



Village of Galena ZONING AND PLANNING COMMISSION

MINUTES OF THE MEETING OF OCTOBER 21, 2014

The Zoning and Planning Commission of the Village of Galena met on Tuesday October 21, 2014 in the Council Chambers of the Village Hall at 109 Harrison Street, Galena, Ohio. Present were members; President Tom Hopper, Stan Swisher, Mark Brooks and Jason Hillyer. Commission member Nancy Feole was absent. Also present were Village Zoning Inspector David LaValle, Village Zoning Clerk Sally Hopper and visitors Darrell Kem, George Reiss and Dave Adams. The meeting was officially called to order at 7:04 PM.

Copies of the minutes from the meeting of September 17, 2014 had been distributed to all members by the Clerk. A motion to approve the minutes, as presented, was made by Mark Brooks, seconded by Jason Hillyer and passed unanimously.

Zoning Inspector David LaValle issued a written monthly activity report which is attached and incorporated as part of these minutes. He gave a brief summary to the Commission.

The first item in the report was his review of the temporary, conditionally approved development plan for the Galena Commerce Center at 72 Holmes Street. As a condition of the previous approval, certain corrections were to be made and then the applicant, Galena Commerce Center LLC, was to return to the Commission for final, permanent approval. Since that time a change in tenant had occurred. After postponements in review due to the available time of the staff and following legal review by the Village Solicitor, Ken Molnar, the applicant was asked to return to the Commission in October. Mr. LaValle had been instructed by the Solicitor that he was not able to administratively approve the change in tenant. Mr. Molnar had gone on to state that since the development plan had only been temporarily approved pending final approval, that the Commission could act on the proposed minor revisions and tenant changes at this time.

Mr. Darrell Kem spoke for the applicant with support from the principal of Galena Commerce Center LLC, Mr. George Reiss. After a discussion with the Commission the following facts and changes to the development plan are recognized.

- 1) Worthington Towing in no longer a tenant and has been replaced with Performance Field and Landscape.
- 2) The Zoning Inspector will be able to administratively approve minor use changes and changes in tenant as long as the use is of a similar nature and traffic requirements. If he is unsure he will return to the Commission for approval. A new hearing may be required.
- 3) The small remaining portion of the former gas meter building wall will be allowed to stay for protection of the remaining meters. The applicant will have 30 days to finish cleaning up the area.
- 4) Facemyer is in the process of selling their heavy earthmoving equipment and it will be removed at the time of the sale.
- 5) There will be no more than 3 RV's stored outside.
- 6) The Sample Building will be demolished and removed by September 2015. Any new structure will require a zoning and building permit.
- 7) The junk pile on the north end will removed within 90 days.
- 8) The junk tires will be removed within 30 days.

9) The other changes in the revised plan are approved pending a review by the Zoning Inspector.

A motion to grant final approval for the Development Plan, originally submitted in March 2014 by Galena Commerce Center LLC for 72 Holmes Street, as revised by the applicant, subject to the comments by the Zoning Inspector, and with the list of modifications shown above, was made by Mark Brooks, seconded by Stan Swisher, and passed unanimously.

Mr. LaValle went on to report on the status of the law suit against the Village appealing zoning violations at Sambuca's Italian Greenhouse at 577 North Walnut Street. He also discussed the lack of a response from the owner of 51 Middle Street to code violation citations. The dwelling is vacant and court action will be postponed until another case is ready to lower costs.

Mr. LaValle gave a report on his most recent inspection of 24 Front Street. The house had been cited as a substandard, vacant dwelling with the need for demolition or being brought up to code. Little rehabilitation has been done and what has been done is not up to standard industry practice or minimum code standard. An extension for completing compliance until today had been previously passed by the Commission.

After a discussion a motion to instruct Mr. LaValle to pursue legal action to have the house at 24 Front Street demolished, unless a bond of an appropriate amount to cover professional repairs, within a suitable time frame, can be obtained, was made by Mark Brooks, seconded by Jason Hillyer, and passed unanimously.

A discussion was also held concerning the citation at 217 Harrison Street. The owner had requested an extension due to scheduling difficulties with contractors. The property is undergoing rehab to correct the violations. The job is currently incomplete and the violation continues but compliance is expected.

There was a brief discussion about the possibility of changing from the State of Ohio to Delaware County for commercial building permit administration and inspections. The matter will be discussed more at a later date. A discussion was also held regarding several other pending items and the sidewalk specification and inspection permitting process.

The zoning clerk had nothing additional to report.

There was no old business.

There was no new business.

There being no further business before the Commission, a motion to adjourn the meeting was made by Mark Brooks, seconded by Jason Hillyer, and passed unanimously. **The next scheduled meeting will be on Wednesday, November 19, 2014 at 7:00 PM.** The meeting was officially adjourned at 8:00 PM.

Clerk

Chairman

CERTIFICATION

I, Sally H. Hopper, 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 Ordinance No. 2013-13 enacted by the Council of the Village of Galena on March 18, 2013.

Sally H. Hopper, Clerk