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THE VILLAGE OF HEBRON  
BOARD OF PLANNING AND ZONING

PUBLIC HEARING

- - -

Monday Evening Session  
June 27, 2022, 6:30 p.m.

Municipal Complex  
934 Main Street  
Hebron, Ohio 43025

- - -

Board of Planning and Zoning:

Rick Stoner, Vice-Chairman  
Scott Jacobs, Secretary  
Jim Layton, Mayor, attending via Zoom  
Annelle Porter, Council Member

Community Development Coordinator:  
Linda Nicodemus, attending via Zoom

- - -

REBECCA A. GAUSE  
COURT REPORTER  
(740) 403-3959

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Monday Evening Session

June 27, 2022

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4 MR. STONER: Okay. It's 6:30. We're  
5 going to start the meeting. Would all of you join  
6 us in standing for the pledge of allegiance.

7 (PLEDGE OF ALLEGIANCE.)

8 MR. STONER: All right. We'll call the  
9 roll.

10 Mr. Jacobs?

11 MR. JACOBS: Yes.

12 MR. STONER: Mr. Layton?

13 MR. LAYTON: Yes.

14 MR. STONER: Ms. Porter?

15 MS. PORTER: Yes.

16 MR. STONER: Mr. Stoner is yes. The  
17 Board acknowledges that the minutes are recorded  
18 and transcribed for this meeting.

19 Before we get started, I'm going to ask  
20 for an amendment to the agenda, and the amendment  
21 is to allow for any visitor comments before this  
22 Board takes action. So between number 3 and number  
23 4 we're going to have an amendment to allow any  
24 final visitor comments. We are not going back into  
25 a public hearing, just to make it perfectly clear.

1 It's just visitor comments. That's it.

2 So is there anyone that would like to  
3 make any visitor comments before we get started?

4 MR. MOSER: You have to do it as a  
5 motion. You have the motion -- yep.

6 MR. STONER: So I made the motion. Do  
7 I have a second?

8 MR. JACOBS: I'll second.

9 MR. STONER: Okay. Let's call the  
10 roll.

11 Mr. Jacobs?

12 MR. JACOBS: Yes.

13 MR. STONER: Mr. Layton?

14 MR. LAYTON: Yes.

15 MR. STONER: Ms. Porter?

16 MS. PORTER: Yes.

17 MR. STONER: Mr. Stoner is yes.

18 (MOTION APPROVED.)

19 MR. STONER: All right. Just so all of  
20 you know, David Moser is here in the front row.  
21 He's our attorney for zoning for the Village. All  
22 right. Is there anyone in the audience that would  
23 like to make any comments before we proceed?

24 MS. KLINE: Should I wait between 3 and  
25 4 or am I good to say now?

1 MR. STONER: Nope. You can come up  
2 now.

3 MS. KLINE: This is a joint statement  
4 from the four households that are applying for the  
5 variance.

6 MS. PORTER: And your name?

7 MS. KLINE: Yes, thank you. Sandra  
8 Kline. I'm at 424 East Cumberland Street in  
9 Hebron. All of us would like to thank the Board  
10 for taking the time to listen to our concerns and  
11 investigate the evidence related to the variance  
12 request.

13 We are asking the Zoning Board to take  
14 the request in current time and not five years down  
15 the road with a possibility of someone else  
16 applying for a variance. We are pleading with this  
17 Board to grand this variance not only because of  
18 the lack of the need but the financial impact that  
19 it will impose on our families. With the rising  
20 costs of materials, such as concrete, fuel and  
21 gravel, due to inflation and lack of supplies, our  
22 families will be severely impacted.

23 Our recent quote from Gosnell who is in  
24 Hebron and has done multiple projects on our homes  
25 was astronomical due to the inflation and the cost

1 of supplies and fuel for his company. The cost of  
2 the sidewalk project for 528 feet of road frontage  
3 would cost \$38,191.92. With the current economy,  
4 increase cost of daily living, such as gasoline,  
5 child care, groceries, and utilities and worries of  
6 an upcoming economic recession, financial strain is  
7 already a constant worry without adding the cost of  
8 \$38,000.

9 Linda did state she also received a  
10 project quote from Tim Bird (phonetic). I would  
11 like to note that while I have heard amazing  
12 reviews from Tim Bird, we have personally tried to  
13 contact him multiple times over the years for  
14 projects at our old house and current home and we  
15 have never received a single phone call back.

