



**Planning and Zoning - Minutes
Wednesday, June 05, 2013**

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

June 5, 2013

MEETING MINUTES

MEMBERS PRESENT

Mike Combs
Terry Leasure
John Ankrom
Don McIlroy
Marsha Griebel Graham
Al Sedlak
Becky Staresina, Clerk

VISITORS PRESENT

Todd Brady
Ron and Linda Wunsch
Gerald Winner
Charlie Sims
John Howley
Doyle Kiser
Tom Tootle

Joe Winner
Stephen Gary
Chris Cupp
Randy Williams
Jacob and Jordan VanGundy
Dane Smythe
Charlie Jackson
David Winner

Vice Chairman Alan Sedlak called the meeting to order at 7:00 p.m. and stated we just received some very sad news that the Chair of this Commission passed away this afternoon. Bill Mosher, a very good friend, good person and very valuable member of the community and asset to this Board. Bill was on the Board longer than any of us. We're not sure when he started, but we think it was back in the 80's. He was very knowledgeable, very fair, and very helpful and will be missed. A moment of silence was observed in Bill's honor.

The first item on the agenda was approval of May's Meeting Minutes.

Don McIlroy motioned to approve as submitted, seconded by Mike Combs. All in favor,

motion carried.

The next item on the agenda was Variance #11-13, as requested by Charles Sims, 1130 Atwater Avenue, to add a roof on to a front porch and to vary the Cedar Heights front yard setback from 25' to 17.5', in an area zoned R-3, Single Family Residential District.

Al Sedlak stated this is a common situation where we are dealing with a corner lot. The Zoning Ordinance considers a corner lot to have two front yards and two front yard setbacks. The house faces Atwater Avenue, but for the purpose of zoning, the yard on Cedar Heights Road is also considered a front yard.

Mr. Sims stated he measured from the house to the curb and came up with 26 feet. I understand there is a right of way that needs to be looked at.

John Ankrom stated he visited site where the porch construction is occurring and the distance from the porch to the right of way is 17'6".

Mr. Sims stated does that include the 4' setback?

John Ankrom stated that number is based on the porch. The variance you need is from 25' to 17'6" and the figures are fairly accurate based on my field observations. Measurement from the house to the curb is 22' plus the 4' for the porch is 26', but the Cedar Heights right of way is 60' wide. The pavement width is 36' so if you center that in the 60', which means you need a variance down to 17'6", based on 4' offset in front. Mr. Sims applied for a porch permit, which we granted. However, when the porch gets covered new setbacks apply, which is the reason for the variance. Mr. Sims had to remove an existing awning, which is the reason he needs to build the overhead cover.

Al Sedlak added that the porch is less of an encroachment on the setback than the house is.

John Ankrom stated he visited the site and it does not appear to hurt any traffic visibility traveling down Atwater Avenue or Cedar Heights Road.

Marsha Griebel Graham stated are we are considering varying it to 17'5" or 17'6"?

Ankrom responded we are varying it from 25' to 17'6".

Marsha Griebel Graham motioned to approve Variance #11-13, seconded by Terry Leasure. VOTE ON MOTION: DON MCILROY, YEA; MIKE COMBS, YEA; TERRY LEASURE, YEA; JOHN ANKROM, YEA; AL SEDLAK, YEA; MARSHA GRIEBEL GRAHAM, YEA. 6 YEAS, 0 NAYS, MOTION CARRIED.

The next item on the agenda was Variance #12-13, as requested by Dane Smythe, 26375 State Route 159, for Randy and Dianne Williams, to construct a 14' x 16' and 22' x 10' room additions at 676 Fairlawn, and to vary the rear yard setback from 40' to 32', in an area zoned R-2, Single Family Residential District.

Dane Smythe stated he plans to do two room additions on the property. As it turns out the two additions would be no closer to the property line than the existing house.

Al Sedlak stated that the application included a diagram of the existing house with two proposed additions and the lot line. The land behind the house is used for agriculture.

