



Village of Galena ZONING AND PLANNING COMMISSION

MINUTES OF THE MEETING OF DECEMBER 10, 2003

The Zoning and Planning Commission of the Village of Galena met on Wednesday December 10, 2003 in the Council Chambers of the Municipal Building at 9 West Columbus Street, Galena, Ohio. Present were members; President Tom Hopper, Betsy Hildebrand, Denny Morris, Stan Swisher and Mark Brooks. Also present were Zoning Inspector David LaValle, and visitors David O'Neil, Susie Kossman, David & Deborah Jehnsen, Doc Ronk and three others. Zoning Clerk Sally Hopper was absent due to family care issues. Tom Hopper served as Acting Clerk with help from Dave LaValle. The meeting was called to order at 7:08 PM.

Copies of the minutes from the last meeting of November 12, 2003 had been distributed to all members by the Clerk. A motion to approve the minutes, as presented, was made by Denny Morris, seconded by Betsy Hildebrand and passed unanimously.

A hearing was held on an application by Stephen C. Swisher for a variance from the provisions of the Zoning Ordinance of 1995 to allow expansion of an existing garage and other specified uses for 370 North Walnut Street. The property is zoned Low Density Residential (R2). The applicant's father, Commission member Stan Swisher, spoke as a private citizen for the application stating that his son wishes to add a 14 ft. by 28 ft. addition to the side of the garage and an additional 4 ft. by 14 ft. addition to the rear of the current 24 ft. by 14 ft. garage. Due to the existing location of the garage the additions will require a 14 ft. side yard and a 10 ft. rear yard set-back. The current garage has a 1 ft. side yard set-back.

A brief discussion was held on the application primarily centered on fire safety issues to adjoining properties. The matter was put to rest when it was stated that the addition would be built of masonry with brick and stucco for exterior materials.

A motion was made by Mark Brooks to approve the variance, seconded by Betsy Hildebrand and passed 4-0, with 1 abstention, in a roll call vote as follows:

Swisher - Abstain Morris - Yes Hopper - Yes Brooks - Yes Hildebrand - Yes

A continuation of hearing was held on an application by David C. Jehnsen for an amendment to an approved development plan to allow multi-family use and other specified uses for 39 Middle Street. Mr. Jehnsen spoke for the application. This hearing was continued in November to allow Mr. Jehnsen to gather additional information to answer questions raised at that time.

Mr. Jehnsen discussed with the Commission the possibility of creating 7 parallel parking spaces along the entire length of his properties on Middle Street by placing gravel beside the street within the right-of-way. He was told this would be a divergence from development standards and both the Commission and visitor Susie Kossman questioned why the parking could not be all head-in parking. Mr. Jehnsen was informed that the Commission would require the construction of a parking area to the north of the house that would allow at least 6 head-in parking spaces meeting the standard size of 9 ft. by 20 ft. each. The area must be gravel or paved with adequate drainage design.

Further discussion clarified that there will be only 2 residential apartments, one up and one 767 SF unit downstairs that will be less than the required 850 minimum square foot standard. The size is acceptable to the Commission because of the existing

historical nature of the building. There will be no commercial uses and no parking between the house and the Post Office/Zoar Rebecca Lodge building. The plan will need to be revised to show proper screening for the garbage area and streetscaping issues.

A motion was made by Denny Morris to approve the development plan with following conditions:

1. Applicant needs to furnish a legal description of the property.
2. Plan must be revised to show a minimum of 6 head-in parking spaces, north of the house, designed to meet Village size and drainage standards.
3. The 767 SF first floor residential unit that is below the minimum development standard is acceptable.
4. The plan will be revised to show proper placement and screening to meet Village standards for the solid waste storage area.
5. There will be additional and adequate description added on landscaping, sidewalks and porch revisions to the satisfaction of the Zoning Inspector.

The motion was seconded by Stan Swisher and passed 5-0 in a roll call vote as follows:

Swisher - Yes Morris - Yes Hopper - Yes Brooks - Yes Hildebrand – Yes

A continuation of a hearing was held on an application by Galena Commerce Center LLC. for an amended development plan for 72 and 124 Holmes Street. Mr. George Reiss represented the applicants. This hearing had been continued from last month because no representative was present to answer questions concerning several issues.

As had been previously discussed by Zoning Inspector Dave LaValle, the plans for 6 lots on the north end of the property have been dropped. The application has been modified to include the entire property and it was being presented in an effort to bring the property into compliance with an approved plan. Multiple businesses have been operating on the site without approval and new fuel storage tanks have been installed, also without approval. Mr. Reiss introduced the changed businesses and stated his willingness to work with the Village to gain approval and to correct past oversights.

It was brought up again by both neighbors and Commission members that any future changes in use must be approved prior to the business or activity commencing. Any violations will result in citation and financial penalties.

There followed a discussion period concerning truck traffic on Walnut Street and issues brought up by neighbors concerning the new fuel tanks. The Commission will allow the fuel tanks but evidence that their installation and electrical systems have been inspected and approved by all required agencies must be presented to the Zoning Inspector. All businesses on the site must be held to the original limitation on usage of Walnut Street agreed to by the applicant when they purchased the property.

A motion was made by Mark Brooks to approve the development plan with following conditions:

1. Inspection and approval records for the new fuel tanks and electrical systems must be presented to the Zoning Inspector.
2. All businesses on the site must be held to the original limitations on truck usage of Walnut Street agreed to by the applicant when they purchased the property.

The motion was seconded by Betsy Hildebrand and passed 5-0 in a roll call vote as follows:

Swisher - Yes Morris - Yes Hopper - Yes Brooks - Yes Hildebrand – Yes

An informal discussion was held with Doc Ronk, owner of 127 Holmes Street, concerning possible mixed residential and commercial use of the property. It is currently zoned Planned Industrial (PI). He was advised of some of the issues involved and the complicated nature of the building code approval process for such mixed uses. He will investigate further on his own.

Commission member Mark Brooks had to leave at 8:51 PM.

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

There was no old business.

There being no further business before the Commission, a motion to adjourn the meeting was made by Denny Morris, seconded by Betsy Hildebrand and passed unanimously. **The next scheduled meeting will be on Wednesday, January 14, 2004 at 7:00 PM.** The meeting was officially adjourned at 9:20 PM.

Clerk

Chairman

CERTIFICATION

I, Sally H. Hopper, Clerk of The Zoning & Planning Commission of the Village of Galena, Ohio do hereby certify that publication of the above MINUTES was 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 # 99-15 enacted by the Council of the Village of Galena on December 21, 1999.

Sally H. Hopper, Clerk