



Planning & Zoning Commission Meeting
Tuesday, March 22, 2022 - 6:30 PM
AGENDA

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Public Comment
5. Approval of Minutes
 - a. March 8, 2022
6. Application # Z-22-47 Variance; 555 S. Main Street
 - a. Church of the Ascension Application
7. Application # Z-22-54 Variance; 8 Coshocton Street
 - a. BellStores Application
8. Other Business
9. Adjourn



Planning & Zoning Commission
Tuesday, March 8, 2022 - 6:30 PM
MINUTES

1. Call to Order

Chairman Merriman called to order the Planning and Zoning Commission meeting for March 8, 2022 at 6:36 p.m.

2. Roll Call

Present - Chairman Jon Merriman, Ryan Green, Jesse Coppel, Walter Raub
Absent - Charlie Campbell

Staff present - Bailey Klimchak - Planner, Mayor Chip Dutcher, Marvin Block, Sharon Hendren, Jim Blair - Zoning Inspector, Teresa Monroe - Clerk of Council

Public present - Sean Staneart, Alan Benton, Alan Huet, Tina Jordan, John Jordan, Beth Franz, Valerie Bryan, John Titman

3. Public Comment

1. Mayor Chip Dutcher provided an update on Intel to the board; same information previously shared with council. Answered some audience questions.
2. Allen Benton asked about sixty-seven acres he owns inside the city but with no city services, can he "un"annex. Asked why his other property is zoned Industrial, Bailey Morlan reviewed the differences between the Future Land Use Map and the Zoning Map. Mr. Benton asked about any information known about a Johnstown bypass; there is no current information.

4. Approval of Minutes

- a. February 8, 2022 Special
- b. February 8, 2022

ACTION: Ryan Green moved to Approve en bloc; Jesse Coppel seconded and all were in favor.
AYES: Ryan Green, Jesse Coppel, Jon Merriman, Walter Raub
NOES: None
ABSTAIN: None

Passed 4 - 0

5. Work Session - Zoning Ordinance Draft

Continued overall draft review of previous edits and comments. Review of sign section, discussions on multi-tenant signs, monument signs, sign lighting and temporary signs. Discussion on parking, potential for incentivizing EV charging stations by reducing the number of spaces required if installed. Discussion on fencing, acceptance of chain link, types and zoning districts allowed.

6. Zoning Inspector

a. February 2022

Short review of February 2022 Zoning Inspector summary

7. Other Business

None

8. Adjourn

Chairman Merriman moved to adjourn, Ryan Green seconded and all were in favor. The meeting adjourned at 8:39 pm.



Public Notice

The City of Johnstown Planning & Zoning Commission will consider a Sign Variance Application (Chapter 1133) to allow an internally lit electronic messaging sign in a UR-1 Zoning District (Chapter 1177.13). The property is located at 555 S. Main St. Johnstown, Ohio 43031. The Variance will be heard by the Planning Commission at their regular meeting on Tuesday March 22, 2022 at 6:30 p.m. at 599 S Main Street. (Auditor Pin # 053-177558-00.000).

Within forty-five days after the public hearing a recommendation will be made by the Commissioners.

**For more information contact:
Jim Blair Zoning Inspector
740.967.3177
jblair@johnstownohio.org**



City of Johnstown, OH

03/09/2022

Z-22-47

Internal Review

Zoning Use Permit

Status: On Hold**Became Active:** 02/24/2022**Assignee:** Jim Blair**Completed:** 03/01/2022

Applicant

Fr. Stephen Smith
frsmith@johnstownascension.org
555 S. Main Street
Johnstown, OH 43031
7409677871

Location

555 S MAIN ST
JOHNSTOWN, OH 43031

Owner:

BISHOP OF THE ROMAN CATHOLIC DIOCESE
OF COLUMBUS
555 S MAIN ST JOHNSTOWN, OH 43031



This is an image of the property owned by the Bishop of Columbus via the Church of the Ascension, located at 555 S. Main Street in Johnstown, Ohio. As the pastor of the Church, I am the representative of the Bishop of Columbus on matters surrounding Church of the Ascension and its property. Currently, The Diocese of Columbus does not have a Bishop. The new sign would be located in the exact same space as the current sign at the entrance to our parking lot of S. Main Street. Detailed by the "red dot" on the image.