John Ankrom said this situation is opposite of the situation we just had because this lot is considered to have two rear yards.

Al Sedlak added that it is an irregular shaped lot being on a cul-de-sac.

Terry Leasure motioned to approve to Variance #12-13, seconded by Mike Combs. VOTE ON MOTION: DON MCILROY, YEA; MIKE COMBS, YEA; TERRY LEASURE, YEA; JOHN ANKROM, YEA; AL SEDLAK, YEA; MARSHA GRIEBEL GRAHAM, YEA. 6 YEAS, 0 NAYS, MOTION CARRIED.

The next item on the agenda was Variance #13-13, as requested by Jacob VanGundy, 290 Lewis Road, to erect a 6' fence along Georgia Road, and to vary the maximum height allowed in a front yard from 4' to 6' and the front yard setback from 25' to 0', in an area zoned R-3, Single Family Residential District.

Al Sedlak stated we are dealing with another corner lot and the request is necessary because the yard along Georgia Road is considered a front yard.

Jacob VanGundy stated we want to put a privacy fence in our back yard.

Al Sedlak stated is the proposed fence going along Georgia Road and along the back lot line and down the west property line toward the house.

Mr. VanGundy replied correct.

Al Sedlak questioned if the neighbors were notified.

Becky Staresina confirmed that they were.

Al Sedlak stated two variances are being requested. One is for the height of the fence and the other is for the setback along Georgia Road.

Don McIlroy asked if there were any line of sight issues with this request.

Mr. VanGundy said there is one at the corner of Lewis and Georgia Roads. There is a stop sign at that intersection.

John Ankrom stated that in front yards, we normally require fences no greater than 4' in height. We also require that they be setback 3' from the right of way line. Mr. VanGundy, would you consider moving the fence back 3' or so to improve the line of sight?

Mr. VanGundy stated he'd be willing to move the fence back to improve the line of sight to traffic coming from the north. That would affect the 59' stretch of fence.

Ron Wunsch stated he was the property owner on the other side of the back property line. His driveway is only 22' north of that property line. His home is at the corner of Edwards and Georgia. Mr. Wunsch distributed photos. A request for a 6' fence along Georgia Road with 0' setback impedes the line of sight. If the fence is constructed as requested for, he would not be able to see anything to the right, only to the left. (The photo he passed out used a 5 ½' piece of material to illustrate point.) Traffic on Georgia Road is heavy. If I back out of my driveway with the proposed fence, I would be practically in the street before I could see around the fence. I would like to see the fence moved farther away from Georgia Road and request a 12' setback. (Mr. Wunsch distributed a photo illustrating what this would look like

with his request.)

Don McIlroy stated what is the setback?

John Ankrom stated the setback is 25' for a house. Mr. VanGundy is willing to go from a setback of 0' to 3'.

Mr. Wunsch stated that 3' would not do him any good. He is asking to recover some of his line of sight down Georgia Road.

Don McIlroy asked Mr. Wunsch if it had to be 12' as opposed to 10'.

Ron Wunsch stated yes he needs 12'.

Al Sedlak stated if you are sitting in the front seat of a car and you pull up to the curb to pull out, you are about 5' from the curb. At that point, if the fence is sitting back 5' or more, you have a clear line of sight to the southbound Georgia Road.

John Ankrom stated with a 0' setback, you are about 9 ½ feet from the curb. With a 3' setback you are 12' from the curb. With what Mr. Wunsch is asking for is 21' feet from the curb.

Mr. Wunsch stated his garage on the other line of sight is a little over 19' from the curb.

John Ankrom asked Mr. Wunsch of the two curb cuts and the two garage doors he has, which one does he use most.

Mr. Wunsch stated he uses the back garage all of the time. He said it is a two-car garage and he pulls one car in and backs the other one in. With the curvature of his front driveway, it doesn't allow enough room to get perpendicular to enter in the front of my garage.

Al Sedlak asked Mr. VanGundy in the interest of creating privacy, what setback is the most comfortable.