16 When this was brought up to Linda, she  
17 stated that she knew that because he is just so  
18 busy. I do not think that this was -- I do not  
19 think that since that was acknowledged and the  
20 quote should not be considered into evidence  
21 because of the history and no call backs and his  
22 busy schedule being acknowledged.

23 The other concern that we would like to  
24 respectfully remind the Board is of the flooding  
25 and standing water in our yards. We have all spent

1 thousands of dollars for drainage, filter and  
2 grading to be done in our yards to help prevent the  
3 water issues, which unfortunately still appear  
4 after a rain fall.

5           Installing sidewalks would require the  
6 Village to move the catch basins of the storm  
7 drains at the Village expense. The catch basins  
8 would need to be moved, the sidewalk needing to be  
9 6 feet from the curb. And the right-of-way is 70  
10 feet on this road but the right-of-way is for  
11 utilities and government use, not pedestrians.

12           We would also like to respectfully  
13 remind the Board that East Cumberland Street is a  
14 dead-end street and our sidewalks will not connect  
15 to any other sidewalks in the Village. There are  
16 no other safe functional sidewalks on East  
17 Cumberland Street. And Park Street, Broad Street,  
18 Mound Street, and South Fifth Street have no  
19 sidewalks.

20           We greatly appreciate all of you taking  
21 the time to hear our concerns and visit our  
22 property. Thank you.

23           MR. STONER: Thank you.

24           Any other comments from the audience?  
25 Going once. All right. So items requiring action

1 tonight. Marietta subdivision residences 408  
2 through 424 East Cumberland Street, zoned R2  
3 residential. An application was received for a  
4 variance from constructing sidewalks required by  
5 1179.13, sidewalks of the Hebron Planning and  
6 Zoning Code.

7 A variance was received from Hebron  
8 subdivision regulations 1179.13 Section (e),  
9 development along existing street. Any development  
10 of property which is located in a residential  
11 neighborhood, commercial, or general commercial  
12 district will include the installation of a  
13 sidewalk on the side of the street being developed.  
14 The sidewalk will extend across the full length of  
15 the development's street frontage.

16 So as part of our variance procedure,  
17 there is a review procedure that we go through. So  
18 actions of the Board are taken within 30 days after  
19 the public hearing, which we had earlier this  
20 month. Planning and Zoning Board shall either  
21 approve, approve with conditions, or disprove the  
22 request for variance.

23 Planning and Zoning Board shall approve  
24 a variance or approve a variance with supplementary  
25 conditions only if the Board determines the

1 applicant would have practical difficulty in  
2 meeting the Code requirements if a variance was not  
3 granted.

4 Factors that should be considered when  
5 determining whether practical difficulties exist  
6 include but are not limited to: Whether the  
7 property in question will yield a reasonable return  
8 or whether there can be any beneficial use of the  
9 property without the variance; whether the variance  
10 is substantial; whether the essential character of  
11 the neighborhood would be substantially altered or  
12 whether adjoining properties would suffer  
13 substantial detriment as a result of the variance;  
14 whether the variance would adversely affect the  
15 delivery of governmental services, water, sewer,  
16 garbage, et cetera; whether the property owner  
17 purchased the property with the knowledge of the  
18 zoning restrictions; whether the property owner's  
19 predicament feasibly can be obviated through some  
20 method other than a variance; and whether the  
21 spirit and intent behind the zoning requirement  
22 would be observed and substantial justice done by  
23 granting a variance.

24 Any comments from members of the Board?  
25 Scott?



1 MR. JACOBS: No.

2 MR. STONER: Annelle?

3 MS. PORTER: Not at this time.

4 MR. STONER: Jim, do you have any  
5 comments? Mayor Layton, do you have any comments  
6 that you would like to make at this time?

7 MR. LAYTON: Did you just ask for my  
8 comments?

9 MR. STONER: Yes, sir. Did you have  
10 any comments?

11 MR. LAYTON: I'm having a difficult  
12 time hearing you, Mr. Stoner.

13 MR. STONER: All right. If you don't  
14 have any comments, then we'll move onto Linda,  
15 because Linda has some things that she wants to  
16 present before we make a motion.

