

Village of Kirkersville  
Zoning and Planning Board Meeting Minutes

February 28, 2024

Opening: Dave Engel called the meeting to order at approximately 7:00 pm and opened with the Pledge of Allegiance.

Roll Call: Present were Terry Ashcraft, Dave Engel, John Thomas, and Vicki Coe. Todd Merry was not in attendance.

Also present were Brian Zets, Jack Christy, and Vicki Coe, as clerk.

Approval of minutes from January 31, 2024: 1<sup>st</sup> by Terry, 2<sup>nd</sup> by John. All in favor. Approved.

Approval of minutes from January 24, 2024: 1<sup>st</sup> by Terry, 2<sup>nd</sup> by John. All in favor. Approved

Public Poll: none

Board Discussion:

(1) Jack received an application for variance on the minimum allowable lot size for a single-family home on 145 E. Main St, submitted by Anthony Ferrel. Variances are heard by the Board of Zoning Appeals (BZA) per Section 511, p.23. The owner must provide addresses for notification of the Public Hearing. Mayor Ashcraft will assemble the members of the BZA. Anthony is to present his application. Jack will present a staff report.

Jack asked how he determines & enforces that applicants build per their plan. Brian answered: If not built according to plan owner can be cited into Mayor's Court. Jack can keep in contact with the Licking County Building Department during construction, and he also issues the final occupancy permit.

Jack will work with Anthony and then notify Board of Appeals to meet.

(2) Jack received a question about a variance on fencing at the Kirkersville Elementary project. The new bus turnaround on the SW corner causes a need for the fence to be moved closer to the property line. Referring to Section 928, p.53, John doesn't see any fencing setback requirements except at the front

boundary. It is determined if the fence is on their property, the only requirement for this change is a fence building permit, \$25 fee, and a drawing.

(3) Questions on proposed code revisions presented to Brian Zets:

- Re: Chap. 1165 Vacant Building Registration; Brian advised that this section grew from a specific issue in Shawnee Hills, but that VOK may not gain much from having this registry. John & Dave do not think this is a big enough problem in the Village to include the section. All agreed to leave it out.
- Re: notes made by the 2010 revision committee will be set aside
- Re: Chap. 1145 Adult Entertainment cannot be prohibited, but can be a conditional use. Including it in the book defines where it can and cannot be located, and allows future discussions if requested.
- Calling it a code vs. ordinance does not matter
- Zoning Inspector vs. Community Development Coordinator does not matter
- Application for Zoning Permit vs. Certificate of Zoning Compliance. These are different things. AZP is usually at the beginning, while CZC is at the end.
- Re: Car lots can be assigned a district. Application by land owner to change zoning district must be made to the Board.
- Re: Car lot in Village; Cars sitting on the lot for sale are handled differently by the code than cars left sitting on properties.
- VOK can keep both Planning Board & Appeals Board structure, or go to one Board as in Hebron. Process is as follows: Planning writes code, sends to Council who decides & enacts; Jack enforces; Planning or Appeals (depending on circumstance) hears questions & issues and administers according to the code. Planning has nothing to do with variances. An appeal of a decision made the by Appeals Board goes to the Court.
- Re: if homeschooling would be defined as a school; if it's your own children, it's not a school; if its other people's children, it is a home occupation
- Mobile home park district can be eliminated
- Decisions on marijuana in Village must wait until the State of Ohio completes statewide legislation.
- VOK current PUD can be retained

- Existing ordinances pertaining to items covered by the new code will need to be cross-referenced. Inconsistent ordinances will be repealed by the new code, so it's important to know what is being repealed.
- Re: Ch. 1105.08 Technical Review Group; This was something specific to Hebron.
- Re: Ch. 1105.11 Construction Standards. VOK has already adopted Columbus construction standards.
- Specific language about sewer does not need included in R1 because it exists in the sewer regs.
- 1 year or 2 years for rebuilding on a lot? Board decided 1 year.
- Re: End section of Hebron, pg 134 to end, appears to be subdivision regs. VOK has a subdivision regs book. No action on that at this time.
- Re: solar panels & windmills; Commercial solar or wind farms would need included, or they are not allowed; VOK could permit use for residential homes; to be discussed after zoning regulations are complete;

#### (4) Speedway

The parcel split for the Speedway property has not been completed. The zoning change cannot happen until after the split. Brian said you cannot change the zoning on a parcel that does not exist. Developer must show they have control of the parcel. Preliminary plan was approved on the condition of the lot split. PUD 1208(b)(2)(A) and also Subdivision Regs pg 13 Minor lot division lot split, pg 14 item 2, Property markers must be in place. The Board understands the lot split must be complete before Final Plan approval.

Among other things, Randy still has concerns about the drainage plan, use of plastic pipe, leakage or seepage, and wants clarification on joints. He also wants flow meters to track leaks into or out of the sanitary, and brought up billing them on usage rather than flat rate. Jack said another way could be a control panel for a run timer on the lift station to provide numbers to us for billing.

Board agrees there is no reason to meet with Speedway until they have the Final plan completed. Randy says they still have much to do. Randy may not have received the ODOT Traffic Study. PUD 1210 Procedure & timetable questions need sent to Brian. Board understands it has 30 days to set the meeting.

(5) Phantom has contacted Jack about changing their sign.

(6) Mayor gave a list of property maintenance issues to Jack.

Board Poll: none

Public Poll: none

Motion to Adjourn: 1<sup>st</sup> by John, 2<sup>nd</sup> by Terry. All in Favor. Meeting adjourned.  
Approximately 9:21 p.m.

Respectfully submitted by Zoning Clerk Vicki Coe.

These minutes are unofficial until approved by the Zoning and Planning Board.

Approved by the Board this 27<sup>th</sup> of March, 2024.

Terry Ashcraft   Dave Engel   Todd Merry   John Thomas   Vicki Coe