



Planning & Zoning Commission Meeting
Tuesday, February 23, 2021 - 6:30 PM
AGENDA

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Public Comment
5. Approval of Minutes
 - a. February 9, 2021 Special Meeting
 - b. February 9, 2021 Regular Meeting
6. Application # 2021-060-Z
 - a. Lot Split; 214 N. Main Street
7. Application # 2021-061-Z
 - a. Variance; 214 N. Main Street
8. Application # 2021-062-Z
 - a. Conditional Use Permit; 20 E. Pratt Street
9. Application # 2021-066-Z
 - a. Certificate of Appropriateness; 20 E. Pratt Street
10. Zoning Ordinance Update
 - a. [Zoning Code Draft Document Link](#)
11. Other Business
12. Adjourn



Special Planning & Zoning Commission
Tuesday, February 9, 2021 - 5:30 PM
MINUTES

1. Call to Order

Committee Chair Ryan Green called to order the Special Planning and Zoning Commission meeting for February 9, 2021 at 5:37 p.m.

2. Roll Call

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

Staff present - Bailey Klimchak - Village Planner, Jim Blair - Zoning Inspector, Teresa Monroe - Clerk of Council

Public present - Kim Littleton - OHM Advisors

Pledge of Allegiance

Public Comments: None

3. Work Session: Design Regulations

Commissioners worked to continue edits of the Design Regulations draft document. Discussion and decision to remove duplicated sections already covered in the zoning code but keeping the good graphics to incorporate into the new code; Kim Littleton to forward images to Bailey. Discussion and edits to the section on the Design Review Board; decision to change term to two years. Edits to Design Plan Approval section.

a. [Design Review Districts & Standards - Draft document](#)

Commissioners resumed review and edits to the Zoning Code draft. Discussion on Article 15, Development standards for Suburban Residential Districts and review of the new zoning map; it was noted that the new SR-3 district is the former UR-2. In the interest of time, Ms. Klimchak requested not to finish the SR districts tonight but for Commissioners to review the SR districts, the UR district and old Village Residential district and compare them for conversation on development standards at upcoming meetings.

4. Other Business

No further business.

5. Adjourn

ACTION: Ryan Green moved to Adjourn; Ron Danne seconded and all were in favor.

AYES: Ryan Green, Ron Danne, Jesse Coppel, Benjamin Lee, Jon

Vision Statement: The Village of Johnstown is dedicated to providing a secure community environment that fosters cultural, recreational, educational and economic opportunities while preserving our unique historical character

Merriman
NOES: None
ABSTAIN: None

Passed 5 - 0

Meeting adjourned at 6:12 p.m.



Planning & Zoning Commission
Tuesday, February 9, 2021 - 6:30 PM
MINUTES

1. Call to Order

Committee Chair Ryan Green called to order the Planning and Zoning Commission meeting for February 9, 2021 at 6:32 p.m.

2. Roll Call

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

Staff present - Bailey Klimchak - Village Planner, Jim Blair - Zoning Inspector, Marvin Block - Council member, Mayor Chip Dutcher, Yazan Ashrawi - Law Director, Teresa Monroe - Clerk of Council

Public present - John Luke, Jerry Pulley, Jason Smith, Maria DiPaolo Jones - Court Reporter with Integrity Reporting Group, Inc.

3. Pledge of Allegiance

4. Public Comment on items not on agenda

No public comments.

5. Approval of Minutes

a. January 26, 2021

ACTION: Ryan Green moved to Approve; Jon Merriman seconded and the vote was as follows:

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

NOES: None

ABSTAIN: None

Passed 5 - 0

6. Zoning Inspector

Jim Blair's report was submitted with the packet materials; it was noted that the village is already at twenty five percent of the number of homes permitted last year.

7. Zoning Appeal Hearing

Village Law Director Yazan Ashrawi stated that this was an appeal filed by Mr. Pulley and this matter is governed by Section 1125.06 of the Johnstown Codified Ordinances which is the process laid out by the village for an appeal of the Zoning Inspector determination. In this case a determination was made by the Zoning Inspector regarding the construction of

what has been referred to as a "tiny house" on property in a residential neighborhood. The determination was made that there was no permitting process or any other requirement to conduct this activity; that determination was then timely appealed to the Planning and Zoning Commission. Mr. Ashrawi said this is a quasi-judicial evidentiary hearing, meaning the Planning and Zoning Commission will act as a decision making body; this requires that the Commission act in an unbiased manner and make decisions only based on any evidence or testimony presented to the Commission here today and that based on the code section, the Commission has forty five days to issue its determination.

There was further procedural instruction by the Law Director and it was noted that a stenographer and court reporter was present to make a complete record and transcript of the proceeding.

Law Director Ashrawi asked anyone who intended to testify to stand, raise their right hand and be sworn in; Mr. Ashrawi administered the oath.

