

DRAFT

**City of Circleville
Planning and Zoning Commission
104 East Franklin Street
Circleville, Ohio 43113
(740) 477-8224**

**April 1, 2015
City Hall Council Chambers**

Meeting Minutes

Members Present

Marsha Griebel Graham
Don McIlroy
Terry Leasure
Bob McCrady
Al Sedlak
John Ankrom
Valerie Goeller, Clerk

Visitors Present

Gary and Marsha Dumm

Chairman Al Sedlak called the Public Hearing to order at 6:20 p.m. and noted all members present were in attendance at 6:00 p.m. when the first public hearing was to begin to hear changes to the Zoning Code and Map. No visitors were present at the time the first public hearing was called to order. The second Public Hearing on the agenda was to begin at 6:20 p.m. and run to 6:30 p.m. to hear changes to the Historic District Overlay.

Al Sedlak asked John Ankrom if he felt all members were familiar enough with the changes to the Zoning Map and Historic District Overlay so they can move on or should they be addressed one by one.

John Ankrom stated we went through them at our last meeting, but we did go through them quickly. Let's go through them again.

The Historic District Overlay is straight forward. We have adjusted the lines by centering them to streets and alleys to make clear divisions of what is in and what is out. The current/old overlay cuts through properties and created some confusions for some addresses if it was in or out of the Historic District Overlay. From the map you have in front of you the red line is the new overlay and the yellow is the old. There are several properties that have been added. The County Court House, the old Sheriff's Office and County Commissioners office on West Franklin Street have been added. I approached Hummel and Plum to see if they would be interested in coming in to the overlay and they were not interested because they didn't see the benefit to it.

This is the reason why we didn't take in the Building Department also located on the north side. So we took the line right down the alley next to Hummel and Plum. On Pinckney Street we included the cinema at the request of the owner. All of CVS was included, the current map only takes in the front half of the building. On South Pickaway Street we included the Mitchell Bed and Breakfast. The owner, Nicole Mitchell, desired to be in the overlay.

Al Sedlak stated at the southeast corner of East Mound Street of the overlay, what is that?

John Ankrom stated that is the old Mader Peters Funeral Home and we took it down to the alley that is across from the alley to the post office. The owner verified this was acceptable to him. This is also a case of a property where it's partially in the overlay now.

Al Sedlak stated the word must be out that we aren't picking up any properties without the owner's consent or request. Obviously no one is here to complain.

John Ankrom stated the Historic District Review Board did give us their approval. We met with them and took their suggestions and that's how we came up with this final draft.

There were twelve changes to the Zoning Map that were corrections, things that were done incorrectly before. There were three annexations and five rezoning ordinances that have been passed since the last map revision.

Al Sedlak stated this really doesn't change the zoning of anything it just makes the map accurate. Either it be a non-conforming use, prior amendment or annexation.

John Ankrom stated the first 12 items on the list do change the zoning designations without separate ordinance.

Al Sedlak replied were most of those non-conforming uses?

John Ankrom stated for example the Circleville Township Hall on South Washington Street should have been zoned SU, Special Use District, but its zoned R-5, Two Family Residential District. We are taking existing uses and putting them into their proper classifications.

Al Sedlak stated how are you handling the front part of the IRG Property? Is that going to come in as LI, Limited Industrial District or will you be able to differentiate it.

John Ankrom stated the owner has made an informal zoning request to make the frontage along US Route 23 a General Business District. They have submitted a drawing to that effect.

Al Sedlak stated so we won't be picking it up now.

John Ankrom stated unless we can amend it or add it in later. We have a 30 day period before Council has to review this at another public hearing. They have a meeting with ODSA this week

and we have a meeting with the Joint Annexation Board next Monday. This is the reason for the meeting. I think if we can still pick those up I would like to do it. It simplifies things for the owner and especially for the IRG Property. That property is crucial to the city in terms of development prospects. Another development we want to get rounded up before this map goes into effect is the Scott Clifton Property out on 188 across from the Mary Virginia Crites Hannah Park. There is a piece of R-2, Single Family Residential District that would need to be zoned SU, Special Use District to be able to extend them tax incentives to develop that property. We are still working on their development plan.