Mr. VanGundy replied he could go from 0' to 5'.

John Ankrom stated are you willing to alter the height of your fence. Do you need 6' on Georgia Road?

Mr. VanGundy stated he has a dog and he also wants 6' for privacy.

Mr. Wunsch stated he does not have a problem with a 4' fence. He said you can look over a 4' fence and see cars coming down Georgia Road.

Terry Leasure asked if Mr. VanGundy was willing to put a shorter fence in the line that Mr. Wunsch is concerned.

Mr. Vangundy stated no. He wants to erect a 6' fence.

Don McIlroy addressed Mr. VanGundy and stated the issue is one of safety.

Al Sedlak asked John Ankrom what the dimension from the curb to the setback is.

John Ankrom stated 9' ½", which is consistent with what we saw on Cedar Heights Road with Mr. Sims request.

Al Sedlak stated my thought is if there is already a built in 9' ½" plus the 5' that Mr. VanGundy is willing to go, you have 14' ½" from the curb and there shouldn't be any line of sight problems as a car pulls out to the curb. You should be able to see up and down Georgia Road in both directions including Georgia Road from the south.

Mr. Wunsch stated you may want to go look at the intersection at Lewis and Georgia Roads.

John Ankrom stated I looked at that when I was there earlier in the day. Based on the fact that he is starting at the back of his house, he didn't really see a line of sight issue coming out of Lewis Road to Georgia Road.

Mike Combs motioned to approve with the amendment the request be varied from 25' to 5' front yard setback and to allow the 6' fence, seconded by John Ankrom. VOTE ON MOTION: DON MCILROY, NAY; MIKE COMBS, YEA; TERRY LEASURE, YEA; JOHN ANKROM, YEA; AL SEDLAK, YEA; MARSHA GRIEBEL GRAHAM, YEA. 5 YEAS, 1 NAY, MOTION CARRIED.

The next item on the agenda was Variance #14-13, as requested by Chris Cupp, 151 Town Street, to add a 14' x 24' addition to his existing 14' x 20' garage, and to vary the side yard setback from 3' to 2', in an area zoned R-5, Two-Family Residential District.

Chris Cupp stated he wants to build a larger garage. I want to build 24' on the back of the existing garage. The reason for varying the setback request is to keep the aesthetics the same. I can move the garage, but it wouldn't look right. I want to come straight off the wall and keep going back.

Al Sedlak asked if the addition would be straight back from the existing garage. The existing garage must be 2' off the side yard setback so you are really not encroaching any further.

Mr. Cupp mentioned the fence is already where the garage would be.

Al Sedlak stated with the way the one way alley runs; it would be difficult to get a good view of your backyard. It is clear what you want to accomplish.

Terry Leasure motioned to approve Variance #14-13, seconded by Marsha Griebel Graham. VOTE ON MOTION: DON MCILROY, YEA; MIKE COMBS, YEA; TERRY LEASURE, YEA; JOHN ANKROM, YEA; AL SEDLAK, YEA; MARSHA GRIEBEL GRAHAM, YEA. 6 YEAS, 0 NAYS, MOTION CARRIED.

The next item on the agenda was Variance #15-13, as requested by the Pickaway County Visitor's Bureau, 325 West Main Street, to install a 4' x 8', two sided, freestanding sign and to vary the number of signs allowed from 2 to 3, the maximum square footage allowed from 70' to 114', and the minimum distance from the right-of-way from 20' to 10', in an area zoned GB, General Business District.

Charlie Jackson of the Visitor's Bureau stated they have been in the existing Welcome Center since 2006 and have been interested in getting signage out in front of their facility. We also want to be able to communicate community events such as the Farmer's Market on the signage. With the recent activity of the county getting standardized green and white signage, we thought this would be a good tie in with the rest of the similar buildings. The

reason for the variance is for effectiveness. We've looked at it to make sure there are no line of sight issues when pulling out of our drive. We are requesting a two-sided sign so that traffic in both directions can see the name of facility and upcoming event information. There is a lot of train traffic there, which requires people to stop so it is an effective message board. We also think it would beautify the property and enhance the entrance to downtown Circleville in a positive way.

