



Planning & Zoning Commission Meeting
Tuesday, April 9, 2024 - 6:30 PM
AGENDA

1. Call to Order
2. Roll Call
3. Election of Chair & Vice-Chair
4. Pledge of Allegiance
5. Public Comment
6. Approval of Minutes
 - a. March 26, 2024
7. TABLED Application # 10-10-1 Conditional Use Permit; 795 W. Coshocton St. (US 62 Car Wash)
8. TABLED Application # 3-18-10 Zoning Appeal; 56 S. Main Street
 - a. Application # 3-18-10
9. Zoning Inspector Report
 - a. March 2024
10. Other Business
11. Adjourn



Planning & Zoning Commission
Tuesday, March 26, 2024 - 6:30 PM
MINUTES

1. Call to Order

The Clerk of Council called the Planning & Zoning meeting for March 26, 2024 to order at 6:46 pm.

2. Roll Call

Present - Ryan Green, Jesse Coppel, Steve Dyer

Absent - Benjamin Lee, Kristen Hurst

Staff present - Sean Staneart - City Manager, Yazan Ashrawi - City Law Director, Trevor Traphagen - City Planner, Terry Wymer - Zoning Inspector, Teresa Monroe - Clerk of Council

Public present - None

3. Pledge of Allegiance

4. Election of Chair & Vice-Chair

ACTION: Steve Dyer moved to nominate Jesse Coppel as chair for tonight's meeting; Jesse Coppel seconded and the vote was as follows:

AYES: Ryan Green, Jesse Coppel, Steve Dyer

NOES: None

ABSTAIN: None

Passed 3 - 0

5. Public Comment

No comments

6. Action on Minutes

a. February 13, 2024

ACTION: Jesse Coppel moved to approve as written; Steve Dyer seconded and all were

AYES: Ryan Green, Jesse Coppel, Steve Dyer

NOES: None

ABSTAIN: None

Passed 3 - 0

7. TABLED Application # 10-10-1 Conditional Use Permit; 795 W. Coshocton St

US 62 Car wash; the Zoning Inspector said the applicant is in the process of getting a full survey. Application remains tabled.

8. Application # 3-18-10 Zoning Appeal; 56 S. Main Street

a. Appeal Application

City Law Director Yazan Ashrawi provided background saying there was a permit application filed with the city for the property at 56 S. Main Street for a particular use described as a laundry service. That application was denied, and the applicant then appealed the decision. Under Codified Ordinance 1125.06, any appeal from the zoning inspector goes to this body, the Planning & Zoning Commission. A hearing before this commission under that section is an evidentiary hearing, a quasi-judicial hearing where witnesses will be sworn in, the commission will take evidence and sworn testimony and will then apply the facts, evidence, testimony, documents, based on the commission's discretion to the request, to determine whether or not the use is permitted. Mr. Ashrawi said that there would need to be three votes to reverse the decision. Without a full board present, and without the presence of the applicant, options were discussed for moving forward with the hearing tonight.

ACTION: Ryan Green moved to table the consideration of the application and move to continue the hearing to the next regularly scheduled Planning Commission meeting; Jesse Coppel seconded and the vote was as follows:

AYES: Ryan Green, Steve Dyer, Jesse Coppel

NOES: None

ABSTAIN: None

3 - 0 TABLED (Continued to April 9, 2024)

9. Zoning Inspector Report

a. February 2024

Report included in the packet for review.

10. Other Business

1. Ryan Green asked if there was a minimum height requirement on fences for pools in the city. Zoning Inspector Terry Wymer said he believed it was forty-two inches.

2. Ryan Green asked if there were written rules on who is able to use the Municipal Parking Lot, and how many spots are available total. Sean Staneart referenced Section 1175.06 (c), businesses within three hundred feet may utilize. Ryan Green said downtown businesses continue to split and if they are counting on that for their parking, he would like to know how many spots are available. Planner Trevor Traphagen said his recommendation would be to forget about parking downtown, it's downtown, a successful downtown always has a parking problem. Mr. Green said his concern is that it is not grossly overburdened.

