

PLANNING AND ZONING COMMITTEE

OCTOBER 19, 2016

The meeting was called to order at 5:00 p.m. by Chairman Tim McCarthy. Committee members present were Tim McCarthy, Jonathan Smith and Becky Williams. Also present was Brody Walters, Planning and Zoning Administrator.

Proposed Code Amendment

Chapter 1250.61 – Accessory Buildings

The Committee reviewed a proposed code amendment to Chapter 1250.61 regarding the size of accessory buildings. Currently accessory structures are limited to 75% of the square footage of the principal building. Under the proposed amendment, the limitation would be 5% of the square footage of the lot up to 4,000 square feet. The Planning Commission originally considered an alternate amendment but were deadlocked at 3-3. Mr. Walters said that in his opinion this deadlock was based on personal preference of the Commission members. At a subsequent meeting, they came up with the 5% proposal limited at 4,000 square feet and it was agreed upon by a vote of 5-0.

Jeff Hagedorn, Eckel Junction Road, said that he is the impetus behind the proposed code amendment. He had a fire and lost his legal non-conforming accessory building. His property is slightly less than two acres and his residence is approximately 1,100 square feet. Mr. Hagedorn said that the only objection other than preference that he heard at the Planning Commission meeting was that the accessory building would become the dominant building. Under the current Code, Mr. Hagedorn could have an accessory building that is 825 square feet. Mr. Hagedorn said that it is difficult to keep farm equipment to maintain two acres in a structure that is only 825 square feet. Mr. McCarthy asked if this amendment would allow Mr. Hagedorn to do what he wants. Mr. Hagedorn said that it would. Ms. Williams asked if he would be rebuilding the same size accessory structure and Mr. Hagedorn said that he might go smaller since his needs have changed over the years and the previous structure was 44' x 48'. Mr. McCarthy asked if the other restrictions such as the height limitation and setbacks would still apply. Mr. Walters said that those are not changing. Mr. McCarthy said that he thinks the code language the Planning Commission recommended makes sense.

The Committee agreed 3-0 to recommend approval of the proposed code amendment to Chapter 1250.61 regarding accessory buildings.

Proposed Code Amendment

Chapters 1215 & 1225

Gym or Fitness Facilities and Commercial Recreation

Mr. Walters explained that when issuing a certificate of occupancy, the Planning and Zoning office is tasked with classifying uses in 1225.08, the Land Use Table. There are several dance studios and exercise facilities located in the City and the most appropriate category on the current table for that type of use is commercial recreation. However, this requires a cumbersome Special Approval Use process for these low impact uses

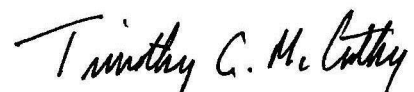
that were probably not intended to be in commercial recreation. This proposed amendment would create two new categories along with definitions for both – gym or fitness facilities less than 5,000 square feet and gym or fitness facilities more than 5,000 square feet. Gyms or fitness facilities less than 5,000 square feet that would be a permitted use in commercial districts and in office and service districts and gym or fitness facilities more than 5,000 square feet would be permitted with a special approval use in planned business parks.

Ms. Williams asked why gym or fitness facilities less than 5,000 square feet is not included in planned business parks. Mr. Walters said that the Planning and Zoning office felt that there is a difference between smaller facilities being downtown and in the shopping areas and the larger facilities that are more appropriate for planned business parks. Mr. McCarthy asked about the size of Planet Fitness and Mr. Walters said that it is less than 5,000 square feet. He said that the gym or fitness facilities greater than 5,000 square feet were required to go through the special approval use process because that is more like CrossFit where they throw tires and he wants to make sure that it is scrutinized more since it could be more objectionable to neighbors. Ms. Williams said she is trying to picture a facility under 5,000 square feet in Levis. Mr. Walters said that he believes St. Julian's is over 5,000 square feet with two stories. Mr. McCarthy said that we may have a facility less than 5,000 square feet in a Planned Business Park come up some time, but he understands what Mr. Walters is saying. Mr. Smith suggested that we require facilities less than 5,000 square feet in a planned business park to also go through the Special Approval Use process and if it doesn't fit, it doesn't have to be approved. Mr. Walters said that he doesn't think it's inappropriate, he was just trying to steer it towards a more appropriate use.

The Committee agreed 3-0 to recommend approval of the proposed code amendment with the change that Gym or Fitness Facilities less than 5,000 square feet be permitted with a Special Approval Use in planned business parks.

There being no further business, the meeting adjourned at 5:39 p.m.

Respectfully submitted,

A handwritten signature in black ink that reads "Timothy G. McCarthy". The signature is written in a cursive, flowing style.

Tim McCarthy, Chairman
Planning and Zoning Committee

Next meeting: Wednesday, November 16, 2016 at 5:30 p.m. which will now be the regular time for meetings.