



Planning & Zoning Commission Meeting
Tuesday, August 23, 2022 - 6:30 PM
AGENDA

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Public Comment
5. Application # Z-22-178 Variance; 20 Pratt Street
 - a. Application & Staff Report
6. Zoning Inspector
 - a. July 2022
7. Other Business
8. Adjourn



Public Notice

The City of Johnstown Planning and Zoning Commission will consider a Variance application request for 20 E Pratt St. to allow an 8' privacy fence were a 6' privacy fence is permitted. The 8' fence will enclose a rear court yard for use by the owners of a second-floor residential home that is under construction.

The Variance application will be heard on Tuesday, August 23 at 6:30 p.m. at 599 S. Main Street. (Auditors Pin# 053-177612-00.000)

For more information contact:

Jim Blair

Johnstown Zoning Inspector

740.281.7405

jblair@johnstownohio.org



City of Johnstown, OH

08/03/2022

Z-22-178

Internal Review

Zoning Use Permit

Status: Active

Assignee: Jim Blair

Became Active: 08/03/2022

Completed:

Applicant

Dennis Blankemeyer
dennis@crowworks.com
39 S. Main St.
Columbus, OH 43215
6145804687

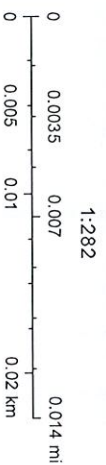
Location

20 Pratt Street
Johnstown, OH 43031

Owner:

Dennis Blankemeyer (Ghost Town Property 70 LLC)
20 E. Pratt Street Johnstown, OH 43031

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Licking County Auditor GIS

Fence Variance For 20 E. Pratt Street
Johnstown Ohio 43031

Fence Variance From 6' to 8'.

- 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; DB: The beneficial use occurs with the variance change.
- b. Whether the variance is substantial; DB: Not substantial, 2' change.
- 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; DB: The resulting variance change would provide an appropriate scale with the the landscaping, especially in the district.
- d. Whether the variance would adversely affect the delivery of government services (e.g., water, sewer, garbage) DB: N/A
- e. Whether the property owner purchased the property with knowledge of the zoning restriction; DB: No.
- f. Whether the property owner's predicament feasibly can be obviated through some method other than a variance; DB: No
- g. Whether the spirit and intent of the Code would be observed and substantial justice done by granting the variance. DB: Spirit and intent would be observed and the scale of the landscaping would look better with a fence height change.



VILLAGE OF JOHNSTOWN

STAFF REPORT

Application Number: Z-22-178

Property Address: 20 E. Pratt Street

Commission Date: 8/23/2022

Applicant: City of Johnstown

Zoning District: GCC-1

Project Narrative:

The applicant is in the process of renovating the building located at 20 E Pratt St in the downtown commercial district. The current zoning on this property is GCC-1.

The property owner would like to utilize natural as well as structural screening for a small area of greenspace situated in the rear of the property.

The applicant requests a variance to Section 1185 of the Johnstown Codified Ordinances to allow for an eight-foot fence. The maximum height allow for a fence in this zoning district is six feet.

Zoning Ordinance - Section 1185 Fences

1185.01 PURPOSE.

The purpose of this chapter is to establish regulations controlling the use of fences, hedges and walls whereby the lot owner in a residential, commercial or industrial district may have the privilege of privacy and landscape design within his own lot with due consideration to the environment of his neighbor, the appearance of the community and the safety of the public and the individual. (Ord. 20-2010. Passed 11-16-10.)

1185.02 SCOPE.

This chapter shall apply to all residential, commercial or industrial districts. The fence regulations herein shall not apply to any permanent fence erected prior to the effective date of this chapter. (Ord. 20-2010. Passed 11-16-10.)

1185.03 DEFINITIONS.

(a) As used in this chapter:

(1) "Fence" means any structure composed of wood, iron, steel, shrubbery, hedges or other material erected in such a manner and position as to enclose or partially enclose all or any part of the premises. Trellises or other structures supporting or for the purpose of supporting vines, flowers and other vegetation when erected in such position as to enclose all or any part of any premises shall be included within the definition of the word "fence". Structures erected other than on lot lines or in close proximity to lot lines, which have solely an ornamental purpose and which do not in fact serve the purpose of enclosing or partially enclosing premises or of separating premises from adjoining premises, shall not be included within the definition of the word "fence".

