

Garrettsville Planning Commission Minutes

January 4, 2007

The Planning Commission Meeting was called to order by Chairman Dave Kirk, with Don Harvey, Jerry Kehoe, Steve Hadzinsky, Mark Manlove (Solicitor), Craig Moser (Mayor), and Jan Boehm (Zoning Inspector) present.

After the Pledge of Allegiance, Mr. Kirk requested a motion to approve the minutes of the last meeting, there was no discussion. The minutes of the December Planning Commission meeting on November 30, 2006, were approved by a motion from Craig Moser and seconded by Jerry Kehoe. Due to his absence Steve Hadzinsky abstained.

Vote: Ayes – Unanimous

Mr. Frank Binegar, of Bill's Parts and Repairs, was in attendance for a Change in Use for the building located at 10524 Freedom Street. The building was previously vacant. The purposed use would be a tractor trailer mechanical and electrical repair business. The Fire Chief's report was enclosed with a copy of the application; a review of the Chief's report was noted.

The business sign, which was approved by the Design Review Board, was discussed, as was the nature of the business being permitted by the Garrettsville Ordinances in the Industrial Zoning District. Steve Hadzinsky motioned and Craig Moser seconded the motion to approve the Change in Use.

Vote: Ayes – Unanimous

Mr. Chad Harris of 10563 Liberty Street was in attendance to request the Planning Commission review the newly built gas/service station of the IGA store. Mr. Harris had two requests 1.) The business owner complies with the Village Ordinance 1179.03, (f) Buffer Required, and Ordinance 1179.03, (f), (1). Both aspects of the ordinances cover landscaping, walls or fencing, and the continued maintenance of the buffer. Until the spring, when the buffer can be constructed, Mr. Harris requested the business owner maintain the property on a regular basis and remove the litter from the store, and construction material which is currently littering the hill behind both the store and service station.

2.) The business owner adjust the current general lighting to comply with the statement of Mr. John Frerick, Special Projects Manager from Duncan Oil Company, also a partner with Mr. Porter in the service station, who stated at the August 3, 2006, Planning Commission meeting, that the contractors would install restrictive lighting to contain the lighting to the immediate area of the gas/service station.

The large ice machine outside the station kiosk was discussed; Mark Manlove interjected that only automotive related items placed around the exterior of the kiosk were agreed upon at the previous hearings of the station.

Ms. Clyde, from the audience, stated she talked to Mr. Porter on January 2, 2007, regarding his violation of the lighting; Mr. Porter stated to her he would email the contractors regarding the lighting issue; light barriers would be in place within 10 days.

The discussion was tabled until Mr. Porter's arrival.

Opened for discussion was Ms. Clyde's question, posed to the Zoning Inspector on 12/07/06, "Why are there no minimum side setbacks for open space development?" was opened for discussion. Mark Manlove, Solicitor, explained the interpretation of building requirements which may be interpreted two ways, open space development in the R-1 zoning district may indicate the R-1 setbacks remain in place. Another interpretation would call for the application of the R-2 setback regulations because the ½ acre lot size.

After discussion, Chairman Kirk motioned to recommend to Council to review the side set back requirements in the Open Space developments, and to identify the applications of the R-1 and R-2 required zoning setbacks. Steve Hadzinsky seconded the motion.

Vote: Ayes – Unanimous

The second item opened for discussion was the review of the letter from the Portage County Building to the owner of the commercial property at 8052 State Street, copied to the Zoning Inspector. At this time, the Zoning Inspector was instructed

to send a second Application for a Zoning Certificate to the owner, with a letter; if there is no response by the next meeting the matter will be turned over to the Village Solicitor. If a permit is issued the County Building Inspector is to be notified.

Mr. Porter arrived at the meeting to address requests for a buffer between his property at 8283 Windham Street in the C-2 zoning district and the neighboring residents in the R-1 and R-2 zoning districts. Mr. Porter stated he would need topsoil and would plant arborvitae as screening and other plants since the weather is continuing to be mild.

Mark Manlove, Solicitor, requested a plan for the screening to be submitted to the Planning Commission. Mr. Moser, Mayor, requested the plants be planted close together and initially 5-6 feet tall to block the head lights and litter from the neighboring resident's yards.

Mr. Porter indicated he had already talked to his engineers regarding the installation of shields around the lights under the gas station canopy; they would be in place within a week. Mr. Porter also indicated the bushes in the front of the store would be transplanted to the corner and back to provide screening.

Mr. Kirk asked Mr. Porter to move the portable yellow sign in front of the station to a location behind the highway right of way. Gas station venting permits were discussed; there were concerns that venting was not certified.

A request was also made to Mr. Porter to remove the ice machine from the side of the station kiosk as it is not directly related to automotive products as previously agreed.

At this time, a discussion commenced with Mark Manlove, Solicitor, about zoning with regard to group homes and his letter of 12/04/06 to Mr. Krcmar. The Ohio Revised Code was reviewed regarding nursing care facilities, the definition of adult family homes consisting of 3-5 individuals, and adult group homes of 6-16 individuals were also reviewed. In addition, the definition of a single family home use was also discussed with relation to the current Garrettsville Ordinance definitions. Questions arose regarding the impact of adult nursing care facilities on existing residential neighborhoods regarding the traffic of the care givers, and possible concentrations in existing residential communities.

Possible investigations on intensity restriction of nursing care facilities would be referred to Council regarding the clarification of safety issues, and blood relation issues of single family residences.

A motion was called by Craig Moser and seconded by Don Harvey to recommend to Council to review the definition of single family residences with reference to blood relations, and the concentration of adult group homes.

Vote: Ayes – Unanimous

Don Harvey requested the Planning Commission consider in-law residences located in structures other than the primary structure on a village lot, such as garages with apartments. Mr. Harvey's opinion was to permit in-law/guest residents exist separate from the primary residential structure. Mark Manlove referred to Village zoning ordinances permitting one dwelling unit per residential lot.

Don Harvey motion and Dave Kirk seconded to motion to recommend to Council the discussion of permitting in-law/guest residential units to coexist with the primary dwelling unit on one village lot.

Vote: Ayes – Unanimous

After discussion, the February 1, 2007, Planning Commission meeting was postponed to February 8, 2006.

The resignation of Dave Kirk from the Planning Commission and the Design Review Board was accepted to commence at the end of the present meeting.

Dave Kirk motioned for an adjournment and Steve Hadzinsky seconded to motion.

Vote: Ayes – Unanimous