Statement testimony summarized as follows:

1. Jim Blair - Johnstown Zoning Inspector and property code official.

- Provided background on an email request by resident (John Luke) at 6 Westview Drive to build a tiny home in his driveway and actions taken to date. Mr. Blair said the resident referenced Johnstown Village Ordinance 1175.11 in his request which governs parking of trailers and recreational vehicles on residential property. Mr. Blair said he then reviewed village codes for what might apply to the request and found there was not anything that said he could or could not do it. Mr. Blair said he discussed with the Village Planner and decision was made that the request would be allowed with certain conditions on the project being built in his driveway; he said he listed conditions he thought would be appropriate and the resident agreed to work within the parameters given. Mr. Blair added again that he could not find anything that this would be violating in the village ordinances.
- Chairman Green asked what the parameters agreed to were. Mr. Blair read his email response to Mr. Luke; conditions were 1) project completion within one year of start date and relocated from the property 2) when not working on it, the project would be covered with a tarp 3) working hours allowed are 7 am to 6 pm 4) keep area neat and clean, rid scrap weekly and do not block the public sidewalk.

2. Jerry Pulley; Appellant - 11 Lewis Drive

- Said the Zoning Inspector seems to take the approach that if something isn't prohibited, then it's allowed; his contention is that if it isn't allowed, it is not permitted. Stated this was all being done with a handshake as far as he could see and is unsure what zoning this is being approved under because (Jim Blair) said

there is no zoning that applies to it. Mr. Pulley said if nothing applies to it how can you apply anything to it; how will this be enforced, when is the beginning of the year and what happens if it is not finished in the year.

- Referenced zoning code 1141.02 land uses and said he did not think it was the intent of any residential zoning to let someone build another home on that land to take somewhere else and not consider that a construction site and not a residential use. Said when looking at other zoning code laws such as non-conforming use and home occupancy rules, you are not allowed to do something detrimental to the general environment of the area as he considers this to be.
- Concern for noise and litter blowing around and for vehicles having to be parked on the street to free up the driveway.
- Stated his biggest concern was what was going to happen when it is done and if it is not moved. Knows this is something new but how is something approved that's not allowed in the ordinance; it's like if it's not prohibited you can do anything you want to do. What are the penalties if agreements made are not fulfilled?
- Stated that the land use doesn't fit the residential environment.
- Asked Mr. Blair what the penalties would be. Mr. Blair said he could take Mr. Luke to Mayors Court for violating the written agreement. Mr. Pulley asked if there is nothing in the zoning code that prohibits this, how can you take him to court; what regulation lets you take him to court for something not covered by zoning? Mr. Blair said he would have to review; it's an option but there might be other options, he has never faced this situation before but said he trusts Mr. Luke with his word.
- Said again his biggest concern is this will never get finished or Mr. Luke will not adhere to the rules.
- The current issue is nothing allows this and nothing prohibits it so Mr. Blair takes the approach that he is allowed to do it; nothing's been issued, he has never paid anything to get it done. Mr. Blair said he (Mr. Luke) did not even have to ask or make us aware; he could have just started on it. Mr. Blair provided some examples of other things that would be allowed or prohibited in a driveway.
- To him constructing a home would come under some zoning and using a driveway for a use that is not a normal residential activity. If this doesn't come to fruition as believed what happens then? How do you take him to court for not adhering to something that is not covered? What gives Mr. Blair authority to put conditions on something that doesn't even need a permit? Mr. Blair said he put those conditions on as a "gentleman's agreement", he did not have to do that and could not have told him it could not be built. Mr. Blair said Mr. Luke tried to do the right thing by asking and since we could not tell him he could not do it, this was his way of letting him know we had interest in what he was doing.
- Just doesn't see how this is allowed, absurd that because something is not prohibited it's allowed. Building a house in your driveway is not a normal residential activity.

Commission member Jesse Coppell confirmed the zoning code Mr. Pulley referenced. Mr. Coppell asked if Mr. Pulley had noted a history of commercial activity on the property. Mr. Luke objected to the question as irrelevant. Mr. Pulley said last year Mr. Luke started

making planters, had part-time help doing it and allowed people to pick them up there. Law Director noted for the record this was irrelevant and should not be considered for this matter.

3. John Luke - 6 Westview Drive

- Clarified the project as being a twenty four foot gooseneck trailer, the project will be completed and then moved to an RV park while their home is listed and sold; this will never be lived in while at 6 Westview Drive. There is enough space in the driveway for the trailer, plenty of build room and all three of their vehicles and has no plan to take up any additional street parking unless he is raising a wall or something that takes up a large portion of it at that exact time; not something he is looking to have affect a lot of street parking. Mr. Luke provided some background on their decision to build a tiny house. Said he uses the word trailer instead of tiny house because the complete project from beginning to end has a legal definition of a trailer. Referenced Johnstown Ordinance 301.48 and definition of a trailer and said all of the requirements for the project on the trailer will be within the definition of a trailer no matter what is affixed to the top therefore the regulation that applies to the situation is Ordinance 1175.11 which governs the parking of trailers and recreational vehicles on residential property. Mr. Luke reviewed the ordinance and how his project complies as a simple trailer improvement.
- Addressed the appellant's statement that this is not an intended use of a residential zoned area and is not permitted by 1141.01 of the zoning code. Said after consultation with an attorney he was informed that the term land use in this context means the use of the land as further defined by zoning ordinances, which as stated previously, the land use defined by the zoning ordinance provides a clear picture that this is not prohibited in a residential area. Provided examples of projects that would be and are regularly accepted in a residential area.
- Stated his whole goal was to be reasonable for the entire process by reaching out to zoning to make sure he was working within the rules and that agreeing to the limitations even though not required were just the decent thing to do, he has no issue with those. Stated his project hours would be more like 9:00 am to 6:00 pm; plans to keep the property clean by using his garage for storage of materials and is looking at use of a large tarp designed to keep projects dried in.
- Addressed the appellants claim that this project would reduce the property values and the area in general. Mr. Luke said he reached out to the Licking County Appraisers Office and was told by an appraiser that he had never heard of a temporary project impacting a property value when returned to its original state and for this to even be an aspect, the appellant would need to be selling their property within one year and if that were the case he would be open to holding off on the project.
- Addressed the claim that the action is unique to the appellant as it is directly across the street; Mr. Luke said that is untrue, the view would be shared by about three other properties and referenced a statement by Doug Cook at 25 Westview Drive