Al Sedlak stated all we are doing is making a recommendation. If you can get these things worked out and firmed up, it can go to council.

John Ankrom stated I don't know if that means this commission will need to meet again or not.

Al Sedlak stated Council can amend, reject or accept our recommendation. They can pick it up and go with it at that point if they want.

John Ankrom stated we want to encourage development in the city and if we can do things as part of this zoning map change to help encourage that then that is something we should want to do.

Bob McCrady stated does the recommendation include Clifton's Property?

John Ankrom replied no.

Marsha Griebel Graham stated we had a question on the Wood Lane lots. Is that correct?

John Ankrom stated we looked it up and compared the ordinance with the parcel map and it appears correct. The two lots facing Wood Lane are currently owned by the hospital and is part of their parking lot. The house the hospital owns to the east of there is staying residential.

Al Sedlak stated it is now 6:32 p.m. and we will close the Public Hearings portion of the meeting. The regular meeting of the Planning and Zoning Commission is now in session. The first item on the agenda is approval of the March Meeting Minutes.

Bob McCrady motioned to approve as submitted, seconded by Terry Leasure. All in favor, minutes approved.

Al Sedlak stated the next two items on the agenda are recommendations to forward to City Council for changes to the Zoning Map/Code and Historic District Overlay. After that is review of the Permit Fee Schedule. I think we want to take some time to go over these. Does anyone have an objection to move down to the next item on the agenda since the applicants are here and the only people in attendance?

All members agreed to hear Variance #2-15 out of agenda sequence.

Variance #2-15, as requested by Gary Dumm, 523 Woodview Court, to add an extension to an existing attached garage and to vary the front yard setback from 25' to 18'6", in an area zoned R-2, Single Family Residential District.

Al Sedlak stated he will be abstaining from commenting or participating in the discussion or voting on the matter due to my professional relationship with Mr. Dumm. I don't see a need for Don or John to abstain, but that is their call. I will remind you if you both abstain we will not have enough members to vote.

John Ankrom stated I plan to vote.

Don McIlroy stated I spoke with the Law Director and he suggested I abstain because I am an elected official as is Judge Dumm.

Al Sedlak stated I will lead the discussion, but won't comment or participate.

Gary Dumm, 523 Woodview Court, stated I have a better drawing that is a little bigger than what you might have. When I originally approached John to discuss this with him the application was to do a few things. Looking at that drawing, lot 151 at the top right hand corner has a darkened section that is an 18' x 12' pool house. The kidney bean shape is the pool in our backyard. That sits within the compound of the lot without any difficulty. We have 12' and 29' on the other side. If you drop down to the next dark spot that looks like a house with a gabled roof section. That is the roof we would like to put over the front door. That sits within all the required setbacks. The third one is the darkened section that is marked 8' that sits right in the front of the garage. This is the proposed extension to the garage. The first 12' of the gabled section is the current garage to add 8' it makes it a 20' garage which is about 22' wide that would allow to pull in two cars. Currently you enter from the side where the driveway curves in.

I think I can make this easy in terms of voting. I do not think a variance is required because the definition of the building setback is taken from the property line. There is no definition of property line in the code. Clearly the only real definitive line in the code is the curb line which is the property line. If you step that forward to the sidewalk that is somewhat an arbitrary line. The sidewalk in theory can be any size. At this point if we add the 8' on that leaves 27.5' from the 8' extension to the property line. I based that discussion on the setback and the lack of a need for a variance. If you look at the definition of building in the code it says building line or building setback. It means the setback line established by this zoning ordinance generally parallel with perpendicularly from the property line defining the limits of the yard which no building or structure maybe located in. There is no other definition of building line or property line. When you look at the definition for building it says from the property line and I don't see where that causes any problem with the 25' setback. What the 18.5' demonstrates that any reasonable vehicle would sit off premises just fine. On the right side of that because it sits on the curve of

the cul-de-sac it's actually 25' that you have of driveway to pull a car in on that side. If you are mindful of the sidewalks there is plenty of room to park two cars if you needed to.

