

Garrettsville Planning Commission Minutes

August 2 2007

Public Hearing

The scheduled Public Hearing was called to order at 7:00 pm with Mayor Craig Moser acting chairman, Jeff Kaiser, Don Harvey, Jerry Kehoe, Solicitor Mark Manlove, and Zoning Inspector Jan Boehm present. Chairman, Steve Hadzinsky was absent.

The purpose of this hearing is to consider the following requests:

A formal request for a Conditional Use Permit was considered for an application by T-Mobile Communications to co-locate an antenna on the cell tower to be previously placed on Village property located at 11333 Brosius Road by Alltel Communications /Site Quest, Ltd. This application also requests permission to place a 10ft. x 20ft. concrete slab at the site for the placement of several outdoor equipment cabinets. This location is currently in an OC, "Open Conservation", zoning district.

Craig Moser called for public comments on the above request; hearing none, the commission proceeded to the next subject.

A request for a Conditional Use Permit for the James A. Garfield Middle School, located at 10235 State Route 88 was considered to erect a sign at the right side of the school driveway, south of quadrant C of the school complex. Presently, the school is a conditionally permitted use in the R-1 zoning district.

The proposed sign may be illuminated on one side, and is 5ft. x 8ft. display on a 42 inch base. This is contrary to Garrettsville Ordinance 1191.01 (Table) for Public or Semi-Public Use Directory or Activity Sign, where the maximum height is 5t ft; area is 36 sq. ft. 1191.02 (e) states: Signs for Nonconforming Businesses, illumination is prohibited.

Craig Moser called for public comments on the above request; hearing none, the commission preceded to the Planning Commission agenda.

Planning Commission Meeting

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

After the Pledge of Allegiance, Mr. Moser requested a motion to approve the minutes of the last meeting; there was no discussion. The minutes of the July 2, 2007, were approved when Jeff Kaiser motioned to approved the minutes and Don Harvey seconded the motion.

Vote: Ayes – Unanimous

Mr. Aaron Galayde was in attendance to request a Change in Use for the building located at 8129 Main Street, from a vacant building to retail sales of fire arms, collectables, and ammunition. Mr. Moser called for questions. After discussion a motion was requested for approval subject to the specifications set forth by Mr. Friess, Fire Chief regarding the nature of the business.

Jeff Kaiser motioned and Don Harvey seconded the motion; however, concerns were voiced regarding several issues. Mark Manlove read the compliances submitted by the Fire Chief with regards to type 4 ammunition magazines, and storage of black powder. Mr. Galayde assured the Commission he fully intends to comply with Federal guidelines.

Ms. Jackie Rinearson from the audience questioned any security measures Mr. Galayde intends to implement. Mr. Galayde assured the attendees than any storage regulations which must be followed will be met.

A vote was called, contingent upon the security measures; compliance with Federal guidelines as well as the Fire Chief's compliances in place, a vote was then taken.

Vote: Ayes – Unanimous

Discussion of the recent Mylar of the property at 10340 Industrial Drive submitted to the zoning office earlier by Mr. Schwan, requesting the signature of the Zoning Inspector commenced. This was a requirement by the tax map department as a recent lot split. After a review of the Mylar, a motion was called to approve the lot split. Jerry Kehoe motioned and Jeff Kaiser seconded the motion; there was no further discussion.

Vote: Ayes – Unanimous

Ms. Jackie Rinearson was in attendance to request information to conduct a farmers market, each weekend, at the library village park parking lot from August 18 thru to September 27, 2007. This is contrary to village ordinance 729.02 which prohibits flea markets, open air markets, or auction facility within the Municipality. After discussion, Mrs. Rinearson was advised to bring the matter to the Village Council meeting of August 8, 2007.

