



Village of Harveysburg

Planning Commission

79 West Main Street, Harveysburg, Ohio 45032-9998

February 27, 2024

Planning Minutes

Present:

- Mark Wilkie – Commission member
- Phil Trovillo – Commission member
- Tim Hill – Commission member / President
- Jon Funk – Commission member / Mayor

Visitors / Guests:

- Mark Tipton – Village Resident
- Donald & Noel McCloud – Residents across from DG proposed site
- Charlie Camp – Resident & BZA member
- Kevin Martin – Resident & applicant
- Josh Allen – Cross Development

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This is a summary of the meeting of the Harveysburg Planning Commission held January 27th, 2024, at 6:30 PM. Upon request, a recording of the meeting is available for review.
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- I. Call to order at 6:33.
- II. Roll Call: Funk, Wilkie, Trovillo, Hill; Carruthers is absent. Phil motions to excuse Mr. Carruthers, Wilkie seconds, all in favor, ayes have it. **Motion passed – Carruthers excused.**
- III. Approval of previous Minutes. Funk requests to be shown as a member. Phil motions to approve minutes; Wilkie seconds, all in favor, ayes have it. **Motion passed – minutes approved.**
- IV. Opening Remarks by the Chair & Commissioners:
 - A. Zoning fees need to be discussed. When Harveysburg council passed the new building fees, zoning fees were not addressed so we are left now with remnants for zoning fees. More thought should be put into zoning fees. Examples provided from WC rural, Waynesville & Harveysburg current fees in place.
 - B. Fee discussion must coincide with subject of fences in zoning code, see ‘old business.’
 - C. Cross again requests zoning approval from commission so we need another vote.
- V. Old Business
 - A. Do we have a motion to approve the Cross/ DG plan with conditions as follows:
 - i. Stormwater is engineered, some larger trees will remain, WC will review.

- ii. Access for pedestrians needs to be provided by Cross/ DG separate from drive access to prevent excess congestion of cars & people.
 - iii. Note that slope of the drive on the private property is not regulated by this commission & is the sole responsibility of Cross/ DG to provide something that follows all applicable regulations & is safe & reasonable for its patrons which includes by proxy the village. Slope in ROW is 10% max per ODOT regs.
 - iv. Photometric plan will be submitted showing acceptable light pollution levels.
- B. Funk motions to approve since parking variance was granted & conditions to keep stormwater, traffic & light pollution down; in other words, agreement from Dollar General that Dollar General will work to attain harmony with the surrounding properties. Wilkie seconds, role call: Jon, Mark, Phil, Tim. **Motion passed – conditional approval for zoning for Dollar General granted.**
- C. Zoning fees are left over from fees previously approved. It may be good to get a new list approved, even if it's the old list redated. Much discussion on fees using Waynesville & Warren County rural as examples. Hill to send out a new list that can be added to before being presented to the Council for approval. We will revisit next meeting.
- D. Fences - much discussion to establish the need for some more wording in the code around the idea of fences. Wording is confusing:
- i. 918 establishes that a fence is an "accessory use" which is also sometimes referred to as an "accessory structure" or "accessory building." Martin asks if a "parking place" is also an accessory use which 918 does state, so yes.
 - ii. 919.4 says accessory use "shall meet all yard requirements of the principal use."
 - iii. Maybe "principal use" could be changed to the word "district" which would allow fences to be 5' from property line in residential without lessening the non-residential fence requirements.
 - iv. Bottom line is fences are unclear in the zoning code & require more discussion.
 - 1. Are they 5' off property line per accessory use regs or 10' per principal?
 - 2. Non-residential screening (416) must be masonry, solid (wood?) decorative, louvered, vegetative, or mounding.
 - 3. Setbacks are 50 feet when abutting residential, thus BZA required.

VI. New Business

- A. Kevin Martin application to build a fence next to Kevin Brewer's property. Mr. Martin & others have said many residents have complained about the unsightliness of Mr.

Martin’s property. Mr. Martin’s claim is that he is attempting to remedy the situation by putting up a fence on what he refers to as a ‘staging lot.’

- B. Funk suggests the approval after BZA variance process be done conditionally based on the building also being completed with a certain time frame such as two years to completed & occupied.
- C. Wilkie clarifies the expectation is if a commercial property wants a fence the expectation is they will require a variance & closer look by BZA.
- D. Funk motions to deny Mr. Martin’s request zoning approval for a fence only so that he can go to BZA for variance for relief from 919.4 which prohibits fences to be built within setbacks. Hill seconds; role call, Funk, Wilkie, Trovillo, Hill. **Motion passed – application denied so Mr. Martin can go to BZA for a variance.**
- E. Noell questions whether advertisement for BZA hearing can be done on facebook and/ or social media. Some cost could possibly be saved. Tipton suggests talking with Chase.
- F. Phil asks about demolition of houses being torn down & debris left down in the basement. This is detrimental to property values. Phil says there’s some wording needs to be revised.

VII. Citizen Comments

VIII. Upcoming Meetings – Next meeting will be March 27th after council meets on the 26th.

IX. Adjournment – 8:23 pm

X. Attachments - none

Attest:

Tim Hill – President of Planning Commission _____

Randy Carruthers _____

Phil Trovillo _____

Mark Wilkie _____

Jon Funk _____