



Planning & Zoning Commission Meeting
Tuesday, January 12, 2021 - 6:30 PM
AGENDA

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Public Comment
5. Approval of Minutes
 - a. December 2, 2020
6. Variance Application #2020-427-Z Sidewalk
 - a. 411, 412, 413 Buena Vista Drive
7. Zoning Map Amendment Application # 2020-429-Z
 - a. 361, 373 W. Coshocton St.
8. Zoning Map amendment Application # 2020-430-Z
 - a. 9571, 9629 Johnstown-Utica Rd.
9. Zoning Inspector
 - a. December 2020
10. Other Business
 - a. Goals 2021 discussion
11. Adjourn



Planning & Zoning Commission
Wednesday, December 2, 2020 - 6:30 PM
MINUTES

1. Call to Order

Committee Chair Ryan Green called to order the Planning and Zoning Commission meeting for December 2, 2020 at 6:37 p.m.

2. Roll Call

Present - Ryan Green, Ron Danne, Jesse Coppel, Benjamin Lee, Jon Merriman
Absent - None

Staff present - Bailey Klimchak - Village Planner, Jim Blair - Zoning Inspector, Cheryl Robertson - Council member, Marvin Block - Council member, Teresa Monroe - Clerk of Council

Public present - John Neighbarger, George Schwietzer, Ron Elkins, Linda Hubble, Sean Stanearth, Charles Kramer

3. Approval of Minutes

a. November 24, 2020

ACTION: Ryan Green moved to Approve as written; Jesse Coppel seconded and the vote was as follows:

AYES: Ryan Green, Jesse Coppel, Benjamin Lee, Jon Merriman

NOES: None

ABSTAIN: Ron Danne - due to absence

Passed 4 - 0

4. Public Comment

None

5. Application 2020-393-Z Hidden Estates Preliminary Plat

a. Hidden Estates

Application and supporting documents were submitted with the packet. This is an application for a preliminary plat for a fourteen lot development off of Benedict Drive. Currently the land is multiple parcels owned by a resident of the village and is zoned UR-1; plan has lots ranging in size from ten thousand five hundred square feet to twenty six thousand square feet, the developer and plan engineer were present for the application. John Neibarger said the application submitted complies with current zoning and they visualize housing that leans toward empty nesters, development will have public streets with sidewalk on both sides of the road and a cull-de-sac bulb at the end, each lot will be

developed with water, sewer, gas and electric. Bailey Klimchak reviewed procedure for action on a preliminary plan.

Board members reviewed the plat, George Schwietzer, Engineer, answered questions of the board.

Discussion on the extension of public right of way to develop into Benedict Court and areas that are wider than the right of way that can either become reserves or can be dedicated as right of way. One area is thirty three feet wide and the other twenty foot strip is meant to be a continuation of the sanitary sewer easement to get the sewer to the property. Ms. Klimchak noted that no actual lots will be created off of the decision made tonight; this is only the preliminary plat. Ryan Green questioned if there would need to be a lot split because that right of way area is split off of an existing lot. Mr. Green also asked if the neighbors that adjoin this property have been notified. Ms. Klimchak said there is no notification required for a preliminary plat, the land is zoned UR-1 and within reason, land owners have a right to use their land. Mr. Green said he wants to make sure any homeowners that adjoin this property have opportunity to speak their mind on this and get the most up to date information. There was some further discussion on procedure.

Ron Danne inquired on the lack of sidewalk on the other side of Benedict in the older section; Mr. Blair provided background on that decision.

Ben Lee said he thinks sidewalks are important in the development; the intent is to have connectivity throughout the village. Also emphasized priority that he would like to see as many mature trees or tree stands along the property lines preserved. Questioned the street frontage of lots 4,5,6,7,11 falling below the required lot frontage; Mr. Sweitzer said they were working to meet width but may need to do some re-spacing for frontage. Mr. Lee said he was curious of the vision for what would be built on the lots; Mr. Neibarger said they have not sought out or talked with a specific builder who would come in a build everything, said he has had expression of interest from a few empty nesters for the lots. Mr. Lee said it looks like the development meets criteria for UR-1.

Ryan Green added that he agrees with preserving trees. Would like to see access from this development to Hannahs Park by way of a walking path to encourage walk-ability. Mr. Neibarger said he does not have any issue with that.

Chairman Green opened the floor to public comments:

1. Marvin Block said he is not opposed to this development whatsoever, Mr. Elkins has owned this property a long time and he deserves to get his investment back and we do need some smaller houses. Said he does think there needs to be a lot split if the road is going in, the lot goes up to Ms. Hubbells property. Mr. Neibarger said the thirty three foot strip is of no value to them, Mr. Blair said the village would not be interested in acquiring that property, the simplest thing would be to give it to the adjacent property owner; Ms. Klimchak said or the HOA could maintain; she would consult the Village Manager,

Assistant Village Manager and the Law Director about the process before engineering work begins. Discussion on giving the thirty three foot strip to the homeowner beside (Ms. Hubbell). Ms. Hubbell said they would be happy to take care of the land and would be happy to work with them on that.

2. Sean Staneart said his question on the frontage was answered. Loves the thought of having a walking path to the park. Said his big concern is drainage; owns a house on Buena Vista and just spent money on building up the back yard to prevent flooding; the field floods when there are large rain events, the culvert creates a river, the current storm sewer cannot handle and the street and basements flood. New homes will exacerbate the problem unless they have proper grading and drainage. Mr. Schwietzer said this development will have a separate outlet and will not tie in to the current storm system. Mr. Neibarger said he believes the development will have detention but will need to be reviewed in engineering; this application is only the first step.

3. Ryan asked if the HOA is aware of this and is o.k. with that lot being split. Mr. Neibarger said they are aware of these conversations.

4. Ron Elkins said he thinks the walking path to the park is a great idea. Said his intention is to visit and talk to all the neighbors; noted that the housing to be built will likely start at \$325,000 to \$350,000 before any upgrades.

Chairman Green summarized that tonight voting is on the preliminary plat and agreeing to future planning and information only. Ms. Klimchak added that a preliminary plat is good for twelve months and if no final plat application is submitted by that deadline, the applicant would have to request an extension.