(2) "Privacy fence" means a fence made to inhibit public view and provide seclusion and, when viewed at right angles, having more than fifty percent (50%) of the area of its vertical plane (the area within a rectangular outline enclosing all parts of the fence in its vertical plane) closed to light or air. Permitted privacy fences are:

A. "Basket weave or woven fence" means a fence made of interwoven strips or slats of flexible or semi-flexible material in which the pattern has the appearance of a plaited basket.

B. "Louver or ventilating fence" means a fence made of a series of slats placed at an angle or positioned so as to provide air but to deflect light perpendicular to its vertical plane.

(3) "Ornamental fence" means a fence usually made of wood constructed for its beauty or decorative effect and, when viewed at right angles, having not less than fifty percent (50%) of the area of its vertical plane (the area within a rectangular outline enclosing all parts of the fence in its vertical plane) open to light and air. Permitted ornamental fences are:

A. "Rail or split rail fence" means a fence constructed of narrow, whole or split, wooden timbers placed horizontally between upright supporting posts.

B. "Picket fence" means an open fence made of upright pales or slats.

C. "Wrought Iron" means an open fence made of metallic compounds formed of iron that has been beaten out or shaped by hammering rather than cast.

(4) "Chain link fence" means a fence usually made of metal consisting of loops or wire interconnected in a series of joined links.

(5) "Barbed wire fence" means a fence made with metal wire having sharp points or barbs along its length.

(Ord. 20-2010. Passed 11-16-10.)

1185.04 PERMITTED TYPES.

Fences shall be permitted in required yards as follows,

(a) Ornamental fences shall be permitted in public facilities and residential zoning districts.

(1) Front yards. Ornamental fences may be erected in front yards parallel to the building line to a height not exceeding three and one-half feet; provided however, that rail or split rail fences may be erected in front yards parallel to and on or approximately on the common property line but not nearer than one foot to the street right-of-way.

(2) Side and rear yards. Open ornamental fences may be erected in side and rear yards parallel to and on, or approximately on, the common property line to height of not more than five feet.

(b) Chain link fences shall be permitted in all zoning districts. Such fences may be erected parallel to and on, or approximately on, the common property line to a height not exceeding four feet above the natural grade in residential zoning districts, six feet above the natural grade in commercial zoning districts, and eight feet above the natural grade in manufacturing zoning districts.

(c) Privacy fences shall be permitted in all zoning districts only in rear and side yards. Fences in residential districts shall be Privacy fences in a side yard and may extend no closer than 20 feet to the front corner of the primary structure. Such fences shall comply with the yard requirements of permitted accessory buildings and shall not exceed six feet in height above the natural grade.

(d) Shrubbery or hedges shall be permitted in public facilities and residential zoning districts provided they conform to the height and location requirements of this chapter.

(e) Fences are prohibited to extend further then the existing sidewalk. If no sidewalk exists, the fence must be set back far enough to allow the installation of a sidewalk. (See Chapter [901](#) Sidewalks)

(f) The Planning and Zoning Commission may permit other fences which are similar in character and design to one or more of the fences permitted herein.

(Ord. 20-2010. Passed 11-16-10.)

1185.05 RESTRICTIONS.

(a) Barbed wire or electrified fences are hereby prohibited.

(b) All fences must conform to Section [1183](#) Landscaping.

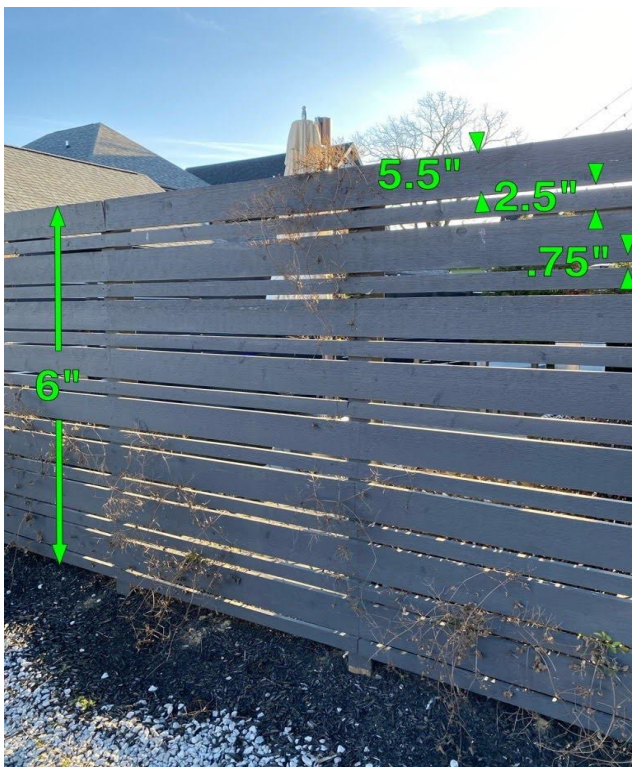
(Ord. 20-2010. Passed 11-16-10.)

