

**West Jefferson Ohio Planning & Zoning Commission**

28 East Main Street

Virtual Meeting & Live Meeting 6:30 PM

Wednesday, August 5, 2020

*Meeting Minutes*

**Call to Order:** Chairperson Hay called the meeting to order of the West Jefferson Planning & Zoning Commission and asked for a Roll Call at 6:30 PM.

**Roll Call:** Mrs. Paula Hay, Mrs. Sandy Boucher, Mr. Jimmy Little (online), Mr. James Graham, and Mr. Roy VonAlmen

**Absent for Roll Call:** none

**Approval to accept the July 8, 2020 minutes:**

Motion by Mr. Graham to accept the minutes, seconded by Mrs. Boucher to approve the minutes from the July 8, 2020 meeting.

**VOTE YES:** Mr. Graham, Mrs. Boucher, Mrs. Hay, Mr. Little and Mr. VonAlmen.

**VOTE NO:** none

**Motion Carried**

**Chairperson Mrs. Hay explained the process of the meeting.**

**New Business:**

**Case # P2020-0007 - Property address: 97 East Main Street - Request: A conditional use permit to increase the size of a proposed patio.**

Mr. Arnie Booth (Staff), explained that the applicants request if approved would be beyond the 10% allowed. The 97 East Main Street is the old Urgent Care part of the building. The proposal is a 900 square feet patio. The state requires them to get a conditional use for the patio. The area is in front of the building and will have a fence around it. There are two parking spots that will be repositioned on the lot.

Mr. Andrew Calhoun, Architect (Applicant), is speaking on behalf of Dr. Corey Amann regarding this property. He said the key consideration is the parking spots will not be removed. There is a desire to meet some of the spacing requirements should a tenant be considered.

Mrs. Hay asked if anyone calling in had any questions.

No one spoke had anything to say.

Mr. Graham asked the applicant if the patio would be used as an office, café or both.

Mr. Calhoun said that they would like to use it as either scenario.

Mr. Little asked if it would be fenced in similar like what Pat's has.

Mr. Calhoun stated they haven't made any design decisions and are open to input/guidance on what the board would like to see.

Mr. Little said that if it was enclosed it would be a little unsightly in that area.

Mr. Calhoun said he can't imagine it being that way like an open café.

Mrs. Hay paused the meeting to ask if everyone could mute their mics because they were getting a lot of feedback.

Mrs. Hay asked if anyone calling in had any questions.

No one had anything to say.

**A motion was made by Mr. Little and seconded by Mr. Graham to approve the conditional use permit as presented.**

**VOTE YES:** Mr. Little, Mr. Graham, Mrs. Boucher and Mr. VonAlmen

**VOTE NO:** none

**Motion Carried**

**Case # P2020-0008 - Property address: 909 Kingsdale Court - Request: A variance for excess lot coverage.**

Mr. Booth (Staff), explained that applicant is adding a deck on the property. The current lot coverage is at 21% therefore he needs a variance for the deck. The proposed deck is partially completed. The gentleman was not aware of the process in the Village. The deck is 14 feet by 13.6 feet which would make the new lot coverage at 23%.

Mr. Larry Turner, (Applicant) said he had no questions or comments about it and was just joining the meeting to see what was going on.

Mr. Graham stated to Larry that it looks like you're at the maximum so this would probably be the end of putting anything on your lot. The lot design with the variance shouldn't be a problem.

Mr. Turner replied he does not intend on building anything else and enjoys not mowing.

**A motion was made by Mrs. Boucher and seconded by Mr. VonAlmen to approve the variance as presented.**

**VOTE YES:** Mrs. Boucher, Mr. VonAlmen, Mr. Little, and Mr. Graham



**VOTE NO:** none

**Motion Carried**

**Case # P2020-0009 & P2020-0010 - Property address: Parcels #10-00992.0001, #10-00992.001 & #16-00034.000 - Request: Rezone 3 parcels to the zoning code of PMU (Planned Mixed Use District).**

Mrs. Hay asked Mr. Booth for clarification before getting started. She asked on the variance if it should be part of the PMU because if we haven't yet approved a development then how can we approve a variance.

Mr. Booth (Staff), explained that it would need to be addressed by Mr. John Mitchell, the Public Service Director, and is would be contingent upon other items being approved. Mr. Booth said that he had spoke with Mr. Mitchell and he said he would address it once we get through this process tonight.

Mrs. Hay explained the process and said that because we have a lot people we will be limiting the time people can speak. There are people at the center that we will be bringing in and all the callers as well. We will allow two minutes for each person.

Mrs. Hay stated that we will be discussing the PMU first.