17 Linda, would you like to go ahead?

18 MS. NICODEMUS: So in the process of --  
19 after our public hearing, it's my job to determine  
20 facts and findings for variances. So some of the  
21 questions that were brought by the homeowners, one  
22 was about police reports, people trespassing,  
23 crime. So I did -- and you have them attached --  
24 ask the police to give me any reports from the  
25 properties that were in question.

1           I have three reports. One that I have  
2 was mainly the people that live in Lake Forest were  
3 shining laser Christmas lights into a window and  
4 that was resolved. One was 412 East Cumberland had  
5 accidentally called 9-1-1 while working outside  
6 and, the other one was during construction, someone  
7 was getting into the dumpster. Those are the only  
8 three police reports that I was given.

9           I did go out and research where the  
10 property -- where the sidewalk should go because of  
11 the concern about the drainage stormwater and the  
12 fire hydrant, so I asked all of the public works,  
13 the water and the waste water superintendents to  
14 identify whether or not -- and where the sidewalks  
15 should be.

16           They all conclude that the sidewalk  
17 should be between the mailboxes and the fire  
18 hydrant -- would be to the south and would not  
19 inhibit the fire hydrant.

20           The one thing that CJ, which I'm going  
21 to click over so I can read this -- which is our  
22 public works superintendent -- had given me a  
23 quote. We walked it. He felt that that was the  
24 best place for the sidewalk also. He gave me an  
25 estimate on -- and, I believe, I included that in

1 all of your packets. It says the sidewalk on the  
2 south side of East Cumberland Street will need to  
3 be poured in between the mailboxes and the fire  
4 hydrant on the south side of the roadway. The 4  
5 inch sidewalk will run parallel to the road at a  
6 measurement of approximately 6 foot 6 inches to 8  
7 foot 6 inches with placement of the proposed  
8 sidewalks we will need to move several stormwater  
9 catch basins and yard inlets.

10 Due to the public works work load of  
11 daily tasks, previously scheduled projects, we will  
12 not be able to start the project until September  
13 2022.

14 Individual estimate breakdowns for  
15 moving the stormwater basins and inlets are as  
16 follows: The pipe and fittings, \$2,500; bed  
17 materials, stone and aggregate, \$150; manpower,  
18 \$1,500. The total estimated stormwater relocation  
19 would be \$4,150.

20 He also felt that in moving the catch  
21 basins where he would like them if the sidewalk  
22 came in, that that would continue to help drain the  
23 properties as they have been drained.

24 I did not receive a quote from Tim  
25 Bird, so I do not have a quote to add to this. I

1 also didn't receive a quote from the Samsal's, who  
2 I thought were going to give me a quote.

3 MR. STONER: Anything else, Linda?

4 MS. NICODEMUS: No. That's all I have  
5 at this time.

6 MR. STONER: Okay. Linda, thank you.

7 MS. NICODEMUS: You're welcome.

8 MR. STONER: Before we make a motion, I  
9 want to just say that all of these Board members in  
10 front of you along with the Mayor all came out to  
11 your properties. We all took into account -- we  
12 didn't make a decision, one way or the other. We  
13 came out and looked at things. Kind of listened to  
14 what Linda had to say with what they are going to  
15 do as far as moving the drains if that's even a  
16 possibility and if that's a concern. We didn't  
17 make this decision lightly. We took our time  
18 before we entered into any kind of thought on this.  
19 So I just wanted to put that on the record.

20 MR. LAYTON: Rick, I apologize, can you  
21 get closer to your microphone or something? I'm  
22 having a very difficult time hearing you.

23 MR. STONER: Sorry, Jim. I was just  
24 explaining that we all went out, you included, and  
25 looked at their properties and took our time in

1 coming up with a decision on this.

2 MR. LAYTON: Okay.

3 MR. STONER: So if there is nothing  
4 further, I will ask for a motion to either approve,  
5 approve with conditions, or deny the variance asked  
6 for. Do I have a motion?

7 MS. PORTER: Yes. I do have a motion  
8 in a few seconds. I move that the Planning and  
9 Zoning Board deny the request for a variance.

10 MR. STONER: Do I have a second?

11 MR. JACOBS: I'll second.

12 MR. LAYTON: Can I put a comment in  
13 here?

14 MR. STONER: Sure.

15 MR. LAYTON: In the interest of  
16 materials, contractors, and where we are at the end  
17 of the year, how much time do we allow them to make  
18 this happen?