ACTION: Ryan Green moved to Approve; Jon Merriman seconded and the vote was as follows:
AYES: Ryan Green, Ron Danne, Jesse Coppel, Benjamin Lee, Jon Merriman
NOES: None
ABSTAIN: None

Passed 5 - 0

6. Accessory Dwelling Units

a. Draft Zoning

Continued review of the draft with edits to date. Discussion on ability to enforce owner occupation of the primary residence as well as the number of occupants permitted to reside

in the ADU, Law Director comments seen on the draft; Mr. Green said whether or not enforceable, it declares intent. Rental Registration program noted by Mr. Blair, Mr. Green said he would like to see it active. Board members continued comments, edits noted by Ms. Klimchak, discussion on design review; roof pitch matching the primary dwelling etc. Commission set a minimum square footage for an ADU at 400 square feet.

Chairman Green opened the floor for public comments.

1. Cheryl Robertson said she thinks the concept is good when talking about grandma and grandpa but it won't stop there, this opens the village up to a host of problems and would not support it.

Ryan Green provided some background on how the Board has restricted certain zoning districts and framework that makes an ADU somewhat cost prohibitive.

2. Marvin Block said he thinks they are a good idea, but also agrees with Cheryl.

3. Sean Staneart thinks this would be a policing nightmare and does not think a problem should be created.

Ryan Green said this is something that will continue to be asked for, it is a good option for aging in place which there is a lack of and the way they have laid this out it will be extremely hard so applicants would not go about this with the wrong intentions. Jim Blair said he thinks this has a lot of built in safety with the costs and restrictions. Bailey said it still has to follow all of the zoning district development standards.

ACTION: Jesse Coppel moved to approve the draft as edited and forward to Council; Ron Danne seconded and the vote was as follows:
AYES: Ron Danne, Benjamin Lee, Ryan Green,
NOES: Jesse Coppel, Jon Merriman
ABSTAIN: None

Passed 3 - 2

Ben Lee noted this should be vetted through the Law Director; Ms. Klimchak will send it again for final review.

7. Zoning Code Draft - Part 2 review

a. [Zoning Code Draft](#)

Draft reviewed with previous edits made; discussion on public notification for Preliminary Plat applications, draft edited for requirement to notify contiguous property owners by mail.

ACTION: Ryan Green moved to Approve draft (Part 2) as written; Jon Merriman seconded and all were in favor.

AYES: 5

NOES: 0

ABSTAIN: None

Passed 5 - 0

8. Zoning Inspector

a. November 2020

Jim Blair reviewed his report; new building permits issued are currently at a fifty percent increase from last year, added that Pulte is at a stand-still, have sold all buildable lots, waiting on section two to be ready to build. Mr. Blair answered questions from the Board on items in the report. Short discussions on waiver of sidewalk continuation onto Edwards Road from Diyanni home lots on Buena Vista and on cleanup of land-locked parcels in the village.

9. Other Business

1. Chairman Green thanked Board members and staff for their work this year. Items he would like to look at next year; the thirty percent lot coverage rule and rental rules. Board member goal ideas to be emailed to Ms. Klimchak for goal setting in the new year.

10. Adjourn

There being no further business; Chairman Green moved to adjourn, second was unintelligible on the recording and all were in favor, motion passed 5-0. Meeting adjourned at 8:45 pm



Public Notice

The Village of Johnstown Planning and Zoning Commission will consider a Variance application to waive the requirement for public sidewalks on one section of Edwards Rd. as required in Chapter 1171.25 of Johnstown Codified Ordinances.

The application will be heard on Tuesday January 12, 2021 at 6:30 p.m. This will be is a Virtual only meeting due to Covid 19 restrictions. (Auditors Pin numbers 053-173472-00.039, 040 and .041)

For more information contact:

Jim Blair

Johnstown Zoning Department

740.967.3177

jblair@johnstownohio.org

VILLAGE OF JOHNSTOWN

STAFF REPORT

Variance Application Number: 2020-427-Z
Property Address: 411,412 and 413 Buena Vista
Auditor Pin# 053-173472-00.039, 040 and .041
Subdivision: Raccoon Creek Estates

Applicant: Linda Chambers/Tech Rubber
Zoning District: SR-1
Commission Date: January 12, 2021

Background: Raccoon Creek Estates has approximately 46 lots and is the only SR-1 and SR-2 zoned housing development within Johnstown. Lot sizes range from 13,500 to 20,000 square feet plus. Part of the development is bordered by Edwards Rd. a rural road with Village property to the South and Monroe Township to the North. There is no curb, gutter or storm drainage system on Edwards bordering the development to the North. The Raccoon Creek property is owned by Technical Rubber and has been slow to develop.

These three properties involved are in contract or in process and each abut Edwards Rd. The Edwards Rd terrain is rolling and uphill from the corner of Edwards and Buena Vista. To the east the existing properties have no sidewalks, the terrain drops down from the road from 4' up to 10'. There are no future plans to add sidewalks due to the difficulty and expense. A very large drainage tile would be required, filling in front yards with 8 to 12 feet of fill and tapering the grade towards the house up to 60' so a sidewalk could be built.

Johnstown Ordinance Chapter 1171.25 Sidewalks Required, the applicant is requesting that Ordinance 1171.25 be waved. There are future plans to rebuild Edwards Rd with ODOT funding in 2028, curb, gutter and sidewalk might be added at that time it is undetermined.

Planning Considerations:

The Commission shall not grant a variance unless it finds that some or all of the following conditions apply to the case in question:

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.

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

Staff Recommendation: Granting the Variance.



Variance Application Chapter 1133

Application Number: 2020-427-Z Date submitted 12.15.2020

Fees

Number of Certified letters to contiguous property owners: 5 @ \$6.90 = \$34.50

Newspaper advertising, for two weeks: Fee \$ 150

Circle one:

Base fee Single Family Residence: \$200

Base fee All Other Uses: \$500 645.80

Total fee amount: \$784.50

Paid: _____ Check/cash: _____

The undersigned is applying for a Variance for the following use; said permit to be issued on the basis of the information contained within this application. The applicant hereby certifies that all information and attachments to this application are true and correct and agrees to follow all applicable regulations, refer to **Ordinance 1133**.