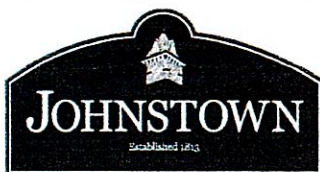
3. Ryan Green said in terms of enforcement for downtown, when it snows, there are vacant parcels where the sidewalks are not being shoveled. Sean Staneart said that discussion could go to Safety & Service.

11. Adjourn

With no further business, a motion and a second to adjourn passed 3-0. The meeting ended at 7:20 pm.

**NARRATIVE FOR DAN PAUL FOR AN APPEAL HEARING FOR THE ZONING CODE
ENFORCEMENT OFFICIAL'S DECISION ON HIS PERSONAL LAUNDRY SERVICE.**

On January 18, 2024 Mr. Dan Paul submitted a Zoning Certificate Application for a "Personal Laundry Service." After speaking with the city manager and the city's attorney, careful consideration was given and I Declined the application on February 20, 2024. I based it off of the city's codified ordinance #1155 and the Amendment #25-2022 which is all in this packet.



Zoning Appeal Permit Application Chapter #1125

Application Number: 3-18-10 Date: 3/18/2024

FEES:

Number of Certified Letters to Contiguous Property Owners: @ \$8.53 Total: \$
Newspaper Advertising Fee: \$

Base Fee: \$200 Plus Cost of Postage and Advertising.
(Successful Appeal Results in \$50 Refund)

Total Fee Amount: \$ Paid: Check # / Cash: \$

Appellant: Daniel Paul Phone: (614) 203-5952

Mailing Address: 620 Havens Corners Road City: Gahanna State: Oh Zip: 43230

E-mail Address: dp212223@yahoo.com Zoning District: GCC-1

Property Address: 56 S. Main Street Johnstown, Ohio

Date of Action of the Zoning Inspector that is in Dispute: 02/21/24

Nature of Zoning Inspector's Action that is the Dispute: We respectfully disagree with the determination that a laundry service doesn't follow under the description of ordinance 18-2003, section C.

Explain how the appellant is personally affected by the action and how any harm was unique to the appellant and differs from, that suffered by the community at large:

The owner of the property, Chip Cox, and I came to an agreement 2 months ago for me to rent his space to provide public laundry service to the citizens of Johnstown. We feel there is a strong need for this service.

Explain why the appellant believes the Zoning Inspector's interpretation is incorrect:

Chip and I both believe that laundry service falls under (section C) of permitted uses. Section C states "Personal services involving the care of the person and his/her personal effects, including consumer services generally involving the care and maintenance of tangible personal consumption". After consulting an attorney and also reviewing the definition of "personal effects" in the Webster dictionary, laundry service falls under that definition.

*** The undersigned is applying for a Zoning Appeal Permit for the following use; said permit to be issued based on the information contained within this application. The applicant hereby certifies that all information and attachments to this application are true & correct and agrees to follow all applicable regulations, refer to Ordinance #1125.

Appellant's Signature: _____

Date: 3/16/24

OFFICE USE ONLY:

Date Received in Office: 3 / 18 / 2024 By: T. Wymer

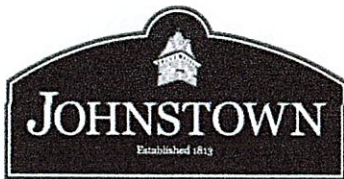
Newspaper Advertising Dates: ____/____/____ and ____/____/____

Planning & Zoning (P & Z) Commissioners Hearing Date for Appeal: 3/26/2024

Decision By P & Z Commissioners: Approve: _____ Denied: _____

P & Z Chairperson Signature: _____

Additional Comments or Requirements: _____



JOHNSTOWN, OHIO
JAN 31 2024
PAID

ZONING CERTIFICATE & CERTIFICATE OF COMPLIANCE PERMIT APPLICATION: CHAPTER #1127

Application Number: 1-23-3 Date: 1 / 23 / 24

FEES:

Base Fee Single Family Residence: \$100

Base Fee All Other Uses: \$200

Total Fee Amount: \$200 Paid: Check # 1304 / Cash: \$

1. Applicant: 56 South Main LLC Phone: (614) 203 - 5952
2. Property Address: 56 South Main City: Johnstown State: Ohio Zip: 43031
3. E-mail Address: dp212223@yahoo.com Zoning District: GCC1
4. Existing Use of Property: vacant
5. Proposed Use of Property: personal laundry service
6. Number and Dimensions of Existing and Proposed Off-Street Parking or Loading Spaces, Applicable: city parking & Sq. Ft. Per Space: 1800 sq ft
7. Contractor Name: 56 S. Main LLC Phone: (614) 203 - 5952
8. Number of Dwelling Units: 1 Square Footage of Unit: 1800
9. Height of Proposed Buildings or Alterations: N/A
10. Yard Dimensions: Front: N/A ' Rear: ' Left Side: ' Right Side: '
11. Percentage of Lot to be covered: N/A % Area of Lot: sq. ft.
12. Estimated Cost of Unit: \$ N/A

Certificate of Zoning Compliance Required. It shall be unlawful to use or occupy or permit the use or occupancy of any building or premises, or both, or part thereof hereafter created, erected, changed, converted, or wholly or partly altered or enlarged in its use or structure until a Certificate of Zoning Compliance shall have been issued therefor by the Zoning Inspector stating that the proposed use of the building or land conforms to the requirements of this Ordinance.

Application for Certificate of Zoning Compliance. Certificates of Zoning Compliance shall be applied for by the applicant giving written notice to the Zoning Inspector that the exterior erection or structural alteration of such building shall have been completed in conformance with the provisions of this Ordinance.

IN ADDITION, THE FOLLOWING ITEMS MUST ACCOMPANY THIS APPLICATION:

- A set of one (1) of scale plans and dimensioned drawings showing the lot, with location of existing and proposed buildings their height and planned alterations are required.
- Attach any requested, supplemental or necessary documentation such as: Number of dimensions of existing and proposed off-street parking or loading spaces, applicable. Other material may be requested by the Zoning Inspector to determine conformance with and provide for the enforcement of this ordinance.
- For all new businesses or change of business use, for all commercial buildings with interior remodeling projects you are required to notify the Johnstown Monroe Fire Inspector at (740) 967-2976 of business and interior structure changes. A Licking County Building Department Permit is required for all structural changes, electrical, HVAC and plumbing. Their contact number is (740) 349-6671. (Ask for Heidi or Erin)

The undersigned is applying for a Zoning Permit for the following use to be issued based on the information contained within this application. The applicant hereby certifies that all information and attachments to this application are true & correct and agrees to follow all applicable regulations.

Applicant's Signature: _____

Date: 1 / 18 / 24

OFFICE USE ONLY:

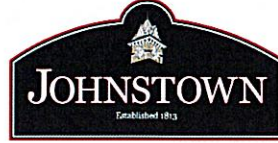
Date Received in Office: 1 / 23 / 24 By: Ashbrook & Wymer

Permit was Approved Issued on Date: / /

Permit was Denied on Date: 2 / 20 / 2024

Zoning Code Enforcement Official: x Jef 2 Wymer
or City Manager.

Additional comments or requirements:



February 20, 2024

Dear Mr. Paul –

Thank you for submitting an application for a Zoning & Compliance Certificate Permit back on January 18, 2024 to the City of Johnstown, Ohio. After conferring with additional city staff, and legal regarding section #1155.02, it was determined that laundries, laundromats, or laundry services are not permitted uses. The City Council specifically removed these uses as permitted during in 2022 when the City made several zoning changes. I have enclosed that piece of legislation for your records.

If you find you disagree with the determination rendered by staff there are provisions set forth in our codified ordinance which allow for an appeal process, as well as a zoning amendment which can be initiated by an applicant.

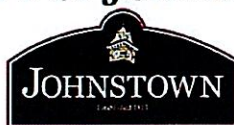
A reference to both of those options can be found by going to: www.johnstownohio.org in our codified ordinances in section #1125.06 and #1137 of that site.

