

## Garrettsville Planning Commission Minutes

June 3, 2010

### Public Hearing

The scheduled Public Hearing was called to order at 7:17 pm by Chairman Steve Hadzinsky with Mayor Craig Moser, Jerry Kehoe, Don Harvey, Gretchen Cram, Michele Stuck, Solicitor, and Jan Boehm, Zoning Inspector present.

Two purposes of this hearing, pursuant to Ordinance 2009-40, is to review two formal applications for a yearly Conditional Use Zoning Certificate for two apartments located on the second floor of the commercial building located at 8149 Water Street, and two apartments on the second floor of another commercial building located at 8100A Main Street.

The above review is in compliance to Garrettsville's Ordinance 1177.02 (b) (1) which states: The planning Commission may issue conditional zoning certificate for uses listed hearing, subject to Section 1149.04, inclusive, and other sections as listed herein: (1) Apartments located above commercial establishments subject to Section 1149.05(r), (1) thru (10).

Another reason for this public hearing is to consider a formal request by "The Garrettsville Curtains Up Theatre" for a Conditional Zoning Certificate. The proposed farmers market will be located at 8311 Windham Street at the corner of Windham and Liberty Streets. This Conditional Zoning request is in accordance with Garrettsville Ordinances 1149.05 (t), (1) thru (6) and 1180.02 (b), (13).

There were not comments regarding any issues regarding the two conditional use applications for the second floor apartments in the Central Business District, as well no comments regarding the application for the farmers market.

The Public Hearing was closed at 7:20 pm.

### Garrettsville Planning Commission Meeting

At 7:20 pm, Chairman Steve Hadzinsky called the May meeting of the Garrettsville Planning Commission to order with Mayor Craig Moser, Jerry Kehoe, Don Harvey, Gretchen Cram, Michele Stuck, Solicitor, and Jan Boehm, Zoning Inspector present.

After the Pledge of Allegiance, Chairman Hadzinsky requested a motion to approve the minutes of the last meeting. There was a discussion regarding the May 6, 2010 minutes with the addition of information to be included in the third last paragraph of: 12.22 acres proposed to be zoned as R-2 and 10 acres proposed to be zoned as O.C. With these additions in place, the minutes of May 6, 2010, were approved when Mayor Moser motioned to approve the modified minutes; Jerry Kehoe seconded the motion.

**Vote:** Ayes – Unanimous

A representative from the F.O.E. Garrettsville #2705, was not in attendance to request a yearly Conditional Use Zoning Certificate for apartments above the commercial property at 8149 Water Street; however, Fire Chief Friess's fire safety report was reviewed, and the apartments did pass the safety inspection.

Mayor Moser motioned to approve the Yearly Conditional Use application for Conditional Use apartments located at 8149 Water Street in the Garrettsville Central Business District; Chairman Hadzinsky seconded the motion.

**Vote:** Ayes – Unanimous

Mr. Aebishcher was in attendance to request a yearly Conditional Use Certificate for apartments above his commercial property at 8100 and 8102 Main Street. Again, Fire Chief Friess's fire safety report was reviewed, and the apartments did pass the safety inspection.

With the application in order, Mayor Moser motioned to approve the yearly Conditional Use application for the Conditional Use apartments located at second floor of 8100 and 8102 Main Street; Jerry Kehoe seconded the motion.

**Vote:** Ayes – Unanimous

Although no representative was in attendance from "The Garrettsville Curtains Up Theatre", the request for a yearly Conditional Permit for a proposed farmers market to be located at 8311 Windham Street at the corner of Windham and Liberty Streets was reviewed at this time.

The application, enclosures, and the approval from the property owner were reviewed. With the application in order, Mayor Moser motioned to approve the application for the Conditional zoning permit for a farmers market at the corners of Windham and Liberty Streets. Jerry Kehoe seconded the motion.

**Vote:** Ayes – Unanimous

Mayor Moser also motioned to grant the request to waive the zoning application fees after the public advertisement fees have been deducted. Jerry Kehoe seconded the motion.

**Vote:** Ayes – Unanimous

With reference to the previous Garrettsville Board of Zoning Appeals meeting regarding a variance requested by Emerald LLC to Ordinance 1179.03 (a), (3), for a right side set back of 31.4 feet with the required landscape buffer between the C-2 and R-2 zoning districts, and pursuant to Garrettsville's Codified Ordinance 1179.03 (f), (1) which states: "The design and arrangement of the wall or fence and landscape plants shall be as approved by the Planning Commission giving consideration to the effect on the abutting uses and the long-term maintenance of the buffer area.", a discussion commenced regarding the required landscaping.

The Planning Commission reviewed landscaping plans presented by Mr. Eric Hummel of Hummel Constriction representing Emerald LLC. The details of the perennial plantings as to locations, staggered on center, types of plants, as well as the length of the buffer of approximately 105 feet was reviewed.

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Mayor Moser motioned to approve the proposed site plan with the landscaping buffer of approximately 105 feet of staggering and alternating arborvitae and forsythia bushes between the C-2 and R-2 zoning districts. At this time there is no concern for future development; it was determined any future development will be addressed at that time. Jerry Kehoe seconded the above motion.

**Vote:** Ayes – Unanimous

Although not a Planning issue and per Mayor Moser's suggestion, a review of a fence and retaining wall application was reviewed from the Zoning Office because any new construction may divert more water runoff to a neighbors back yard in the North Gate development. The application and information attached was reviewed. The situation was noted and the consensus was the permit was to be issued.

Chairman Hadzinsky called for a motion for adjournment. Mayor Moser motion for the adjournment and Jerry Kehoe seconded the motion.

**Vote:** Ayes – Unanimous

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Planning Commission Chairman

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Zoning Inspector