Marsha and I have gone door to door and spoke with all the neighbors and they don't have any concerns with our proposal. The fact it's in a cul-de-sac makes it look a whole lot more less visible when you look down there, you don't see any lines. I don't think there are any visual issues. The folks who live at lot 152 said they would put something in writing stating they don't mind what we are proposing. Have they done that?

Valerie Goeller stated I haven't received any correspondence from any neighbors.

John Ankrom stated what do you plan to do with your current driveway?

Gary Dumm replied we can do a couple things. We can leave it alone and use it for additional parking, but that would leave two curb cuts. We could shut it down, we really don't care one way or another.

John Ankrom stated by you putting in another driveway you will be cutting off another parking space on the street.

Gary Dumm stated that's right. There might be one on street parking space to the west of that.

Marsha Dumm asked if there would be room to go in at the proposed driveway and make it turn off that, leaving the pad.

John Ankrom stated it would be tight. If a car is parked there it would cut you off. With the little bit of frontage you have we wouldn't give someone two curb cuts.

Gary Dumm stated we don't really care about the other curb cut.

John Ankrom stated that's not saying you couldn't widen your proposed curb cut to get you up in there. We normally would only want to see one curb cut.

Gary Dumm stated the fire hydrant is about 30'. It would be directly to the east side as you swing into lot 152. It's 40' to 50' from the curb.

Marsha Griebel Graham stated when you construct the garage addition on you will be violating your subdivision setback line.

Gary Dumm stated correct. My position is that those folks all said they would sign off on it for that purpose. The concern was the city's issue.

Marsha Griebel Graham stated you might want to go ahead and get your neighbors to sign it. Later on if it comes up on a location survey and it's a new part, it's hard for title to write over that.

Gary Dumm stated they all indicated they would do that.

John Ankrom stated I really didn't follow your logic on the setback. There is a setback and its 25' in the R-2, Single Family Residential District. There is a property line and it's from the property line and typically that is the back side of the sidewalk, but that's not always. It's up to you to understand where your property line is. It's up to you to conform to the required setbacks of the zoning code which in this case is 25'. We can vary that as a board, but like Marsha said it doesn't vary the subdivision regulations. It doesn't prevent a civil action against you from one of your neighbors.

Gary Dumm stated I understand this completely. That part I will solve. They all indicated they don't care from 25' to 30'.

John Ankrom stated the pool house is a separate structure and not attached to the house. That is considered an accessory structure.

Gary Dumm stated it is on the backside of the 6' fence that currently goes around it. It's on the west side of that fence and enclosed completely. It will be one big structure where you can't get into the pool. It's a safety feature. I personally don't feel I need a variance.

Valerie Goeller stated can you please repeat your reason for that statement. I want to understand it.

Gary Dumm stated the definition of Building Line or Building Setback Line as it is in the code actually says it's measured from the property line. There is not a definition for property line in the code, but when you look at the plat map you have a property line that extends from the point to the pin points. I think if there was a need to define the setback it's the 25'.

Valerie Goeller stated there is a definition for lot line and right-of-way line. Are you saying lot line and property line are not the same thing?

Gary Dumm stated the code doesn't say that. The code says if there is any doubt to the common language property line and lot line in that setting be the same.

Valerie Goeller stated should we add that as a definition? Now is the time while we are making changes to the code.

Marsha Dumm stated what do you do in neighborhoods where there aren't sidewalks?

John Ankrom stated you still have a lot line. There may be no sidewalks, but there is a property line.

Marsha Dumm stated how do you establish one being a sidewalk and one being a curb?

