

## Garrettsville Planning Commission Minutes

August 5, 2010

### Public Hearing

The scheduled Public Hearing was called to order at 7:00 pm by Chairman Steve Hadzinsky with Mayor Craig Moser, Jerry Kehoe, Don Harvey, Gretchen Cram, Michele Stuck, Solicitor, and Jan Boehm, Zoning Inspector present.

The purpose of this hearing, pursuant to Ordinance 2009-40, is to review two formal applications for a yearly Conditional Use Zoning Certificate for apartments located on the second floor of commercial buildings located at 8135 Windham Street and 8094 Main Street, both in the Central Business District.

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).

There were no comments from the floor regarding any issues with reference to the conditional use applications for the second floor apartments in the Central Business District; however it was noted by Mayor both applications and fire safety inspections were in order.

The Public Hearing was closed.

### Garrettsville Planning Commission Meeting

At 7:06 pm, Chairman Steve Hadzinsky called the August meeting of the Garrettsville Planning Commission to order with Mayor Craig Moser, Jerry Kehoe, Gretchen Cram, Don Harvey, Michele Stuck, Solicitor, and Jan Boehm, Zoning Inspector present.

After the Pledge of Allegiance, Chairman Hadzinsky recognized Ms. Kim Ule who represented Mr. Edwards.

Mr. Edwards was requesting a Change in Use Permit for his present business, a Martial Arts School, located at 8289 Windham Street to a Community Center offering "classes of all kinds", fitness, crafts, health, etc. Mr. Edwards also requested the application fee be waived as in cases of nonprofit organizations.

From the floor, Ms. Ule stated the plans would include a 90 day wellness challenge, yoga classes, scrap-booking, and other classes of community interest.

After a discussion it as ascertained Mr. Edwards would be receiving payment from various individuals renting space to conduct the above mentioned classes; therefore, this particular venture could not be considered a nonprofit organization.

Mayor Moses reiterated the previous conversation with Mr. Edwards, stating the plans for the business were to broaden the use of the facility to include wrestling, yoga, etc.; the business plan would be the sharing of fees.

The submitted application was devoid of a fire safety inspection and signature from the Fire Chief. With a prior consultation with the Fire Chief, the Zoning Inspector stated if any portion of the building would be changed, a fire inspection would be required. Ms. Ule was asked if there would be any changes; it was stated there would be no changes to the existing building.

Chairman Hadzinsky called for a motion to waive the application fees; there was no response from the Planning Commission members; therefore, the request was denied.

Chairman Hadzinsky called for a motion to approve the Change in Use for the business at 8289 Windham Street from the Martial Arts School to the proposed Community Center. Craig Moser motioned and Jerry Kehoe seconded the motion for the Change in Use.

**Vote:** Ayes – Unanimous

At this time Ms. Ule was reminded by the Zoning Inspector, should a sign change take place, an application would again be required for a Certificate of Appropriateness and sign permit from the Design Review Board.

Mr. Robert Schwan Sr. was in attendance to request a commercial zoning certificate for the site plan review submitted for the expansion of Therm-o-Link Inc., located at 10513 Freedom Street. Drawings were reviewed by the Planning Commission and Mr. Schwan discussed the plans for the expansion as an equipment enclosure to hopefully eliminate some of the manufacturing noise.

Jerry Kehoe motioned to approve the Site Plan for the expansion of Therm-o-Link Inc., and Don Harvey seconded the motion.

**Vote:** Ayes – Unanimous

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Mr. Espy Hedge and Mr. Stewart Tannehill residing on Clover Lane in North Gate Development were in attendance requesting information about a zoning permit which was issued in June to a residence at 8208 Clover Lane. The concern was the amount of water discharge from a reconstructed retaining wall and retaining fence recently constructed at the Clover Lane address. After a discussion it was determined, through consultation with Ms. Stuck, Village Solicitor, the issue is not covered under the current Village zoning code; it appears to be a matter of civil trespass which the neighbors must enforce themselves.

The March application submitted by S & P Investments for yearly Conditional Use Permit for two apartments located on the second floor of a commercial building at 8135 Windham Street was reviewed. It was recognized the July 1<sup>st</sup> fire safety inspection found all violations corrected to meet the OFC standards. Both application and fire safety inspections were deemed to be in order during the previous public hearing. Mayor Moser motioned to approve the Conditional Use permit and Jerry Kehoe seconded the motion.

**Vote:** Ayes – Unanimous

Ms. Valerie Strausbaugh also submitted an application for a yearly Conditional Use Permit for an apartment located on the second floor of a commercial building located at 8094 Main Street; both application and fire safety inspections were also deemed to be in order during the previous public hearing. Mayor Moser motioned to approve the Conditional Use permit and Jerry Kehoe seconded the motion.

**Vote:** Ayes – Unanimous

The landscaping plans and drawings for the proposed water treatment plant expansion were reviewed. A lengthy discussion commenced regarding the height of the landscape mound, various plantings, and the height of the proposed obstruction from ground level. The current task was defined as approving the site plan for the mound and plantings at a cost of \$25,000. from the Garrettsville Board of Public Affairs. With no further discussion, Chairman Hadzinsky called for a motion to approve the landscaping plans. Jerry Kehoe motioned to approve the plans and Mayor Moser seconded the motion.

**Vote:** Ayes – Unanimous

It was noted, since the beginning of 2010, all owners of Conditional Use apartments above commercial businesses have complied with Ordinance 1177.02, (b) save for the property at 8115 High Street after several communications. The Planning Commission turned the matter over to Michele Stuck, Village Solicitor. It was also noted the Bed and Breakfast located on North Street has yet to comply with Ordinance 1149.05 (j) after two notifications. The Planning Commission also turned this matter over to Ms. Stuck, Solicitor.

Chairman Hadzinsky called for approval of the minutes of July 1, 2010. The Planning Commission minutes for July were approved when Mayor Moser motioned to approve the minutes and Jerry Kehoe seconded the motion.

**Vote:** Ayes – Unanimous

A call for adjournment was answered when Jerry Kehoe motioned for an adjournment and Mayor Moser seconded the motion.

**Vote:** Ayes – Unanimous

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Planning Commission Chairman

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Zoning Inspector