

Amherst Zoning Board of Appeals
206 South Main Street
Amherst, Ohio 44001

March 27, 2024

6:30pm

Present:

Don Anderson
Terry Tomaszewski
Al Berezney
Heather Knoble
John Jeffreys

Excused:

Other City Officials:

Atty. Ward
David Macartney
Tammy Paterson

Mr. Tomaszewski opened the meeting at 6:31pm.

Mr. Tomaszewski swears everyone in that will be speaking at this meeting.

1. Mr. John Horn representing Amherst Armory is seeking a variance to operate a firearm component manufacturing/assembly business in a C-1 zoned district located at 315 N. Leavitt Road Amherst, Ohio 44001.

Mr. Horn stated they are seeking approval to run their business at 315 N. Leavitt, which is a C-1 district. Mr. Horn stated they requested information from the Building Department about other use variances granted. Mr. Horn stated there were two; Advanced Auto Part and 5/3 Bank. Mr. Horn stated Enterprise did not require a use variance. Mr. Horn stated they have updated their security plan to add 24/7 monitoring, tamperproof locks, steel roll down doors with locks. Mr. Horn stated they will be replacing the back door with a steel door and will have motion tracking lights. Mr. Horn stated the back will be well lit but not obtrusive to the residential area. Mr. Horn stated they will have a motion sensor to track vehicles. Mr. Horn stated they have not had any noise complaints from the residential area and no violations to date with the ATF. Mr. Macartney had no comments or questions. Mr. Berezney inquired about the two previous variance approvals. Mr. Macartney explained the bank and Auto Parts was not listed as being a permitted use, therefore they needed to apply for the use variance. Mr. Macartney stated Enterprise moved into a building that was already a non-conforming use to they fell under that umbrella. Attorney Ward had nothing to add at this time.

After deliberations, the Board made the following findings:

- The Board finds persuasive and controlling the prior Board of Zoning Appeals decision dated June 28, 2005 determining that the operation of a "retail store" is a permitted use for a property within a C-1 district. The current Board hereby follows the above-referenced prior decision.
- Based upon the applicant's description during the proceedings in this matter of the applicant's expected business operations at the Premises, the Amherst Armory is, indeed, a "retail store."
- The applicant's operation of the Amherst Armory on the Premises is a permitted use in a C-1 district and does not require a use variance.

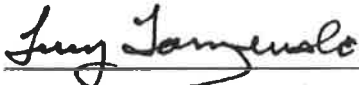
2. Mr. Anderson motions to move not deliberative session, seconded by Mr. Bereznay.
Approved 5-0


3. Mr. Anderson motions to move back into regular session, seconded by Ms. Knoble. Approved 5-0

4. Minutes from February 27, 20204. Motion by Mr. Anderson to approve the minutes with the correction of time to show 6:30pm instead of 7pm, seconded by Mr. Bereznay. Approved 5-0

5. Next scheduled meeting will be April 24, at 6:30pm. Approved 5-0

6. Adjourn: Motion made to adjourn at 7:13pm by Mr. Anderson, seconded by Ms. Knoble.
Approved 5-0

 4/2/2024
Terry Tomaszewski, Chairman Date

 4/2/2024
Tammy Paterson, Sec Date