Al Sedlak stated will it be in the approximate location as the temporary sign?

Charlie Jackson stated yes.

Al Sedlak stated I am concerned about traffic coming off Mound Street and turning left could have line of sight issue, but as long as the sign is placed where the temporary sign is I don't think there will be an issue.

John Ankrom stated the sign will be about a foot taller than the temporary sign so that needs to be considered.

Al Sedlak stated that it isn't a question of looking over it. When you come to the stop sign, you are beyond it and can see westbound Main Street. I did not pull into the Visitor's Center lot, but by the curve of the road, it shouldn't be a problem since it is going away from the building.

Don McIlroy stated Mr. Jackson, have you had a chance to speak with you neighbor, Cargill?

Mr. Jackson said he did not.

John Ankrom stated he received a call from DJ at Cargill and his concern was about line of sight for his trucks coming out on Mound Street wanting to go west toward the river, and looking back toward Hardees. With that radius, he was concerned about looking over the sign, but I did not see a line of sight issue even with sign being a foot taller. In a truck, you would be even taller so it should not be a problem.

The Zoning Code states you have to be 20' back from the right-of-way line. You are currently about 10' behind the sidewalk. I am not sure where the right-of-way line is. Would you consider moving the sign back towards your building a little more, maybe 5'?

Charlie Jackson stated he thought moving it back would not be as effective reading it, especially for westbound traffic.

John Ankrom asked how the Commission felt about having a County sign on a City Building.

Don McIlroy stated I have no problem with it. I applaud the Visitor's Center for upgrading their signage and for trying to get more people into their facility and for advertising Pickaway County.

Al Sedlak added that it is a nice tie in with the signs along Franklin Street and by the Court House.

Don McIlroy motioned to approve the request, seconded by Marsha Griebel Graham. VOTE ON MOTION: DON MCILROY, YEA; MIKE COMBS, YEA; TERRY LEASURE, YEA; JOHN ANKROM, YEA; AL SEDLAK, YEA; MARSHA GRIEBEL GRAHAM, YEA. 6

YEAS, 0 NAYS, MOTION CARRIED.

The next item on the agenda was the Second Amended Alley Vacation, as requested by The Savings Bank, to vacate 1,994.22 square feet of land, owned by the City of Circleville, laying adjacent to and being used as a part of Johnson's Alley, location more described by abutting North Area Alley, on the east by Johnson's Alley, on the south by Pinckney Street and on the west by land owned by the Savings Bank, in an area zoned DB, Downtown Business District.

Al Sedlak stated attached to the second amended petition are a survey and a legal description. The survey and the legal description are of the dedicated portion of Johnson's Alley. This matter went before this Board during the February meeting and at the time we voted to recommend to City Council that the petition to vacate the dedicated portion of Johnson's Alley be approved. What we are considering tonight is the section on the survey immediately to the left or west of the highlighted 1,994.22 square feet. It is almost exactly the same size. This is indicated on the survey as being owned by the City of Circleville, 12' off the east side of lot #114. It is not part of a dedicated portion of Johnson's Alley, but it is in fact part of what is used as Johnson's Alley. Because of its use and the public interest, it is appropriate that the matter of vacation come before this board. It should further be noted that a copy of the deed from the Savings Bank to the City of Circleville conveying the 12' strip is also attached to the petition.

Tom Tootle approached the podium and stated the city does in fact own that 12'.

Don McIlroy stated before going any further; he will have to abstain and will have to abstain from any discussion also.

John Ankrom stated I will also be abstaining again from any conversation or voting.

Al Sedlak stated that when the initial vacation went before the Board for the land owned by the bank and the Elks, I believe Don McIlroy and John Ankrom both abstained as city officials and I think that is appropriate.

