



Village of Galena ZONING AND PLANNING COMMISSION

MINUTES OF THE MEETING OF JUNE 21, 2017

The Zoning and Planning Commission of the Village of Galena met on Wednesday June 21, 2017 in the Council Chambers of the Village Hall at 109 Harrison Street, Galena, Ohio. Present were members; President Tom Hopper, Dave Adams, Stan Swisher, Alison Cherubini-Hillyer, and zoning clerk Suzanne Rease. Also present were Village Zoning Inspector David LaValle, and Deputy Zoning Inspector & Code Compliance Assistant Kenneth Levi Koehler, Member Mark Brooks was absent. Visitors included Dave Walker, David Simmons, Jeff and Lisa Basham & daughter, Michelle Parsons, Ken Gunn, and Robert Blackford and Court Reporter Cathy Cathell of Spectrum Reporting. The meeting was officially called to order at 7:03 PM.

Copies of the minutes from the meeting on May 17, 2017 had been distributed to all members by the Clerk. A motion to approve the minutes, as presented, was made by Dave Adams, seconded by Alison Cherubini-Hillyer, and passed unanimously.

At 7:04 The Mayor introduced a hearing on the variance application made by Ken Gunn to reduce the side yard setback on the north side of his property at 101 Middle Street, PIN #41743107002000, from 20 feet to 4 feet. All speakers were sworn in by the Court Reporter for testimony. Mr. Gunn presented his plan to build a detached accessory building with an overhead door which would require the taking of the side yard setback from 20' feet to 4' feet. He stated that without the reduction of the side yard setback he would not be able to access the building by using the proposed overhead door. He stated that he and his neighbor Michelle Parsons, of 115 Middle Street, had discussed the building of the outbuilding and she found the proposed location is preferable to her since it does not impede her view of the reservoir.

Mr. Bob Blackford of 121 Middle Street asked Mr. Gunn for the dimensions, and Mr. Gunn testified the building would be 18x20.

Mr. Adams discussed that the commission needs to think of future residents before they agree to a variance. He proposed a situation where a person living at Ms. Parsons home wanted to install a fence the placement of the barn would create mowing problems.

The Zoning Inspector's report and recommendation was read by Deputy Zoning Inspector Levi Koehler. He stated that he could not find a hardship and therefore could not recommends approval of the variance. Mayor Hopper explained that we can't approve a variance unless it is justified by a legal hardship, and that doesn't mean that the Zoning Commission thinks it is a bad idea. Michelle Parsons discussed the position of the building where it is planned is preferable to her because it doesn't block the view of the woods along the shore of the reservoir. Mr. Blackford continued to discuss that the building would be aesthetically pleasing and improve property values if it were allowed in the proposed area. Mayor Hopper pointed out that the size of the lot was smaller than most in the area. Dave Adams discussed drainage issues on the property and proposed that by moving the building further back on the property it may cause drainage problems.

Mayor Hopper did agree, to some degree, with Michelle Parsons and Bob Blackford that the buildings proposed location verses a location further back would add value to the neighboring property by not impeding the view from that property and therefore by not granting the variance it would cause a hardship to the neighboring property.

Motion was made by Alison Cherubini-Hillyer to close the hearing at 7:30 p.m. Stan Swisher seconded. Motion passed unanimously.

A motion to recommend to approval of the proposed variance application made by Ken Gunn to reduce the north side yard setback from 20 feet to 4 feet for 101 Middle Street due to hardship based on the size of the lot, drainage and the value added to the area issues discussed above, was made by Dave Adams and seconded by Alison Cherubini-Hillyer, and passed 4-0, with one absent, in a roll call vote as follows:

Swisher – Yes Cherubini Hillyer – Yes Hopper – Yes Brooks – Absent Adams – Yes

At 7:31 The Mayor introduced a hearing on an application made by Jeff and Lisa Basham to amend the development plan to allow a change in use in a planned commercial and office district (PC) for the following described property

A 0.05 acre +/- tract PIN #41743404001000 and being known as 9 W. Columbus St.

All being in Section 4, Township 4, Range 17, United States Military Lands as the same is numbered and shown at the Delaware County Recorder's Office, Delaware, Ohio.

Mrs. Lisa Basham testified that she planned to use the space at 9 W. Columbus St. for a coffee house and planned for it to be open 6 a.m. to 6 p.m. She planned to serve coffee and teas, light snacks such as pastries and sandwiches, and she planned to sell a few crafts in the space. She proposed that occasionally she may rent out the space for small gatherings such a baby showers, and craft nights. She also discussed fixing the window on the west side of the building to match the other windows, the proposed signage of a small neon sign in two of the windows and the name on the building be changed to the Coffee Vault verses the existing Galena Vault.

Mr. Adams expressed concern that if food was being served we need to check on the compliance concerning the grease trap. Mrs. Basham said that she planned to contact the health department make sure that grease trap was up to code. Mayor Hopper explained that the health department used to in charge of monitoring the grease traps but they have since shifted the responsibility to the Village.

Mayor Hopper also discussed the proposed trash receptacle shown in the plan and advised Mrs. Basham to discuss the use of the receptacle with the neighboring business.

The Commission also addressed the issue of opening after hours and made the applicants aware of the shortage of late night parking spaces especially on the weekend. Mayor Hopper pointed out that the Commission has a duty to the local restaurants to restrict late night parking on the weekends. Mrs. Basham assured council she was still considering different ideas for the space and that she didn't have any intention to rent the space on a regular basis on weekend evenings. She stated that her intention was to occasionally rent the space.

Dave Adams made a motion to adjourn the hearing at 7:51 and Stan Swisher seconded the motion. Motion passed unanimously.

A motion to recommend conditional approval of the application made by Jeff and Lisa Bashan with the following two conditions:

1. If a grease trap is necessary it must follow all regulations.
2. Use of the building on evenings, especially Friday and Saturday be only on an occasional basis.

A motion was made by Dave Adams and seconded by Stan Swisher, and passed 4-0, with one absent, in a roll call vote as follows:

Swisher – Yes Cherubini Hillyer – Yes Hopper – Yes Brooks – Absent Adams – Yes

Village Zoning Inspector David LaValle, read a summary of the Zoning Inspector’s Monthly Report, which is attached and incorporated as part of these minutes. The commission and staff briefly addressed the eviction of the tenant at 311 North Walnut should clear up a number violations at the same address. They also discussed signage violations at a business owned by Mr. Eddy Ambrose at 577 North Walnut Street and that he had attained legal representation.

The zoning clerk had nothing additional to report.

There was no new business to report.

There was no old business to report.

The next meeting was scheduled for Wednesday July 19th 2017 at 7 p.m.

At 8:16 p.m. Dave Adams made a motion to adjourn the meeting. Stan Swisher seconded motion. Motion passed unanimously. The meeting is adjourned.

Zoning Clerk

Chairman

CERTIFICATION

I, Suzanne Rease, Acting Clerk of The Planning & Zoning Commission of the Village of Galena, Ohio do hereby certify that publication of the above MINUTES were duly made by posting true copies thereof at five (5) of the most public places in the Village of Galena as provided for in Resolution No. 2015-18 enacted by the Council of the Village of Galena on November 23, 2015.

Suzanne Rease, Zoning Clerk