Mr. Booth stated that there are two things we need to discuss. The applicant is requesting to change the zoning. Part of the parcel is A-1 and part of the parcel is R-2 and is proposing to change it to a PMU zoning code. The PMU would be exclusive to this property. He explained that the Board will be making the recommendation to Council for the zoning change.

Mrs. Hay asked for everyone several times to mute their mics please.

Mrs. Boucher asked if tonight we were discussing any variance concerning the street.

Mr. Booth said that is correct. He then said the applicant is requesting to write in their development plan that the right-of-way width be from fifty feet wide to forty feet wide.

Mrs. Hay asked for everyone again to mute their mics please.

Mr. Shawn Lanning, Walton Consulting Engineers, Rich Conie, The Developer, and Tim Brader, from Fischer Homes were in attendance.

Mr. Lanning explained that he was here tonight to present their mixed single family and duplex home site plan. This site is three separate parcels and is over 25 acres. One of the parcel's was just recently annexed into the Village. Shawn explained the site was surrounded by single family development except for the public part on the west side. The proposal is for 112 single family lots. The average lot size is 40 feet wide and 50 feet deep with 20-30 feet on average for decks, patios and play equipment in the back yard. The average sale price would be between \$250,000 and \$325,000 for a single home. On the duplex area, which is the north end of the site, there will be 50 lots with an average size of 60 or 68 feet wide and 130 feet deep with an average middle area of 50 or 58 and 70 feet deep. The average price of those homes is \$200,000 - \$250,000 per unit.

Mrs. Boucher asked how much room between each would there be.

Mr. Lanning answered there would be 10 foot between houses and that was very normal.

Mrs. Hay paused the meeting and asked for everyone again to mute their mics please.

Mr. Booth said for those people that can't mute their mics need to hang up for the meeting to continue.

Mrs. Boucher asked if they actually think that people want to pay that much for a house that doesn't have any ground at all.

Mr. Lanning replied that Fisher Homes does a great job but this site unfortunately is just skinny.

Mrs. Boucher said that even makes it worse and why do you have to put so many houses in there. She said she knows it makes more money for you, but wouldn't it be reasonable to give people a little more property. Mrs. Boucher said how will a fire truck get in there and where would I park if I lived in one of these houses.

Mr. Lanning said the streets were normal size and every house has a two-car garage.

Mrs. Boucher said if I had a teenager where do you expect them to park.

Mr. Lanning said to work around this you could park one of them in the street.

Mrs. Hay reminded that we are here for the PMU.

Mr. Graham asked why are they going for the PMU instead of the R-1.

Mr. Lanning said that was because if it was a straight zoning you can't bend from the rules. If it is a PMU they can make up their own rules using the zoning text as well as the plan they all agree on. He said this is very normal for a subdivision.

Mr. Graham said the lots seem kind of small in a limited area with not much access in and out. That would be a concern.

Mrs. Boucher asked if they have basements.

Mr. Ivan Mast, (caller) spoke up and said as a property owner nearby he has concerns about the amount of traffic going in and out. He feels that it is not a good density.

Mrs. Hay stated that we will get to the callers next.

Mr. Hale said that by making it a PMU, Council will have a say in the design and the regulations.

Mrs. Hay asked the caller that was talking about their calendar to please mute.

Mrs. Hay stated again that we are talking about the PMU only and rezoning that property.



Mr. Lanning pointed out the boundaries lines and said yes there would be two different zonings. Shawn said that would be locked down per their plans and if they wanted to make changes, that they would have to come back to the commission.

Mr. Graham asked Mr. Booth what part is agricultural and which part is R-2.

Mr. Booth explained that the part that is agricultural is closest to the Converse Park and is 12 acres. He stated if you're facing the map the area to the right is the R-2.

Mrs. Hay explained that she was going to open it up to the Commission and then open it the audience. She said that everyone would be given 2 minutes to speak. Mrs. Hay asked for everyone to state their name when they are speaking for the minutes.

Mrs. Hay then stated that we are just doing the rezoning now for the PMU.

Mr. Hale checked and said there is no one outside that has questions about the rezoning.

Mr. Booth stated that if they vote to recommend the zoning change that it will go to Council and they will make the final decision on it. He wanted to make sure that everyone understands that there will be another hearing.

Mr. Craig Holden (caller), Merriman Drive, asked if he could ask a question.

Mrs. Hay replied that it would need to be on the zoning of the property which is what they are working on now.

Mr. Greg asked if rezoning would affect the utility easement that goes down behind the houses on Merriman.

Mr. Booth asked if he was talking about the easement along the railroad tracks.

Mr. Holden said it was his understanding that along the back side of his house on Merriman is a easement.