Mr. Tootle stated the Savings Bank is out of room and want to build an operations center at the corner of Pinckney Street and North Court Street, which is commonly known as the Elks parking lot, which the bank owns. We want to tear down the existing drive thru and attach it to the new operations center. In order to do that, we started off with an initial petition to vacate Johnson's Alley. Then we realized the city owned that 12' strip so we filed an amended petition to vacate Johnson's Alley. The reason for the amendment was the fact that the city owned the west portion of that. Subsequent to that, there's been a lot of concern by several different people, the Elks included. The Elks have indicated they have been taking care of the 12' strip of ground owned by the city prior to abandoning the alley. I have felt in the beginning it was a matter of what comes first, the chicken or the egg, but since that is such a concern to a lot of people, we at the bank decided we would petition to do them both at the same time. The City Law Director also has concern about a second issue of 12', if the alley in fact were vacated, and then having to deal with the city selling the 12'. It has come to our attention that this can be considered a common law alley.

There are two ways of having an alley. One of them is a dedication with a plat. The other way is common law with certain requirements being made for a common law alley. This is certainly a common law alley because the city owns it; it is used as an alley. It's not used for anything else. The requirements for a common law alley are (this has been stated in several different court decisions) the intention, the existence of intention on the part of the city to

make such a dedication, an offer on the part of the city evidenced by some unequivocal act to make the dedication and the use of it by the public. We think that has been met. It has been used as nothing but an alley. Part of it is a dedicated alley and the other part is a common law alley, actually in fact owned by the city used as an alley. We are asking you to recommend to City Council that both be abandoned and instead of 12' being abandoned, it would now be 24' abandoned, to the adjoining property.

Al Sedlak stated what is the status of the issue of vacation with the original 12' dedicated portion with City Council?

Tom Tootle responded they had a Public Hearing and it is there and nothing has happened. It was not scheduled for another hearing. It is just there.

Al Sedlak stated is it still at Committee?

Mr. Tootle responded that is probably how you would describe it.

Al Sedlak stated John Ankrom and Don McIlroy, I am not asking for your comment; but do you know the status.

Both responded that they did not think it made it to Judicial.

Tom Tootle confirmed there was a Public Hearing and that is the extent he has been involved, other than a couple conversations with Gary Kenworthy the Law Director. It has not been to Judicial Committee.

Al Sedlak stated it is still in the early stages with Council.

Tom Tootle confirmed that Council has not had it before them yet.

Al Sedlak stated basically what is being requested today is that the other portion, which is actually used as Johnson's Alley, be similarly placed before City Council so the two portions can go through together.

Tom Tootle confirmed that is exactly it, instead of abandoning 12' we wish to abandon 24' in one process as opposed to abandoning an alley, which was Johnson's Alley and then dealing with the 12', however the city would chose to do that.

Joe Winner, an Attorney-at-Law, approached the podium to speak for the Elks. Mr. Winner passed out copies of a visual aid and stated what you are looking at is a portion of the plat, as provided by the County Engineer's office showing the area in question. This plat interestingly enough goes back to when the circle was a square, 175 years ago. That is when Johnson's Alley was dedicated and it has been a public right away for 175 years now. What I have highlighted first of all in yellow, is the 12' piece, which is Johnson's Alley. I tried to show the 12' that the Savings Bank deeded to the city in 1987 came off the east side of lot 114. Sassafras Alley went from High Street to North Area Alley and onto Pinckney Street. I noted in red crosshatch where Sassafras Alley was and that section of alley between lots 111 and 112 was vacated in favor of the Savings Bank back in 1987. In exchange for that, that's when the Savings Bank needed the 12' strip off the east side of lot 114. I also wanted to point out because there are issues of access for the properties in this area, that Sassafras Alley going north from North Area Alley to High Street was originally 33' wide, but in 1999, half of that alley, 16 ½ feet was vacated so now Sassafras Alley going from North Area Alley to High Street is a 16 ½ foot alley.

