

VILLAGE OF LODI
BOARD OF ZONING APPEALS
AND
PLANNING AND ZONING COMMISSION
MINUTES FROM REGULAR MEETING

December 16, 2020

Due to the COVID-19 Pandemic the meeting was held over the internet via Zoom. The public was invited to attend the meeting and a link was available on www.VillageofLodi.com for the public to view the meeting, adhering to Governor DeWine's directive for meetings and social distancing during the emergency pandemic.

The Board of Zoning Appeals met on the above date with the following members in attendance: Robert Geissman, Randy Jameyson, Patricia May, and Patrick Donnelly. Also present: Susan Hirsch, Zoning Inspector Jean Houston and Zoning Secretary Pamela Barta.

Public participants for this meeting were as follows: Will Jenkins

MINUTES - A motion was made by May and second by Jameyson to approve the minutes of November 18, 2020 meeting.

Upon roll call: YEAS: May, Jameyson, Geissman and Donnelly

NAYS: None

PUBLIC HEARING

113 Wooster St – 113 W LTD requested a Conditional Zoning Certificate for Conditionally Permitted Uses, Section 1264.03(f), to allow residential use above the ground floor. Mayor Geissman opened the meeting for discussion and review with the Board of Zoning Appeals. Randy Jameyson inquired as to the timing of completing this building. Mr. Jenkins advised that it will take at least a month for the purchase to finalize and then he will be applying for the permits. Mr. Jenkins advised that his first priority will be to close the open building. He advised that he was informed by the window company that it will take some time for the windows to arrive. It was determined after discussion that Section 1264.03(f) is a permitted

use and meets the parking requirements of Section 1274.03(a)(1) of the zoning code.

With no further discussion or public participation a motion was made by Jameyson and second by May to approve the Conditionally Permitted Uses, Section 1264.03(f) to allow residential use above the ground floor.

Upon Roll Call YEAS: Jameyson, May, Donnelly, Geissman

NAYS: None

NEW BUSINESS

OLD BUSINESS

Susan Hirsch informed members of her progress on the Zoning Book and some updates within the Zoning Book that need addressed. Susan clarified with Mayor Geissman that the Planning Commission and Board of Zoning Appeals are one body and that the Village of Lodi has contracts with Engineering Associates for general engineering and GPD for electrical engineering. She advised the Planning Commission that there are a few definition changes statewide that she will be incorporating. One being the Subdivision definition and the other being the definition of a Family. Susan asked if there is an issue with funding of residential sidewalks. Mayor Geissman advised that the Village's current plan when rebuilding any street is to combine the repair and installation of sidewalks with the project using COB Funding, POW Funding and General Funds. Mayor Geissman informed Susan that new development has three (3) years from the start of construction to install sidewalks according to our specifications. Susan asked if the Village has a Tree Commission. Mayor Geissman informed her that the Village has a Tree Commission, which consist of the Board of Public Affairs, and one Council Member, which at this time is Pat Graham. At this time there are no funds in the budget for the Tree Commission, but next year they will consider adding it to the budget. He also informed her that under Ohio Revised Code residents are responsible for street trees and trees within the road right of way. Susan inquired as to our mobile home parks. Mayor Geissman advised that he and the Village Attorney met with the Commerce Department concerning some issues with the mobile home parks within the Village, and the attorneys need to follow up with them. Susan informed the Mayor that our definition of dwelling excludes mobile homes and house trailers in our code, which will need

to be addressed. Susan advised that under the garage definition residents are allowed to rent one of their garage spaces. Susan advised she will send some information on signs for members to review in the future. She also advised that our zoning book refers to Lodi Development Policy Plan. Mayor Geissman advised that the Village does not have a Development Policy Plan and that the verbiage could be removed at this point and a sentence could be added to reference the Comprehensive Plan. Susan advised that our zoning fees are part of the Zoning Code and that any changes would require amending the Zoning Code. To resolve this she suggested placing the fees under the Appendix, which would make it easier to update. Mayor Geissman advised Susan Hirsh that one of the Village's goals for I1 and I2 District is to make everything clear, convenient, easy to access and to understand just what the Village has to offer new businesses. Mayor informed Susan that the industrial district is surrounded by park therefore, adding parkland could prove to be overboard. Mayor addressed the importance of staff having a standard operating procedure flow chart to hand out to new businesses, as well as, new home builders within their zoning district.

Mayor Geissman informed members that council has been discussing Community Improvement Corporation, which was part of the Comprehensive Plan that focuses on growth within the Village. A CIC would allow the Village to operate outside the constraints of a municipal government when dealing with property and business. It creates a nonprofit corporation that can borrow money, lend money and buy property; which is controlled by the municipality. The Village is considering splitting parkland into industrial land on West Drive and a CIC could prove to be beneficial to the Village. Mayor Geissman will be reaching out to Larry Long, retired from the County Commissioner Association of Ohio, who wrote the "Power of a CIC", for guidance to correctly implement a CIC.

Mayor Geissman advised that he spoke with the Village Attorney concerning the tire issue. Under the Property Maintenance code the tires are not considered personal property, property with value, they are considered rubbish and can be sited as rubbish. Mayor Geissman advised that companies in violation can either have the tires removed or be fined \$100.00 a day, for every day of violation. If fines are not paid they will be added to their taxes.

Zoning Report

Jean Houston advised she received a call from the owners of Cruisers and they advised that they will be removing the building in the near future.

Jean advised there is a conflict with Chapter 7 and Ordinance 2340 pertaining to garbage containers. Chapter 7 states home owners can take garbage out 24 hours prior to pick-up and must remove the cans from the tree lawn 24 hours after. Ordinance 2340 states home owners can take garbage out after 4PM the day before and must remove the cans from the tree lawn by 8 AM the following day. After discussion, all were in agreement for the Mayor Geissman to present to Council the following recommendation that homeowners can take garbage out on Monday after 4PM and cans must be removed from the tree lawn by Wednesday 8AM.

Pat May asked Jean Houston for an update on the truck parked at 404 Bank St. Jean advised that she has contacted the police department several times and was informed the vehicle would be towed on September 26th, but at this time it still has not been towed. She stated that the Village of Lodi Police Department is not returning her calls concerning this issue. Mayor Geissman advised Jean to email Chief Keough reminding him that the vehicle needs towed and to copy him as well.

109 S. Broadway St – Grave Residence – Jean Houston issued an order to correct their fence. Jean advised they painted the fence, but the fence does not meet the permitted fencing height limits 1250.14(d). Jean advised a fence permit was never issued. Mayor Geissman advised Jean to send the Graves a letter informing them that their fence is in violation and to make the required changes. He also suggested that she contact Job & Family Services to see if they can assist the Graves with this issue.

310 Wooster St. – Jean informed the Mayor and the Planning Commission that the neighbors are tired of mowing and taking care of the property. Mayor Geissman advised that the Village will start fining the bank that owns the property \$100.00 a week for disrepair. Village Attorney Irv Sugerma will contact the bank that owns the house to either remove the house or give the house to the Village to remove it. Mayor advised that we will have to give the Village Attorneys a list of homes within the village that are vacant or bank owned that are an issue and should be condemned.

With there being no further business to come before the board, a motion was made by May at 8:00 p.m. to adjourn, second by Jameyson.

Upon roll call: Yeas: May, Jameyson, Geissman and Donnelly

Nays: None

Minutes Submitted by Pamela Barta, Zoning Secretary



Robert Geissman, Mayor



Pamela Barta, Zoning Secretary