John Ankrom stated a sidewalk doesn't mean that's where the property line is. The sidewalk is by the curb on the north side of High Street. Most of those property lines are way back toward the house. Some of those porches are built into the city right-of-way. They wouldn't know that unless they got it surveyed. There is always a property line somewhere.

Gary Dumm stated what I'm saying from a definitional standpoint it would be easy to add a property line is defined as the following and it's not in there. I think the property line is the curb cut.

Al Sedlak stated this hasn't come up before.

Valerie Goeller stated then we should address it now, especially if it's only a matter of adding a definition. We don't want to legally get called out on it.

John Ankrom stated I don't have a big problem with what you are proposing besides 18.5' that you are left with on the one side will be tight. By the time you pull in and get a couple feet away from the garage door. The back of your car could be over the sidewalk, but that depends on the type of car you drive and parking style. By the number of houses back in that cul-de-sac I can't see it being a problem.

Marsha Griebel Graham stated so we are talking one curb cut now, correct?

John Ankrom replied yes.

Gary Dumm stated we really don't care one way or another about the curb cut. The only reason we considered leaving it was to have a little extra off street parking.

John Ankrom stated if you wanted to make it a little wider so it helps you blend into your current driveway and retain that. I don't have a problem with that, but I am one vote. I do not want two distinct curb cuts.

Al Sedlak stated under the General Development Standards under front yard requirements it says all front yard depth shall be measured from the right-of-way line to the building line. That addresses the setback. As far as coming up with a new definition we will let Jim Hartzler come up with that definition.

John Ankrom motioned to approve as requested, seconded by Marsha Griebel Graham. VOTE ON MOTION: AL SEDLAK, ABSTAIN; DON MCILROY, ABSTAIN; TERRY LEASURE, YEA; JOHN

ANKROM, YEA; MARSHA GRIEBEL GRAHAM, YEA; BOB MCCRADY, YEA. 4 YEAS, 0 NAYS, 2 ABSTENTIONS. MOTION CARRIED.

The next item discussed was a Final Plat, as requested by the City of Circleville, 104 East Franklin Street and Circleville City Schools, 388 Clark Drive, for approval of Brookhill Lane and Clark Drive, in an area zoned SU, Special Use and AG, Agriculture Estate District.

John Ankrom stated this is the final plat for the final improvements for the school development including the extension of Clark Drive and the roundabout and Brookhill Lane out to Route 22. We made one document which we called a mega plat. It's a two sheet document and memorializes all the various easements and rights-of-way taken in the school project into one document. We still need to do the improvements from the existing Pickaway Manor out to Nicholas Drive that is still part of this project, but this dedicates all the right-of-way. Those improvements are being done by the City of Circleville so we are the developer. This assigns all the rights-of-way and easements to the City of Circleville from the school property. There are two other property owners who had to grant the easements and rights-of-way. The Walters Partnership and Pickaway Manor were small storm sewer inlets that were on their property. Those property owners both have to sign off on this plat. I have the school signatures, but haven't received the signatures from the Walter's Partnership or Pickaway Manor. I can get those before they go to Council.

Al Sedlak stated we have reviewed this on several occasions.

John Ankrom stated I don't know the timing of everything. It would be nice to be completely done with the project, but I feel a little nervous with this not being recorded because we have a lot of public right-of-way that currently is still under the school. I think we need to get it into the City's name.

Al Sedlak stated you are proceeding with work that seems logical.

Bob McCrady stated what are we accepting?

John Ankrom stated we are accepting the fact that the improvements are done in general accordance with the preliminary plat and it memorializes what has been taken.

Terry Leasure motioned to approve, seconded by Marsha Griebel Graham. VOTE ON MOTION: DON MCILROY, ABSTAIN; TERRY LEASURE, YEA; JOHN ANKROM, ABSTAIN; MARSHA GRIEBEL GRAHAM, YEA; BOB MCCRADY, YEA; AL SEDLAK, YEA. 4 YEAS, 0 NAYS, 2 ABSTENTIONS. MOTION CARRIED.

