

Hillsboro Planning Commission Meeting Minutes
June 21, 2021 – Meeting - 5:30 p.m.
Old Firehouse 108 Governor Trimble Place
Public Hearing prior to regular meeting

HILLSBORO PLANNING COMMISSION

CALL TO ORDER

At 5:46 p.m. Rob Holt Chair called the Hillsboro Planning Commission meeting to order. Commencing after Public Hearing.

ROLL CALL

The following were present for the meeting: Rob Holt; Chair, Brianne Abbott; Safety Service Director, Tracy Aranyos, Paul Worley, Jason Brown, and Mayor Justin Harsha. Also in attendance were Clerk; Kimberly Newman, Council President; Tom Eichinger, Public Works Superintendent Shawn Adkins.

DETERMINATION OF QUORUM

A quorum was met.

APPROVE MINUTES

The minutes from Planning Commission Regular meeting and Public Hearing held on April 19, 2020 were both approved as read.

CORRESPONDENCE – None

UNFINISHED BUSINESS – None

NEW BUSINESS – Site Plan Review Scott Gallimore 327 Uhrig Street

- **ACTION REQUIRED** – Site Plan Review Scott Gallimore 327 Uhrig Street

DISCUSSION: Safety & Service Director Brianne Abbott explained that conversations and correspondence were exchanged by Ms. Abbott, and the City with Mr. Gallimore in regard to the Residential Site Plan Review Application Mr. Gallimore submitted. Initially Mr. Gallimore did not indicate that the build was for residential purpose, so Ms. Abbott did not approve. The application submitted indicated the build to be an accessory structure, and accessory structures are only allowable in a rear yard. Mr. Gallimore then indicated this build would be proposed as a single- family home. SSD Brianne Abbott asked Planning Commission to review the submitted application and correspondence. Planning Commission had lengthy review and discussion and it was determined that the application could be approved as a single -family home. Clerk Kimberly Newman will advise Mr. Gallimore of decision and the next steps necessary if he is to continue with proposed build.

- Rezoning N. West Street

DISCUSSION: Brianne Abbott advised Planning Commission that when N. West Street was rezoned to Residential B, the potential purchase of 235 N. West Street property with the initial buyer fell through. There is a new buyer for this property who desires to build an accessory structure on property and there is no backyard. Accessory structures are not allowable in side yards. Due to this constraint Ms. Abbott advised Planning Commission that a variance may be needed and applied for in the future.

- Charlie Guarino Resignation Letter

DISCUSSION: Chair Rob Holt addressed Charlie Guarino's resignation letter and thanked Mr. Guarino for his time and service on the board and acknowledged what an asset he was as a member of Planning Commission and Land Bank. Paul Worley reiterated gratitude and stated Mr. Guarino would be missed on Planning Commission. Mayor Harsha was asked if a replacement had been appointed and he replied that there was no replacement decision made at the moment. Chair Rob Holt advised if anyone had recommendations for a new member to give that name to Mayor Justin Harsha, as he has the authority and duty to appoint members on this commission.

- Steve Rivera Building Code Official

DISCUSSION: Jason Brown discussed with Planning Commission that he had a conversation with someone with an inquiry about Steve Rivera, Building Code Official. From that conversation Mr. Brown requested that Steve Rivera come to Planning Commission meeting to introduce himself to all members and to attend when needed for consultation to Planning Commission on certain topics involving builds and code.

- Variance 122 S. High Street Daily Grind Awning Sign, Dane Allard. Prior to Planning Commission Meeting an Appeal Hearing was held and tabulation vote was taken and appeal of sign height was approved.

DISCUSSION: At length discussion was had on the height requirements of the sign. Zoning Code states 15 feet, State requirement is 13.6. Daily Grind Awning Sign was erected at 11 feet 11 inches. There is no issue with delivery trucks driving through. Rob Holt and Brianne Abbott recommended Planning Commission look at projecting sign, awning sign and Marquee sign height requirements and State's requirements and see if change is necessary for Zoning Code.

MOTION: Mayor Justin Harsha moved to grant variance to leave awning height as is, erected at 11 feet and 11 inches, seconded by Rob Holt. Vote: Paul Worley-yes, Justin Harsha-yes, Jason Brown-yes, Tracy Aranyos-yes, Brianne Abbott-abstained, Rob Holt-yes. Vote carries, Variance V21-01 granted.

- Recommendation to Council on sign height change

DISCUSSION: Chair Rob Holt reviewed with Planning Commission the height requirements for projecting sign and awning, inquiring if both should be the same height

requirement of 13.7, this would allow the height to meet state standard and give an inch to spare. Marquee sign was not in need of height change.

