



**Planning and Zoning - Minutes
Wednesday, April 02, 2014**

CITY OF CIRCLEVILLE
PLANNING AND ZONING COMMISSION
104 EAST FRANKLIN STREET
CIRCLEVILLE, OH 43113
(740) 477-8224

City Hall Council Chambers
April 2, 2014

Meeting Minutes

Members Present

Al Sedlak
Terry Leasure
John Ankrom
Marsha Griebel Graham
Bob McCrady
Becky Staesina, Clerk

Visitors Present

David Bond, Jr.
Cindy Lamb

Chairman Al Sedlak called the meeting to order shortly after 6:00 p.m.

The first item of business was approval of March's Meeting Minutes. Terry Leasure motioned to approve, seconded by Bob McCrady. All in favor, minutes approved as submitted.

The next item heard was Variance #2-14, as requested by David A. Bond, Jr., 213 Sherwood Drive, to install a 14' x 24' accessory structure on the north side of his home and to vary the requirement for an accessory structure to be located to the rear of the principal structure, in an area zoned R-4, Historic Neighborhood Single-Family Residential District.

David Bond, Jr. was sworn in and stated he wants to place a building on his side yard. He does not have much of a back yard and the back yard has a utility easement issue. He would incur additional costs to place the building in the back too.

Sedlak stated how close would the building be to the property line and Bond stated 3'4". Bond continued to state that he had the lot surveyed. He stated he had it surveyed so he wouldn't have any problems.

Sedlak stated did Mr. Bond speak to his neighbors about the building and Bond responded that the neighbors were more concerned about the privacy fence he plans to install. His application for the fence permit was approved. He plans to place a fence 6" from property line and place gravel under it so weeds won't grow as readily. Ankrom confirmed that Bond's fence permit was approved, but the accessory building permit was rejected.

Sedlak stated did anyone contact the Service Office about this variance and Staesina stated that Mr. Lockard called about it on March 21, 2014 and was concerned about how the building would affect property values in his neighborhood.

McIlroy stated will the building attach to the house and Bond stated it would not.

Griebel Graham stated that restrictions on the subdivision plat does not allow accessory buildings. Bond stated that everyone in the subdivision has some type of additional building.

Ankrom stated a neighbor applied for a zoning permit for an accessory building, but no variance was involved and that permit was approved.

McCrady stated how much space will be between the house and proposed building and Bond indicated between 3 to 4 feet. Bond stated that the building will be flush with the house, but not attached. It would be located under the gable at the gable end of the home. Bond stated he would request that the manufacturer construct the building less wide if necessary.

McIlroy stated will the building be on a foundation and Bond responded it will be slab on grade.

McCrady stated what is the distance from the building to the fence and Bond stated the building will be 2'10" from the fence to the building at the corner. The distance gets wider in front. There is a 4" overhang on the building.

McCrady stated will the building be next to the garage and Bond stated yes. McCrady asked what construction material will the building be made from and Bond stated metal.

Sedlak said there are two separate issues involved. One is zoning, which is what this body decides. The other is subdivision restrictions and the protective covenants they hold, which the city cannot enforce. In this case, the subdivision restrictions state that only single family homes with a garage are allowed. Other property owners can enforce subdivision covenants. Bond stated there are 8-10 homes in his subdivision with storage buildings. He stated he went to the Records office to obtain a copy of the subdivision restrictions.

Leasure stated are there any other buildings on the property and Bond stated there is one prefab building behind his house, which will be removed when new one is erected. The new building can be moved to another location if he ever needs to move.

Terry Leasure motioned to approve, seconded by Marsha Griebel Graham. VOTE ON MOTION: AL SEDLAK, YEA; TERRY LEASURE, YEA; JOHN ANKROM, YEA; MARSHA GRIEBEL GRAHAM, YEA; BOB MCCRADY, NAY. 4 YEAS, 1 NAYS, 1 ABSENT (COMBS.)

INFORMAL DISCUSSIONS

Cindy Lamb, Community Assisted Living, came to speak about 225 Moats Drive. It is located behind Goodwin's Restaurant. It is currently zoned SU and used as a daycare center. It has downsized, but is still used for daycare. Community Assisted Living wishes to purchase the property and turn it into a daycare for adults with disabilities.

Leasure stated it was a church at one time.

Ankrom stated how many people would stay at the facility and Lamb indicated no more than 5 people at a time and none would stay overnight. The hours of operation would be 8AM – 5PM. Good Hands operates a similar operation in Circleville stated Lamb. Ankrom asked about the ratio of employees to care recipients. Lamb stated it would depend on ratio of recipients and their needs, but the most likely scenario would be 1 staff person per 4 adults. They would focus on those that are medically fragile.

Ankrom stated are any modifications needed to the structure and Lamb stated no since the building is already handicap accessible inside and outside.

McCrary stated nobody would live there and the adult daycare would be operated Monday through Friday only. Lamb stated that is correct and the care would be for individuals that have developmental disabilities. They would come from their homes during the days. McCrary asked if this care for adults only and Lamb stated that children could be present during the summer months. They would provide transportation and staff stays with them all day. Facility would be for residents of Pickaway County.

McCrary stated how large is the building and Lamb stated 2,000-2,500 square feet.

McIlroy stated that Chief Tener may be able to help.

Lamb stated her intention is to get a Conditional Use Permit and she wants to confirm that will be possible.

McIlroy stated have you contacted the property's neighbors yet and Lamb stated she has not.

Leasure stated that when it became a daycare, the neighbors raised a lot of concerns. It might help a lot to contact them now and let them know what you plan on doing.

McIlroy suggested that it would be helpful to have comments from the neighbors readily available when you officially come before this board.

Ankrom stated does this body think this use fits into the SU category because I do not think it does. McCrary and McIlroy thinks that it does fit the category. Ankrom stated that the code does not say anything about mid-range adults.

Sedlak stated code states similar use and this home would fit into a similar use. Sedlak stated when he hears daycare, he thinks of children. Lamb stated that they call it a rehabilitation center.

Ankrom stated that she would need to apply for a Conditional Use Permit and come before this Committee for approval.

Leasure stated that the Senior Center calls service they offer daycare.

Ankrom stated will it only be daycare?

Lamb stated that the basement of the house will have offices.

Leasure stated if people staying will have rooms and Lamb stated no, it will be an open area. They will teach them skills and try to take them on local trips to Walmart, for example.

Ankrom stated do you have to put sprinklers in and Lamb said no.

Ankrom stated the neighbors are in a residential zoning district.

Leasure state you need to get the neighbors feedback prior to coming to this board for a Conditional Use Permit. Discuss the hours of operation, type of person being cared for and traffic patterns with them so there are no surprises. It is best to defeat objections before the Planning and Zoning Meeting.

McCrady state are there going to be any outdoor activities and Lamb stated yes they would tend to a planter box garden. They might have lunch out.

Griebel Graham suggested making purchase contingent on zoning approval.

McCrady stated a fence might help and Lamb indicated that there is a privacy fence in the back of the property.

McIlroy stated prior to coming back to this body, talk to John Ankrom in the Service Office and apply for Conditional Use Permit.

Lamb asked how likely it was they would approve a Conditional Use Permit based on what she shared and Ankrom stated it sounds favorable.

Griebel Graham suggested she secure a site plan from the previous owner. Realtor should have it so you can use it with the Conditional Use Permit application.

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