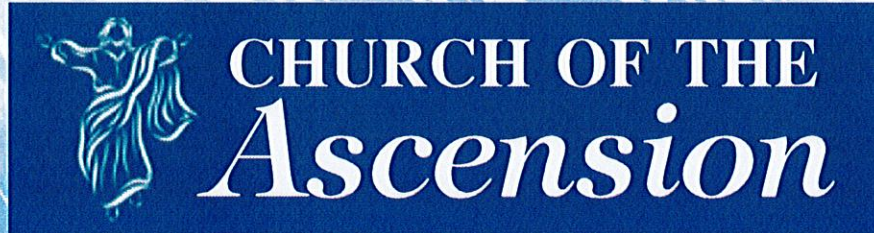


2022/02/28
10:14



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(200) Sk: 990542-1 Cust: 1924055
2/21/2022 FjSavage PROPOSAL
Scale: 5/8"=1' Cabinet Color: Silver Gray

Signature _____

Date _____



This custom artwork is not intended to provide an exact match for ink, vinyl, paint, or LED color. Signs are designed for an illuminated graphic and art is based off of this premise. Non-illumination during daylight hours may result in graphics of varying appearance. Brickwork and masonry are not included in the proposal with the exception of Cornerstone products. Measurements shown are approximations; final product dimensions may vary. LED images shown are simulated to replicate optimum viewing distance. **Original design, do not duplicate.**

a. Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the variance;

Our desire with the upcoming growth in Johnstown is to more effectively communicate to the community as well to our parishioners of events going on at Church of the Ascension. We are a Church who has been a part of the Johnstown community since our founding in the mid-1800's. We are a vibrant, growing community and would use this sign to capitalize on this as well as to make a better effort to communicate with the community of Johnstown as a whole.

b. Whether the variance is substantial;

I do not believe this variance is substantial. We desire simply to replace our existing sign with a more up-to-date digital sign.

c. Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance;

I do not believe either of these would be the case. If anything, the addition of this sign would be a welcoming addition to the local region. Since we are active in the Johnstown community, sending many of our children to the local schools as well as having many parishioners employed by the local schools as well as providing parking for athletic events at Johnstown-Monroe, providing parking for safe passage of school children to and from the schools as well as providing parking for the local police when necessary for traffic enforcement, we have a good report with the local community as it stands already. We also host monthly American Red Cross Blood Drives as well as host the Johnstown Area Senior Citizens Group on a monthly basis. We desire to expand this in the future and the aide of this sign will help in this endeavor.

d. Whether the variance would adversely affect the delivery of government services (e.g., water, sewer, garbage)

This variance would not impact any of the aforementioned governmental services.

e. Whether the property owner purchased the property with knowledge of the zoning restriction;

That, I am unaware of, as the original property owner is since deceased. The Property was purchased in the mid-2000's in an effort to expand our church community.

f. Whether the property owner's predicament feasibly can be obviated through some method other than a variance;

An application for a variance was suggested by the Johnstown Zoning Office.

g. Whether the spirit and intent of the Code would be observed and substantial justice done by granting the variance.

I believe so. I as we grow as a community parish and Johnstown as a whole, I do not believe the approval of this variance would cause any injustice.

VILLAGE OF JOHNSTOWN

ZONING STAFF REPORT

Application Number: Z-22-47
Parcel# 053-177558-00.000
Property Address: 555 South Main St.
Subject: Sign Variance

Applicants: Church of the Ascension
Father Steven Smith representing
Zoning District: UR-1
Commission Date: March 22, 2022

Background:

The Church of Ascension located at 555 South Main St. Johnstown, Ohio is located in a UR-1 Zoning district.