Applicant Name: Linda Chambers Phone: 740-404-4316

Mailing Address: 57 S. Main St. City: Johnstown

Email address: chamberslinda2@gmail.com Zoning District: _____

Property address: 411, 412 and 413 Buena Vista Dr Johnstown, Ohio

Ordinance(s) the Variance Applies to: Sidewalk ordinance

Description and nature of Variance request: To be permitted to forgo a sidewalk on Edwards Rd.

In addition, the following items must accompany this application:

1. A set of to scale plans and plat showing all dimensions of lot, building and improvements.
2. Attach a separate list of property owner's names and addresses contiguous to and directly across the streets(s) from the property for which the Variance is proposed or desired and the mailing addresses of all such persons.

Attach your response to the following practical difficulties test questions.

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.

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

I certify the information contained in this application and attachments is true and accurate.

Applicant's signature: _____ Date: ____/____/____

Office use only

Date received in office: 12 / 15 / 2020 by: LOA

Planning and Zoning Commissioners hearing date: 1 / 12 / 2021

Permit was approved issued on date: ____/____/____

Permit was denied on date: ____/____/____

Commission Chairperson Signature: _____

Additional comments or requirements: _____

Practical difficulties questionnaire

This questionnaire is supporting documentation for the variance request to forgo the installation of a sidewalk on the Edwards Rd frontage of 411 Buena Vista Dr, 412 Buena Vista Dr. and 413 Buena Vista Dr.

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; **Due to difficulties with the grade, unlikelihood of any connectivity to other sidewalks and future expected road work, the installation of sidewalk on this portion of Edwards Rd will be costly and will possibly be a detriment to future roadwork.**
2. Whether the variance is substantial; **No**
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; **The Character of the neighborhood will not be altered nor will there be any detriment to the adjoining properties.**
4. Whether the variance would adversely affect the delivery of government services (e.g., water, sewer, garbage) **No**
5. Whether the property owner purchased the property with knowledge of the zoning restriction; **Yes**
6. Whether the property owner's predicament feasibly can be obviated through some method other than a variance; **No**
7. Whether the spirit and intent of the Code would be observed and substantial justice done by granting the variance. **The variance will not affect the spirit and intent of the code. It is likely that this portion of Edwards Rd. was not considered when the code was put in place. Enforcing the code on this particular stretch of Edwards Rd. could realistically be seen as a detriment to the community.**

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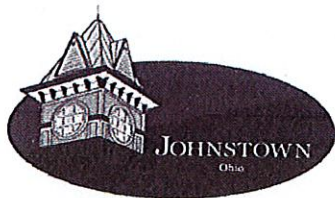
Public Notice

The Village of Johnstown Planning & Zoning Commission will consider an Application for a Zoning Map Amendment for 361 and 373 West Coshocton St. to amend the zoning from UR-1 (Urban Residential) to (VC) Village Commercial as required in Johnstown Ordinances Sections 1135 and 1137.

The application will be heard on Tuesday January 12, 2021 at 6:30 p.m. This will be a Virtual only meeting due to Covid 19 restrictions. (Auditor Pin# 053-181716-01.000 and 053-181716-00.000).

Within thirty days after the public hearing a recommendation will be made by the Commissioners.

**For more information contact:
Jim Blair Zoning Inspector
740.281.7405
jblair@johnstownohio.org**



Application for Zoning (Map) Amendment Chapter 1137

Application Number assigned by Zoning: 2020-429-2 Date submitted: 12.15.2020

Fees: office use

Certified letters to 8 contiguous property owners @ \$6.90 each total: 55.20

Base fee: \$500.00

Cost for

Newspaper Ad for one week: 119.80

If Applicable Acres: _____ @ \$10 per acre: _____

Total fee amount: 675.00 Paid: _____ Check/cash: _____

1. Applicant Name: Sean Staneart Phone: 740-404-4819

Property Owners Name if not applicant: Sean & Shannon Staneart

Mailing Address: 8411 Jacob White Rd

Zip code: 43031 City: Johnstown OH

Email address: sstaneart@gmail.com

2. Address of property to which permit applies: 361 & 373 W Coshocton st

Johnstown, Ohio

3. Business name if applicable: _____

4. Description of the property to which Amendment would apply if enacted, attach the legal description and plat : _____

5. Present Zoning District: UR-1 Proposed Zoning District: central business

6. Present use of property: 2 residential houses

7. Attach a vicinity map that shows the property lines, streets, existing and proposed.
8. Attach: a statement of the relation of the proposed amendment to the general welfare of the community, to appropriate plans for the area and to the changed or changing conditions behind the request for the amendment. and proposed, existing and proposed
9. Attach: a list of property owner's names and addresses contiguous to and directly across the streets(s) from the property for which the nonconforming use is proposed or desired to be continued.
10. Attach: a list of any deed restrictions, easements, covenants and or encumbrance to be used to control use, development and maintenance of land and proposed uses shall be fully denoted by text and map.

I certify the information contained in this application and attachments is true and accurate.

Applicant's signature: _____ Date: ____/____/____

Office use only

Date received in office: 12 / 15 / 2020 by: Bailey

Planning and Zoning Commissioners hearing date: 1 / 12 / 2021 (minimum 20 days after application)

Permit was approved issued on date: ____/____/____

Permit was denied on date: ____/____/____

Commission Chairperson Signature: _____

Additional comments or requirements: _____

Currently the two houses located on each parcel are being used for single-family residences. We do not see this changing anytime in the near future, but by rezoning this to central business it would be more in line with the future land-use map. There is a nursing home being built next to one of the proposed parcels, a dentist office across the street, as well as other businesses in the nearby vicinity.

0 Township Road 4

Feet

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Interstates

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Terminology Labels

ic/c+c+c D c:c

9

Township Road

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Interstates

6

Interstate/L

US/State Route

1

Other kuau tyf

01 Mile

5

Municipal

Corporations

Owner Name & Acres

11

County Road

pad

Driveway

1

1

Jurisdiction

nal Township

5

Licking County Auditor GIS

VILLAGE OF JOHNSTOWN

STAFF REPORT

Application Number: 2020-429-Z

Applicant: Sean Stanearth

Property Address: 361 & 373 W Coshocton St

Current Zoning District: UR-1

Proposed Zoning District: VC

Commission Date: 01/12/2021

Project Narrative:

The applicant is requesting a rezoning of two properties located on US 62. 361 W. Coshocton Street is .34 acres and 373 W. Coshocton Street is .59 acres for a total of .93 acres. Both parcels are currently being used as residential lots. In 2019, the Village approved a map amendment that rezoned the property directly west of 373 W. Coshocton Street to Village Commercial. This lot is now the location of the new nursing home. The Future Land Use Map, adopted in 2020, also identifies these two parcels as Central Business. In the 2020 FLUM, Village Commercial was renamed Central Business to coincide with the Zoning Ordinance update currently being worked on by the Commission.

