

Garrettsville Planning Commission Meeting Minutes

April 5, 2012

At 7:00 pm, Chairman Hadzinsky called the Garrettsville Planning Commission to order with Mayor Moser, Don Harvey, Tom Hardesty, Jerry Kehoe, Michele Stuck, Solicitor, and Jan Boehm, Zoning Inspector present.

After the Pledge of Allegiance, the March 1, 2011, Planning Commission meeting minutes were approved when Mayor Moser motioned for an approval; Jerry Kehoe seconded the motion.

Vote: Ayes - Unanimous

Discussion and consideration after the Design Review Board's review of signage commenced. The new signage application for a façade change of an existing pylon sign, for 10851 North Street, Charles Chevrolet Buick was reviewed.

Mayor Moser motioned to approve the signage and Jerry Kehoe seconded the motion.

Vote: Ayes - Unanimous

At this time a review of a zoning amendment application by Mr. Kepich for his recently acquired property located at 10724 South Street in Garrettsville's C-3 zoning district, was conducted; enclosed Chapter 1180 of Garrettsville's Codified Ordinance addressing the C-3 zoning regulations was also considered.

Mr. Kepich stated his goal was to brew beer, distill whiskeys, and ferment wine for wholesale distribution only at this time. The license Mr. Kepich is currently applying for is initially for the manufacture only, and has no intention to open this business for consumption of spirits at this time.

A discussion commenced as to whether the zoning amendment should be a conditionally permitted use to enable the Planning Commission to issue a conditional zoning permit which requires a public advertisement 10 days prior to the Planning Commission public hearing and meeting. This permit would be subject to the general standards for all conditional certificates issued.

Tom Hardesty had questions as to the type of manufacturing and what changes would be made to the building.

"Chairman Hadzinsky raised his concerns that an individual might be able to create a de-facto tavern, circumventing normal protocol, simply by manufacturing spirits."

Mayor Moser motioned to recommend to Council an amendment of 1180.02 (a) to add wineries, breweries and liquor distilleries for the manufacture, distillation and on-premise consumption of wine, beer, and spirituous liquor as a permitted use in the C-3 district. Jerry Kehoe seconded the motion.

Vote: Ayes - Unanimous

A review and discussion of proposed legislation for a maintenance code and nuisance abatement regarding neglected and abandoned homes within residential and commercial zoning districts commenced at this time. Don Harvey suggested the generation of a board to act in an advisory capacity to the Zoning Inspector on how to proceed with neglected and abandoned residential

and commercial properties. Tom Hardesty suggested keeping the residential and commercial properties as separate entities. The Commission discussed the idea and how this can be done with limited funding from the Village. Tom Hardesty also asked what kind of liability this would pose for the village with respect to county and or state legislation.

Ms. Lutz, from the audience, asked about the condition of Paul's Feed Mill within the Central Business District, and the Village's stand on the neglected building. A discussion of the preliminary demolition plans, notices from Portage County Building Department, and Fire Chief followed.

Mr. Farley, from the audience, voiced his concerns about the abandoned mill with relationship to the surrounding residential properties with regards to public health and safety. The lengthy due process of law with regards to various circumstances cited above was highlighted.

Mr. Kepich, from the audience, advocated fines being levied against business and residential property owners who let their properties become neglected. Mr. Kepich also stated residential property is significantly different from commercial property; however, the maintenance is important and the individual needs to be accountable.

Per Mayor Moser, the Planning Commission would set certain goals, such as, keeping commercial and residential issues separate, procedures for residential properties vs. commercial properties, and applicable regulations for both types of properties.

Don Harvey suggested an advisory board for the Zoning Inspector where neglect issues would be at the discretion of a proposed Housing Office, the exterior maintenance regulations would be across the board for residential and commercial properties, the creation of a Housing Officer position or a Community Reinvestment Office, and a process of communications, such as communication notifications, and when to seek legal enforcement.

Jerry Kehoe motioned to recommend to Council the above issues for discussion; Chairman Hadzinsky seconded the motion.

Vote: Ayes - Unanimous

Solicitor Stuck was requested to continue to research various ordinances from other communities regarding neglected properties.

A discussion continued of Ordinance 2009-40 which amended 1177.02 (b), (1) with 1149.05 (r) for yearly applications and fire inspections for conditionally permitted apartments above commercial establishments with a yearly fee of \$150.00.

Mayor Moser motioned to change the time frame from a one year time frame to three years keeping the same fee of \$150.00. Chairman Hadzinsky seconded the motion.

Vote: Ayes - Unanimous

A motion for adjournment was called, Jerry Kehoe motioned, and Chairman Hadzinsky seconded the motion.

Vote: Ayes - Unanimous