

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

Wednesday, April 4, 2018
City Hall Council Chambers

MEETING MINUTES

Members Present

Al Sedlak
Don Sherman
Terry Leasure
Dorcas Morrow
Mike Combs
Mayor, Don McIlroy
Brenda Short, Clerk

Visitor Present

Justin Jacobs
Ian Aultman
Jay Wippel
Jonathan Davis
Kyle Uhrig
Shawn Aditya

Chairman Al Sedlak called the meeting to order at 6:03 p.m.

First item on the agenda is the approval of the meeting minutes of the last two months. At our last meeting we deferred taking any action on the approval of the meeting minutes from February 2018 as the minutes that were submitted unfortunately and by necessity are incomplete. Apparently, there was a malfunction with our recording system and a large part of the discussion regarding one issue where Rocket VII proposed a digital display sign were not recorded. It was agreed to defer any approval of the meeting minutes and to make an attempt to compile Finding of Facts and Conclusion of Law to cover the portion of the meeting minutes that were not recorded. Al Sedlak did that and provided a proposed Finding of Facts and Conclusion of Law to Brenda and she included that with the minutes to be voted on tonight. If anyone has any questions, and certainly if anyone has any disagreements or feels that if anything he put in there is not accurate, please point that at. Al Sedlak stated he went back over his notes and attempted to include the things that were brought up and to put it all in perspective, this was the second proposed sign that Rocket VII has submitted. We turned the first one down, they appealed to the Common Pleas Court and Judge Knece from the Court confirmed our decision and in doing that he had our meeting minutes from the meeting that discussed and made specific reference to observations and comments we made and made specific findings that those comments were proper under the criteria of our zoning codes. The main reason why he confirmed our decision was that we properly applied criteria of our zoning code to the proposed sign and properly turned it down. So, when Rocket VII came back with their modified proposal for a sign, we brought up some of the same comments as before and included those observations and comments at the meeting. Unfortunately, those were the part of the minutes that were not recorded. This information is what Al Sedlak tried to include in the Finding of Facts and Conclusion of Law in the event that Rocket VII does again appeal our denial of their request for the sign. He wanted our minutes to include the same factors that we considered the first time and the application of the same criteria that we used the first time in the decision of turning it down. He proposed that the Finding of Facts and Conclusion of Law be made a part of the minutes.

Don McIlroy made a motion to approve the meeting minutes of February 2018 as supplemented by the Finding of Facts and Conclusion of Law, seconded by Terry Leasure. All Yeas. No Nays. Motion carried.

Next item on the agenda is the approval of the meeting minutes from March 2018. Al Sedlak had a couple minor corrections. On the 2nd page, middle paragraph, second sentence should read “But, section 35.09 J9 is a provision of the code.” A little further down there is a sentence that should read “Generally, for us to grant a variance, we have to find some extraordinary circumstances, something unique about the lay of the land or building that creates a hardship”

Don McIlroy asked that on page two, second paragraph that the sentence read “The Mayor stated he was not aware of any federal grant money.”

Mike Combs made a motion to approve the March 2018 meeting minutes with the above corrections, seconded by Dorcas Morrow. All Yeas and no Nays. Motion carried.

The first two items on the agenda are related items. Al Sedlak stated we can take testimony and discuss these together. We will have to have a separate vote on each item.

Conditional Use Permit #3-18 as requested by Ian Aultman, 2221 Schrock Road, Columbus, Ohio 43222 on behalf of Pickaway County Commissioners for the re-constructing of the Pickaway County Fairgrounds located at 415 Lancaster Pike, Circleville, Ohio 43113, which is currently zoned SU, Special Use District and Variance #4-18 as requested by Ian Aultman, 2221 Schrock Road, Columbus, Ohio 43222, to vary the front yard setback from 40’ to 37.4’ for Building F and 32.2’ for three-sides open structure to be used for manure, which is in an area zoned SU, Special Use District.

Mr. Altman was sworn in.

Mr. Sedlak said those present are a little familiar with the general scope of the fairgrounds. In regards of this aspect of it, he asked for Mr. Altman to explain his plans.

Mr. Altman explained that they are going to demo out the existing barns and buildings including the coliseum and put in basically brand-new barns that are listed on the drawing and what livestock will be those barns. There will be a new hog barn, horse barn, sheep/goat barn, and small animal and cattle barn. There will also be an outdoor arena that is in the middle of proposed development that will be an open barn and an indoor arena for indoor show that will house some of the administration. They will be re-using the existing drive on the east side of the parcel and will be putting down new gravel and cleaning up the parking area. The stripes or what looks like stripes for the parking spaces will be grass. We will either have attendees parking cars or they might put down something temporary for fair week. Also, looking at the west side, there is a big oval area in the midway. They will be re-using the drive in that location as is and that will be a location for carnival games and food trucks. The amphitheater is at the bottom of the page that is proposed. Also, a rough utility layout was also provided on sheet C400, this includes the water fire loop around the proposed sites and a rough draft of how the storm and sanitary layout will be. The overall sheet C200 shows, zoomed out, the entire fairgrounds and what will be done. The west side of the track is where we are planning our retention pond and that will be a dry retention basin which will discharge to the creek. The variances requested are for Building F which is the sheep and goat barn which encroaches about 2.6’ into the 40’ front building setback. Then the manure storage building which encroaches about 6.8’. They believe they are improving the setback under existing conditions. The barber shop is right up on the right of way and it will be demolished and removed.

