

Planning Minutes AMENDED

February 11, 2020

John Clark called the meeting to order at 6:30 p.m.

Members present: John Clark, Mayor Clark, Scott Weaver, Dave Sluka

Others present: Michele Stuck, Jenny August, Julia Stamm and Bob Ress

Motion to excuse John Trew and Wes Hawkins by Scott second by Dave all yeas

Motion to approve the January minutes by Mayor Clark, second by Dave all yeas

Citizens:

Julia stated she was here to request a lot split of the property located at 4849 Canada Rd. Julia is requesting that 2 ¼ acres come off of Barry Stamm's property. Dave Sluka said that Julia needs 3 acres for well and septic. Julia stated that they plan on doing one acres that is in Shalersville Township creating a consolidation. Michele Stuck stated that lot size in the Village is 3 acres in RR and Julia would only have 2 ¼ acres. Michele asked if Julia was planning on annexing or getting a variance. Julia hadn't discussed that possibility. Jenny August said all of her property isn't in the Village and she doesn't have quite 3 acres. John Clark questioned Michele on the zoning code not saying "in the Village". John Clark- is annexing the way to go, so we don't open up a can of worms? Michele asked Julia how about moving the lot line over to the west to make up the ¾ acre. Julia said it would be to close the Barry's drive and would end up going behind his (Barry's) house. Scott thinks annexing is out, to get a variance.

Michele says she has never seen this before and needs to do some research. She will contact Jim Masi, Julia's attorney. We asked for Julia's contact info and will contact her if we can move forward. Michele says she will contact Jim in the next couple days and planning can advertise for a special meeting if we need one.

Jenny August submitted all the permits as requested by the letter she received from John Trew. Jenny stated that John T. told her she would be grandfathered in as R-1. Jenny said when she moved in in 1992 that there was a mess left in garage and it appeared that someone had been living up there. Mayor Clark said that Jenny had told her years ago that they fixed it up for her Daughter to move in. Jenny said they have made many upgrades over the years. Mayor Clark said 2 of the neighbors contacted her, one about Jenny telling them that she made the loft into an apartment and the other was about –was about the septic system not being upgraded when the apartment was put in. Dave Sluka asked Jenny if it was a functional rental in 1992. Jenny said yes. Michele says this is a nonconforming use issue for John Trew.

500.02 (J) States the Zoning Inspector shall maintain a list of nonconforming uses with location and exact nature of the existing nonconformity. We're not aware that such a list has ever been compiled, but we should have it for this sort of situation.

John Clark motion to table until John Trew is here second by Scott all yeas

New Business

Scott asked for an update on Caren Stutzman and the car port. Mayor Clark said that John t sent out a letter back in November to remove immediately and Caren's attorney left a message for John T. and they

were just playing phone tag. Michele sent a letter to the attorney and he responded that they had a proposal for us. There has still been not contact. John Clark and Scott both discussed about the car port being put up without any permits and blocking excess to other property owners. It's one of the first things you see coming into town. Scott says for Michele to send letter giving her 2 weeks to tear it down or be cited.

John Clark brought up about the applications for rental inspector. There were none that were really complying with what we requested. But, he did get one from Greg Benner. Scott thought that Council might go that way as they probably all know Greg. Mayor Clark said she heard back from Tom Brett from Windham- he's not interested, she also spoke with John Kline- he was going to talk to his boss and get back to us, I'll reach out again. Dave Sluka will reach out to Ken and Kim Ule to see if they are interested.

Boarding houses- Scott thought that John T. was going to contact Gail. Michele said Wes had said last month that he was going to pen something for review. Tabled until John is here and have him send a letter. Motion made by Mayor Clark second by John all yeas

Section 480.00 maintenance code review starting at 480.12

Dave said since he is new he had a question on 480.06 enforcement- can anyone volunteer to look around? Mayor said yes but you have to file a volunteer release form. Dave said he'll fill one out when he's ready to go looking Bob Ress said he was interested also.

480.12(A) (1) discussed dilapidated automobiles. Generally we've permitted parking vehicles in the open as long as they're registered with valid plates. We may want to look at this.

480.12 (A) (2) no changes

480.12 (B) (1) no changes

480.12(B) (2) removed "on improved lots": Grass and Weeds shall be maintained...

480.12(C) (1) no changes

480.12(C) (2) no changes

(d) no changes

(e) take out "any place on the premises" change to "...obstructions in the right of way which are a hazard..."

(f) no changes

Start next month on 480.13

Motion to adjourn by John C., Dave second all yeas