19 MR. STONER: I would defer to Linda.  
20 Do we have a time table on how fast they are  
21 supposed to do this? Because, obviously, we can't  
22 do it -- they can't move the storm drains until  
23 September, then there's no rush.

24 MS. NICODEMUS: Well, they couldn't  
25 possibly put them in until the stormwater and catch

1 basins get moved. So normally our zoning says that  
2 they need to be substantially completed by 18  
3 months after their permits and construction  
4 started.

5 MR. LAYTON: So they have 18 months to  
6 finish it, correct?

7 MS. NICODEMUS: No. Some of them are  
8 already past their 18 months if they've already  
9 moved in and the house is done. I would have to  
10 look each one of those individual applicants up.  
11 But what I'm saying is with CJ having to move those  
12 and not being able to get it into his schedule  
13 until September, I would hope the Board would allow  
14 them to be able to do that even if their 18 months  
15 have expired because we need to do that prior to  
16 the sidewalks going in.

17 MR. LAYTON: How about this? Could we  
18 reject -- if we reject this tonight, can we go in  
19 and give them from this date -- like we do on some  
20 of those asphalt programs, just because the  
21 materials issues, because CJ has to work it. Can  
22 we give them from this date a year to get it done?

23 MS. NICODEMUS: David Moser is there.  
24 You can ask David.

25 MR. MOSER: Mayor, can you hear me?

1 MR. LAYTON: Yeah.

2 MR. MOSER: Yeah, that would be a  
3 separate action of the Board. Remember, we still  
4 have this motion that was just seconded and  
5 pending. Now we are discussing but, yes, in answer  
6 to your question, if there was an extension of the  
7 time lines, that could be accomplished, just  
8 separately, not with this action.

9 MR. STONER: Yeah, separate, it would  
10 be a separate action.

11 MR. MOSER: Correct.

12 MR. STONER: But just to be clear,  
13 we're talking one year from the time that the  
14 drains are moved or one year from today?

15 MR. LAYTON: One year from today.

16 MS. NICODEMUS: But that would be a  
17 separate motion. We have to finish voting on this  
18 motion.

19 MR. STONER: We'll finish this one and  
20 then we'll move on to the next one. All right. So  
21 I have a motion to deny made by Ms. Porter, and a  
22 second by Mr. Jacobs. I'm going to call the roll.

23 Ms. Porter?

24 MS. PORTER: Yes.

25 MR. STONER: Mr. Jacobs?

1 MR. JACOBS: Yes.

2 MR. STONER: Mr. Layton?

3 MR. LAYTON: Yes.

4 MR. STONER: Mr. Stoner is a yes.

5 (MOTION TO DENY APPROVED.)

6 MR. STONER: So the motion is denied  
7 for the variance.

8 MR. LAYTON: I'll make a motion that we  
9 afford the residents of that area one year from  
10 today's date to complete the project.

11 MR. JACOBS: I'll second.

12 MR. STONER: All right. I'm going to  
13 call the roll.

14 Ms. Porter?

15 MS. PORTER: Yes.

16 MR. STONER: Mr. Jacobs?

17 MR. JACOBS: Yes.

18 MR. STONER: Mr. Layton?

19 MR. LAYTON: Yes.

20 MR. STONER: Mr. Stoner is a yes.

21 (MOTION APPROVED.)

22 MR. STONER: All right. The next item  
23 on the agenda is the community development report.  
24 Does anyone have any questions for Linda on the  
25 community development report?



1 MS. PORTER: It seems there is a lot of  
2 mowing that needs to be done that hasn't been done,  
3 but I think that happens every season. Some people  
4 don't think it's important to keep their property  
5 mowed. And that's just how it is. It's  
6 unfortunate.

7 MS. NICODEMUS: As you can see, there  
8 is a lot of final notices that Bonnie sent out this  
9 month for high grass and we do have a new mower.  
10 One of our mowers has been in the hospital. So we  
11 have another mower that will be starting. So we  
12 are hoping that the ones that are final that we can  
13 mow will be mowed and the ones that we have already  
14 gotten on the schedule -- they're under  
15 maintenance, so if it's under current code  
16 enforcement list, where you see all of the final  
17 notices for high grass, those are already on  
18 somebody's -- one of the mower's schedules to  
19 continue to watch and mow every time it gets too  
20 high and we bill it to the customer with a 20  
21 percent penalty. Of course most of the time these  
22 will be a resolution at the end of the year to put  
23 them on their taxes.