who said his only objection would be that this would be an ongoing manufacturing site. Mr. Luke said it was never his intention and will not build more than one. Mr. Luke said another resident stated they had no issue as long no-one would be living in the tiny house on the property. Also told by a neighboring renter that they had no issue with it as long as their parking was not taken.

- Ended by stating he is not trying to be unreasonable, just trying to stay within the rights and obtain their dream; he has followed all legal paths and will be as courteous as possible. He assured the commission that he planned to continue to be a reasonable neighbor and welcomed anyone to stop by in a personal setting and check out the tiny home as the build goes on.

Law Director said Mr. Pulley has the opportunity to ask further questions.

4. Jerry Pulley; Appellant - 11 Lewis Drive

- Asked if it was allowed to take a tiny home down the road. Mr. Luke said yes as long as the trailer maintains 8 1/2 foot of width or under and 13 foot 6 or under it is a legal trailer.

Chairman Green asked if there was anyone online with statements or other documentation; there was not.

Commissioner Ron Danne asked questions as follows:

- Asked Mr. Blair if there was a permit issued; Mr. Blair answered no.
- Asked if there could have been a permit issued; Mr. Blair answered no.
- Asked Mr. Luke to confirm this was a one-time build; Mr. Luke answered absolutely.
- Asked what the finished dimensions would be; Mr. Luke answered that the trailer is eight foot wide and the final dimensions would just be a hair under eight foot six and right about thirteen foot tall; overall length will not go beyond the trailer, the tongue is seven foot, the trailer is twenty four and no expectation to go beyond that.

Village Law Director stated the Commission will now ask to enter into a Deliberative Executive Session because this public body is acting in a quasi-judicial decision making matter and are entitled to deliberate the decision in private.

ACTION:	Chairman Green moved to enter into Deliberative Session; Jon Merriman seconded and the vote was as follows:
AYES:	Ron Danne, Jesse Coppel, Jon Merriman, Ben Lee, Chairman Green
NOES:	None
ABSTAIN:	None

Passed 5 - 0

Chairman Green said they will be rendering a written decision on this, they will not come to a decision tonight, and they have up to forty five days to do so. It was clarified for the record that for purposes of this matter there would be no other discussion or decision making after the Commission comes out of Deliberative Session.

The Commission returned to regular session at 8:12 p.m.

There were no further comments or discussion on the matter.

8. Other Business

None

9. Adjourn

ACTION: Ryan Green moved to Adjourn; Ron Danne seconded and all were in favor.

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

NOES: None

ABSTAIN: None

Passed 5 - 0

Meeting adjourned at 8:13 p.m.

VILLAGE OF JOHNSTOWN

STAFF REPORT

Application Number: 2021-060-Z

Property Address: 214 N Main

Subdivision: NA

Commission Date: February 23, 2021

Applicants: property owner Nancy Willis

Zoning District: UR-1

Background: Lot Split Chapter 1103

The property owner is requesting a one for two lot spit for .890 acres. The property is located behind 3 existing homes on North Main Street and to the northeast bordered by 3 existing homes on Stone Hedge Row in Leafy Dell and also bordering 3 properties to the North on Leafy Knoll Way.

Planning Considerations for Zoning District UR-1 Chapter 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:

(Ord. 1983-20. Passed 8-16-83.)

(a) Lot Requirements.

each lot shall consist of not less than 9,500 square feet;

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;

Each lot shall have a front setback of not less than thirty-five feet;

Each lot shall have a rear setback of not less than twenty-five feet;

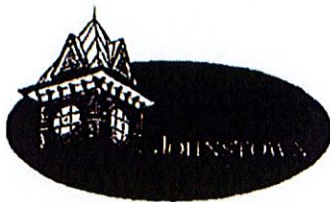
For permitted structures there shall be a total side setback of not less than sixteen feet with a minimum of seven and one-half feet on one side. For conditional use structures there shall be a side setback on each side of the structure of twenty-five feet or more.

Permitted and conditional structures shall not cover the lot by more than thirty percent (30%).

(Ord 16-11 Passed 8-16-83.)

Recommendation: This is the second lot split for this property. On November 4, 2015 the Johnstown Planning Commission approved the .890 property to be split from a 2.006 property.

The staff recommendation is to APPROVE the requested lot split and to allow the shared driveway.