The next item discussed was Vote on a recommendation to forward to City Council on changes to the Zoning Code and Map.

Al Sedlak stated since last week when we met the proposals have been reviewed by Gary Kenworthy and he provided some comments. Jim Hartzler has provided some response and revisions to Gary's comments. We have been provided those comments and they are on the one page sheet. The areas that are addressed are 6.06.03, Appeals to City Council, and that remains unchanged. Section 27.08, Demolition of Structures, Gary had concerns on enforceability so he added milder language.

John Ankrom stated (in response to 27.08) all I if have to do is put on Facebook that I want to sell some property, isn't that good enough?

Marsha Griebel Graham stated like Gary has said if you make them pave it and then 18 months later they do get someone to build on it then they have to tear up the pavement or concrete.

John Ankrom stated then you don't make it a parking lot. If you are going to park cars on it, it needs to have a hard, durable, paved surface.

Bob McCrady stated why can't they sow grass seed if they aren't going to use it as a parking lot?

Don McIlroy stated if it's going to be used as a parking lot then it needs to be paved.

Bob McCrady stated if it's short term then grass it.

Marsha Griebel Graham stated rope it off and don't use it.

John Ankrom stated so if someone wants to use it as a parking lot then pave it. If you want to develop it then fine, don't pave it, just don't park cars there. We don't even need to say put grass down, just don't park cars.

Al Sedlak stated I read Gary's comments and one of his concerns is that we don't give the property owner any option. If it's undeveloped after 18 months it's a parking lot. What if they grass it over?

Don McIlroy stated it's not a parking lot if they don't park cars on it.

John Ankrom stated that's not what it says. It says the site shall be considered as an off street parking area if it's not developed in 18 months. We don't give them the option to not park cars on it. We're just saying it's a parking lot. If they demo a building and in 18 months it's still a bare lot we are requiring them to pave it. The amendment that Gary added allows the person to not pave it if they are making a good faith effort to sell it. If they weren't making a good faith effort regardless if they were parking cars there or not, they need to pave it. That's where Gary is saying it's unfair.

Don McIlroy stated I don't know how unfair it is. We have a situation on two or three different lots that need some improvements and we have already given them 18 months and we have

seen nothing to say that they are going to build or not. To me it's still a parking lot. The city needs some teeth in this ordinance.

Al Sedlak stated how about after they demolish a structure they grass it over. After 18 months do we want them to pave it? We are calling it a parking lot and you need to pave it.

Bob McCrady stated I would rather see green space.

Al Sedlak agreed and stated what if we add something like this "Thereafter they conform to the applicable zoning requirements or the actual use of the parcel at that time." So if they are using it as a parking lot they conform to parking lot requirements. If they leave it as green space we will leave you alone.

Terry Leasure stated that makes sense, but if you allow that to go to green space during Pumpkin Show they are parking on that green space. Are we allowing them to park on grass?

Bob McCrady stated at Pumpkin Show people will park in their front yards. That is different.

Terry Leasure replied it's a rule.

John Ankrom stated how about saying "after 18 months the site will be considered vacant. If it's used as a parking lot, it shall be paved."

Al Sedlak stated "after 18 months shall be considered as vacant. If used as a parking lot it shall conform to all requirements."

John Ankrom stated or "any other use shall conform to the existing zoning code." If you put a parking lot in you need a zoning permit.

Bob McCrady stated when will the clock on 18 months take effect, after council approves it?

Al Sedlak stated any vacant lot now it wouldn't affect. It's only after this is approved by Council and someone then wants to demo a building.

Don McIlroy stated I am disappointed in 18 months. What's wrong with 12 months?

John Ankrom stated from a construction standpoint 18 months is not unreasonable.

Al Sedlak stated what I am hearing is we want to strike everything after being considered as vacant. "If used as a parking lot or any other use such shall be subject to any applicable zoning requirements." Do we want to use the word undeveloped or vacant?

Bob McCrady stated if it's undeveloped then they have electric, sewer and water.