24 The new, you'll see there is a lot of  
25 high grass, new high grass notices that went out,

1 so it's very busy in code enforcement. And we're  
2 working diligently on it.

3 MS. MILLER: Linda, may I interject?

4 MS. NICODEMUS: Sure, Bonnie.

5 MS. MILLER: I just wanted to add just  
6 to notify the Board that I have probably completed  
7 -- Linda and I have completed probably maybe a  
8 fourth of our Village so I have a lot more to  
9 cover. And our new contractor has said that he  
10 will do these new cases that are at final and that  
11 they've already received every notice that they  
12 should. So that's already on the books. He's  
13 going -- he's already agreed to do it. But there  
14 are a lot more to inspect. I just wanted to let  
15 you know that.

16 MS. NICODEMUS: Yes, if you look at the  
17 report, I can do a summary of activities. And just  
18 for June for code enforcement activities, 55 new  
19 activities, 14 first notices, 1 second notice, 3  
20 reinspections, 7 more correspondences, 11 final  
21 notices, 4 phone calls, 14 reinspections, and 1 new  
22 inspection. It's quite a busy task and we haven't  
23 even covered the whole Village yet. We have a lot  
24 of cases on our hands.

25 MS. PORTER: I have a couple of

1 questions, Linda. I see on the reverse side of the  
2 report that you provided for us tonight, I see that  
3 there are some extensions that are very close to  
4 expiring, such as -- I see four, actually, are  
5 going to expire on the 7th of August. Then there  
6 is at least one that is going to expire on the 7th  
7 of September. What happens if there is not  
8 compliance by then?

9 MS. NICODEMUS: Well, Bonnie and I have  
10 been contacting them. Bonnie will send them a  
11 letter 30 days prior and we have been making phone  
12 calls to see if they're going to meet the criteria  
13 that the Board has set. If not, they go right into  
14 the prosecutor's office to be added to the 13 other  
15 cases that we're hoping Licking County judges will  
16 take onto their docket.

17 MS. PORTER: Okay. So I'm glad to hear  
18 that there is a 30 day notice such as the ones I  
19 was mentioning the expiration on the 7th of August.  
20 So on the 7th of July, which is 10 days from here,  
21 a letter will go out to them reminding them of that  
22 extension expiration; is that correct?

23 MS. NICODEMUS: Yeah. The one that --  
24 what's the address that you were talking about from  
25 July? That's the 300 South High Street?

1 MS. PORTER: There is 302 South High  
2 Street extension granted until October 7. But the  
3 other ones are one on Kelley, one on Broadway, one  
4 on Canal Road, let's see, and two on East Main.  
5 Well, actually, that means three on East Main.

6 MS. NICODEMUS: Well, the 302 South  
7 High Street was Steve Wilson and he passed away in  
8 June. So that property is going up to probate. I  
9 know that his wife who came before us and asked for  
10 an extension is working to get the property cleaned  
11 up but also it is not in her name. The property is  
12 in Steve's name only.

13 MS. PORTER: That's the one that  
14 expires on October 7. My other question is, what  
15 happens if they don't meet that criteria? They  
16 have the letter and the time has expired, do we  
17 extend? What do we do when it goes to the  
18 prosecutor?

19 MS. NICODEMUS: Yes. It goes to the  
20 prosecutor. We have no more extensions.

21 MS. PORTER: Okay. Just wanted to be  
22 clear about that.

23 MS. MILLER: Linda, may I add that 104  
24 South Sixth Street, their extension expired on 6/6  
25 but Angela the homeowner, she did call me. The

1 contractor was behind on the power washing of homes  
2 that he does. He finally did get it done. She  
3 called me. So that one can be closed.

4 MS. PORTER: What was the address,  
5 Bonnie?

6 MR. STONER: 104 South Sixth Street.

7 MS. PORTER: Okay. I see it.

8 MS. NICODEMUS: And as Bonnie just  
9 mentioned, we're keeping on top of those ones to  
10 make sure they understand that that's all they get.

11 MR. STONER: Any other questions for  
12 Linda regarding the community development report?  
13 Sure, you know the drill. Come up and state your  
14 name and your address.