Johnstown Ohio Application for Lot Splits: Chapter 1103

Application number: 2021-060-2 Date received: 1/27/2021

Fee: \$100 plus \$50 per new lot created by the lot split. Paid on: 2/12/2021
Cash: _____ Check number: _____ Zoning District: UR-1

Provide seven copies of the survey required with the legal description

Property Owner: NANCY ASHBROOK WILLS Phone: 740-397-2060

Applicant: NANCY ASHBROOK WILLS Cell phone: 740-501-4487

Mailing Address: 6361 BROOKHURST, City: MOUNT VERNON, OH

Applicant Email address: nancywills1@embarqmail.com Cell phone: 740-501-4487

Lot location address: 214 N. MAIN ST. Johnstown, Ohio

Check one, for contact person: property owner: ☒ applicant: _____ other: _____

To be completed by surveyor Date of survey: 01/21/2021

Parcel information: Township: MONROE/JOHNSTOWN Area of parcel: 0.388 Ac.

Street name: N. MAIN ST. Frontage: 12.48' Depth: 363.5'±

Is any part of the parcel in a flood hazard zone? Yes: _____ No: ☒

Distance of nearest driveway from. North ☒ East property line: 13'±

Distance of nearest driveway from. South ☒ West property line: 63'±

Surveyor, print name: BRIAN D. SMART Signature: Brian D. Smart

Planning & Zoning office use

Date: 1/27/21 Variance required: Yes: ☒ No: _____ Minimum frontage/acreage: _____

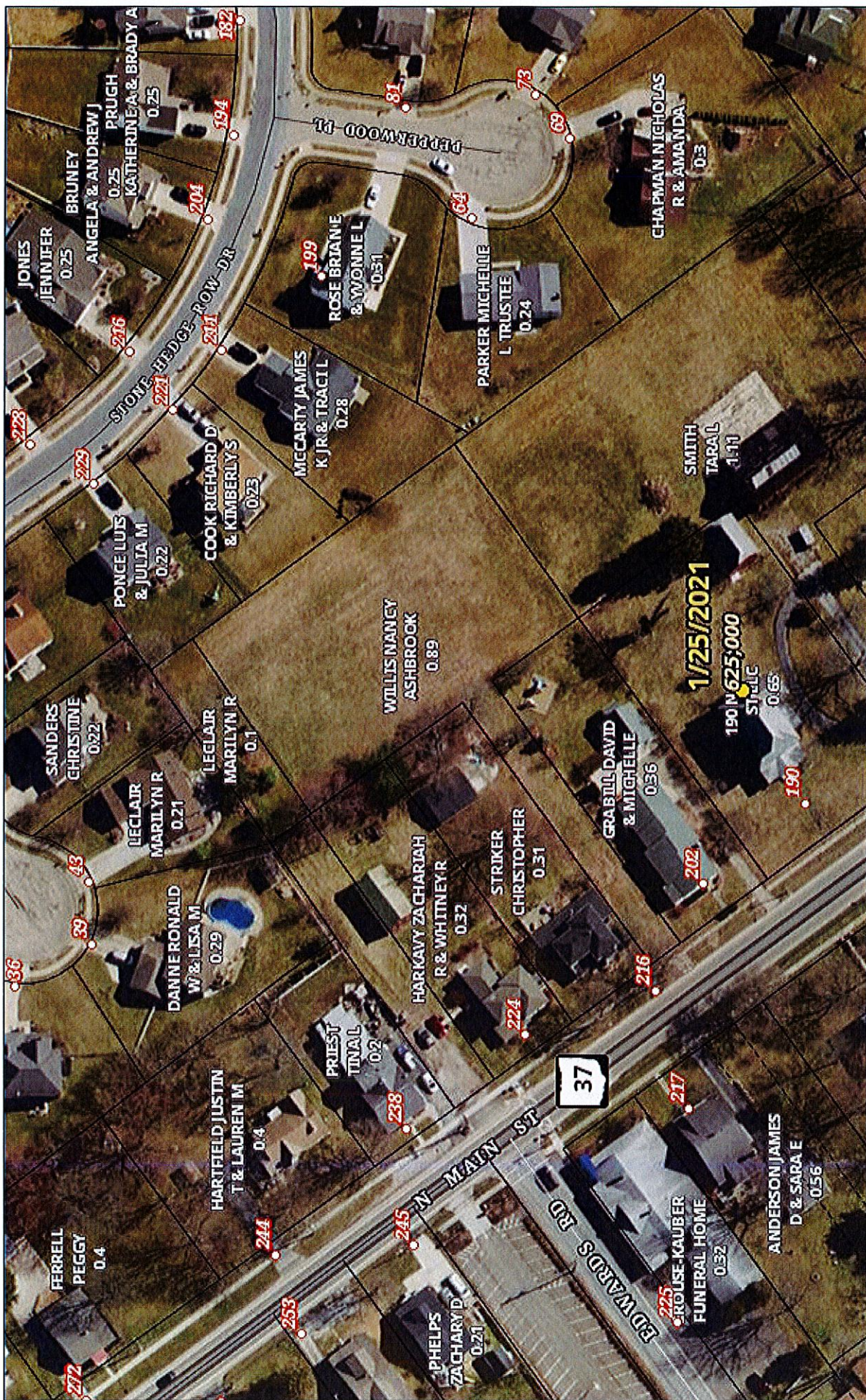
Water and Sewer service available: Yes: _____ No: _____