The Johnstown Sign Code Chapter 1177.13 prohibits internal illuminated signs in UR-1 Zoning Districts and only allows signs up to a maximum of 6 square feet. The current sign is a monument style, wooden, non-changeable, static sign, that is approximately 40 square feet in size.

The Church wants to replace their current 40 square feet wood sign with an electronic message board sign. The proposed monument sign will be 40 square feet, internally lit, LED with an electronic message board.

Planning Considerations:

1. Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the variance.
2. Whether the variance is substantial;
3. Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance;
4. Whether the variance would adversely affect the delivery of government services (e.g., water, sewer, garbage
5. Whether the property owner purchased the property with knowledge of the zoning restriction;
6. Whether the property owner's predicament feasibly can be obviated through some method other than a variance;
7. Whether the spirit and intent of the Code would be observed and substantial justice done by granting the variance

Id. "No single factor controls in a determination of the practical difficulties test."

Recommendation: The staff recommendation is to **APPROVE** the application to allow the installation of the new the electronic message board sign.

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Public Notice

The City of Johnstown Planning & Zoning Commission will consider a Variance Application (Chapter 1133) to allow a reduced front setback for an overhead canopy in a GCC-1 Zoning District (Chapter 1155.04 (3). The property is located at 8 W. Coshocton St. Johnstown, Ohio 43031. The Variance will be heard by the Planning Commission at their regular meeting on Tuesday March 22, 2022 at 6:30 p.m. at 599 S Main Street. (Auditor Pin # 053-178032-00.000 and 053-182214-00.001).

Within forty-five days after the public hearing a recommendation will be made by the Commissioners.

**For more information contact:
Jim Blair Zoning Inspector
740.967.3177
jblair@johnstownohio.org**



City of Johnstown, OH

03/09/2022

Z-22-54

Internal Review

Zoning Use Permit

Status: On Hold**Became Active:** 03/04/2022**Assignee:** Jim Blair**Completed:** 03/07/2022

Applicant

Joseph Jorge
jorge@cesoinc.com
2800 Corporate Exchange Dr
Suite 400
Columbus, OH 43231
6149423565