MOTION: Mayor Justin Harsha moved to recommend to Council the need for height change for projecting and awning sign height requirement to meet 13 feet 7 inches in Zoning Code., seconded by Rob Holt. Vote: Paul Worley-yes, Justin Harsha-yes, Jason Brown-yes, Tracy Aranyos-yes, Brianne Abbott-abstained, Rob Holt-yes. 5 yes, 0-opposed, 1 abstained. Vote carries, recommendation to Council of Zoning Code sign height change approved.

OTHER BUSINESS- Marquee Sign

Paul Worley discussed the fact that even though it was not required to come before Planning Commission /Zoning, it would have been beneficial to have the marquee sign presented as action taken, so that Planning Commission would have been notified and informed of permits, installation, requirements of sign. Mr. Worley said he was saying this respectfully and as helpful advice, to eliminate conflict and questions. Requesting this to be done in the future on such projects. Mayor Harsha advised that the city did present to Design Review Board in the form of a COA Certificate of Appropriateness, although it did not require their approval for this project, but did so out of respect, note taken it will be communicated better in the future for Planning Commission.

Tracy Aranyos voiced that she felt the Certificate of Appropriateness definitely should have gone to Design Review Board and that the COA should not have been approved and the sign should not have been allowed in the Historic District, period. Ms. Aranyos stated that she felt there should have been public meetings for the public to have comments and opinions on what their tax payer money is used for, even though she knew this was CARES ACT FUND monies spent, she felt tax payer money would be used later for upkeep. Ms. Aranyos also stated it is in written in black and white and to follow the rules. Mayor Justin Harsha pointed out it is also in black and white, that in compliance with 155.182, the sign is permitted in the Historic District. Chair Rob Holt stated that all can learn from this and take away that transparency is the goal and it is useful if Planning Commission have as much information as possible.

Shawn Adkins, Public Works Superintendent asked if Planning Commission's legal advisor was the same as the City's. It was stated yes, Fred Beery was Law director for the city and governed advice for the city and all commissions. Mr. Adkins and Mayor Justin Harsha stated that Fred Beery approved the purchase and placement of the sign, it was his legal advice that this is allowable in the Historic District as 155.182 states applicability is that the Marquee sign, made possible with CARES ACT FUNDS is a governmental sign for traffic control and other regulatory purposes. The city followed the legal advice of their law director. Ms. Aranyos stated it was not the first time Fred Beery gave wrong advice. Mayor Justin Harsha then stated it was time to put the continued challenge and discussion to rest on this topic and move on. Chair Rob Holt said legal advice was taken, it was approved in a broad sense and it was indeed time to move on.

NO ACTION REQUIRED –

- Replat part of in-lot No. 50 O.R. 989, page 614, PB 01, page 02 owned by Cluxton Enterprises, Inc, parcel No 25-36-001-064.00. Renumbered to 50-A. Signed by Safety & Service Director Brianne Abbott on 4-15-2021.
- Warranty Deed that Anna Urban, an unmarried woman in consideration of one dollar and other valuable consideration does hereby grant, bargain, sell or convey to Anna Urban address is 105 Chariss Avenue, Hillsboro, Ohio. Being lot no. 24 A of the re-plat of lot no. 24 of Sharrell Heights subdivision and recorded in PB book 11, page 237 volume 237, page 40. Signed by Safety and Service Director Brianne Abbott on 4-19-2021.
- Quit Claim Deed Scott Hasselbach and Jill Hassellbach, husband and wife and Reid Howland, unmarried, of Highland County, Ohio grants to East 743, LLC an Ohio Limited Liability Company, mailing address is 249 Main Ave, Ste 107-102 North Bend Wa 98045, parcels 25-44-001-200.00 and 25-44-001-201.00, bin lot no 211-A of the replat of R.D. Lilley's Addition, property address 300 East Walnut St, OR 987, page 5763. Signed by Safety and Service Director Brianne Abbott on 4-21-2021.
- General Warranty Deed, Cheryl L. Harris, an unmarried woman, paid with general covenants to Stephanie Fackusseh, a married woman, whose tax mailing address is the following real property. Parcel nos. 25-38-001-00 & 25-38-001-030.00. Re-plat of part of in-lot number 3 of the Wenmar subdivision and recorded in PB 11, pg. 238. Property address is 125 Richard St. Hillsboro, Oh 45133. Signed by Safety & Service Director Brianne Abbott on 4-27-2021.
- Replat part of lot no 1206A of the re-plat of in -lot nos. 1202-1206 of Highland Terrace Subdivision and recorded in PB 11, page 45, parcel number 25-11-001-009.00. Signed by Safety 7 Service Director Brianne Abbott on 5-11-2021.
- Re-plat of part of in-lot no. 655, Hough Subdivision, P 01, page 49, parcel number 25-46-001-107.00. Signed by Safety & Service Director Brianne Abbott on 5-11-2021.
- Re-plat of the city of Hillsboro James H. Thompson's Addition, being a part of v.m.s. 2353, being part of lot no. 264 in PB 01, page 05 owned by Stephen Baker, parcel no. 25-42-001-107.00. Signed by Safety & Service Director Brianne Abbott on 5-11-2021.
- Re-plat of lots 271, 272 unrecorded alleyway and un-platted original allotment area- Jacob Muntz Fifth Addition, VMS 2513 parcel nos. 25-52-001-048.00 and 25-52-001-022.00. Signed by Safety 7 Service Director on 5-13-2021.
- General Warranty Deed Town and Country Greenhouse, Inc. Tax mailing address is 3650 SR247, Hillsboro, Ohio, parcel no. 25-56-001-013.00. Signed by Safety & Service Director Brianne Abbott on 5-13-2021.
- Warranty Deed -Kimberly Farra and Randall L. Farra, wife and husband, grant, bargain, sell or convey to Kyle Fetters address is 8341 US 62, Hillsboro, Ohio. OR vol. 981, page 3559, parcel number 25-25-001-112.00 property address 102 Fair Street Hillsboro, Ohio 45133. Signed by Safety & Service Director Brianne Abbott on 5-14-2021.

