Terry according to application. Explanation by Preston Morehouse. They have been using the garage as the site for a pallet business and were unaware that there was a zoning violation. They have been selling and storing the pallets and supplies in the barn and on the side of the barn away from the road.

There was no opposition to the request

Dave moved to accept the request for the conditional use variance.
Hayes seconded the motion.

Call for vote:
Hayes /yes Jerry/yes Sue/yes Judi/yes Dave/yes

Minutes read by Sue.

Sue moved the meeting be adjourned .Jerry seconded.

Meeting adjourned.

Respectfully submitted,
Sue Carl, secretary