Marsha Griebel Graham stated that's developed.

Al Sedlak stated we already have the word undeveloped.

Marsha Griebel Graham stated should we use the word vacant instead of undeveloped? You're advertising the IRG site that it's developed. It has utilities.

John Ankrom stated I just don't like the wording Gary added, good faith effort. That doesn't hold anyone to a standard. In all cases I don't think it needs to be a paved parking lot, but we need to have a way if they are using a vacant lot for parking to require them to get a Zoning Permit.

All members agreed they like the word vacant over undeveloped.

John Ankrom stated or the site shall be considered as undeveloped. Any other use shall be subject to the requirements of Section 23.02 E. of this Ordinance. Do away with everything after unless. A parking lot in the downtown area is a permitted use.

Al Sedlak stated if the lots that are vacant now and they start to use them as a parking lot that becomes an enforcement issue and you can say they have made it a parking lot. That is a permitted use, but you have to do it in a certain way.

Terry Leasure stated what about the parking lot that the bars are using it for parking. They haven't given them permission to use the lot. How does that work? Does the police need called and the cars need to be towed away?

Al Sedlak stated if it's called a parking lot and someone is making money off of it. If people use it unlawfully and there is no sign posted, the police aren't going to do anything about it. If they put a sign up with the correct wording and the owner calls then it would be subject to towing. An owner that doesn't have it posted, they don't want to call the police and take the chance of a vehicle being towed and damage being occurred to it during the removal. They don't want to take on that liability.

John Ankrom stated can we require the lot owner to barricade the lots so people can't park on it? If they aren't willing to pave it then they should block it off so that it's not used.

Terry Leasure stated I agree they should grass it if it's not going to be a parking lot or barricade it off. I don't care if they use the lots during Pumpkin Show.

Don McIlroy stated we are being forced by City Council to enforce this, so we need to do something.

John Ankrom stated when we went to send a letter out to the property owners they told us not to send it.

Marsha Griebel Graham stated has Dr. Liggett applied for a permit for a parking lot? He is using it for a parking lot. It doesn't matter if he is in the Historic District Overlay or not. It's in the downtown and it's a use of a parking lot.

John Ankrom stated the requirement is under the current code Section 34.03. It leaves hard, durable, dustless surface open to interpretation. To me if it's not asphalt, concrete or brick how can it be anything else? The sentence before that says you have to provide a hard durable dustless surface. How is that different than asphalt, concrete or brick?

Marsha Griebel Graham stated compacted gravel.

John Ankrom stated is that durable and dustless? If I spin my tires the gravel is all over your sidewalk.

Marsha Griebel Graham stated do we want to change that?

John Ankrom stated this is parking for the whole city. Should we add something specific for the downtown?

Marsha Griebel Graham stated we made Bob Norpoth make it a hard surface and he has bricked his lot.

John Ankrom stated and Bob Norpoth has to look across the street at Liggett's lot.

Al Sedlak stated if we add something we should put it under 34.03 D., Surfacing.

Al Sedlak stated Jim Hartzler called me today and we discussed Gary Kenworthy his concern on appeals. It kind of diverts Gary's concerns. Basically appeals from the Historic Review Board had gone to City Council and their concerns were with their vote. What Jim has changed basically is divert those appeals from them to us. We are the same kind of board as the Historic District Review Board. We become the second look at it and if they are dissatisfied with us they go to Common Pleas Court.

Bob McCrady stated why us and not council?

Al Sedlak stated he felt council at times can be too political.

Marsha Griebel Graham stated if it comes to us does the person who sits on this commission and Historic District Review Board need to abstain?