The required number of parking and loading spaces as required in Section 1175.10 together with driveways, aisles and other circulation areas, shall be improved with six inches of asphalt or 4 inches of reinforced fiber concrete to provide a durable and dust free surface.

Planning Considerations:

The following factors shall be considered and weighed in the review and the public hearing of an application for variance.

1. Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without a variance;
2. Whether the variance is substantial;
3. Whether the character of the neighborhood would be adversely affected or whether adjoining properties would suffer an adverse impact as a result of the variance;
4. Whether the variance would adversely affect the delivery of governmental 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; and
7. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.



Fence style that is being considered by the applicant.

Recommendation: Currently there are 2 other locations in the downtown (GCC-1) zoning district that have fences higher than the six feet. These locations share similar environmental conditions unique to this area. Staff has no recommendation other than that the P&Z Board consider the variance application.



CITY OF JOHNSTOWN OHIO



July 2022 Zoning Inspector Summary

Total new homes permitted YTD 2022: (51)

Total new homes permitted in July 2022: (7)

Total permit applications received by type for July: (18)

Total July property code enforcements entered into OpenGov. (9)

Applications for July by category:

1. Zoning Certificates: 7
2. Curb cut, CO, Sidewalk 8
3. Certificate of Appropriateness approved 2 (120 Track St. and Armstrong Ceilings)
4. Fence: 4
5. Decks: 4
6. Shed: 0
7. Signs: 0
8. Variance: 0
9. Zoning Map Amendment: 1 (Redwood)
10. Lot Split 0
11. Food Trucks 0
12. Residential garages/additions: 0
13. New businesses 1 (Carl's Barbershop)

Property Maintenance Code Violations, pending or corrected.

1. Williams St. property conditions, court date set for August 23, 2022 rescheduled for September 22, 2022.
2. Williams St. property conditions second letter sent, no action or corrections yet. Pending court case.
3. Williams St. property conditions, owner has responded positive but no action for repairs taken.
4. Inspections completed: sidewalks, deck framing, fence post holes: 7
5. Parking in front yards Zoning Violation Notices: 5
6. Litter receptacle violations 0
7. Yard sale, advertisements signs removed from the street right aways and posts 5.

8. W. Coshocton business has signs that are out of compliance, working with City attorney to resolve.
9. The Tiny home being built at 6 Westview has been removed.

Business updates.

The Urgent Care project on W Coshocton has been cancelled.

The property at 580 W. Coshocton the former Rt 62 Barbeque was purchased by the Community Bank, currently working with them on signage. No other information available.

Armstrong Ceilings Plant expansion: they have started to grind the trees that were cut early this year for a 70,000 square feet addition. The Johnstown DRB approved the COA on 7.12.22.

Coffee Shop on S Main the building is being prepped. Zoning was approved, Awning sign design was approved. No opening date has been set.

Redwood Apartments: project has been tabled.

ACE Hardware: W Coshocton their COA was approved, engineering review in process.

Leafy Dell: Coughlin Apartment project, the engineering has been approved, Zoning certificate review completed and ready to approve.

BellStore: The COA, City Engineering, Zoning, Curb cut/sidewalk, Tree, ROW and Demolition permits have all been approved and issued. Licking County has approved and issued two building permits. One for the Canopy and second for the BellStore structure. Waiting on the pre-con to be scheduled.

11740 W. Coshocton St. Purden's Feed Store has closed. The property owner contacted me and stated that building will be torn down and the site cleared. This property is not in Johnstown City.

670 W Coshocton the Vault Gym moved to Croton Ohio; Thrope Auto Garage relocated to 81 E College.

Jim Blair
Johnstown Zoning and Property Code Enforcement Official

