

Minutes of VERMILION MUNICIPAL PLANNING COMMISSION
of June 1, 2022 @ 7:00 pm

PRESENT: Heather Shirley, Heidi Strickler, Joe Williams, Jim Chapple, Jeff Hammerschmidt

In ATTENDANCE: Brian Holmes, Council Representative; Mayor Forthofer, Guest

Call to Order:

Jim Chapple, Chairman called the Wednesday, June 1, 2022, meeting to order.

Approval of Minutes:

H. Shirley MOVED: J. Williams seconded to approve the minutes of the May 4, 2022, meeting. Roll Call Vote 5 YEAS. **MOTION CARRIED.**

Old Business:

Tabled Items from May 4, 2022:

Mike Moes – Property Location: 5359 Liberty Ave; 699 Toledo St. PP#18-00570.000 (Lot Split/Consolidation) – Encroachment on Toledo Street – Right of Way

Mike Moes – Property Location: 699 Toledo St. PP#18-00570.000 (Change of use from Commercial to Residential)

Mike Moes of 5653 Ohio Street noted he was present to address the properties he owns. J. Chapple explained that Planning Commission tabled this item last month until they could work out some of the details. M. Moes said he worked out the details and was able to redo the drawings. They placed the buildings on the survey and created the easement descriptions and the description of where the encroachment is on the Toledo Street right of way. He said he is before Planning for a lot split/consolidation. The legal descriptions were adjusted so there are no landlocked parcels. Over time he will be dealing with the lot split with SNG Properties to the east of Buyer's Fair, but this makes it one stand-alone lot split that meets all the requirements.

J. Chapple asked if they were only dealing with the lot split tonight. G. Fisher explained that Planning will need to make a recommendation to City Council for the encroachment of the 699 Toledo Street right of way. Mike Moes noted it is about 6-8" on the Toledo Street right of way to the west.

G. Fisher noted last month they tabled the change of use from Commercial to Residential and asked if this was proceeding. M. Moes said the only question he had for the change of

use is whether this is something that he could apply for if someone came to him and was looking for residential use for this. J. Chapple asked if this would be based on the anticipated issue. M. Moes said it was an issue on his previous agreement, but in the process of dealing with this which was asking for residential use, his question was whether he was permitted to ask this and does this conditional use pass onto the next owner of the property, or in the process of doing an agreement, do they have to come and apply for the conditional use prior to closing. C. Howard explained the use change would go to the Board of Zoning Appeals to get approval, and if it received approval, then it would transfer with the future property owner. M. Moes asked if it would have a year to meet residential code and C. Howard concurred. J. Williams asked M. Moes if he was planning to use it as residential in the meantime. M. Moes said he was not, and it is currently for sale. He said they have prospective buyers who have asked about possibly using it as residential.

H. Strickler MOVED; J. Hammerschmidt seconded to recommend to Council to grant an encroachment for the 699 Toledo Street right of way. Roll Call Vote 5 YEAS. **MOTION CARRIED.**

J. Hammerschmidt MOVED; H. Shirley seconded to approve the lot split and consolidation. Roll Call Vote 5 YEAS. **MOTION CARRIED.**

M. Moes asked what his obligations are now that Planning has referred this to City Council. G. Fisher said she will prepare legislation that will appear on the agenda for a first reading on June 6. B. Holmes said he could attend the third reading of the ordinance. G. Fisher said she will advise Mike Moes of the date of when the third reading will occur.

Adjournment:

J. Chapple adjourned the meeting upon no further business.

*The next meeting has been scheduled for July 13, 2022, at 7:00 p.m.
Vermilion Municipal Complex, 687 Decatur Street*

Transcribed by Gwen Fisher, Certified Municipal Clerk