15 MR. CARRUTHERS: Yeah, this is Wayne  
16 Carruthers, 2229 Forest Ridge, Hebron, Ohio, and my  
17 question is on the stormwater construction  
18 inspection for Lake Forest. The back of my  
19 property has never been graded. They got all the  
20 grass put in and water still lays in my yard heavy  
21 and they were supposed to correct it and they  
22 didn't.

23 The other issue I have is as I see the  
24 project coming to completion. My question is who  
25 gives -- how does it get turned over to the

1 homeowners all this other land that they are  
2 planning on turning over, the new detention pond,  
3 the forest and all of the other lands? How does  
4 that get turned over? And if it is just turned  
5 over to us, well then, who has the right to say we  
6 don't want it the way it is?

7 Because as of right now, the new  
8 detention pond up against the water plant, has no  
9 access. At least it doesn't have an access for a  
10 mower to get in there to even mow the property. So  
11 I'm just wondering how is that all handled and who  
12 takes care of seeing it done since we don't have a  
13 voice as a homeowner's association. They run it by  
14 the company.

15 MR. STONER: Linda, do you want to  
16 weigh in on this at all?

17 MS. NICODEMUS: Sure. So what will  
18 happen when it's completely built out is that the  
19 homeowners will have the authority to take over  
20 their homeowner's association. But of course, they  
21 will have to do that on their own together because  
22 it will be completed out.

23 Remember Wayne, we talked about this  
24 with Wes prior to when you were on Council and he  
25 said when it's over 80 percent, the homeowners

1 could take control of their homeowner's association  
2 and before -- let me finish. The detention pond,  
3 there is two lots that you might not know that  
4 aren't being built on. It's an access for them to  
5 go back to there into the wooded area and to the  
6 other detention basin to maintain it.

7 Those requirements are in their  
8 stormwater maintenance agreement that has to go  
9 with the property for it's lifetime. It has to be  
10 recorded with the property that all of the  
11 stormwater areas will be maintained. That's part  
12 of our MS4 stormwater arrangements and permit.

13 So the process is that the Village goes  
14 through a final walk through with the engineers,  
15 all of the department heads and make sure all of  
16 the roads, sidewalks, drainage, that everything  
17 meets the criteria. We require reports. We  
18 require them to televise their stormwater and sewer  
19 drains and water so we know that everything of the  
20 public infrastructure part is put in per our  
21 standards. Then they can -- we have bonds that  
22 we're holding. If there is anything they haven't  
23 done -- and then it's something we can utilize the  
24 bond money to complete.

25 MR. STONER: I think, and I don't want

1 to put words in Mr. Carruthers mouth, but I think  
2 one of the questions he asked too, Linda, is what  
3 if the homeowner's don't want to take over the  
4 homeowner's association?

5 MR. CARRUTHERS: The way it's set right  
6 now, we have no say on how -- because right now,  
7 that pond needs some cleaning and they didn't clean  
8 it. There is concrete, you can see it laying  
9 there. There is junk still in the pond and they  
10 are going to require us to take it, but yet how do  
11 we -- we don't have a say on hey, we want that  
12 cleaned up. The woods have got trees laying on the  
13 fence out there by the State. We'd like to see  
14 those trees picked up and cleaned up so that we're  
15 not held responsible to put a new fence up by the  
16 State since the trees all fell over out of the  
17 woods. That's supposedly going to be turned over  
18 to us.

19 And the thing that you said that Wes  
20 said, it is not true. If you go look at the Ohio  
21 Revised Code, they can hold that homeowner's  
22 association until they sell the very last lot. And  
23 I've talked with a few people from other  
24 homeowner's associations who have a problem because  
25 the developer will not sell that last lot so he can



1 run the homeowner's association. So I'm just  
2 bringing this up. It's a question for now because  
3 all of this, I keep watching them building these  
4 homes that -- putting them together real quick and  
5 I just hope that they are built well. But I just  
6 had these questions, and thought I'd ask it since  
7 it's here on the stormwater report.

8 MR. STONER: Sure. I mean, I'm sure  
9 Linda would be willing to research it more for you  
10 and try to find out more information for you. I  
11 mean, the Village is kind of in a precarious  
12 position to --

13 MR. CARRUTHERS: I also saw in the  
14 minutes from the Council, they're looking at three  
15 other developers moving into town. So I'm  
16 thinking, you know, with all of the problems we're  
17 having with the homeowner's association, you might  
18 want to consider some of the issues you might have  
19 through other developers wanting to come into town  
20 and build.