The Planning and Zoning Commission shall, at the minimum, consider the following factors in review of the application:

1. Relationship of the amendment to public health, safety and general welfare.
2. Compatibility of the proposed amendment to adjacent land use, adjacent zoning and to appropriate plans for the area.
3. Effects of the proposed amendment on access and traffic flow.
4. The relationship of topography to the use intended or to its implications.
5. Relationship of the proposed use to the adequacy of available services and to general expansion plans.

Current Zoning District (UR-1)

CHAPTER 1147

Urban Residential Low Density UR-1 District

1159.01 PURPOSE.

The purpose of the UR-1 District is to encourage the establishment of medium to low density single-family residential uses not to exceed five dwelling units per gross acre. Centralized water and sewer facilities are required.

1159.02 PERMITTED USES.

In an Urban Residential Low Density District UR-1 the following uses are permitted:

- a) One-family dwelling structures;
- b) Accessory structures and uses in association with permitted structures;
- c) Church or other place of worship provided it occupies a lot of not less than three acres;

- d) Public school offering general education courses and having no facilities on the lot regularly used for housing or sleeping of students, faculty or staff.

1147.03 CONDITIONAL USES

The following uses shall be allowed in the UR-1 District subject to approval with Chapter 1131.

- a) Public parks, playgrounds and playfields operated with or without fee.
- b) Private schools, including child care centers, offering general education courses and having no facilities on the lot regularly used for housing or sleeping of students, faculty or staff.
- c) General public facilities such as public libraries, municipal buildings and community buildings.
- d) Home occupation in association with a permitted dwelling, and in accordance with Chapter 1173 .

1147.04 ADDITIONAL DISTRICT DEVELOPMENT STANDARDS.

In addition to the provisions of Title Seven of this Part Eleven, the following standards for arrangements and development of land and buildings are required in the UR-1 District;

a) Lot Requirements.

1. Each lot shall consist of not less than 9,500 square feet;
2. Each lot shall have a minimum width of seventy feet at the front line of the dwelling or other permitted structure closest to a publicly dedicated right-of-way. Each lot shall have access to and abut on such public right- of-way for a distance of seventy feet, except that, when such right-of- way is other than a straight line the chord distance may be reduced to fifty-five feet;
3. Each lot shall have a front setback of not less than thirty-five feet;
4. Each lot shall have a rear setback of not less than twenty-five feet;
5. For permitted structures there shall be a total side setback of not less than sixteen feet with a minimum of seven and one-half feet on one side. For conditional use structures there shall be a side setback on each side of the structure of twenty-five feet or more.
6. Permitted and conditional structures shall not cover the lot by more than thirty percent (30%).

b) Building Requirements

1. No dwelling shall exceed thirty feet in height. Maximum height for other structures shall not exceed a safe height as determined by the Fire Chief and reviewed and approved by the Planning and Zoning Commission.
2. Dwellings shall have a total living area of not less than the minimum set forth below:
 - i. Single-story dwellings - 1,400 square feet;
 - ii. Two-story dwellings - 1,600 square feet;
 - iii. One and one-half story - 1,000 square feet ground level, 400 square feet for each additional level;
 - iv. Bilevel dwelling - 1,600 square feet.
3. Roof pitches shall be a minimum of 7/12 unless a lower pitch is appropriate for the architectural style. Front-facing gables exceeding 10/12 pitch are strongly encouraged for most house styles.

Proposed Zoning District (VC)

CHAPTER 1167 VC Village Center District

1167.01 PURPOSE

The purpose of the Village Center (VC) District is to promote and foster the economic and physical revitalization of Johnstown's historic town center, while recognizing the unique physical characteristics of the area and preserving historic mixed use and pedestrian focus. The standards and requirements of the Town Center District are based on the following principles:

- a) The downtown should contain a healthy mix of land uses. The marketplace - not regulations - should be the primary force driving the mix of downtown uses.
- b) The maintenance and improvement of the downtown physical environment is important in promoting an active and vital business environment.
- c) Development standards and regulations should encourage the adaptive use of older structures.
- d) The upper stories of older structures should be promoted for productive uses that contribute to the business vitality of the area.
- e) The downtown should be particularly receptive to small local-based entrepreneurship and start-up businesses.
- f) Housing - and particularly owner-occupied housing - should be an integral component of the physical fabric of areas within and adjacent to Village Center.

1167.02 PERMITTED USES

- a) Administrative, business or professional offices of not more than 10,000 square feet of gross floor area, including:
 1. Brokers and dealers in securities, investments and associated services, not including commercial banks and savings institutions.
 2. Insurance agents and brokers and associated services.
 3. Real estate sales and associated services.
 4. Medical and medical-related activities.
 5. Professional, legal, engineering and architectural services, not including the outside storage of equipment.
 6. Accounting, auditing and other bookkeeping services.
 7. Professional, fraternal and membership associations.
- b) Retail stores of not more than 10,000 square feet of gross floor area, 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.
- 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 property. All structures shall have a gross floor area of not more than 10,000 square feet. Examples include:
 1. Restaurants, not including restaurants with drive-through facilities and/or outside dining areas.
 2. Banks, savings and loans, and similar financial institutions.

3. Barber and beauty shops.
 4. Funeral services.
 5. Human medical and/or dental clinics.
- d) Facilities for the administration and meetings of fraternal, veterans and similar member organizations.
 - e) Nursery schools and day care facilities.
 - f) Community facilities such as government offices, post office, libraries, museums, private schools, public parks and similar uses.
 - g) Churches and places of public assembly, provided the main assembly area contains not more than 300 seats.
 - h) Off-street parking areas accessory to a permitted or conditional use.
 - i) Fitness centers/Health clubs.
 - j) Cafe seating secondary to primary business; excluding outdoor alcohol consumption.

1167.03 CONDITIONAL USES

- a) One family detached dwelling.