Mr. Ron Gainer, the representative for T-Mobile Communications was not present; however, a discussion commenced to consider the application by T-Mobile to co-locate an antenna on the cell tower previously placed on Village property at 11333 Brosius Road by Alltel Communications/Site Quest, Ltd. This application also contains a request to place a 10 ft. x 20 ft. concrete slab at the site for the placement of several outdoor equipment cabinets in the OC “Open Conservation”, zoning district. Mr. Moser called for a motion; Jeff Kaiser motioned, and Jerry Kehoe seconded the motion, contingent upon the location of appropriate shrubbery and screening.

Vote: Ayes – Unanimous

Mr. Neil Wallace, the representative for the James A. Garfield Middle School was not present; however, a discussion was heard to consider the request for a sign to be located at 10235 State Route 88, at the right side of the school driveway, south of quadrant C of the school complex, which is a conditionally permitted use in an R-1 zoning district.

The display portion of the proposed sign is 5 ft. x 8 ft., or 40 sq. ft., on a 42 inch base with the capability of being illuminated on one side. This is contrary to the Garrettsville Ordinance 1191.01 (Table) for Public or Semi-Public Use Directory or Activity Sign, where the maximum height is 5 ft.; maximum area is 36 sq. ft. Ordinance 1191.02 (e) also states: Signs for Nonconforming Businesses, illumination is prohibited.

After a discussion of the three variables, excessive height, size, and illumination, a motion was called for the approval of a sign to be placed at the location; contingent upon the ruling of Garrettsville’s Board of Zoning Appeals for the three nonconformances. Jerry Kehoe motioned and Don Harvey Seconded the motion.

Vote: Ayes – Unanimous

A motion was also requested for a waiver of fees for the above sign. Don Harvey motioned and Jerry Kehoe seconded the motion.

Vote: Ayes – Unanimous

The discussion of outdoor boilers throughout the village was tabled until the next meeting to enable an opportunity to obtain more information. Mr. Manlove will obtain a copy of Twinsburg City’s Ordinances on outdoor boilers for the next meeting.

A discussion regarding the regulation of structures throughout the Village relative to The Ohio Revised Code commenced. The right of the Village to establish ordinances for the regulation, enforcement through injunctions, and priority through the courts were highlighted. A responsible officer in charge of enforcement, with respect to any past complaints would be needed as the village progresses, such as a housing or building officer vs. a safety officer was discussed. Issues such as health and safety maintenance were also highlighted.

Mayor Moser acknowledged, with respect to The Ohio Revised Code, the Village has the right to establish ordinances for the regulation of buildings with respect to complaints etc.; enforcement must be in place. Money and time would be the large inhibiting factor. Commercial vs. residential properties may be addressed, with commercial and multifamily properties addressed first; then residential. The difficulty of enforcement was recognized; however, the right to create the ordinances along with the enforcement was agreed.

The conversation of Mr. Manlove with the Neighborhood Development Services, instrumental in the construction of the Boardwalk, was discussed as having \$80,000. to \$90,000. in funds from the Ohio Department of Development for Village wide development, with 0% interest. It was agreed that consideration would be in order to create a proposal for financial assistance to village property owners using the above funds for structural improvements, and the enforcement of possible ordinances in place for the regulation of the maintenance of structures throughout the Village.

Information was distributed by the Zoning Inspector, supplied by Arcadis, regarding their review of the storm water report, site improvement plans, water and sanitary sewer improvements for the Garrettsville Sports Complex.

The lack of a submitted site plan and Change in Use application was recognized from Mr. Rob Warren with regards to his new fencing business at 8454 Windham Road. Mr. Manlove will again contact him.

Councilperson, Karen Clyde, from the audience, stated the number of Design Review Board members should be adjusted from 7 to 5 members in view of the two current vacancies. Mr. Moser stated the Board now has Mrs. Connie Knop as a welcomed candidate, and a valuable contributor. Mr. Moser stated if Council were to vote to reduce the Design Review Board membership from 7 to 5 members, he prefer 6 members maintained to include Mrs. Knop until the time one member resigns, and then maintain the 5 members.

A call for adjournment was placed. Don Harvey motioned for an adjournment and Jerry Kehoe seconded the motion.

Vote: Ayes – Unanimous