Respectfully submitted,

Terry L. Wymer

Terry L. Wymer
Zoning Code Enforcement Official
740-967-3177 x5
Twymer@johnstownohio.org

CITY OF JOHNSTOWN



ORDINANCE 25-2022

AN ORDINANCE AMENDING CHAPTER 1155 OF THE CITY OF JOHNSTOWN CODIFIED ORDINANCES

WHEREAS, Chapter 1155 of the City of Johnstown Codified Ordinances (the "Codified Ordinances") governs the General Community Commercial 1 (GCC-1) in the City of Johnstown; and

WHEREAS, The City of Johnstown is growing and requires updates to the district standards to ensure high quality development that upholds the characteristics of the community; and,

WHEREAS, after review of all uses, the Council of the City of Johnstown desires to amend Codified Ordinance Chapter 1155.

NOW THEREFORE, be it ordained by the Council of the CITY OF JOHNSTOWN, Licking County, Ohio as follows:

Section 1. That Chapter 1155 is amended; deletions are ~~struck~~; additions are *italicized*

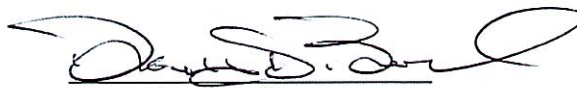
Section 2. It is found and determined that all formal actions of this City Council concerning and relating to the recommendation of adoption of this Ordinance were approved in an open meeting of this City Council and that meetings resulted in such formal action where meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code and the Charter for the CITY OF JOHNSTOWN.

Date of Introduction: December 13, 2022

Public Hearing/Passage: January 3, 2023

Effective: February 2, 2023

By: Merriman


Mayor Donald Barnard

ATTEST TO:

APPROVED AS TO FORM:


Teresa Monroe, Clerk of Council


Yazan S. Ashrawi, Law Director

CHAPTER 1155
General Community Commercial GCC-1 District

1155.01 PURPOSE.

The purpose of the GCC-1 District is to designate appropriate areas for the establishment and development of commercial activities to service regional needs. Such areas should be located on or at the intersection of arterial streets.

1155.02 PERMITTED USES.

In a GCC-1 District, the following uses are permitted:

- a) *Administrative, business and professional offices:*
 - 1. *Administrative and business offices not carrying on retail trade with the public and having no stock of goods maintained for sale to customers consisting of:*
 - i. *Brokers and dealers in securities, investments and associated services, not including commercial banks and savings institutions.*
 - ii. *Insurance agents and brokers and associated services.*
 - iii. *Real estate sales and associated services.*
 - 2. *Professional offices engaged in providing services to the general public consisting of:*
 - i. *Medical office and medical office-related activities, but not including veterinary offices or animal hospitals.*
 - ii. *Other health or allied medical facilities.*
 - iii. *Professional, legal, engineering and architectural services, not including the outside storage of equipment.*
 - iv. *Accounting, auditing and other bookkeeping services.*
 - 3. *Organizations and associations organized on a profit or non-profit basis for promotion of membership interests, including:*
 - i. *Business associations.*
 - ii. *Professional membership organizations.*
 - iii. *Civic, social and fraternal organizations.*
 - iv. *Charitable organizations.*
- b) *Retail stores primarily engaged in selling merchandise for personal or household consumption, and rendering services incidental to the sale of those goods; provided all storage and display of merchandise shall be within the principal structure, including:*
 - 1. *Food and food products, consisting of: grocery stores, meat and fish markets, fruit stores and vegetable markets, and specialty stores such as bakery, candy or confectionery.*
 - 2. *Proprietary drug and hardware stores.*
 - 3. *Similar retail stores, consisting of: florists, gift, antique or second-hand stores, books and newspapers, sporting goods, jewelry, optical goods, and other retail stores which conform to the purpose and intent of the General Commercial*

District 1 and subject to the requirements of Section 1141.02 (e) . Retail stores will not be permitted to sell items pandering obscenity, as defined in ORC Title 29, to adults/juveniles.

c) Personal services, involving the care of the person and his/her personal effects, including consumer services generally involving the care and maintenance of tangible personal consumption, including:

- 1. Restaurants, but not including restaurants with drive- through facilities.
 - i. Cafe seating secondary to primary business; excluding outdoor alcohol consumption.**
- 2. Banks, savings and loans, and credit agencies, but not including establishments with drive-through facilities.*
- 3. Post offices.*
- 4. Barber and beauty shops, having no more than three (3) work stations.*
- 5. Funeral services.*
- 6. Radio, television or small appliance repair.*
- 7. Commercial photography.*
- 8. On-premises duplication and reproduction services.*

d) Theaters.