P&Z hearing date: 2/23/21

Approved: _____ Disapproved: _____ Comments: _____

Johnstown Planning and Zoning chairman signature: _____

OnTrac Property Map



February 5, 2021



Line Labels

Interstate/US/State Route

County Road

0 Township Road 94 Feet

Interstates

Other known 0.02 Miles

Municipal Corporations

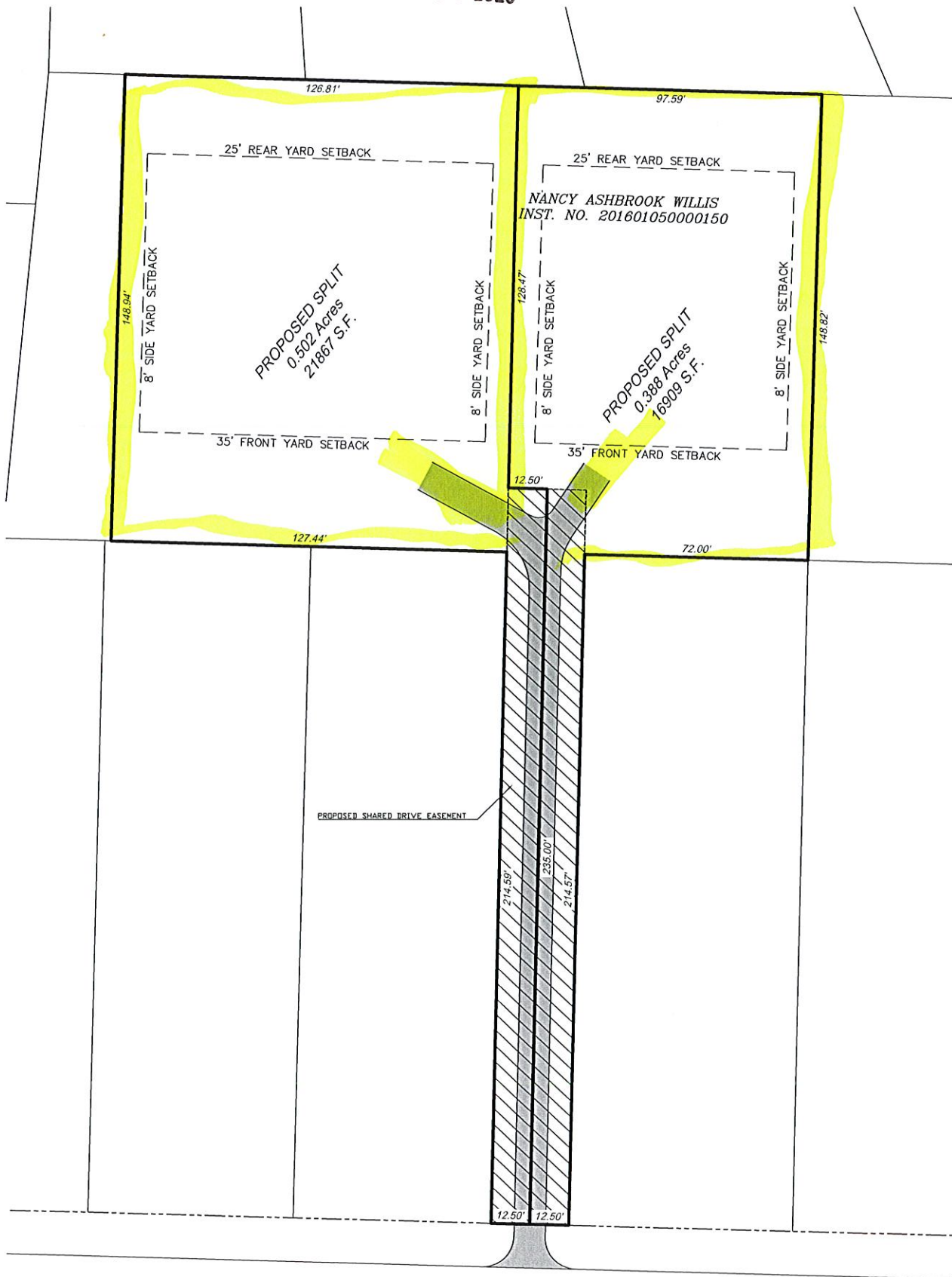
Driveway

Jurisdictional Townships

Licking County Auditor GIS

LICKING COUNTY TAX MAP

NOV 09 2020



STATE ROUTE 37 ~ N. MAIN STREET



pd.
2.12.2021

Variance Application Chapter 1133

Application Number: 2021-061-Z Date submitted 1.27.2021

Fees

Number of Certified letters to contiguous property owners: 8 @ \$6.96 = 55.68

Newspaper advertising, for two weeks: Fee \$ 219.90

Circle one:

Base fee Single Family Residence: \$200

Base fee All Other Uses: \$500

Total fee amount: 475.58 Paid: 2-12-2021 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: NANCY ASHBROOK WILLIS Phone: 740-397-2060

Mailing Address 6361 CROUCH RD. City: MOUNT VERNON OH 43050

Email address: nancywillis1@comcast.net Zoning District: UR-1

Property address: 214 N. MAIN ST. Johnstown, Ohio

Ordinance(s) the Variance Applies to: 1147.04 (2)

Description and nature of Variance request: SEE ATTACHED

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: my blue pill Date: 01 / 26 / 2021