Location

8 COSHOCTON ST
JOHNSTOWN, OH 43031

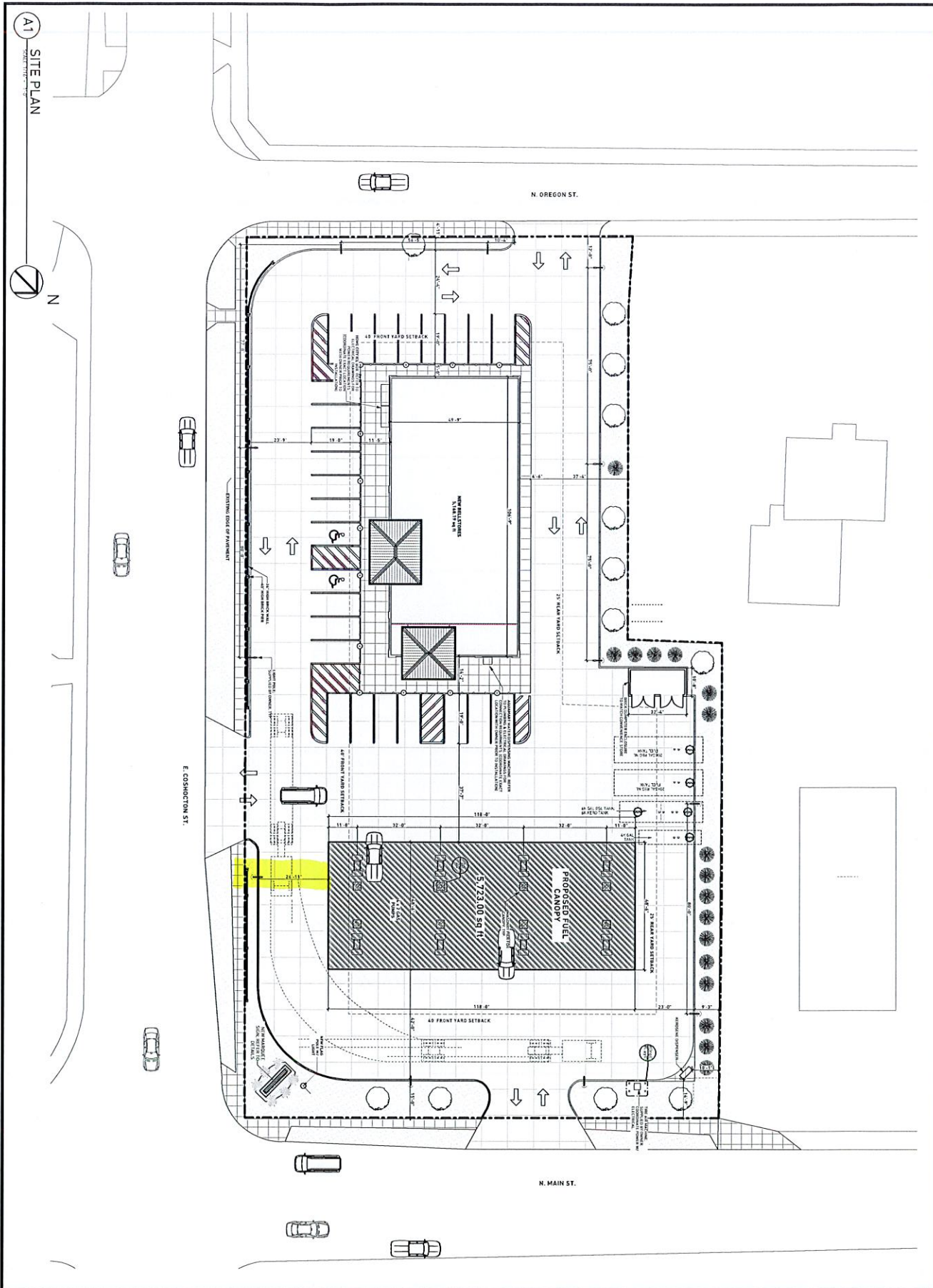
Owner:

Campbell Real Estate Ltd.
7977 Hill & Dales Road NE Massillon, OH 44646

Comments

Jim Blair, Mar 7, 2022 at 9:58am

Variance hearing date March 22,2022



PR.4	PROPOSED SITE PLAN	PROJECT NO. 21.032 DATE: 3/3/2022	NEW Convenience Store for: BellStores KEEP THE FAMILY ON FULL. BELLSTORES - JOHNSTOWN STORE 8 W. Coshocton St. Johnstown, OH, 43031	DESIGNED FOR PEOPLE. DESIGNED FOR LIFE. 6677 Frank Avenue NW, North Canton, OH 44720 330.493.3722 www.solharrisday.com
	S&L Harris/Day architecture			

March 4, 2022

Planning and Zoning Commission
City of Johnstown
599 South Main Street
Johnstown, OH 43031

RE: Proposed BellStores – Variance Narrative Statement

Dear Planning and Zoning Commission:

CESO, Inc. is pleased to submit this letter to you regarding an area variance request. The proposed project consists of a new BellStores convenience store and fueling station to be located at the northwest corner of E Coshocton Street and N Main Street. The project consists of a new +/- 5,168 SF C-store and +/-5,723 fueling canopy, with associated parking areas and trash enclosure.

This letter is to request an area variance to the adopted City of Johnstown Codified Ordinance. Chapter 1155.04(a)(3) states “Each lot shall have a front setback of not less than forty feet.” The applicant is requesting that the fueling canopy be permitted to exceed the front setback limit. Due to the configuration of the lot and the longitudinal size of the canopy, it does not allow for compliance of the setbacks for the fueling canopy.