1167.04 DEVELOPMENT STANDARDS

- a) Lot Area. No minimum lot area is required.
- b) Lot Width. No minimum lot width is required.
- c) Setbacks. The distance between any building or structure and the right-of-way line of any public street shall be not greater than that of the most proximate building on the same side of the street. No minimum side yard setback shall be required, unless the building or structure is located adjacent to any UR, AR, or SR District, in which case the setback shall be twenty (20) feet.
- d) Maximum Building Size. Individual uses within the VC District shall have a ground floor area of not more than 10,000 square feet, unless the use is located in a building existing as of the effective date of this Ordinance, in which case such restriction shall not apply.
- e) Manufactured/Modular Buildings. The use of manufactured and/or modular buildings for business purposes shall be prohibited.
- f) Property Maintenance. No owner of a property or structure in the VC District shall fail to provide sufficient and reasonable care, maintenance and upkeep to such property or structure. For the purposes of this Section, maintenance and upkeep shall include keeping exterior surfaces free from debris, garbage, noxious weeds, or free from hazardous objects or conditions such as holes, broken concrete, broken glass, loose walls, roofing materials and dead or dying trees or vegetation.

Recommendation: Staff recommends **APPROVAL** of the rezoning application to the Planning and Zoning Commission. The lot follows Village Commercial regulations and would start to create a Central Business corridor along US-62 for low impact businesses.



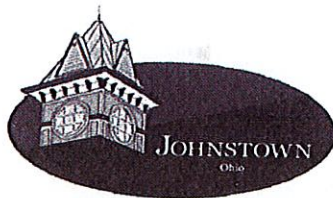
Public Notice

The Village of Johnstown Planning & Zoning Commission will consider an Application for a Zoning Map Amendment for 9571 and 9629 Johnstown Utica Rd. to amend the zoning from LM (Light Manufacturing) to (GCC-2) General Community Commercial as required in Johnstown Ordinances Sections 1135 and 1137.

The application will be heard on Tuesday January 12, 2021 at 6:30 p.m. This will be a Virtual only meeting due to Covid 19 restrictions. (Auditors Pin# 053.176256-00.000)

Within thirty days after the public hearing a recommendation will be made by the Commissioners.

**For more information contact:
Jim Blair Zoning Inspector
740.281.7405
jblair@johnstownohio.org**



Application for Zoning (Map) Amendment Chapter 1137

Application Number assigned by Zoning: 2020-430-Z Date submitted: 12.15.2020

Fees: office use

Certified letters to 5 contiguous property owners @ \$6.90 each total: 34.50

Base fee: \$500.00

Cost for

Newspaper Ad for one week: 119.80

If Applicable Acres: _____ @ \$10 per acre: _____

Total fee amount: 654.30 Paid: _____ Check/cash: _____

1. Applicant Name: Staneart Properties LLC Phone: 740-404-4819

Property Owners Name if not applicant: _____

Mailing Address: 8411 Jacob white Rd

Zip code: 43031 City: Johnstown

Email address: sstaneart@gmail.com

2. Address of property to which permit applies: 9571 & 9629 Johnstown-Utica Rd,
Johnstown, Ohio

3. Business name if applicable: _____

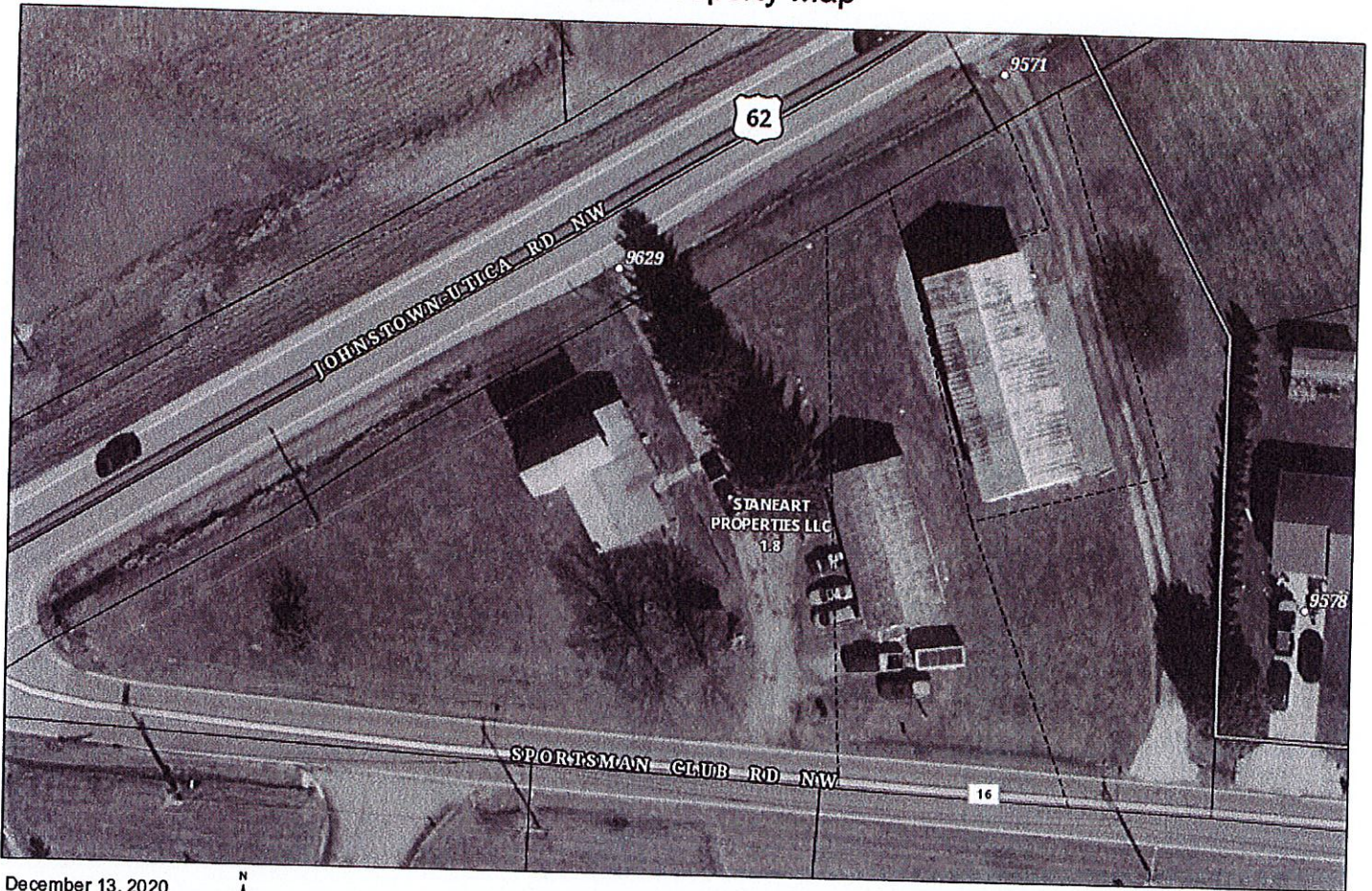
4. Description of the property to which Amendment would apply if enacted, attach the legal description and plat: parcel # 53-176256-00.000
9571 & 9629 Johnstown Utica Rd Johnstown OH 43031