~~(a) General merchandise sales including:~~

- ~~—(1) Department stores;~~
- ~~—(2) Limited price or discount variety stores;~~
- ~~—(3) Mail order and miscellaneous general merchandise stores;~~
- ~~—(4) Drug stores;~~
- ~~—(5) Pet stores;~~

~~(b) Food sales including:~~

- ~~—(1) Grocery, meat, fish, fruit or vegetable markets or any combination thereof;~~
- ~~—(2) Dairy or bakery products;~~
- ~~—(3) Specialty good stores;~~

~~(c) Apparel sales including:~~

- ~~—(1) Clothing, furnishings and accessory items for men, women and/or children;~~
- ~~—(2) Custom tailor shops, furriers, alterations and dry cleaning shops;~~

~~(d) Home furnishings sales including:~~

- ~~—(1) Furniture, home furnishings and equipment stores;~~
- ~~—(2) Household appliance stores;~~
- ~~—(3) Radio, stereo, television and music stores;~~

~~(e) Food or beverage sales and consumption including:~~

- ~~—(1) Package liquor stores;~~
- ~~—(2) Eating and drinking establishments excluding fast food and carry-out operations, but including those that sell alcoholic beverages or liquor by the glass;~~
- ~~—(3) Cafe seating secondary to primary business; excluding outdoor alcohol consumption.~~

~~(f) Miscellaneous retail sales and services including:~~

- ~~—(1) Book, stationary, jewelry and antique stores;~~
- ~~—(2) Gift, novelty and souvenir shops;~~

- ~~—(3) Camera, photographic supply and optical goods stores;~~
- ~~—(4) Tobacco, newspaper and magazine stores;~~
- ~~—(5) Auto service;~~
- ~~—(6) Shops for custom work whose articles or products are to be sold on the premises;~~
- ~~—(g) Miscellaneous uses:~~
 - ~~—(1) Post office;~~
 - ~~—(2) Newspaper or job printing;~~
 - ~~—(3) Funeral parlor;~~
 - ~~—(4) Theaters, assembly halls, billiard or pool parlors and bowling alleys;~~
 - ~~—(5) Telegraph office, express office and electrical substation;~~
 - ~~—(6) Laundries and laundromats;~~
 - ~~—(7) Banks, savings and loans, or other money investment or management businesses;~~
- ~~—(h) Service station:~~
 - ~~—(1) Motor vehicle repair.~~

1155.03 CONDITIONAL USES.

The following uses shall be permitted in the GCC-1 District, subject to approval by the Planning and Zoning Commission in accordance with Chapter 1131:

- a) Veterinary offices, not including outside boarding of animals.*
- b) Multiple-family located on the second level or higher of structure. and single family units in accordance with SR-1 requirements.*
- c) Banks with drive-through facilities.*
- d) Gasoline service stations, or retail convenience stores selling gasoline as an ancillary activity.*
- e) Motor vehicle repair*
- f) Religious, exercise facilities, and related uses.*
- g) Hotels and Transient Accommodations located on the second level or higher of structure.*
- h) Outdoor storage and display of merchandise on public sidewalks shall be prohibited.*

~~(a) Fast food and carry out operations, providing that such uses are in association with and in conjunction with eating establishments with on-site, sit-down dining facilities.~~

~~(b) Second story and multi-family and single family dwelling units located in commercial structures.~~

~~(c) Retail motor vehicle fuel sales.~~

1155.04 ADDITIONAL DISTRICT DEVELOPMENT STANDARDS.

In addition to the provisions of Title Seven of this Part Eleven, the following standards for arrangement and development of the land and building are applicable in the GCC-1 District.

