



**Village of Johnstown
Planning & Zoning Meeting Minutes
Wednesday, November 2, 2016**

CALL TO ORDER: Chairman Block called to order the Village of Johnstown Planning & Zoning Meeting for Wednesday, November 2, 2016 at 6:42 p.m.

SWEARING IN: Charles (Chip) Dutcher took the oath of office for Planning and Zoning Commission Member and was sworn in by Mayor Staneart. Mr. Dutcher was appointed by Village Council on November 1st to fulfill the vacancy left by Elizabeth Schwartz; the term is through December 31, 2017.

ROLL CALL: Ron Danne; present, Chip Dutcher; present, Joseph Ethier; present, Chairman Marvin Block; present, Mayor Sean Staneart; present

IN ATTENDANCE – STAFF: Jim Lenner-Village Manager, Jim Blair-Zoning Inspector, Lewie Main-Councilman, Ben Lee-Councilman, Cheryl Robertson-Councilwoman, Teresa Monroe – Clerk of Council

IN ATTENDANCE – PUBLIC: Terry Henson, Doug and Debi Shull

APPROVAL OF MINUTES October 19, 2016; **Motion:**To approve as written

Moved: Joe Ethier
Second: Ron Danne

Ron Danne	Y
Chip Dutcher	A
Joe Ethier	Y
Marvin Block	Y
Sean Staneart	Y

Pass 4-0 with one abstention

VARIANCE – APPLICATION# 092716098: 101 Recreation Drive

Sean Staneart excused himself from discussion on this application and took a seat in the audience.

This application is for the renovated building, formerly the bowling alley and now used for Crossfit Veneration. The applicant is asking for a reduction in parking spaces from 60 to 28; Mr. Blair said this number of spaces would be adequate for this business on any given day. The staff has recommended approval and the report is attached.

Motion: To take Variance Application# 092716098 from the table.

Moved: Ron Danne
Second: Joe Ethier

Chip Dutcher	Y
Joe Ethier	Y
Marvin Block	A

Ron Danne Y
Sean Stanearth A

Pass 3-0 with two abstentions

Board discussion: Mr. Danne said his concern with the parking space reduction is a future business going into this building and needing more spaces. Mr. Lenner said that if a new business were to move in later and they had a higher parking space requirement, the zoning permit would not be issued until they added the spaces or received a variance. Mr. Lenner asked the applicant if he would be open to a formal reciprocal agreement between himself and the owner of the neighboring property (Skate-n-Swim) for shared parking; under the new zoning code this business in the VC district would require approximately 45 spaces and there is a provision for two or more businesses to share joint parking as long as the sum meets the parking space requirement. Mr. Danne questioned whether this application meets all the requirements for a variance. The Board reflected on previous discussions to decrease the amount of infrastructure and unnecessary blacktop surface.

Public Hearing: No public spoke for or against the application.

Mr. Lenner said an agreement in the affirmative should be obtained from the owner of the adjacent property (Johnstown Skate N Swim) Vivian Compton for shared parking or something saying she does not agree; a good faith effort from the applicant for the file.

Motion: That the variance be approved with no less than 28 parking spaces and the condition that either a reciprocal agreement is made for shared parking or a letter of denial is on file from the property owner.

Moved: Joe Ethier
Second: Chip Dutcher

Joe Ethier Y
Marvin Block A
Ron Danne Y
Chip Dutcher Y
Sean Stanearth A

Pass 3-0 with two abstentions


ZONING INSPECTOR REPORT: October 2016; Mr. Blair reviewed his report with the Board; it is attached to these minutes.

OTHER BUSINESS: Mr. Lenner is hoping to complete the Zoning Ordinance draft and have for review at the next meeting November 16th

ADJOURNMENT

There being no further business, Mr. Danne moved to adjourn. Mr. Block seconded and all were in favor **motion passed 5-0**. Thereupon, the meeting adjourned at 7:43 p.m.

Respectfully submitted


Teresa Monroe, Clerk of Council

APPROVED AS PRESENTED


Marvin Block, Chairman

VILLAGE OF JOHNSTOWN

STAFF REPORT

Application Number: 092716098
Property Address: 101 Recreation Dr.
Subdivision:
Commission Date: 10.19.2016

Applicant: Terry Henson (Storm Strout)
Zoning District: Village Center

Background:

The applicant Terry Henson owns the property and has recently made extensive improvements to the building and property. He has rented the 9,000 square foot building to Storm Strout for his business Crossfit Veneration.