Office use only

Office use only
Date received in office: 1 / 26 / 21 by: J B L A i n

Planning and Zoning Commissioners hearing date: 2 / 23 / 2021

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

Permit was denied on date: ____/____/____

Commission Chairperson Signature: _____

Additional comments or requirements: _____

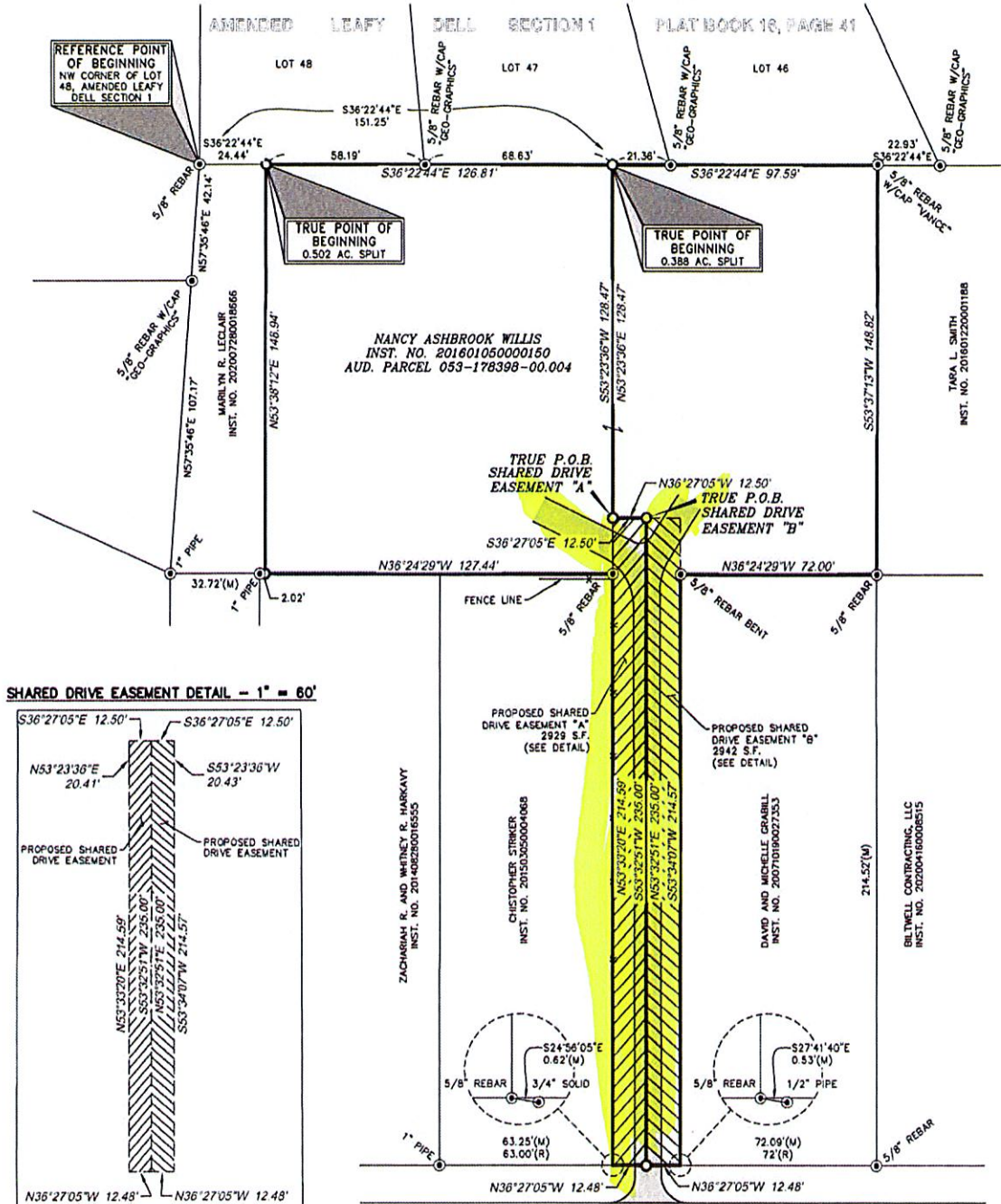
**Description and nature of Variance Request – Nancy Ashbrook Willis Application-214
North Main Street, Johnstown, OH**

In 2009, the Village approved a variance allowing 25-foot frontage instead of the required 75 feet for the property. I have attached a survey showing the original variance request. This 25 feet strip would serve as driveway access to the property, which consists of 0.890 acres of vacant land (in addition to the square footage of the driveway).

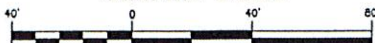
I have been in contact with Jim Blair, the Zoning Inspector, and he told me I would need another variance to allow the single driveway to be used as a shared driveway. I am requesting a variance to permit the 25' strip to be used as a shared driveway for access to the 0.890 acres of vacant land.

LOT SPLIT SURVEY FOR NANCY WILLIS

PART OF INLOT 3 OF THE THIRD RANGE OF INLOTS OF
THE VILLAGE OF JOHNSTOWN, PLAT BOOK 2, PAGE 88
AND (RENUMBERED LOT 59 BY PLAT BOOK 1, PAGE 277)
VILLAGE OF JOHNSTOWN, LICKING COUNTY, OHIO



GRAPHIC SCALE



(IN FEET)
1 inch = 40 ft.