21 MR. STONER: Like Linda said though,  
22 I'm relatively sure that we're not going to sign  
23 off on them walking away without making sure  
24 everything is the way it is supposed to be.

25 MR. CARRUTHERS: I hope.

1 MR. STONER: Mr. McFarland?

2 MR. MCFARLAND: Thank you. Mike  
3 McFarland, 133 Hamilton Avenue. Hi, Linda. Hi  
4 Bonnie.

5 MS. NICODEMUS: Hi.

6 MR. MCFARLAND: How are you?

7 MS. MILLER: Hello.

8 MR. MCFARLAND: Hello. Hey, I just had  
9 a quick question. I'm kind of a budget hawk and I  
10 was wondering how much if you can tell us -- how  
11 much we have spent so far this year on the  
12 contractors mowing of violated properties and how  
13 much you expect to spend through the rest of the  
14 year?

15 MS. NICODEMUS: I don't have that  
16 number for you right now. I can look that number  
17 up and get that to you within a week if you don't  
18 mind waiting.

19 MR. MCFARLAND: I don't mind. It just  
20 seems like something we ought to know. Thank you.

21 MR. STONER: All right. Any other  
22 questions for Linda?

23 MS. PORTER: Yes, I do. This is  
24 Annelle, Linda. Something that's been concerning  
25 me for sometime, actually a number of years, and

1 that is how zoning applies to commercial areas.  
2 There are a couple of commercial areas that really  
3 need some attention, and I'd like to know how to go  
4 about getting that attention and hopefully cleaning  
5 up the area. One area that I'm particularly  
6 concerned about -- and I would just like to know  
7 how one starts that. I don't mean an individual,  
8 but the Village, primarily Planning and Zoning.

9 MS. NICODEMUS: So they're governed --  
10 if you're talking about exterior property  
11 maintenance, it doesn't matter whether their  
12 residential, commercial or industrial. They have  
13 to meet our criteria. It's for the whole Village.  
14 So we may not list general commercial out of it on  
15 our list of code enforcement because we don't  
16 discriminate. Every property in Hebron is subject  
17 to our codes. So we write every property up and  
18 ask that it's cleaned up.

19 Now, some parts of a property like, you  
20 just said is -- is it an auto repair shop? Are  
21 they going to have some vehicles out waiting?  
22 That's going to happen. But how long, how bad, and  
23 what, that's -- if I'm getting your gist of what  
24 you're asking.

25 MS. PORTER: Okay. But I'd like to see

1 -- it appears to me that the monthly report  
2 addresses residential and I'm -- at this point I'm  
3 inquiring about commercial.

4 MR. STONER: Keep in mind, Ms. Porter,  
5 that they've only done a quarter of the Village so  
6 far.

7 MS. PORTER: Well, that's true. It may  
8 not be the corridor they are living in. I use that  
9 term living by occupying. That could very well be  
10 but it's been, I think, neglected for x number of  
11 years.

12 MS. MILLER: Mrs. Porter, if I may,  
13 there are two properties, one on West Main and one  
14 on North High, they are commercial or industrial  
15 that are being heavily looked at. I have wrote a  
16 lot of notes for them, and they are going to be  
17 wrote up. I just haven't discussed it with Linda  
18 yet. Commercial and industrial are being looked  
19 at.

20 MS. PORTER: Okay. So there has been  
21 some movement off that -- off ground zero, we're  
22 doing something about it. At least addressing the  
23 issue, I'm glad to see that because I don't think  
24 that's been done or at least there hasn't been any  
25 progress that I saw.

1 MS. NICODEMUS: Well, there's one  
2 property downtown that we actually did an  
3 inspection with a pretreatment program. I have  
4 spoken to those owners for the last two years about  
5 things that may have been there for years but they  
6 need to go away, and they have not done anything  
7 about it.

8 So I wrote them up and gave it to Brian  
9 Coughlin with B3 to add to the list of things that  
10 they were writing them up for pretreatment that  
11 they hadn't done that they had been told to for  
12 several years now. So Brian was on vacation last  
13 week. I'll get with them tomorrow and ask if he  
14 has sent that business on North High Street that  
15 notice. We were just going to do that all in one.