The other thing I wanted to point out is that the blue marking on the boundary between lot 60 and 61, to orientate you, I believe Mr. Wittich's establishment is on lot 62 and his parking lot would be on lot 61. There's what appears to be an alley where I've made the blue highlighting, but it is a private alley. It is not a publically dedicated alley. It was not on this plat and it is not public property. The Elks have concern about access, particularly for larger vehicles, like a fire truck, to the back of their property and to Mr. Wittich's property and other things in the area if what was a 24' alley, publically dedicated Johnson's Alley, if that is closed. I think it is no surprise for many people here tonight that we have engaged in some discussion as to how some other access might be provided, if Johnson's Alley is going to be taken away. Some alternative to leaving the situation with no way to get from North Area Alley to Pinckney Street unless you go way west to the first alley you come to. If you take a look at that in your car, you will find out that is a very narrow alley. This map makes it look way more generous than it is. Or you would have to go all the way to Scioto Street in order to get back to Pinckney Street.

The Elks Trustees have been very willing, and I have participated in a meeting with Mr. Tootle and Mr. Kenworthy to talk about ideas on how this might be worked out so that everyone can live with vacating that 24' alley. Let me be quite frank and clear, that Option A, as far as the Trustees of the Elks are concerned, the Savings Bank can come up with a way to build to meet its needs at the corner of Pinckney and Court Streets, that would not require vacating the alley. I'm not an architect or designer, but it seems like with all of the property the Savings Bank has on Pinckney Street (Lots 117, 114, 113, 112, 111, 110 and 109) there's plenty of room to build what they need. The Elks would prefer that the design they want to do be redesigned or reconfigured in a way that wouldn't necessitate closing the alley. But, if this Commission and City Council is inclined to close the alley, which has been a publically dedicated right-of-way for 175 years, then there really needs to be some alternative to provide access between North Area Alley and Pinckney Street, particularly for trucks that would make deliveries to Mr. Wittich's area and the Elks and for fire trucks and safety vehicles. We have thrown out a possibility that Sassafras Alley, between North Area Alley and Pinckney Street be rededicated. If it were wide enough and if the intersection of North Area Alley were designed in such a way with a sufficient turning radius, that might be an alternative that would ease the access problem. I believe it was Mr. Kenworthy who suggested, The Savings Bank may be willing to grant a permanent easement across the property to assist with the access concern. The answer so far from Savings Bank has been no.

The other main concern the Elks has is parking. You are generally familiar with the way things are arranged there now. (Mr. Winner distributed a Google picture.) The lighter section is approximately 24'. You can see the Elks in the right hand corner. The thing is there is head in parking on both sides of the alley. Some of it on property owned by Savings Bank and some of it on property owned by the Elks and as a practical matter what folks do when they want to go into the bank is they grab one of those parking spots and go into the bank. Sometimes customers of the bank will use a spot on the Elks parking lot and the Elks don't complain about that. It is perfectly fine and sometimes the Elks will use a parking spot on the Savings Bank property, but the thing is, I'm not sure how many of the transactions are walk in and how many are drive thru transactions, but with what the Savings Bank wants to build on the corner of Pinckney and Court Streets, with parking to the west, folks that want to walk into the bank are going to have a long walk from the off street parking. (Mr. Winner distributed a parking diagram that was shared with Council during the Public Hearing.) The closest parking is on the Elks property. With the Savings Bank plan, parking on the Elks property would get worse. All of the 24' on the west side of the Elks would not be allowed as suggested by the diagram. The Elks would get 12' and traffic would go back

and forth between the two lots.