BASIS OF BEARINGS

BEARINGS SHOWN HEREON ARE BASED UPON OHIO STATE PLANE COORDINATE SYSTEM SOUTH ZONE NAD83(2011) AS OBSERVED IN AUGUST 2015, AND ARE INTENDED TO BE USED ONLY TO DETERMINE ANGLES.

LEGEND

- ⊙ MONUMENT FOUND AS NOTED
- 5/8" x 30" REBAR W/YELLOW I.D. CAP LABELED "SMART SERVICES"

DRAWN BY: T. COLLINS	DATE: JAN. 21, 2021
CHECKED BY: B. SMART	DRAWING NO.: 663101.DWG
JOB NO.: 663101	SHEET 1 of 1

PREPARED BY:

SMART

SURVEYING & ENGINEERING PROFESSIONAL

88 W. CHURCH STREET, NEWARK, OHIO 43055
PHONE: (740) 345-4700 FAX: (740) 522-4706



Brian D. Smart
BRIAN D. SMART REG. SURVEYOR NO. 7611

VILLAGE OF JOHNSTOWN

STAFF REPORT

Variance Application Number: 2021-061-Z
Property Address: 214 N Main St
Auditor Pin# 053-178398-00.004
Subdivision: none

Applicant: property owner Nancy Willis
Zoning District: UR-1
Commission Date: February 23, 2021

Background: On August 5, 2009 a Variance was approved by the Johnstown Planning and Zoning Commission to allow a 25' driveway to serve as frontage for a single lot where 75' frontage is required as shown in Chapter 1147.04 (a) (2). At that time of the approval the property to be served by the 25' driveway was 0.890 acres equal to 38,776 square feet. The applicant has also requested that the single lot at .890 acres be split into two lots one at .388 acres and the second lot at .502 acres to allow two large building lots. The 25' driveway would serve as a shared drive with easements listed as easement "A" and easement "B".

Planning Considerations:

The Commission shall not grant a variance unless it finds that 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.



Public Notice

The Village of Johnstown Planning & Zoning Commission will consider a Variance Application (Chapter 1133) to allow a 25' wide residential driveway to be reduced to two 12'.6" wide driveways. The property is located at 214 N Main St. Johnstown, Ohio 43031. The Variance will be heard by the Commissioners at their regular bi-monthly meeting on Tuesday February 23, 2021 at 6:30 p.m. at 599 S Main Street. (Auditor Pin # 053-178398-00.004). This will be hybrid meeting with Covid-19 in person requirements enforced.

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

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

✓ Christopher Striker
216 North Main Street
Johnstown, OH 43031

✓ Zacharia R. and Whitney Harkavy
224 North Main Street
Johnstown, OH 43031

✓ David and Michelle Grabill
202 North Main Street
Johnstown, OH 43031

✓ Luis and Julia M. Ponce
229 Stone Hedge Row Road
Johnstown, OH 43031

✓ Marilyn R. Leclair
43 Leafy Knoll Way
Johnstown, OH 43031

✓ Richard and Kimberley S. Cook
221 Stone Hedge Row Road
Johnstown, OH 43031

✓ James K. McCarty, Jr.
Traci L. McCarty
211 Stone Hedge Row Road
Johnstown, OH 43031

✓ Tara L. Smith Hendren
168 North Main Street
Johnstown, OH 43031



2.12.2021
PAID

Application for a Conditional Use Permit: Chapter 1131

Application Number: 2021-062-Z Date: 1.27.2021

Fees:

Number of Certified letters to contiguous property owners: 6 @ \$6.90 = 41.76

Newspaper advertising, one notice at least seven days prior to hearing : Fee: _____

Application fee: \$150

Total fee amount 191.76 Paid _____ Check/cash _____

Applicant Name: Ghost Town Property 70 LLC Phone: 614-580-4687

Mailing Address 20 E. Pratt Street City: Johnstown

Email address: dennis@crowworks.com Zoning District: GCC-1

Johnstown Conditional Use Property address: 20 E. Pratt Street

Ordinance(s) the Variance Applies to: Chapter 1155.03

Description and nature of Variance request: Second Story Dwelling located in
Commercial Structure

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 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.
3. Attach a separate narrative statement demonstrating that the requested variance conforms to those conditions answering the following, bullet points.
 - Special conditions and circumstance exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures in the same district in question.



4805 East Main St., P.O. Box 347, Berlin, Ohio 44610
Ph. 330-893-0230 Email: jbiltz@tekton-eng.com

January 26, 2021

Village of Johnstown
599 S. Main Street
Johnstown, OH 43031

To Whom It May Concern,

The property located at 20. East Pratt Street is requesting the second story of the building to become a residence. Per Chapter 1155.03 of the Village of Johnstown Zoning Code, a Residence in GCC-1 Zoning District is a conditional use. A narrative for the proposed renovation of an existing building is below.

Special conditions and circumstance exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures in the same district in question.

- The land is not completely covered in structures allowing for the buildings to have an outdoor patio.
- Allowing a residence, would utilize the second story of the existing building.
- Existing building to be renovated could set a standard for improvements of future renovations.

That is literal interpretation of the provisions of the Zoning Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Zoning Ordinance.

- Most of the buildings in GCC-1 zoning district have a second story, allowing for additional properties to also have a second story residence.
- Across the street, apartments are located on the second story. MVP Insurance, (a commercial business) is on the first floor.

