

**PUBLIC HEARING  
CLYDE CITY COUNCIL  
REZONING OF PROPERTY**

Clyde City Council held a Public Hearing in Council Chambers, Clyde Municipal Building, 222 N. Main Street, Clyde, Ohio 43410, on Tuesday, September 1, 2015, at 6:45 p.m., to hear the request of Linda Nichols to rezone part of Outlot 102, Parcel No. 326000010200, totaling 8.989 acres, at 983 N. Woodland Avenue in the City of Clyde, from (R-1A) Single Family Residential to (I-1) General Industrial upon receipt of EPA inspection approval.

Call to Order

**Roll Call.**

**Present:** Member of Council - Gary Beamer  
Mayor - G. Scott Black  
Member of Council - Kenneth Dick  
Vice Mayor - Carolyn Farrar  
Member of Council - Steve Keegan  
Finance Director - Craig Davis  
Clerk of Council - Janet Dickman (Not voting)  
Deputy Clerk of Council & Admin. Secretary - Sharon Smith (Not voting)

**Absent/**

**Excused:** City Manager - Paul Fiser (Not voting)  
City Solicitor - Zachary J. Selvey (Not voting)

Visitors signing in can be referenced in the Record Book Supplement.

Mr. Winke reported that the Planning Commission held a public hearing on 8/6/15. Following those discussions, the Planning Commission recommends to Council to rezone this property from R-1A to I-1. Mr. Winke corrected the total acres of the lot as 8.989. Five certified letters were sent to notify adjoining property owners of tonight's public hearing. Two were not signed for, with one of those being Mr. Wott. Mr. Winke then sent a letter via regular mail to Mr. Wott. Two letters were sent by regular mail to additional property owners. There were no comments received in response to any of these letters.

Mr. Gibson would like to run a salvage yard on this property. He stated that Ms. Nichols is now in possession of a letter from the Ohio EPA that states the property currently meets EPA expectations. This letter was a requirement per the Planning Commission.

Mr. Jim King is an adjoining property owner on N. Woodland Avenue. He has lived at that address since 1956. The property in question started out as a farm, raising cattle and pigs; then it started to have a few cars on it, and even progressed to a scrap yard. All of this was done without rezoning. Mr. King does not want the property rezoned and he is 100% against it. If it would be rezoned there would be no control over the property and it could have garbage, refuse or light manufacturing on it. He does not want any of this in his back yard and he asks if any Council member would want this in their back yard. He feels Clyde is a beautiful city and does not want

this to take away from that. The preliminary work that Mr. Gibson has started doing on this property has stirred up the area and there are animals such as raccoons, ground hogs, cats and snakes, are now showing up again, and this has not happened in the past one and a half years. He stated there is a deep hole in the ground on the property being discussed and this hole attracts hundreds of mosquitoes; he encourages Mr. Gibson to use a bulldozer to level the hills on the property to cover any holes and he encourages Council members to come and take a look at the property. Mr. King is concerned that promises will not be kept. Previously, the City said they would inspect a wrecking yard every four months, but they never did.

Mr. Keegan has spent many days at the Nichols junk yard when looking for car parts. He questioned who's yard the ravine is in (Nichols property). Mr. Gibson stated that he has talked to Mr. King and has offered that next spring he will move the hills to level the property. He stated he will do this because he does not want to have any issues with any of the neighbors. Mr. Keegan encourages Mr. Gibson to be respectful of his neighbors. Mr. Keegan remembers this property as always being a junk yard, and he does not remember there ever being any problems there. Mr. Keegan stated he would be okay with having this in his back yard because he would gladly trade his current neighbors, who think they are better than everybody else, for a junk yard. He feels it could be worse to have a trailer park or a low income housing unit (stuff you would have to sit up at night and watch to ensure someone does not come in and remove stuff off of your property) in your back yard instead of a junk yard. Mr. King noted that he has no problems with Ms. Nichols, noting that he has long been a friend of the family and has spent time over there. He just does not want the rezoning.

Mr. Beamer does not know the property well. If there is a need for it, and with the EPA compliance, he feels it will be okay. He encourages Mr. Gibson to try to fix the gully.

Mrs. Farrar agrees that she would not want it in her back yard. In the past Council has talked about the need to be a good neighbor and take care of what you have. She feels the Keegan and Nichols families have a good reputation in Clyde. She noted that the question before Council is related to rezoning, it is not related to whether or not a junk yard will be there and it will not address the mosquito situation or the appearance of the junk yard. Mr. King stated that if it is rezoned then anything could come in there, but Mrs. Farrar noted that possibly something could come in that would be better than what is currently there.

Mr. Dick explained that light industrial could be one or two buildings, or it could be a trucking company, for example. In regards to the question of if a Council member would like to have a junk yard in their back yard, he would be okay with it if they keep it cleaned up. In regards to if a Council member would like to have an I-1 property in their back yard, Mr. Dick noted that he currently has Whirlpool in his back yard. He agreed that the property in question has looked somewhat trashy at times over the years, but he feels the last two or three owners have been cleaning it up and this takes time. Mr. Dick does not see any reason why an industrial zoning would not fit there.

Mayor Black has been to the junk yard but he has not experienced the mosquito problem. He has, however, experienced a problem with wasp nests in the cars while getting parts. He noted that

Mr. Gibson has stated in this open meeting that he will fill the ravine and hopefully that would take care of the mosquito problem. So Mayor Black feels confident that Mr. Gibson would follow through with this. Mayor Black questioned why the rezoning is being requested at this point in time (the business was previously a legal non-conforming; the business had been going down and in order to build the business back up they need the rezoning; they will also need a conditional use permit to operate a junk yard; they could open up as a small salvage yard with the current zoning, but they need to rezone to be able to grow the business; because the property is nine acres, it is not spot zoning).

Mrs. Farrar has reviewed the Planning Commission meeting minutes and she questions if there was anyone, besides Mr. King, who is against this (a member of the Wott family attended and voiced opposition, although her larger complaint was related to not everyone in the family getting a letter of notification of the public hearing; Mr. Winke stated the certified letter was only sent to Robert Wott who is listed as the main property owner).

Mr. Dick clarified that the proposed business will be recycling, not a junk yard.

Mr. Gibson explained that they will bring cars to the property, drain the fluids (selling the antifreeze and burning the oil), and sell the parts (the battery will be scrapped). Late model cars might be there for six months, and others (cars) may move through quicker. (Mr. Keegan noted that the Planning Commission meeting minutes state the antifreeze will be burned, but actually only the oil will be burned; if the furnace is working properly, neighbors will not even know it is there and there will be no black smoke.)

Mr. Winke confirmed that the EPA letter has been received.

**ADJOURNMENT**

Mayor Black announced this public hearing adjourned at 7:08 p.m.

  
G. Scott Black, Mayor

  
Janet R. Dickman, Clerk of Council



CLYDE CITY COUNCIL  
VISITOR SIGN-IN

DATE: Tuesday 9-1-15

1. Sydney Nichols
2. Way [Signature]
3. Don Burroughs
4. James S. King
5. [Signature] Scott Mahoney
6. [Signature]
7. PETE CALLAGHAN - 449J
8. Brent Stanley
9. Gary Smith
10. Thomas P. Brown Jr.
11. Jean Jackson
12. Rubert A. [Signature]
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