5. Present Zoning District: LM Proposed Zoning District: Commercial

6. Present use of property: storage units, house, storage building for event venue business, and storage for Staneart properties supplies.

- I certify the information contained in this application and attachments is true and accurate.*

OnTrac Property Map



December 13, 2020

- Street Number Only
- Sales - 2020
- Owner Name & Acres
- Centerline Labels
- Interstate/US/State Route
- County Road



LICKING COUNTY TAX MAP

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. The property was annexed into the Village of Johnstown in 2006. Prior to its annexation into the Village of Johnstown, it had a Commercial zoning in Monroe Township. The current zoning of the property is LM District. At that time the village had a "hierarchy system" for the zoning classifications, with LM being at the top, followed by GCC-2, and then GCC1. This system allowed for a migration down the districts, but not up. With this in mind, a request for annexation to the village under Light Manufacturing District allowed for the greatest use of the property from LM down to GCC-1. The village has moved away from this system of hierarchy and went to a single zoning district classification. We agreed with this shift in zoning methodology, but it has left our property, along with a few others, in need of a proper zoning district being established. In order to clarify the zoning classification, we are requesting that it would be changed from LM to Commercial. This zoning district is consistent with the future land use map from 2012. The new 2020 Future Land Use map still has it as LM, but will believe this may have been a minor oversight when drafting the map. The parcels east of this property had a Residential zoning in 2012, but now have a Commercial zoning in 2020. We believe it is the villages desire as well as ours, based on this new map, that our property would have a Commercial zoning classification to clarify it moving forward.

VILLAGE OF JOHNSTOWN

STAFF REPORT

Application Number: 2020-430-Z

Applicant: Staneart Properties LLC

Property Address: 9571/9629 Johnstown Utica Road

Current Zoning District: LM

Proposed Zoning District: GCC-2

Commission Date: 01/12/2021

Project Narrative:

The applicant is requesting a rezoning of a 1.8 acre parcel located on the north side of the Village, on US-62. The parcel is currently zoned LM and the applicant is requesting it be rezoned to GCC-2. The parcel currently holds a variety of uses including: personal and business storage units, and a residential house. The property owner has provided a summary on the history of the property, attached to the application. The Future Land Use Map, adopted in 2020, identifies the land as LM but the contiguous properties north on US 62 have been identified as Commercial.

The Planning and Zoning Commission shall, at the minimum, consider the following factors in review of the application:

1. Relationship of the amendment to public health, safety and general welfare.
2. Compatibility of the proposed amendment to adjacent land use, adjacent zoning and to appropriate plans for the area.
3. Effects of the proposed amendment on access and traffic flow.
4. The relationship of topography to the use intended or to its implications.
5. Relationship of the proposed use to the adequacy of available services and to general expansion plans.

Current Zoning District (LM)

CHAPTER 1159

Light Manufacturing (LM) District

1159.01 PURPOSE.

It is the purpose of the Light Manufacturing LM District to designate appropriate areas for the establishment and development of manufacturing activities to supply regional needs.

1159.02 PERMITTED USES.

In a LM District the following uses are permitted:

- a) Pottery and Figurines. Using previously pulverized clay and kilns fired only with gas or electricity.
- b) Novelties. Including musical instruments, toys, rubber or metal stamps and other small rubber products.

- c) Appliances. Electrical and electric appliances, instruments, and devices, television sets, radios, phonographs, electric and neon signs, billboards and other commercial advertising structures, refrigerators and stoves.
- d) Light Sheet Metal Products. Including heating and ventilating equipment, cornices, eaves and the like.
- e) Grain Elevators and Mills.

1159.03 ADDITIONAL DISTRICT DEVELOPMENT STANDARDS.

In addition to the provisions of Title Seven of this Part Eleven, the following standards for arrangement and development of land and buildings are applicable to the LM 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 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, door or other openings, except that a rear setback of forty feet is always required should such LM 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-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, doors or other openings, except that a side setback of fifteen feet is always required should such LM 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%) of the lot. The remaining ten percent (10%) 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 point of ingress and egress into the property, 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 an overflow and screening shall be provided to enclose such containers and hide them from view.
 - 3. Storm drainage and runoff collection shall be sufficient to prevent any standing water.

4. 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.
5. Lots of greater than two and one-half acres shall contain a fire hydrant plan which has been approved by the Johnstown-Monroe Fire District Fire Chief and approval by the Manager.
6. Outdoor storage and display of merchandise on public sidewalks shall be prohibited.