- Rep-plat of the city of Hillsboro Russell B. Muntz Addition to be renumbered lot 574A of original lot number 574, as recorded in PB 1, page 30 parcel 25-54-001-039.00. signed by Safety & Service Director Brianne Abbott on 5-17-2021.
- Warranty Deed, Bruce E. Lamb and Sheila Lamb, husband and wife, in consideration of one dollar to them in hand paid by Randall M. Lam and Pamela K. Lamb, husband and wife for their joint lives remainder to the survivor of them, whose address is 1168 Leek Road, New Vienna, Ohio 45159 to hereby grant, bargain, sell and convey to the said Randall M. Lamb and Pamela K. Lamb, OR 985, p. 4662 address West South St, parcel number 25-43-001-146.00. Signed by Mayor Justin Harsha on 5-5-2021.
- Survivorship Deed, Christina M. Lawson an unmarried woman, grants with general warranty covenants, to Eric Reid Howland and Patricia M. Howland, husband and wife, for their joint lives, remainder to the survivor of them, whose tax mailing address is 13725 457th Ave SE, North Bend, Washington 98045, O.R. 988, p 3492, parcel number 25-44-001-136.00, property address is 146-148 East South Street, Hillsboro, Ohio. Signed by Safety & Service Director Brianne Abbott on 5-18-2021.
- General Warranty Deed, Darius Bloom, grants with general warranty covenants to Darius H. Bloom, unmarried, tax mailing address is 7436 Fairview Dr. Blanchester, Ohio, property address is 623 S. High St. Hillsboro, Ohio, O.R. book 430, p. 651. PB 11, p. 251 unrecorded alleyway and un-platted original allotment area, lot 272A. Signed by Safety & Service Director Brianne Abbott on 5-19, 2021.
- Warranty Deed, Karl Llyod Totton and Angela M. Totton, his wife and Mary Jane Jones, unmarried of Hamilton County, Ohio, in consideration of one dollar, hereby grant, bargain, sell, convey to Edward G. Carson and Kellie S. Carson, for their joint lives, remainder to the survivor of them, whose address is 339 N. High St, Hillsboro. Parcel number 25-54-001-039.00, property address is 316 Bigelow Street, volume 986, p 5030. Signed by Safety & Service Director Brianne Abbott on 5-19-2021.
- General Warranty Deed, Stephen D. Baker and Abby C. Baker, his wife grants with general warranty covenants to James Burrier and Jessica Burrier, husband and wife for their joint lives tax mailing address is 210 Vine Street, Hillsboro Ohio 45133, parcel number 25-42-001-10700, more commonly known as 210 Vine Street, OR 958, p 968. Signed by Safety & Service Director Brianne Abbott on 5-26-2021.
- Replat of Hough Subdivision, parcel number 25-46-001-070.00, part lot of 679 renumbered 679-A, PB 01, p 49 owned by Justin S. & Ruth E. Henderson, joint revocable trust recorded in OR 984, p 5255. Signed by Safety & Service Director Brianne Abbott on June 5, 2021.
- Corrective General Warranty Deed. Greg M. Breuer and Elaine R. Breurer, husband and wife, grant with general warranty covenants to Ashley E. Penn, her heir and assigns forever, whose tax mailing address is 22 Highland Drive, Hillsboro, Ohio Parcel numbers 25-38-001-066.00 and 25-38-001-067.00, owned

by Ashley Penn as recorded in OR 800, p 648. Signed by Safety & Service Director Brianne Abbott on June 03, 2021.

ADJOURN

MOTION At 6:21 pm Chair Rob Holt moved, seconded by Mayor Justin Harsha to adjourn.

The next meeting of the Planning Commission is scheduled for 5:30 pm on Monday, July 19, 2021 at 108 Governor Trimble Place, Old Firehouse.



Rob Holt, Chair



Kimberly Newman, Clerk