



ZONING & PLANNING COMMITTEE REGULAR MEETING MINUTES

Location: 120 Royal Crest Drive, Seville, OH 44273

Date: 11/24/2025

The Zoning and Planning Committee meeting began at 7:00 PM with the Pledge of Allegiance.

Present: Dennis Gordon (Chair), Mayor Carter (Member), Kathy Stugmyer (Member), Dave Gilson (Member), Tom James (Member), Kristopher Immel (Solicitor Representative), Barry Frey (Zoning Inspector) and Jennifer Gray (Recorder).

Mr. Gilson made a motion to approval of minutes from 10/27/25. The motion was seconded and carried. The minutes are approved as written.

Amendments of the Agenda: None

Privilege of the floor: None

Zoning Inspector's Report: Mr. Frey approved 8 Zoning permits and had no violation letters. As of November 10th, Premier RV completed everything according to the site plans.

County Planning Commission Report: Mr. Gilson reported from the meeting this month: The Cobblestone development on route 3 had some minor changes to the development and changes to the exit and entrance of the development off of route 162. Another development is planned in Wadsworth north on Route 94. There is now 3 developments side by side. All three of them are separate developers. None of them have entrances off of route 94. A lot of townships are revising their zoning codes by making simple language changes. There were zoning code changes to Harrisville, Wadsworth, Brunswick, and Westfield.

Pending/Completed Legislation:

ORDINANCE NO. 2025-56

AN ORDINANCE OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO
AMENDING THE SEVILLE VILLAGE ZONING CODE SECTION 406.03 - Passed

ORDINANCE NO. 2025-57

AN ORDINANCE OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO
AMENDING THE SEVILLE VILLAGE ZONING CODE SECTION 808 WITH REGARD
TO RECREATIONAL VEHICLE YARD RESTRICTIONS. - Tabled

- **New Business:**

- **Preliminary Site plan for Dunkin'/Jimmy Johns retailer** – David Piunti and Andrea Rader stated they are in negotiations to take over the Hardees building and basically scrape and rebuild and put up a multi-

brand building with a single drive thru with two different brands in one building with shared drive thru and restroom. These are corporate owned not franchise restaurants. The mayor was concerned about how she hears traffic backs up onto the road for many of these Dunkin drive thru. David stated this building is actually set back pretty far and has dual drive thru lane which allows for more cars in the lot side by side so there will not be that issue. The stated they are looking at probably 20 cars stacked which is lot more than others. They are in the process of having a survey done.

- **Old Business:**

110 High Street – Mr. Bombard passed out a packet with a copy of a picture showing how he wants to split the lot at 110 High Street. He stated he came to a meeting back to in April with the same information. At that time something came up with the EPA and the Army Corp of Engineers, so he informed the Zoning Inspector that he wouldn't be doing anything until this was resolved. He stated it has been resolved. At this time, he would like to talk to the committee about the lot split. He stated he felt he had gone through all the steps according to the zoning book but he is still wondering what was missed for the requirements for a lot split. There was a long discussion between him and Mr. Burgoyne about things they have corresponded about. Mr. Burgoyne stated he and the mayor did visit the site a couple weeks ago and they did supply a supplement sight inspection letter that identifies the amount of fill exceeds what was originally proposed. Mr. Burgoyne stated the Village should not move forward with any plat consideration or determination until Mr. Bombard has met with everything that is required for the protective zoning and construction within the village's jurisdiction. This would include everything associated with Article X of the zoning code that tells the committee what the site plan or intention and use of the property is going to be, what the size of that impact is going to be, and most importantly associated with the special flood hazard area, mitigation requirements of the zoning ordinance. The committee needs to understand what the impacts of the floodplain are going to be because the village risks losing their license with the national flood insurance program through FEMA if they allow any development to occur without first making sure mitigation measures are met for those special flood hazard areas. This is clearly square in a floodplain that has been designated by the federal government. He stated Mr. Bombard needs to go through the actual formal zoning process before another shovel of dirt is added to this property. Mr. Gordon stated there is nothing we can decide until we get a formal site plan, therefore there is nothing more to discuss tonight.