Al Sedlak replied I don't think so. If the Charter is approved this will change. Right now City Council is a legislative body they make laws. We are an administrative body and we implement laws. He felt it more appropriate that we do the review of another administrative body rather than a legislative body. This is confusing and I don't know how to address it, but when an appeal

comes to us or city council we can affirm it by a simple majority. To reverse, remand or modify it takes $\frac{3}{4}$ majority. The question is what if it's in between. If we deal with it the way I am thinking it will be a two-step process. One we vote to affirm or not. If we vote not to affirm, then you are doing a fresh vote with the second part to change it which will require the super majority. If we vote to affirm it, the super majority decides to change what we do. If we vote to affirm it you aren't going to get the super majority to reverse it or send it back. All they can do then is modify it. I think it will work it out on a case by case basis.

John Ankrom stated if it comes to the next level and it takes a super majority to reverse it. You don't get a super majority, then you don't reverse it.

Al Sedlak stated I think you do the vote to affirm it first so you have that one way or another. The second one might change it or not. If something like that happens and we vote four to three to affirm. Then a proposal to modify it somehow and that vote is four to three. That is not a super majority and that fails so we simply affirm.

Bob McCrady stated why we are affirming it, why aren't we changing it? Why don't we just turn it down?

John Ankrom stated it would take a super majority.

Al Sedlak stated this is a consistent thing. In townships they have two zoning bodies. They have a commission that does amendments to the zoning ordinance and the board of zoning appeals that consider variances and lot splits. We are combined into one. The township has an amendment to their zoning and it's passed by the zoning commission it's a recommendation. If that goes to the trustees and they affirm it two to one, but to change it, it has to be unanimous. This is consistent with that to require a bigger majority to change what a lower board has done or recommended. It looks confusing in writing, but I think if we had an actual situation it will work well. We become an appellate board for the Historic District Review Board. That is what they are doing is changing that second look or right of appeal from City Council to us.

The third concern Gary had was on Section 35.06, Signs Which Do Not Require a Permit. Gary's concern was the clutter and eyesore aspect. By taking out the requirement that they be removed 3 days after the election.

Bob McCrady stated he also scratched out the 45 days.

Al Sedlak stated we have that elsewhere for temporary signs and its 45 days. We kicked that around and came back to 45 days. He added the very last part "and shall be removed not later than three (3) days after such election." Which is pretty much what we already have.

John Ankrom stated does that need to be 45 days before the election because we have something that says temporary signs are 45 days, but if I want to put up an election sign up in February for a November election I can do it as long as I don't leave it up more than 45 days.

Al Sedlak stated our code addresses temporary signs where a permit is required and it says 45 days within a 12 month period. It doesn't address temporary signs where a permit is not required.

Bob McCrady stated does this take in all signs including religious?

John Ankrom stated we have an issue with that. Hartzler gave us the recommendation that if someone puts up a sign to advertise a preschool and it's a church and it's on their property not in the right-of-way we leave it alone and don't touch it.

Several members stated they didn't recall it that way because you couldn't make a distinction between election, political or religious.

John Ankrom stated the issue is that Trinity Lutheran has their signs around town advertising their preschool. Now Circleville City Schools is going to start putting them up for their preschool. They have a ton of them out at the high school. We are saying those are signs that do not require a permit, but a temporary sign requires a permit and Trinity wouldn't require a permit because of it being religious.

Al Sedlak stated a preschool isn't a holiday. I would think they would need a permit.

Bob McCrady stated I thought he grouped that with political.

Valerie Goeller stated I thought he said even though the election signs don't require a permit, you can apply the temporary sign portion of the code for the number of days they are allowed.

Marsha Griebel Graham stated it doesn't fall under G. because it says temporary signs promoting community events and programs that last for a time period of 14 days or less which are sponsored by public, educational or religious or charitable organizations. But it's for 14 days or less and a particular events.

John Ankrom stated so you think Trinity Lutheran Preschool needs a permit? It's a temporary sign so they need a permit and it can't be up for more than 45 days. Circleville Schools have 100 signs they want to put up now I am going to have to issue 100 permits for free.

Terry Leasure stated pee wee football has a bunch of signs we want to put up.

John Ankrom stated every person who wants to put up one of those signs has to fill out a permit.