- a) Lot Requirements.

1. No minimum lot size is required; however, lot size shall be adequate to provide the yard space required by these additional district development standards.
 2. No minimum lot width is required; however, all lots shall abut a public street and have sufficient width to provide the yard space required by these additional district development standards.
 3. Each lot shall have a front setback of not less than ~~fifteen (15)~~*forty* feet. Parking areas shall be at least fifteen feet from the street right-of-way.
 4. Each lot shall have a rear setback of not less than twenty-five feet. A structure to be serviced from the rear shall have a service court, alleyway or combination thereof not less than forty feet wide. A rear setback shall not be required on structures whose rear wall is fireproof and contains no windows, doors or other openings, except that a rear setback of forty feet is always required should such GCC-1 District lots rear abut any residential lot.
 5. For permitted and conditional structures there shall be a total side setback of not less than thirty ~~(30)~~*five* feet with a minimum on one side of fifteen feet. A side setback shall not be required on a structure's side wall that is fireproof and contains no windows, door or other openings, except that a side setback of fifteen feet is always required should such GCC-1 District lot's side abut any residential lot.
 6. Permitted and conditional structures, pedestrian sidewalks and parking areas shall not cover more than ~~ninety percent (90%)~~*sixty-five percent (65%)* of the lot. The remaining ~~ten percent (10%)~~*thirty-five percent (35%)* of the lot shall be landscaped with natural vegetation.
- b) Building Requirements. No structure shall exceed forty feet in height.
- c) Site Requirements.
1. A traffic and parking system plan shall be required that details points of ingress and egress into the property, parking areas with the number of parking spaces, access drives and pedestrian walkways, shown. The plan shall be so designed as to minimize conflict points between pedestrians and vehicular movements.
 2. Outdoor trash systems shall be sufficient to prevent any overflow and screening shall be provided to enclose such containers and hide them from view.
 3. *All sites shall meet Section 1197, Stormwater Management and shall submit a stormwater management plan to the City.*
 4. *Cross access easements should be provided between adjacent commercial and retail sites to minimize curb cuts.*
 5. ~~Minimizing the number of curb cuts within the lot frontage and joint curb cuts between adjacent uses are encouraged, therefore~~ The minimum distance between curb cuts shall be 120 feet except that each lot is permitted a minimum of one curb cut. No curb cut shall be more than thirty-five feet in distance.
 6. Lots of greater than two and one-half acres shall contain at least one fire hydrant for every additional three-quarter acres over two and one-half initial acres.
 7. ~~Outdoor storage and display of merchandise on public sidewalks shall be prohibited.~~

- d) Landscaping. *The landscaping of all parking and service areas shall meet the requirements of Chapter 1183. If side or rear yards are adjacent to any district where single-family or two-family residences are a permitted use, landscaping and screening shall also be required in those yards to meet the requirements of Chapter 1183.*



March 2024 Zoning Inspector Summary

- Total new homes permitted this month: (2)
- Total of all permit applications received: (16)
- **Applications:**
 1. Zoning Certificates: (2)
 2. Curb cut, Certificate of Occupancy (CoO), Sidewalk: (2)
 3. Certificate of Appropriateness (CoA): (3)
 4. Fence: (4)
 5. Decks: (1)
 6. Shed: (1)
 7. Signs: (1)
 8. Pool: (0)
 9. Variance: (0)
 10. Zoning Map Amendment: (1)
 11. Lot Split: (0)
 12. Food Trucks: (0)
 13. Residential garages/additions: (0)
 14. New businesses: (0)
 15. Conditional use: (0)
 16. Final Occupancy Permits: (0)
 17. Inspections: (7)
 18. Demolition: (1)
- **Zoning Violation Notices:**
 1. Parking in front yards: (0)
 2. Trash: (0)
 3. Disabled vehicles: (1)
 4. Litter receptacle: (11)
 5. High grass: (0)

Terry L. Wymer

Terry L. Wymer
Zoning Code Enforcement Official