There are a lot of competing considerations here and as we argue before City Council, this should not be decided and addressed piecemeal. You shouldn't vacate anything and then wait for the Savings Bank to come along with a definite plan with what is going to be built and how it is going to be built. There ought to be a development plan that comes before this Commission that gets hashed out, people get to have their say, hopefully the discussion will lead to a plan that everyone can live with and get approved that way, rather than vacating a 24' section of property then providing a development plan before this Commission really knows what is actually going to be built. Now I'm not an expert on the city code, but I wanted to ask that you refer to Section 1153.04D of the Codified Ordinance, which addresses maximum building size. It reads: Individual uses within the DB District shall have a usable floor area of not more than 5,000 square feet, unless the use is located in an existing building, in which case such restriction shall not apply. Well, according to the diagram, this building would have 12,150 SF, which is more than double of the 5,000 square foot maximum in that section of the code. It seems to me that, if and when; the Savings Bank does apply for a permit, they will need a variance. But, when they apply for a variance, they ought to support this application with a development plan for the site as outlined in Section 1131.02 G of the Codified Ordinances. For a Development Plan, the section states: For particular uses in specific districts, a Development Plan will be cited as required. In such cases, the Development Plan shall be submitted by the applicant at the time of the application for a zoning permit, or at such time when the property is rezoned into that district. The Development Plan shall contain a site plan for the property, drawn to approximate scale, showing all property lines, existing buildings, access drives, parking areas, and other notable physical features. The Development Plan shall also show the location, outlines and size of all proposed structures including the design of all improvements including drainage, private streets, water and sanitary sewer lines, as well as the size, design, materials and location of all signage proposed for the development. The Development Plan shall also contain a narrative description of the proposed use, and an evaluation of how such may impact adjacent property.

Mr. Winner stated I have a question for Mrs. Griebel Graham, from the February Meeting Minutes you abstained from voting.

Marsha Griebel Graham stated I abstained at that time because I was doing title work for the Savings Bank. Everything is now complete and I have nothing pending, so I will not be abstaining this time.

Al Sedlak stated I don't think we should deal with this piecemeal. In February, we recommended half the alley and now we are considering the other half of the alley. I would recommend vacation of the alley and let City Council continue with their discussion.

Marsha Griebel Graham motioned to recommend the vacation of the additional 12' strip of Johnson's Alley and to send it to City Council, seconded by Mike Combs. VOTE ON MOTION: DON MCILROY, ABSTAIN; MIKE COMBS, YEA; TERRY LEASURE, YEA; JOHN ANKROM, ABSTAIN; AL SEDLAK, YEA; MARSHA GRIEBEL GRAHAM, YEA. 4 YEAS, 0 NAYS, 2 ABSTENTIONS, MOTION CARRIED.

Informal Discussions

John Ankrom stated I have three zoning matters. Shifty's has decided to put in an outdoor patio. It is a Non-Conforming Use in a residential area on Washington Street. They put in a slab, bar and barstools. It is next to a man's driveway and garage. Outdoor patios are

obtrusive to surrounding neighbors.

A house was torn down on Pleasant Street. A man is considering purchasing the lot. It is classified as a RO District. He wants to put an accessory structure without a principal residence. In a RO District, he could put an accessory structure. The lot fronts on Court Street. In the code, item C, it states one has to be 3' off the property line. He doesn't need to come to Planning and Zoning based on existing code. There is nothing that excludes it.

John Ankrom stated the third issue involves Pickaway Manor. They purchased property off the Walters family for a parking lot. They want the city to annex the property and then they want to install a parking lot. Currently, the property is in Circleville Township. Pickaway Manor wants to start work. Additional parking is needed because of loss due to the school project and Clark Drive. They are trying to maintain property. Roese Brothers will be doing the parking lot work. The City has development drawing and I am comfortable with it.

Terry Leasure added he is fine with it.

Marsha Griebel Graham stated make sure the parking lot will meet zoning standards.

Ankrom stated he could do a courtesy review. It will be annexed as agricultural and then have to be rezoned to another zoning class. Gary Kenworthy is involved. He is also a stockholder of the company.

Becky Staresina asked the Commission how they wish to handle the next scheduled meeting, which falls on July 3, 2013.

Al Sedlak stated they would move it to July 10, 2013. If there is a conflict with Long Range Planning, the meeting time could be adjusted to begin at 6PM.

Don McIlroy motioned to adjourn, seconded by Terry Leasure. All in favor, motion carried.