

PLANNING COMMISSION

March 4, 2024

The March 4, 2024 Planning Commission meeting was called to order at 6:30 p.m. in Council Chambers by Kyle McColly, Chairman. Planning Commission members present were Kyle McColly, Nancy Johnson, Ross Niederkohr, and Jordan Treadway. Tom Karcher was absent.

Others present included: Greg Moon, Zoning Inspector; Jay McClain; Jon Schlorb; Stephon Roepke; Julie Sebenoler; Brenda Church; Julia Lemire; John Walker; Brian Hemminger, Daily Chief Union; and Sarah Bennett, Clerk.

The minutes of the February 5, 2024 Planning Commission meeting, having been mailed to each Planning Commission member, were approved as received.

Mr. Moon presented a request from Mr. Thomas Smith, owner of Don Tomasso's Restaurant, 123 West Wyandot Avenue, for the construction of a wooden fence with a non-locking gate in the rear yard, between the restaurant's rear storage area and the Star Theater located to the east. Mr. Moon noted that the City's zoning regulations prohibit fences in Central Business Districts and in any rear yard abutting a public alley in business districts, therefore a variance is required.

A motion was made by Mrs. Treadway, seconded by Mrs. Johnson, to have Mr. Thomas Smith apply for a variance with the Board of Zoning Appeals for his fence request. Upon Roll Call, all members voted Yes. The Chairman declared the motion carried.

At this time Mr. Jay McClain addressed the Planning Commission indicating that he would like to demolish and replace the existing accessory building on his property located at 527 South Seventh Street with a new accessory building to be located in the same location and be 8' greater in length than the existing accessory building. Mr. Moon indicated that the City's zoning regulations prohibit an accessory building be located on a property without a principal building, and the setbacks and proposed 19' height of the building also conflict with the City's zoning regulations, therefore requiring a variance.

A motion was made by Mr. Niederkohr, seconded by Mrs. Treadway, to have Mr. McClain apply for a variance with the Board of Zoning Appeals for his accessory building request. Upon Roll Call, all members voted Yes. The Chairman declared the motion carried.

At this time Mr. Jon Schlorb addressed the Planning Commission stating that he would like to purchase the former Eagle Nest Hatchery building, located at the southeast corner of the intersection of South Seventh Street and South Street, and currently owned by Mr. Jay McClain. Mr. Schlorb explained that he runs an online auction out of his home and he needs a larger facility for the business. Mr. Moon indicated that Mr. Schlorb would be utilizing the building similarly to Mr. McClain's current warehousing and storage usage. Mr. Schlorb was asked about signage for the building and he indicated that he has no plans to place any signage on this property. Planning Commission members voiced no objections to this property transfer provided the warehousing and storage usage remains the same.

At this time Attorney Stephon Roepke, Eastman & Smith Ltd., presented a request to the Planning Commission on behalf of the Crow Condominium Association to dissolve the condominium association for owners Brenda Church, 708A Chestnut Drive, and Paul and Betty Shoup, 708B Chestnut Drive. Mr. Roepke requested to subdivide the adjoined condominium residence and split the building and the land in half, creating two parcels from the three existing parcels, with each condominium owner owning their residence as well as the surrounding yard space. Mr. Roepke indicated that a joint wall agreement will be maintained between the owners. Mr. Moon stated that the proposed lots do not meet the City's minimum lot width requirements and side yard setbacks. Planning Commission members held considerable discussion regarding this request.

A motion was made by Mr. McColly, seconded by Mr. Niederkohr, to approve the request to subdivide the adjoined condominium residence at 708A and 708B Chestnut Drive, creating two parcels from the three existing parcels. Upon Roll Call, all members voted Yes. The Chairman declared the motion carried.

There being no further business, the Chairman declared the meeting adjourned.

Sarah J. Bennett, Clerk

Kyle McColly, Chairman