16 MS. PORTER: Okay. Well, I'm glad to  
17 see that there has been some movement, you know,  
18 moving a little bit. I think it's important, every  
19 bit as important to keep our commercial slash  
20 industrial properties in keeping with the standards  
21 of the codes that Hebron has established.

22 MS. NICODEMUS: Absolutely.

23 MS. PORTER: Okay. I appreciate that.  
24 Thank you.

25 MS. NICODEMUS: You're very welcome.

1 MR. LAYTON: Linda, I have one more  
2 question. All of those houses up there in the  
3 Marietta addition up there, are they all past --  
4 are they all past the 18 month period that they  
5 would have had to have done that just on normal  
6 circumstances?

7 MS. NICODEMUS: I can -- I will check.  
8 I do not believe the Freemans have past their 18  
9 months. They're the newest. But I believe the  
10 Browns are past theirs and they were the ones I  
11 went to because they hadn't paved or hard surfaced  
12 their driveway or put the sidewalk in and I know  
13 they're past their 18 months. Samsal and Kline are  
14 close and when they were being built. So I will  
15 check those and get back to you.

16 MR. LAYTON: Either way, if we give  
17 them an additional year, it's more time than they  
18 would have had, right?

19 MS. NICODEMUS: Correct.

20 MR. LAYTON: I just wanted to make sure  
21 if the one year cuts off their 18 months we can't  
22 do that. But otherwise, I think if we add an  
23 additional year on and that's what we're talking  
24 about -- what we did -- I think we're in good shape  
25 then. Okay.

1 MS. NICODEMUS: Okay.

2 MR. LAYTON: I just wanted to make  
3 sure.

4 MR. STONER: And, Linda, the property  
5 that you brought up that doesn't have the hard  
6 surface driveway yet, you've addressed that with  
7 them and they're going to do that within a specific  
8 period of time?

9 MS. NICODEMUS: That's what started  
10 this whole variance, yes. They were supposed to do  
11 it when they put the hard surface driveway in.

12 MR. STONER: So what kind of details do  
13 they have to do now to make that happen? I mean,  
14 what kind of time frame do they have to do for  
15 their driveway now?

16 MS. NICODEMUS: Well, their driveway,  
17 they have to get that poured. There's nothing I  
18 can do about their driveway. You only granted an  
19 extension for their sidewalk. They have to get  
20 that driveway poured.

21 MR. STONER: I understand that, Linda.  
22 What I'm asking is, is there a time frame about how  
23 soon they have to get their driveway poured because  
24 they are already out of compliance, right?

25 MS. NICODEMUS: Correct, so they'll get

1 a notice, that gives them 30 days to get their  
2 driveway done and they'll start the notice process  
3 and as you know, that's three notices before it's  
4 final and then it goes into a misdemeanor and then  
5 goes into Licking County court system.

6 MR. STONER: I just wanted a  
7 clarification on that. Thank you.

8 MS. NICODEMUS: You're welcome.

9 MR. LAYTON: You know, Rick, there  
10 still could be an issue with concrete availability  
11 and contractor availability on that, too. So if  
12 they run into that, they'll just have to come back  
13 and talk to us.

14 MR. STONER: Okay. All right. Next on  
15 the agenda, our next regular meeting is August 1,  
16 2022, at 6:30 p.m. Do I have a motion to adjourn?

17 MS. PORTER: Yes.

18 MR. STONER: Made by Ms. Porter.

19 MR. JACOBS: Second.

20 MR. STONER: Second by Scott. I'll  
21 call the roll.

22 Mr. Jacobs?

23 MR. JACOBS: Yes.

24 MR. STONER: Mr. Layton?

25 MR. LAYTON: Yes.



1 MR. STONER: Ms. Porter?

2 MS. PORTER: Yes.

3 MR. STONER: Mr. Stoner, yes.

4 (MOTION APPROVED.)

5 MR. STONER: The time is 7:12.

6 - - -

7 (Thereupon, the proceedings concluded at 7:12 p.m.)

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CERTIFICATE

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I, Rebecca A. Gause, certify that the foregoing is a true and correct transcript of the Hebron Village Board of Planning and Zoning Public Hearing and Regular Hearing taken by me on Monday, June 27, 2022, and later transcribed on a computer from my stenographic notes.

\_\_\_\_\_  
Date this Transcript certified

\_\_\_\_\_  
Rebecca A. Gause,  
Notary Public in and  
for the State of Ohio.

My Commission expires May 21, 2024.

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