

Garrettsville Planning Commission Minutes

March 5, 2009

Chairman Steve Hadzinsky called the March meeting of the Garrettsville Planning Commission to order with Jeff Kaiser, Jerry Kehoe, Don Harvey, Mayor Craig Moser, Attorney Bob Mishler, and Zoning Inspector Jan Boehm present.

After the Pledge of Allegiance, Chairman Hadzinsky requested a moment of silence in remembrance of the passing of Village Solicitor Mark Manlove.

Chairman Hadzinsky requested a motion to approve the minutes of the last meeting. There was no discussion; the minutes of February 5, 2009, were approved when Mayor Craig Moser motioned to approve the minutes; Jerry Kehoe seconded the motion.

Vote: 3 Ayes - Don Harvey and Steve Hadzinsky abstained

Ms. Valerie Strausbaugh had been requested to return to this meeting with a letter of clarification from the Portage County Building Department as to the nature and location of the occupancy indicated in the occupancy permit of 8094 Main Street in the Preservation District/Central Business District presented at the February meeting.

A copy of a note given earlier to the Zoning Inspector from Ms. Strausbaugh was distributed to the members of the Planning Commission. This note was read and reiterated by Ms. Strausbaugh. Mayor Moser reminded the Commission of Chief Friess's statements of the previous meeting with reference to the Fire Code of commercial properties and not being specific to residential areas

Mayor Moser recommended to refer to Council and back to the Planning Commission the feasibility of allowing Central Business District property owners to have apartments above their businesses locations with regards to fire safety, and parking recommendations i.e. private or Village provided parking lots. After which, the discussion would be handed back to Planning, and the Planning Commission would be in position to draft legislation to effect the change to again be given to Council to effect a change in zoning code.

Mr. Hadzinsky asked about the legality of off street parking issues tied with a Conditional Use permit for apartments. Jerry Kehoe stated with the Conditional Use permit, the apartment residents may have to "fend for themselves" to find parking without parking on Main Street.

Council member Matson, from the audience, requested the Planning Commission not take action until Council was able to review a zoning amendment to avoid any more "grandfather" situations.

At this time Mayor Moser requested a motion to table the Conditional Use Permit and take no action until the zoning ordinance is changed. Ms. Strausbaugh may remain; however, she must find off street parking; the Conditional Use Permit will not be issued until a new set of provisions are established for everyone concerning the Central Business District. Don Harvey motioned and Jerry Kehoe seconded the motion. No vote was taken at this time.

Council member Matson from the audience again recommended the Conditional Use residence issue in the Central Business District be taken to Council for a change in zoning with a new set of provisions to apply to everyone.

After much discussion, Chairman Hadzinsky stated the Planning Commission would now vote based on the general conditions of the current zoning code. Don Harvey motioned and Jerry Kehoe seconded the motion to grant a Conditional Use Permit for a residence only in the apartment on the second floor of the building at 8094 Main Street.

Vote: Ayes – Unanimous

Mayor Moser, at this time, made a motion to refer to Council the concern over conditionally permitted apartments in the Central Business District on Main Street, and for Council to recommend to the Planning Commission a change in the zoning code. Don Harvey seconded the above motion.

Vote: Ayes – Unanimous

Ms. Sherrie R. Jones was scheduled to appear, however, was absent, to request a Change in Use for a commercial building located at 8108 Main Street. Previously the building had been vacant; business offices are now occupying the building. A fire inspection is attached.

Craig Moser motioned to approve the above Change in Use at 8108 Main Street, and Steve Hadzinsky seconded the motion.

Vote: Ayes – Unanimous

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Mr. Weingart was in attendance to request a Change in Use for the third floor of the commercial building located at 8119 Main Street. Previously the third floor had been vacant; is now being occupied for commercial sales. The fire inspection was attached.

After a discussion of the need to correct the electrical fire safety issues, and payment of the zoning fees, a Change in Use zoning certificate would be issued conditional upon compliance to the fire safety codes within a month, completion of another inspection by the Fire Chief and the fire safety codes met, also the payment of the zoning fees.

Mr. Robert Harris of the Portage County Regional Planning Department was in attendance to discuss the initial draft of zoning alternative or overlay about village planning. After a lengthy discussion and review of the draft's objectives, which was based upon and in compliance with Chapter 711 of the Ohio Revised Code, the entire draft was studied. The Planning Commission decided to individually review the proposal and again discuss the issue at a later meeting.

Chairman Hadzinsky requested a motion for adjournment. Mayor Moser motioned for an adjournment and Jerry Kehoe seconded the motion.

Vote: Ayes – Unanimous

Chairman, Planning Commission

Zoning Inspector