Electric Street – Mr. Burns of 6 Electric Street stated owner Kim Younger submitted a complaint of violation of 8 Electric Street to the zoning

inspector. Ms. Younger submitted a request for an administrative appeal to the zoning inspectors finding.

Mr. Frey contacted the village solicitor who researched the situation and there is no zoning violation. There is an easement to allow ingress and egress to the property. The gravel driveway is not grandfathered in. There is no parking permitted.

Attorney Jim Amodio representing Neil Rhine from 8 Electric Street spoke to clarify a few things. He is familiar with the easement and it is very unusual for the state of Ohio. This easement recognizes for many years the residents of 8 Electric Street utilized that property in a certain way and the court said they can continue to use it for ingress and egress purposes. Part of the ingress and egress is the use of that property as a driveway. It has been graveled over for many years and will continue to be graveled over if the village allows. If not, he will continue to use it.

Mr. Immel clarified for the board, the court order states: for ingress and egress purposed only. It does not mention anything about a driveway.

Paul Burns spoke again reading the final judgement and stated the last sentence reads: this easement does not grant the defendants any other use of the described easement land for any other purpose other than ingress and egress of the described property. He also stated that Mr. Amodio on behalf of his defendants, filed an emergency motion for clarification of the record. Particularly whether the defendant's right to the easement included the right to park a vehicle on the easement area after they utilize it for ingress and egress. Mr. Burns stated the court denied this. Mr. Burns also showed a drawing from GPD in 1997 of when electric street was changed and it does not show a driveway.

Mr. Gordon stated there is nothing more to discuss for Zoning regarding this matter.

- **Plans for Old School – Mr. Gearhart** stated he discussed some issues with the zoning inspector prior to the meeting and he does not have anything else to add. Mr. Burgoyne stated so it is clear to this body: site plans have been submitted with proposed lot splits and description of what they want to do with the old former school. There will be several variances that will be required and there is question about the use. Mr. Burgoyne stated they stood in front of council a couple weeks ago stating the village needs to consider the re-use of old facilities in creative ways. The property is within historic overlay district, downtown business district, and underlaying with an R3 Zoning. Technically it needs to be considered for use in all of those. Even with all the variance, it is a way to use the space creatively.
- **Recreational Vehicle parking – Mr. Gordon** stated the committee is going to take another look at the Recreational vehicle parking code and ordinance. This has been tabled for now. He passed out some topics for

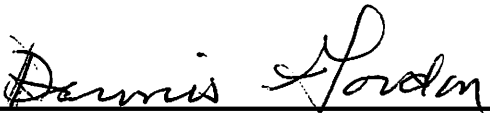
discussion to the committee members and asked them to look them over and be ready to discuss and make a decision at the next meeting.

- **Privilege of the floor:** Mr. Bombard asked Mr. Burgoyne a question regarding grinder pumps and the neighbor. Mr. Burgoyne stated he should ask BOPA if those records are available.
- **Executive Session pursuant to ORC 121.22(G)(3) to discuss with legal counsel matters relating to imminent court action –** Mr. James made a motion to go into Executive session for the purpose of legal matters relating to imminent court action. The motion was seconded and carried. Mayor Carter made a motion to invite all committee members, Mr. Burgoyne, Mr. Frey and Mrs. Gray. The motion was seconded and carried. Executive session began at 8:14 pm.

Ms. Stugmyer made a motion to adjourn executive session at 8:36 pm. The motion was seconded and carried.

Ms. Stugmyer made a motion to authorize legal counsel to take necessary action regarding zoning code enforcement of 110 High Street. The motion was seconded. Upon Roll Call: YEAS: *Gordon, Stugmyer, Carter, James, Gilson* NAYS: *None*. The motion passes.

- Mr. Gilson made a motion to Adjourn at 8:45 pm. The motion was seconded and carried.

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Dennis Gordon, Chair