1159.04 CONDITIONAL USES.

In a LM District the following uses are allowed as conditionally permitted:

- a) Medical Cannabis Cultivation. Medical Cannabis Cultivations businesses as defined in Section 1121.02(a)(43).
- b) Fire Station
- c) Police Station
- d) Emergency Medical Services
- e) Food Products. Bakery goods, candy, light meat packing, sausage making, canning, milk products and the like, excluding fish products, slaughterhouses, sauerkraut, vinegar, yeast and rendering and refining fats or oils.
- f) Pharmaceuticals. General pharmaceutical products, cosmetics and toiletries.
- g) Products for the following previously prepared products: Bone, canvas, cellophane, cloth, cork, feathers, fiber, fur, glass, hair, horn, leather, paper, plastics, precious or semiprecious metals or stones, sheet metal, except where presses over twenty tons rated capacity are employed, shell, textiles, tobacco, wax, wood, except where saw and planing mills are employed and yarns.
- h) Laboratories. Experimental, film or testing laboratories, provided no operations shall be conducted or equipment used which would create hazards, noxious or offensive conditions.
- i) Individual, public commercial storage units, provided such units are located only in the boundary area northeast of Pratt Street and Ford Street, with an imaginary straight line at Ford extending to Douglas Street.
- j) Medical Cannabis Processing. Medical Cannabis Processing businesses as defined in Section 1121.02(a)(89)

Proposed Zoning District (GCC-2)

CHAPTER 1157

General Community Commercial GCC-2 District

1157.01 PURPOSE

The purpose of the GCC-2 District is to designate appropriate areas for the establishment and development of commercial activities to service regional needs.

1157.02 PERMITTED USES

In addition to the uses allowed in Chapter 1155, the following uses are permitted in a GCC-2 District:

- a) Drive-in restaurants;
- b) Fast food restaurants;
- c) Equipment repairs;
- d) Auto sales and service;
- e) Tractor sales and repairs;
- f) Carryout operations;
- g) Shopping centers or malls

1157.03 CONDITIONAL USES

The following uses shall be allowed in the GCC-2 District, subject to the approval of the Planning and Zoning Commission in accordance with Chapter 1131:

- a) Multi-family dwelling structures up to eight units per gross acre, provided that such housing otherwise complies with Section 1151.04 and provided that such housing meets the following additional requirements:
 - 1. Public frontage shall not exceed 100 feet; and
 - 2. All buildings must be set back at least 400 feet from the main public street where the primary entry point of the project is or will be established.
- b) Nursing Home.
- c) Assisted Living Facility.

1157.04 ADDITIONAL DISTRICT DEVELOPMENT STANDARDS

The district development standards in a GCC-2 District shall comply with section 1155.04.

Recommendation: Staff recommends **APPROVAL** of the rezoning application to the Planning and Zoning Commission. The lot follows GCC-2 regulations and a commercial zoning designation would not be incompatible with surrounding land uses.

VILLAGE OF JOHNSTOWN, OHIO



December 2020 Zoning Inspector Report

December 1, 2020 through December 31, 2020

11785 Johnstown Utica road inspected a new privacy fence, the posts were set before I arrived a very large area has been fenced off. The new owner is parking is landscaping equipment within the enclosure it is gated.

383 W Coshocton St. Johnstown Pointe: Bailey and I virtually discussed plans for the future opening and excepting patients with the Foundations Health marketing team. They plan to setup contact information online and will have applications available in February; there are 50 beds and an estimated 100 new jobs, mostly fulltime.

Pulte received a question from the site manager about snow plowing and dedicated streets, no issue they will continue to contract out their snow plowing as needed.

313 Bontrager inspected and approved post holes for a new fence.

Village Council approved the purchase of a software program designed for online permits. Bailey, Jim L have I have started weekly online training. The switchover to the new program should take place later in 2021. The system name is OpenGov.com.

Central Station Drive received a complaint from a resident her property borders the Evans Bike Trail, she was complaining about dog walkers not cleaning up after their dogs.

Leafy Dell permitted four new Maronda homes.

506 Golden Pond value \$298,690.

303 Golden Pond value \$301,635

508 Golden ponds value \$295,785

213 Blueberry Hill value \$295,785

101 Valleyview received a question from a Realtor about this property.

168 N Main received a complaint about pieces of metal roofing blowing off the very large barn roof at the rear of the property. Contacted the homeowner she said they have plans to repair the roof in the spring of 2021.

383 W Coshocton St Johnstown Pointe: I have received several inquiries from longtime Johnstown residents that are investigating moving to the Johnstown Pointe due to their health conditions. I passed on what current Foundations Health contact information that we have available, prior to the startup of their web site.

230 Crestview received a complaint about this property; there is an RV, work truck, utility trailer in the sideyard off the driveway. This is a rental, contacted the property owner. The truck and trailer have been relocated, there was a large amount of miscellaneous junk in the yard it has also been removed. The RV trailer is parked at the end of the driveway, partially on the driveway.

305 and 307 Green Acres issued Winter temporary Occupancy permits, connectors, yard final grade, sod and landscaping are incomplete, driveways, approaches and public sidewalks are in.

29 E Coshocton received a proactive call from an investor that is purchasing the former USPO on E Coshocton and Post Office alley. He does not plan to make any changes with the property other than replace the porch roof at the front entrance and a few other exterior repairs. We discussed parking requirements and Zoning.

383 W Coshocton St. Johnstown Pointe received a noise complaint from a nearby resident; the noise woke them up at 4am. I contacted the site manager; he was very concerned and emphatic that he did not have people working any day after 4:30pm. He asked if he could investigate it and get back to me. I received a call later from a site supervisor; he said the dumpster company they were using changed out containers during the night. They were previously told they could only work 7am to 4:30pm. He fired them and had their containers removed and has since hired a new container provider.

Raccoon Creek Estates: A Variance was filed to forgo public sidewalks by the property owner's representative for three corner lots at Buena Vista and Edwards Rd. Part of each of the three properties sideyard border Edwards Rd. and front Buena Vista. The current Edwards Road rolling terrain to the east and in front of the existing homes on very large lots would not allow for public sidewalk extension. The elevation drops up to six feet. In order to install public sidewalks in front of the existing homes would require installing a large underground drainage tile system and then filling and compacting large amounts of fill dirt in the front yards of the existing homes on both sides of Edwards. The fill dirt is required to bring the properties up to grade for sidewalks. There are no future plans to add these sidewalks. Johnstown Village with Monroe Township has together applied for a (pending) Grant to basically resurface Edwards Rd. it has not been approved. There is future funding planned to completely rebuild the road installing a new road bed, curb and gutter and drainage system with ODOT funding. The funds will not be available until 2028. If sidewalks were installed now on the three lots they would not connect to anything and might have to be removed when the road is rebuilt to allow curb and gutter to be installed. The Variance will be heard by the Planning Commission on January 12, 2021. This is a virtual meeting only.