Narrative Statement Conditions:

- a) *Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the variance.*
 - *The property is anticipated to yield a reasonable return, for the proposed use which is approved. The proposed canopy is meant to protect customers during inclement weather. This cannot be achieved if the variance is not granted, due to site limitations.*
- b) *Whether the variance is substantial.*
 - *The variance is not substantial. The proposed principal structure is abiding by all required setbacks, as well as the fueling dispensers. Only the overhang of the canopy is in non-conformance of the front setback. The request is for a 20% reduction in the front setback, which is not substantial.*
- c) *Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance.*
 - *The character of the neighborhood would not be substantially altered, as there is currently a C-store and fueling station located on the site. The adjoining properties would not be adversely affected as the canopy will still be substantially setback from the property lines and right-of-way.*
- d) *Whether the variance would adversely affect the delivery of government services (e.g., water, sewer, garbage).*
 - *The variance would have no adverse effect of various government services. The canopy overhang would not impede any government vehicles from entering the site and all underground government infrastructure would remain intact and unimpeded.*

- e) *Whether the property owner purchased the property with knowledge of the zoning restriction.*
 - *The owner was not aware of the zoning restriction of the fuel canopy overhang. The incompliance of the overhang was brought to the knowledge of the owner and confirmed during the pre-application meeting with The City.*
- f) *Whether the property owner's predicament feasibly can be obviated through some method other than a variance.*
 - *The owner's predicament cannot be obviated through other means. The owner explored other site layouts in attempt to avoid the variance. The proposed design represents the safest and most customer friendly layout that is practical.*
- g) *Whether the spirit and intent of the Code would be observed and substantial justice done by granting the variance.*
 - *The general intent of the code is observed, and justice done by granting the variance. The owner has configured the site in order to place the canopy in adequate position and is abiding by all other zoning requirements.*

We thank you for your consideration of our variance request and look forward to meeting with you at the next Planning and Zoning Commission meeting. Should you have any further questions, please do not hesitate to call me.

Respectfully,



Joseph M. Jorge, P.E.
Project Manager

Initials: jj

CITY OF JOHNSTOWN

ZONING STAFF REPORT

Application Number: Z-22-54

Property Address: 8 W. Coshocton St.

Subject: Setback Variance

Subdivision: None

Commission Date: March 22, 2022

Applicants: CESO Inc.

Representing Bellstores: Joseph Jorge, P.E.

Zoning District: GCC-1

Partial number: 053-178032-00.000

Background:

Campbell Oil / Marathon Oil have purchased two adjoining properties, 8 West Coshocton St and the vacant lot at 18 West Coshocton St. The plan is to tear down the existing fuel station building and the existing canopy. A new 5200 square feet canopy will be constructed parallel to N Main. The new 5200 square feet Bellstores will be build on the 18 W Coshocton St property. With the challenge of the two properties fronting three streets, N. Oregon, W. Coshocton and N. Main and with entrances from each of the three streets. In order to make the new Canopy overhang fit they are asking for a setback reduction from W Coshocton St. The required setback is 40' they are requesting a 13'1" reduction for the Canopy overhang, the location of the end gas pumps actually exceed the 40' setback.

Planning Considerations:

1. Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the variance.
2. Whether the variance is substantial;
3. Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance;
4. Whether the variance would adversely affect the delivery of government services (e.g., water, sewer, garbage
5. Whether the property owner purchased the property with knowledge of the zoning restriction;
6. Whether the property owner's predicament feasibly can be obviated through some method other than a variance;
7. Whether the spirit and intent of the Code would be observed and substantial justice done by granting the variance

Id. "No single factor controls in a determination of the practical difficulties test."

Recommendation: The staff recommendation is to approve the Variance.

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