Mrs. Hay said that Mr. Lanning would like to answer.

Mr. Booth replied that, if there is currently an easement there, it will not be different.

Mr. Lanning said that is correct.

Mrs. Hay asked if there were any other questions on the zoning change to a PMU.

**A motion was made by Mr. Little and seconded by Mr. Graham to recommend to Council to approve the request to rezone 3 parcels (Parcels #10-00992.0001, #10-00992.001 & #16-00034.000) to the zoning code of PMU (Planned Mixed Use District).**

**VOTE YES:** Mr. Little, Mr. VonAlmen and Mrs. Hay

*Mrs. Boucher asked if she could ask a question before.*

*Mr. Hale stated that we are already past that point.*

**VOTE NO:** Mr. Graham and Mrs. Boucher

**Motion Carried 3 – 2**

**Case # P2020-0009 & P2020-0010 - Property address: Parcels #10-00992.0001, #10-00992.001 & #16-00034.000 - Request: Approval of the Development Plan.**

Mrs. Hay explained and opened it up to the callers. She said that we are discussing the development.

Ivan stated he owns a property on the side south of the development. His concern is the amount of housing with the ingress and egress. He said the one is on Pearl Street, and the other one is on Lincoln Street.

Mr. Lanning said that is correct.

Eric and Maria Ridgeway, Pearl Street asked if there were going to be apartments there along with the houses.

Mr. Lanning replied that it was single family development and the duplexes.

Maria asked where the traffic will be taking out.

Mr. Lanning said that it would be Pearl Street and Lincoln. He said this property was kind of land locked because of the tracks. Shawn said that Lincoln Street is not the biggest and they may have to do some improvements there. It is a concern that was brought and will be taken care of during the final engineering state.

Lori (last name unclear) asked where to find a detailed map of the development.

Mr. Booth said that they could come to his office and he would show them.

Mrs. Hay told them to get ahold of the Building and Planning Department.

Mr. Holden asking about the drainage and where the water will drain.

Mr. Lanning said they will fix any drainage out there that exist currently. Hopefully people at the Village know about this issue.

Mr. Holden ask if this development does go on will the people out there be allowed to put up privacy fences.

Mr. Lanning said that would up to the home owner's association or zoning.

Mr. Holden asked about the easement. He asked will that now be a back yard? Or will there be a lane back there.?

Mr. Lanning said that wherever the property lines are they will stay and it will be surveyed.



Mr. Richard Whittenberger asked Mr. Booth the office hours and would like a copy.

Mr. Booth said his office hours are 7:00-3:30 and lunch from 12:00-12:30.

Mr. Booth said he has smaller prints that he can hand out and he can show people the large copy.

Mrs. Hay let everyone know that anyone could see Tom Hale and that his office hours are 7:30-4:00 lunch from 12:00-1:00.

Mr. Whittenberger asked Mr. Booth if they have an application from the contractor.

Mr. Booth asked what type of application.

Mr. Whittenberger asked for something with more detail on.

Mr. Booth said he could share any and all documents.

Mr. Whittenberger asked about noise abatement, safety provision, if there is a general land development. He also asked why wouldn't the contractor put up the privacy fence up the gentleman asked about. Some of the people around it have been there for 50 years why should they have to pay for it?

Mrs. Hay said to the caller that they would not have to pay for a privacy fence that it would be up to the individual.

Mrs. Hay said to contact the office for the plans and everyone can get them

Mr. Whittenberger asked another question about what was the next step to Council or is there something between.

Mrs. Hay said we need to wrap it up because we have a lot of people waiting.

Mr. Booth said that is correct. The next step is to go to Council for both processes.

Mr. Whittenberger asked when do you anticipate that Council will vote on this. Next council meeting.

Mr. Booth said he didn't know but suggested to look at the website for the agenda Council Meeting.

Mr. Booth said there will be two recommendations here tonight that have to go before Council.

Lori asked how the development will affect the surrounding homes. Will it hurt the property values?

Mrs. Hay said one moment and she was going to let the developer speak. She stated again that these questions needed to be held to 2 minutes maximum.

Mr. Lanning stated that the price of the houses will be between \$250,000 minimum and \$325,000 maximum and that they are beautiful homes and feels that it will raise the home values. The only difference from the homes on Merriman is

the lot is smaller by 10 feet. Shawn also said that anyone could contact Mr. Hale and they could send them a PDF of the document.

Mr. Paul Hanley (caller) said he had concerns about the demographics of the streets. He said that the Lincoln street affects the residents that live on Gregg street.

Mr. Lanning said maybe they could put up signs that says resident only and that would be a solution.