Special conditions and circumstances, which create the need for a variance, do not result from the action of the applicant.

- The existing structure has a second story that is currently not being utilized.

Granting the variance requested will not confer on the applicant any special privileges that is denied by the Zoning Ordinance, to other lands or buildings in the same district.

- The applicant understands that no special privileges will be granted.

If you have any questions, please give me a call at 330-893-0230.

Sincerely,

Jason Biltz, E.I.
Engineer I
JB/VG

A handwritten signature in blue ink, appearing to be "JB", written over a light blue circular stamp.

VILLAGE OF JOHNSTOWN

STAFF REPORT

Application Number: 2021-062-Z
Property Address: 20 East Pratt St
Commission Date: 02182021

Applicant: Jason Biltz for Dennis Blankmeyer
Zoning District: GCC-1
Auditors Pin #053-177612-00.000

Background: The applicant owns the commercial building at 70 S Main St. The vacant second floor now addressed as 20 East Pratt St was previously apartments. The applicant plans is to convert the entire second floor into a single family home with a first floor garage entrance from East Pratt St.

Conditional Use in GCC-1 Zoning districts

Johnstown Ordinance 1155.03 (b) Second story and Multi-Family and Single Family Dwellings units located in commercial structures (Ord. 08-2016 Passed 3-15-16.

1131.06 CRITERIA FOR APPROVAL.

The Planning and Zoning Commission shall review the particular facts and circumstances of each proposed conditional use and shall approve the application for a Conditional Use Permit only when it has determined that there has been adequate evidence presented to show that such use at the proposed location:

- (a) Is in fact a conditional use as listed in this Zoning Ordinance for the zoning district in which the site is located;
- (b) Will be in accord with the general objectives, or with any specific objective, of the comprehensive plan and the Zoning Ordinance;
- (c) Will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity, and that such use will not change the essential character of the same area;
- (d) Will not be hazardous or disturbing to existing or future neighboring uses;
- (e) Will be served adequately by essential public facilities and services, such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately for such services;
- (f) Will not create excessive additional requirements at public cost for public facilities and services, and will not be detrimental to the economic welfare of the community;
- (g) Will not involve uses, activities, processes, materials, equipment and/or conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, or odors;
- (h) Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public thoroughfare; and
- (i) Will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance.

Recommendation: The Johnstown staff recommends for APPROVAL



Public Notice

The Village of Johnstown Planning and Zoning Commission will consider an application request for 20 East Pratt St. for a Conditional Use Permit to allow a 2nd floor residence over a business located at 70 S. Main St. Johnstown, Ohio 43031 as required in Chapter 1131 and 1155.03 (b).

The Conditional Use Permit application will be heard on Tuesday February 23, 2021 at 6:30 p.m. at 599 S. Main Street. (Auditors Pin# 053-177612-00.000)

This will be a hybrid meeting with Covid-19 in person Requirements enforced.

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

Adjacent Property Owners

Owners	Address
① Postlewaite, John P. & Laura M.	78-82 S. Main Street, Johnstown, OH 43031
② Wright, Karen L.	22 W. Pratt Street, Johnstown, OH 43031
③ Block, Marvin & Cathy L	62 S. Main Street, Johnstown, OH 43031
④ Shull, Michael C.	67 S. Main Street, Johnstown, OH 43031
⑤ Grimm, Dwight C. & Brenda S.	73 S. Main Street, Johnstown, OH 43031
⑥ First Presbyterian Church of Johnstown	81 S. Main Street, Johnstown, OH 43031

CORRECTED

- ② 6935 Dorothy Ln
Celina, OH 45822
- ③ 225 Edwards Rd
- ④ 79 E Coshocton
- ⑤ 7377 Lock Rd
Centerville OH 43011



pd
2.12.2021

Certificate of Appropriateness for Design Review

Codified Ordinance: Chapter 1187

Application Number: 2021-066-I Date app. submitted: 1.27.2021

Fee: \$ 300.00

Paid: check number: _____ Cash: _____

Business Name: Ghost Town Management

Principal Business Activity: Retail Space

Applicants E-mail address: dennis@crowworks.com

Business Address: 20 E. Pratt Street & 70 S. Main

Business Owners Name: Dennis Blankmeyer Phone: 614-580-4687

Applicant's name: Dennis Blankmeyer Phone: 614-580-4687

1. Property address: 20 E. Pratt Street Johnstown, Ohio

2. Existing Use of Property: Retail Space

3. Square footage of proposed building or business: 3,330 sq. ft.

4. Zoning District: GCC-1 Number of Off-Street Parking proposed: 2 - Garage

5. Estimated cost of improvements: > \$100,000

The following items must accompany this application:

Eight full sets (11x17) of to scale plans and dimensioned drawings showing the property, with all elevations and the location of existing and proposed buildings and alterations are required. Attach any requested, supplemental or necessary documentation.

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

Applicant's signature:  Date: 1 / 28 / 2021

Planning office comments: _____

Date of Planning and Zoning Commission Meeting: 2.23.2021

Date approved or denied by Planning Commission: _____

List conditions necessary for approval or if denied list the reasons.

- 1. _____
- 2. _____
- 3. _____
- 4. _____
- 5. _____
- 6. _____
- 7. _____
- 8. _____
- 9. _____
- 10. _____

Chairperson Planning Commission Signature: _____