Marsha Griebel Graham stated and you don't charge for temporary signs! That is an administrative nightmare. Why are you having them fill out a permit if you aren't charging?

John Ankrom stated so we can regulate them and keep them to 45 days.

Al Sedlak stated we could put another provision in 35.03 the signs excluded from regulation. Temporary Signs promoting activities of religious or educational.

Terry Leasure stated that doesn't cover football.

Al Sedlak stated we can add non-profit. Maybe we don't want to exclude them. Then they would be in the rights-of-way and 20 in their yard. Maybe put it in 35.06, Signs that don't require a Permit, and they are subject to all other provisions which will give some enforcement.

Marsha Griebel Graham stated if you add it to D and we change the definition of temporary signs to add 45 days.

Bob McCrady stated instead of everyone taking a sign permit out, contact the event sponsor, the one passing out the signs and tell them they can only have them up for 45 days.

John Ankrom stated that might be the way to handle it. It makes someone fill out a permit and establishes a date.

Everyone agreed this would be the best way to handle these.

John Ankrom stated then after 45 days from the date the permit was taken out we can request the signs be taken down.

Al Sedlak stated it will be under 35.08, Temporary Signs, for no more than 45 days in any 12 month period and signs promoting activities of a religious educational or other non-profit organization shall require one permit to the sponsoring organization.

Valerie Goeller stated Jim Hartzler plans to attend Council's Public Hearing on May 19th.

Al Sedlak stated if Council has questions for us, we certainly can make ourselves available.

Valerie Goeller stated I would assume they will request Al to be present as well.

Terry Leasure motioned to approve the Zoning Code and Map, seconded by Marsha Griebel Graham. VOTE ON MOTION: DON MCILROY, YEA; TERRY LEASURE, YEA; JOHN ANKROM, YEA; MARSHA GRIEBEL GRAHAM, YEA; BOB MCCRADY, YEA; AL SEDLAK, YEA. 6 YEAS, 0 NAYS, MOTION CARRIED.

The next item was to vote on a recommendation to forward to City Council on the changes to the boundaries of the Historic District Overlay.

Terry Leasure motioned to approve, seconded by Bob McCrady. VOTE ON MOTION: TERRY LEASURE, YEA; JOHN ANKROM, YEA; MARSHA GRIEBEL GRAHAM, YEA; BOB MCCRADY, YEA; AL SEDLAK, YEA; DON MCILROY, YEA. 6 YEAS, 0 NAYS, MOTION CARRIED.

The final item was to review proposed Zoning Permit Fee Schedule and make a recommendation to be forwarded to City Council.

Al Sedlak stated we all have copies of the current and the proposed fees.

John Ankrom stated we added a fee for demolitions to conform to the new Zoning Code. We also took out all the commercial zoning districts and renamed it Commercial and industrial related structures to be in line with the LI and GE Districts. The fees didn't change. I think the after the fact penalty fee should be changed to 50% of the permit fee instead of an additional \$25.00. I feel this is more of a penalty that is in relationship to the work being done. I believe this to be in line with what other communities do.

Don McIlroy asked how we came up with the demolition fees. Is this what other communities are charging?

John Ankrom stated we didn't check other community fees for demolition. We didn't want to charge too much when you take in to consideration someone might want to demolish a residential shed or garage. This is more than we are charging now.

All members agreed that \$25.00 wasn't much of a penalty and that 50% of the permit fee was fair.

Marsha Griebel Graham motioned to approve with the stipulation that the After the Fact Penalty be changed to 50% of the permit fee instead of \$25.00, seconded by Terry Leasure. VOTE ON MOTION: JOHN ANKROM, YEA; MARSHA GRIEBEL GRAHAM, YEA; BOB MCCRADY, YEA; AL SEDLAK, YEA; DON MCILROY, YEA; TERRY LEASURE, YEA. 6 YEAS, 0 NAYS, MOTION CARRIED.

Don McIlroy motioned to adjourn, seconded by Terry Leasure. All in favor, meeting adjourned.