Mrs. Hay said that now we are going to open up questions to people that were outside and asked again if everyone would mute their mics.

Ms. Lisa Davis – Are these classified condos?

Mr. Lanning said they are individually purchased and individually owned.

Mrs. Bonnie Hamilton asked if the HOA would take care of their roads or would that be on the Village.

Mrs. Boucher asked if there were HOA fees and what would they get out of it.

Mr. Lanning said it takes care of street lights and the parks and things to go along with a subdivision.

Mr. Lanning said there will be 50 deluxe lots of them and 112 single family homes. He said there are only two accesses in and out. The roads sizes are all standard sizes.

Mrs. Hay had to ask for the mics to be muted again.

Mrs. Boucher asked what was the square footage

Mr. Lanning said 900 to 2900 square feet.

Mr. Robert Dorhery, 129 Lincoln Street, asked about the access road. He said they have no sidewalks no curbs and doesn't see how the traffic will get down though there. He said when it rains hard Lincoln street can flood.

Mr. Lanning said he will fix any drainage issues and promises that he can fix the problems. He is insuring that they will fix any drainage issues that exist.

Pam, 171 Pearl Street, said that there is enough traffic down there now and is wanting to know if she will lose any of her yard.

Mr. Lanning replied that she will not lose any of her property.

Mr. Lanning said he will get with the Village to see if there are any traffic studies that have been done.

There was confusion on where the traffic would be coming out on Pearl.



Multiple people talking at once.

Mrs. Hay asked for everyone to please mute the mics.

Mr. Lanning explained to everyone that they have had conversation with the electric company about the entrances.

The gentleman asked Council to come and sit on their front porch to see the traffic and they won't do it.

Mr. Lanning will make sure that things will be taken care of.

Mr. Charles Ramey (caller) The Smith Street and the Lincoln street traffic. He said that Smith Street was already one way. Is there any way to rectify this before.

Mr. Lanning said now that he knows there are traffic concerns, they will look into it much deeper now that they didn't know. He will get with the Village's traffic engineer. One thing they need to know is that this will bring money to the Village too. Again, if there is problem they will fix it. He said they would need to get with the Planning Department.

Mr. Holden (caller) the zoning said it is mixed uses and wants to know what they were.

Mr. Lanning said that there are only 2. One is single family residential and the other proposal is duplex homes. Which is one home with 2 sides. He said that makes it the mixed use.

Mr. Lanning tried to show a closer look at the homes. He said email Tom Hale's office for more information.

Lori (caller) Celine Court, is asking if there are 112 rentals going in.

Mr. Lanning said there is no intention for these to be bought and rented out. Shawn felt that these are kind of expensive rentals and explained that someone would buy one side. He clarified that there are only 50 of those.

Mrs. Hay explained that if anyone wants the plans to call the office and they could email them.

**A motion was made by Mr. Graham and seconded by Mr. VonAlmen to recommend to Council to approve the Development Plan for Parcels #10-00992.0001, #10-00992.001 & #16-00034.000 variance as presented.**

**VOTE YES:** Mr. VonAlmen, Mr. Little and Mrs. Hay

*Mr. Little asked to ask a question*

*Mrs. Hay said we were past that point*

*Mr. Little asked the question about if there were discussions with the Village on what they were responsible for and if there is was an agreement.*

*Mr. Lanning said for one that it still would go to Council and could get stopped there. He said again he was unaware of some of these things. He will be meeting with the Village to see if there are other concerns so that they can make agreement administratively before it goes to Council. They want a yes vote so the need to get things straightened out before it goes to Council. It can also be tabled if they haven't made all the changes before it gets to council. They will do what they have to do to make everyone happy.*

*Mr. Little asked if they had to come back to Planning once they get past this part.*

Mr. Lanning said yes, they do.

**VOTE NO:** Mr. Graham and Mrs. Boucher

*Mrs. Boucher stated that she feels the idea is good but has to vote with her heart and cannot see that many houses in that little area. (sorry)*

**Motion Carried 3 – 2**

Mr. Whittenberger asked Mrs. Hay about all the problems that were brought to their attention, once there is an agreement will it be binding on the contractors.

Mrs. Hay said it would be binding because it is something that will be voted on

Mr. Whittenberger said that everyone should show up at the Council meeting.

Motion was made to adjourned the meeting by Sandy Boucher and seconded by James Graham.

The meeting was adjourned at 8:00 PM.

**Next Meeting: September 9, 2020.**

Chairperson:

  
Mrs. Paula Hay

Date:

9.16.2020

Respectfully submitted:

Kristie West, Staff

Building, Planning, and Zoning Department