The Crossfit business model limits the amount of participants to smaller groups due to the nature of the training. The Johnstown Ordinance 1175.10 parking formula calls for one parking space for each 150 square feet of building space. The existing parking lot was recently blacktopped and was designed for 28 parking spaces, which would be more than adequate for any normal training day. Under Ordinance 1175.10, 60 paved parking spaces would be required. The applicant is asking for a reduction in parking spaces from 60 to 28.

Planning Considerations Additional District Development Standards:

- o Minimum Lot Size: none required
- o The front and side setbacks comply with VC zoning requirements.
- o Maximum size building is 10,000 square feet.

Planning Considerations:

The Commission shall not grant a variance unless it finds that all of the following conditions apply to the case in question:

- (1) That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same district.
- (2) That a literal interpretation of the provisions of this Zoning Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Zoning Ordinance;
- (3) That the special conditions and circumstances which create the need for a variance do not result from the actions of the applicants;
- (4) That granting the variance requested will not confer on the applicant any special privilege that is denied by this Zoning Ordinance, to other lands, structures or buildings in the same district.

Recommendation: The staff recommendation is to **APPROVE** the application to allow the amount of reduced parking spaces.



October 2016 Zoning Inspectors Report

10-03-2016 through 10-15-2016

Concord Crossing Condos. I received a call from Rickert Property management; they are the property management company for the Condo association. They were checking on the status of the abandon detention area. The Condo association will vote on it in November to decide if they want to accept the free property. If they acquire the property, the plan is to clean it up and maintain it for their residents to enjoy.

End of Elm St at Payne the property Vacation is complete, with a 50' utility right away; the changes have been recorded at L County. The property lines need to be reset for 169 Payne, 305 Elm and 281 Elm.

72 W Coshocton we received a call from a renter at this address, she was looking for help. The roof leaks and she has a bed bug problem. She had reported the issues to L County Housing. I contacted the new property owner; he had just purchased the property. He said he would get it fixed ASAP.

101 Recreation drive after receiving a verbal approval from the Village Engineer on the underground the parking lot was paved and new underground catch basins installed. Before paving, during construction and finished pictures were sent to the Village Engineer. Update: He signed off on the work.

82 Central Station Court a new shed was installed without a permit. I sent the property owners a letter and they since filed the permit.

50 Saratoga this is an abandon house, the property owners have passed away. The house is going into foreclosure. There were two junk cars in the backyard, the next-door neighbors pulled them into the front yard and they have both been hauled away for scrap.

301 Middleburn received and approved the as built print for the new home.

87 Westview this is an ongoing backyard cleanup process. After receiving a certified letter with many pictures of his property, the homeowner came in to discuss his next step in getting rid of several junk cars in his backyard. I also issued him a shed permit. He has been cooperative. A follow up visit is scheduled for late November.

291 S Main this is an empty rental house, the grass has not been cut, after sending the out of town property owner a letter the yard was taken care of.

12S. Main the Game Room had a flashing OPEN sign I stopped in and told them the lighted window sign was allowed but could not be on flash. They shut it off.

JYAA Property off Westview, I received a complaint about a camper parked in the rear yard. There was no camper, there is an ongoing riff between the two Westview property owners and they occasionally try to drag me in to it.

Verizon is updating their sign. Danite Sign Company called to discuss the proposed new wall sign. The sign has now been approved.

33 Westview issued a deck permit for a 160 square feet deck, inspected and approved the postholes, framing and final.

5665 Mink Rd I met with the property owner, he wanted to build a large pole barn beside his house. I explained to him that due to several Johnstown zoning Ordinances the building could not be permitted. He was not very happy about it.

217 S Main an RV trailer was parked in the backyard on grass. I contacted the property owner, they have since moved the trailer to another location. Their plan is to bring in some very large pieces of concrete and to build a pad for the trailer.

106 Grassy Knoll the P&Z approved a variance to allow a rear addition. The plans have been finalized and I issued a zoning permit to allow the L County building permit application to be filed.

160 W Coshocton continuing problem with parking in the front yard, especially on weekends, after numerous letters I notified the property owner the next letter will be a summons.