Mr. Sedlak had two questions and stated the first one was already touched on. He stated the existing building that is there is just touching the right of way, so we are not actually creating an encroachment, but just continuing the existing one. As far as the three-sided building for manure storage, is that the little notch to the east of Building F and is that for one barn or multi barns?

Jay Wippel stated that building will just be used for fair week for the 4Hers when they clean their pins out daily. They will put their bedding and manure pack which will be removed. It will be used for all the livestock buildings but only for fair week.

Don Sherman stated you could shift it 5' and there would not be an issue with the encroachment.

Jay Wippel stated they probably could.

Don Sherman stated the one thing you need to make sure is that there is access to whatever equipment you have. You might be better all the way back to the corner toward the parking lot so you can get the tractor in there.

Jay Wippel stated they want it hidden, but close enough for the 4Hers to get to it with wheel barrels. He stated he could move that 10 - 15' to get it out of the encroachment.

Don Sherman inquired about the 30' dimension between Building F and Building E. It looks like there is something there like a gate.

Jay Wippel explained there were a couple others as well. These are operable gates. When 4Hers are trying to exercise their animals at certain times of the day, there is a lot of foot traffic going through the barns, the idea is a gate that would come down at certain times of the day to keep the general public from walking through so as not to spook the animals and so forth. It would be a mechanical gate that will be attached to Building F with hinges so that you can just swing it back and forth.

Don Sherman stated the fire chief stated to make sure you have access. If it was a pedestrian gate, he would not be happy because he cannot get his fire equipment through it. A gate that just swings back and forth would not be an issue.

Jay Wippel stated it would not interfere with fire safety.

Don Sherman stated the fire chief's only two concerns were between Buildings E & F and Buildings E & B, you only have 20' aisle ways and with his equipment, if he has to set up anywhere close to it, needs 25'. Are there any adjustments to those two dimensions? Don Sherman asked that they take a look at it and see if something can be done with it. The other issue, not zoning but important, in the site plan is to make sure there are sufficient fire hydrates. Don stated this can be looked at the site plan and doesn't have to be addressed today.

Ian Aultman stated he would like to coordinate that with the fire department. If the fire department has adequate access behind Buildings F & G, or maybe that is a discussion he can have with the Fire Chief.

Don Sherman stated the Fire Chief will be out for about two months for surgery and he did not get his comments.

Jay Wippel asked Don Sherman if 25' would be more perforable.

Don Sherman replied yes that this what the fire department is saying. When we go to execute the fire plan, Captain Edgington will be the reviewer and go over all of that.

Mayor McIlroy stated Captain Edgington will be the acting fire chief during the absence of the fire chief.

Mayor McIlroy asked if they were going to remove the existing house and Jay Wippel replied yes as well as the old Ringgold Dairy Building. Neither one will be replaced.

Jay Wippel stated the two building at the corner of Lancaster Pike and Stoutsville Pike will come down April 27th. That will open that corner up for sight distance.

Don McIlroy stated the fairgrounds will be remarkably improved.

Jay Wippel asked that on the Variance for the manure storage, do we just agree to move that 5-6' out of the right of way so you don't have to worry about that? Ian Aultman stated they could do that.

Don Sherman stated that a demo requires a Zoning Permit, but with this being a Special Use District we can just role that into this Zoning Permit.

Al Sedlak informed those in the audience that Special Use is for schools, hospitals, and government facilities all uses in Special Use Districts are Conditional Use. There are no set permitted uses so anytime a new use is made or changed they must come to Planning and Zoning.

Terry Leasure inquired if the re-construction would start right after the fair this year and Jay Wippel stated yes, the demo of the rest of the animal buildings will be the first week of July and it must be completed in time for the fair in 2019.

Jay Wippel stated it is for the fair and the kids, but it is also an economic development tool for the city and the county to have for rental facilities. They are confident that there will be other opportunities throughout the year to make this successful. With that whole corridor out there of OCU, new City School and so forth, it is time to make this happen as well and they are looking forward to it.

Don McIlroy stated he is amazed at 4H and the character of 4H kids that come to the fair and would love to see Circleville have a 4H chapter of their own. Circleville City Schools do have some students that participate in 4H that live in Wayne Township.

Jay Wippel stated there are about 1,000 youth in the county in 4H and FFA that participate.

Terry Leasure made a motion to approve the Conditional Use Permit #3-18 as modified regarding the additional demolition, Mayor McIlroy seconded. 6 Yeas. 0 Nays. Motion carried.