160 Track Street: received a call from Ryan Bowling the owner of the property beside and behind the Johnstown Mill grain storage silo. He uses the former Dague building as an office and equipment storage for his underground utility equipment. Ryan is working on plans to build a new building for his business, plus additional office space that he plans to use for rental space. He had questions about the sanitary sewer location, he plans to meet with Jack Ligget onsite, Ryan is capable of doing his own sewer and water installations.

337 Williams St. inspected and approved post holes for a new fence

Received a call from Geo Graphics, they are working on construction drawings and specifications for the street, sidewalk, water and sewer for the new Hidden Ravines development off of Benedict Dr referred the caller to Jack Liggett.

670 W. Coshocton St. received a call with questions about Zoning; the caller is considering renting 2100 square feet of space and relocating his gym known as The Vault to the location next to the Thrope Garage.

90 S. Main Dirko's Pizza: the owner called to discuss his employees parking, on his busiest days he could have up to eight employees working.

Buena Vista received a call from an architect he is working on the house plans for a new build home and had questions about setbacks in SR-1 and SR-2 Zoning districts.

Creekside Preserve at Raccoon Creek: inspected forms for four sidewalks and driveway approaches, approved with a few adjustments.

113 Bigelow Ave.
500 Pheasant Ct.
336 Raccoon Ave.
122 Bigelow Ave.

Creekside Preserve at Raccoon Creek: received a call from Todd Kellner the Pulte Process Improvement Manager. Todd wanted to discuss the timeframe for selling lots in Section two. The question was could they start building homes in the area if the sanitary sewer lines and lift station were not completed. They would not allow any occupancy's until the system was completely installed and signed off by Engineering for Pulte and with Johnstown Engineers approval, there is also an EPA permit required. I agreed that we would issue Johnstown building permits once the curb and gutter was installed and the RCC was completed. This was also discussed with Jim Lenner. We will not issue any Occupancy permits until there is 100% approval from all parties. We allowed the original model home to be built under similar circumstances. Pulte has a waiting list of buyers for the new lots.

Creekside Preserve at Raccoon Creek Fox Trail fire: two homes under construction were completely destroyed by fire; the framing fell into the basements. Two other homes were damaged one severely the other the siding melted and the exterior OSB is scorched, it is still livable. The severely damaged home is not livable and might not be repairable (my opinion).

11999 Johnstown Utica Road, this is the new address assigned to the future Johnstown Water Tower.

318 Green Acres issued a temporary Winter Occupancy permit for a Maronda home.

426 Fox Trail, 327 and 330 Raccoon Ave issued temporary Winter Occupancy permits for these new Pulte homes.

337 S Main issued a fence permit for a new privacy fence.

Track St. the old Johnstown Railroad station, received a call from a Realtor that has a client interested in purchasing the property. She has some specific questions about the Zoning District and asked how she could contact the RR Station owners.

670 Coshocton St discussed with the property owner building a 9,000 square feet storage building on the back of his property behind Wendy's parking lot. He wanted to review the Zoning District GCC-2 and

the process for permitting. The building will be purchased as a package and constructed by a local contractor with no water, sewer or heating, electric only. We discussed the P&Z process and the possibility of a COA might be required for Zoning. The building will be an all steel structure, possibly no windows with limited overhead doors and used exclusively for storing his car collection.

Concord Crossing East received a call from the Schlabach construction superintendent, Schlabach Builders have purchased at auction 250 truckloads of top soil; they plan to move it to the CC East property for storage. It will be stored near the pond for future use. I recommended that they inform the HOA president in advance of their plans before they start dump truck traffic hauling and dumping the dirt. They plan to keep a skid steer on site with a roller broom attached to keep the street clean.

Concord Crossing East the base is completed and the curbs installed for the extension of Fondreist this is their final section to build on that Schlabach currently owns.

373 Kyber Run Circle issued a fence permit.

Received a call from a property owner on Edwards Rd that owns 73 acres, he received a Certified Letter from me about the Edwards Rd. sidewalk Variance Public Hearing on January 12, 2021. He said he understood the situation and agreed with the Variances request.

Received two applications for Zoning Map Amendments, one for 361 and 373 W Coshocton St to change from UR-1 to Village Commercial (VC) the second one for 9571 and 9629 Johnstown Utica Rd. to change from Light Manufacturing to (GCC-2) the applications will be heard by the Planning Commission on January 12, 2021. This is a virtual meeting only.

6 Westview drive: the property owner contacted me by email. He ask about constructing a Tiny Home in his driveway that will be removed when completed, the home will not be used as it is built. In his email he attached the language from Village Ordinance 1175.11 Parking of Trailers and Recreational Vehicles on Residential Property. The Village Planner and I reviewed the language and also discussed it with the Village Attorney. After gathering more information from the property owner the request was approved with conditions. The tiny house will be built on a 24' Fifth wheel trailer.

1. The project must be completed within one year.
2. When it is not being worked on the project has to be covered with a tarp and this includes the building materials.
3. Construction times will be between 7a and 6p.
4. The area must be kept clean and neat, scrap will be removed or contained, parking of vehicles will be prohibited unless in the driveway or on the street, the public sidewalk cannot be blocked. The project will be kept at minimum of 11 feet from the public sidewalk.

These conditions have been agreed upon by the property owners. I plan to monitor the project.

Johnstown Utica Road: there are six parcels next to the Denny Dotson auto dealership sharing one entrance. Denny's address is 907 W Coshocton St. One of the six parcels has an address of 11785 Johnstown Utica Rd that is also shared by three of the six properties. Two partials recently sold; there are plans in development for the 4.0 acres that front the road for a new ACE hardware store. The 2.4 acres to the rear of the ACE property was sold to a Landscaping Company named Rene Castillo he is storing his equipment on the property and plans to build a barn style storage building in the future, this property is also using the 11785 address. The property across the street has an address of 11740 Johnstown Utica Rd and is in Monroe Township. The plan now is to create new addresses numbers for all six partials and label them all as Coshocton Street. The property owner had asked to meet with me onsite on Tuesday January 5, 2021.

Planning & Zoning Goals Discussion

1. Adopt annexation policy. (Q1)
2. Adopt Comprehensive Plan update. (Q2)
3. Incubator business zone. (Q2)
4. Adopt updated Planning and Zoning Code. (Q3)
5. Adopt Commercial and Residential Design Standards. (Q3)
6. Investigate Auxiliary Dwelling units. (Q3)