101 Butternut Cove received and approved the as built foundation survey.

250 Oregon ongoing issues with this property owner about fences and property lines. The most recent incident involves him calling JPD because he thinks that his neighbor at 251 S Main cut a string that was tied between stakes at the rear of his property. I inspected the area after receiving a call from the property owner at 251 S Main. After sending the Oregon St property owner a letter and informing him that a single string tied between two stakes is not a legal fence he then called me. He accused me of taking sides with the property owner on Main St and he wanted me to make him replace the string. I told him that the Main St property owner plans to install a privacy fence at the rear of his property,

at that time “he hung up on me”. On the last two conversations that I tried to have with the Oregon St. property owner he hung up on me.

10.15.2016 through 10.31.2016

208 Weeping Willow Run issued a building permit for another new Maronda Home.

295 Upham Drive received ongoing complaints about the upkeep on this property. I have been working with the X wife of the property owner. She has been cooperative but no longer lives in the house. Her X husband is mentally unable to maintain the property. A neighbor has volunteered to take on cleaning up the overgrown property, removing plants, trimming, power washing some of the house and some brick. She has put together a team of people and scheduled a community workday on November 5.

115 Butternut Cove issued a zoning permit for a 400 square foot deck, the building permit will be issued and inspections done by L County Code enforcement.

Alley Automotive paved their parking lot and got rid of more junk cars, this improvement was an unexpected surprise. I had talked with the owner several times about the paving and thought it would never get it done.

165 Jersey contacted the property owner for second time about a disabled car with expired tags setting in weeds. He told me the car would be gone Nov.1st.

35 Benedict after sending a letter to the property owner and talking with him about an unpermitted shed he still has not completed the permit.

189 W Coshocton I was asked to investigate storm water runoff onto this property from a new driveway at 177 W Coshocton. The driveway is concrete with a curb to direct the water to the rear of the property it is very well done. I sent the complainant a letter with my findings.

Westview and W Coshocton received a complaint about a guillotine in the sideyard. The complainant said it was an operating guillotine he saw the owner cutting pumpkins and watermelons by dropping the steel blade. The complainant was concerned that children could be injured if they had access to the machine. I inspected the machine and it does have an operating blade. The blade is secured with two large deck screws and is un-operateable as long as the screws are in place; it is still a very dangerous machine.

I received a call from Ohio Title asking if Johnstown Village had any pending unpaid assessments due on the vacant Concord Crossing East property. We do not. I was ask to sign a release, this is part of the property sale due diligence from 84 Lumber.

81 College St. Ron's Automotive, the property is a mess I have been there several times and talked to the owner about a large pile of tires, junk cars and miscellaneous junk. He also rents and stores U Haul trucks across the street. On this visit, he has gotten rid of all the tires and some of the non-automotive Junk from the rear of the building. He is working on getting rid of the vehicles he has stored for customers on the vacant lot and behind his building. We set a follow up date of November 21, 2016. I told him if the property was not cleaned up, we had no choice but to summons him to court.

200 Leafy Dell this is the address assigned to the new Leafy Dell Elementary School in 2015. There seems to be some confusion about the address. The property is often referred to as 145 or 149 Parkdale. The Johnstown Monroe School Board had previously agreed upon using the 200 Leafy Dell address. Leafy Dell Elementary on Leafy Dell is a good fit for identifying the schools location, especially by GPS.

772 W Coshocton Auto Zone and 650 W Coshocton Child Car Unlimited I sent both businesses letters to notify them that advertising banners are prohibited and had to be removed.

111 Westview and 119 Westview these two neighbors do not get along and complaint about each other. Their properties adjoin the Paulte property. The most recent complains from each is about parking campers on the Paulte property.

49 Williams received a complaint about very tall weeds at the rear of the garage up against the Chimes Terrace privacy fence and about a disabled truck in the driveway. I sent a certified letter to the property owner.

34 S Main I saw a new sign on the wall above the front door for "Tiny House Tattoos". I tracked down the owner contacted him and told him a sign permit was required. He complied and the permit was issued.

Received a call from Tony Nguyen in Alabama he was representing an investor looking for a 25,000 square feet warehouse style building to purchase in Johnstown. The investor plans to get involved in the Cannabis Industry. I explained to him that there are no guarantees that Johnstown will be involved in the industry and it all will be determined by the State board members recently assigned to write the rules.

184 Edwards Rd inspected postholes for another section of a privacy fence at this house, this is the last section, the homeowner has installed the fence a little at a time.

184 S Main the old sidewalk was removed after several large street trees were cut down. A new 4' walk was installed to replace the limestone slabs. I inspected and approved the sidewalk forms and driveway approach.

200 Weeping Willow Run inspected and approved a new sidewalk at a Maronda home.