Dorcas Morrow made a motion to approve Variance #4-18 as amended. Amendment is regarding the three sided open manure structure. Seconded by Terry Leasure. 6 Yeas. 0 Nays. Motion carried.

Jay Wippel asked to clarify if the demo was included in the Conditional Use #3-18 Permit and Don Sherman stated yes it was. This included the barber shop, Ringgold Dairy Barn and other barns.

Next item on the agenda is Conditional Use Permit #4-18 as requested by Iron Horse Builders on behalf of Circleville City Schools for the construction of a storage addition to measure 12' x 76' and 11' height, which is currently zoned SU, Special Use District.

Jonathan Davis was sworn in.

Al Sedlak stated this is a pretty straight forward item and asked Mr. Davis to give a summary of the building proposed.

Mr. Davis went on to explain. This is currently a wrestling facility and we are going to add about 13' off to the east side of that and add storage units for numerous capacities such as athletic storage, etc.

Al Sedlak stated this is another Special Use District parcel so any changes that are made or additions must apply for permit. The information provided is straight forward and it is obvious what they are wanting to do.

No questions or comments.

Don Sherman made a motion to approve Conditional Use Permit 4-18 and Mike Combs seconded. 6 Yeas. 0 Nays. Motion carried.

Next item on agenda are two companion items.

Lot Combination Permit as requested by Justin R. Jacobs at 110 Nicholas Drive, Circleville, OH 43113 to combine lots 110 Nicholas Drive and 118 Nicholas Drive, Circleville, Ohio 43113 in an area zoned R4, Historic Neighborhood Single Family Residential District and Variance Permit #5-18, as requested by Justin R. Jacobs at 110 Nicholas Drive, Circleville, Ohio 43113 to vary the allowed square footage of accessory building from 1,000 square feet to 1,600 square feet in an area zoned R4, Historic Neighborhood Single Family Residential District.

Justin R. Jacobs was sworn in.

Mr. Jacobs explained this is his residence. He wants to combine the lots so he can build a garage since he cannot build a garage on a vacant lot in the city. The maximum amount of square footage of accessory buildings is 1,000 square feet and he wants to go 1,600 square feet so he can get everything he wants under roof.

Al Sedlak stated that looking at this from the street, the accessory building would be on the left. Again, this is straight forward but our code does have a provision that an accessory building cannot go on a lot unless it is accompanied with a residency, therefore he is wanting to combine the lots.

Don Sherman stated the last item that was handed out at the meeting tonight is not a true lot combination drawing, we are waiting that from Harral & Stevenson. This is just what he is trying to show. Craig Stevenson will complete the actual lot combine paperwork that needs to be done. The existing garage there is already an accessory use structure. What they are going to do is connect the existing garage to the house at the breezeway. That will take it out of the accessory use numbers. That will mean that the existing garage will no longer be an accessory use but will be an actual part of the house. If he didn't do it this way, his permit for variance would be a lot more.

Al Sedlak stated the currently the parcel with the house and the empty lot parcel are two separate parcels for taxes. The surveyor will be providing one legal description as one parcel. He asked Mr. Jacobs if he understand that in the future he cannot sell once parcel without the other. Mr. Jacobs stated he did understand.

Don Sherman stated he had to get it on the record that Mr. Jacobs understood that this garage will be for his own personal use and not for his business and the business will not operate out of this building.

Mr. Jacobs stated he understand that the garage is for his own personal use.

Mr. Sedlak explained that this area was zoned for residential and not business, so therefore that is why he cannot operate his business out of this garage.

Terry Leasure made a motion to approve the Lot Combination of 110 and 118 Nicholas Drive, Circleville, OH, seconded by Don Sherman. 6 Yeas. 0 Nays. Motion carried.

Terry Leasure made a motion to approve Variance #5-18 to vary and increase the allowable square footage of accessory building from 1,000 square feet to 1,600 square feet, seconded by Don McIlroy. 6 Yeas. 0 Nays. Motion carried.

Don Sherman stated he had one more item he would like to add to the agenda. At the last meeting it was informally discussed about the bike racks and benches for the downtown area. It was decided this was not part of the zoning duties. Mr. Sherman thought that it would be beneficial to send a letter to City Council from the Planning Commission side stating we thought it was a good idea pending City Council's approval. Since then, the Historic District Review Board has approved the aesthetic look of the benches. Everyone agreed it would be helpful.

Al Sedlak stated Brenda can draft a letter stating the Planning Commission has reviewed the proposed and find it consistent with the downtown district and agreed the aesthetics are keeping with it. Although this is not a zoning matter, we thought our input and favorable response from the Planning Commission would be helpful.

Mr. Sedlak stated we do not do a lot of planning and it is part of our duties. This should be helpful to City Council.

Mr. Sherman stated they are drafting the ordinance and will put it in there that the Planning Commission has reviewed it have from a planning side find it favorable.

Don Sherman moved to adjourn, seconded by Terry Leasure. All in favor. Meeting adjourned.

Submitted by: Brenda Short