

**MINUTES OF A REGULAR VOTING MEETING OF THE**  
**FAIRFIELD PLANNING COMMISSION**

**February 23, 2011**

Jerry Dailey, Chairman, called the Regular Meeting of the Fairfield Planning Commission to order.

Members present: Jerry Dailey, Mitch Rhodus, Jeff Holtegel, Mark Morris and Scott Lepsky.

Jeff Holtegel, seconded by Mitch Rhodus, made a motion to excuse Don Hassler. Motion carried 5 – 0.

**MINUTES OF THE PREVIOUS MEETING:**

The minutes of the previous meeting, held February 9, 2011, were approved as submitted.

**OLD BUSINESS:**

Conditional Use Application – Junk Yard – 1055 Tedia Way (Tabled)

Jeff Holtegel, seconded by Mark Morris, made a motion to remove this item from the table. Motion carried 5 – 0.

Tim Bachman informed the Commission he and Erin Donovan met with Mr. Dykes last week. Mr. Dykes was asked not to attend this meeting as the Commission would only be discussing his business operation. Tim and Erin were told Mr. Dykes has five employees working for him. He owns two car crushing machines which are taken off site; the crushing process requires two people per machine to operate. Each machine can crush up to 60 cars per day. After the cars are crushed, they are taken to a shredder (the closest being in Dayton) where the various materials are sorted as the car is shredded.

Mr. Bachman explained the FedEx trucks are picked up from various hubs and hauled to Mr. Dyke's property on Tedia Way. The trucks are dismantled and the chassis are cut in half. Only one half of the chassis can be taken to Hamilton Scrap at a time. The FedEx boxes are crushed and stored on site. They also are taken to Hamilton Scrap as time permits. The FedEx crushing and hauling is work for the employees during downtime from Mr. Dykes car crushing business. Eighty to ninety percent of his time however, is spent off site.

Mr. Bachman stated that when he toured the Tedia Way site last week, there were 10 – 12 FedEx trucks there. The crushed FedEx boxes could be taken to the shredder individually but it would not be profitable. Mr. Dykes did agree however to pour a concrete slab behind his building and store the crushed boxes there until they are hauled to the scrap yard. There is no space inside the building to store anything. Mr. Dykes admitted some of the items being stored outside could be removed.

Mr. Dykes feels the Board of Zoning Appeals gave him approval to do this. They were made aware of what he was doing at this property. The approval from the B.Z.A. however, was just for the fence.

The Commissioners were shown an aerial of the site. Mr. Bachman stated there are more semi-trailers placed throughout the site than shown. Mr. Dykes agreed to move the trailers around to screen materials being stored. He stated he would like to concrete the entire property but can only do small portions as he can afford it. The next area planned is a 20' strip behind his existing concrete slab and building. According to our ordinance definition, his business plan is junk and he stated he doesn't have the money to screen the site. If we say no, based on the definition, he will be out of business. When touring the site, 8 loaders were counted on the property. Some worked and those that didn't were used for parts.

Mr. Bachman told the Commissioners that no one is complaining but this is not what was approved. In September 2007, a building permit was issued to construct the building for storage of the crushing equipment. Mr. Dykes said the building would be used to work on and store equipment when it was not being used. In July 2008, Mr. Dykes went before the Board of Zoning Appeals for a fence. Mr. Dykes took that approval by the BZA to do what he is now doing. Staff recommendation however, was not to allow this to be a junkyard. The fence was approved with the condition it would not be a junkyard. After we saw the junk accumulating, Mr. Dykes was sent back to the BZA since a condition of their approval was that the site not become a junkyard. The BZA denied his request saying they could not approve a junk yard, only the Planning Commission could. If the Commission is inclined to approve the Conditional Use, conditions can be placed such as screening the property, no more than a certain number of trucks can be stored, etc. If he is denied the Conditional Use, we will likely have to issue a citation and take him to court. It was suggested that Mr. Dykes use his extra money to build another building to store all of his items instead of concreting the site. The Commission could give him a certain amount of time in which to accomplish this.

Jerry Dailey expressed his concern with future development of the surrounding vacant land if a junkyard is allowed. Mr. Bachman replied he spoke with Sam Minnielli who owns most of the adjoining property; he has no problem with Mr. Dykes operation.

The Commission agreed to have Mr. Dykes at the next meeting to discuss options considered this evening. Mark Morris, seconded by Scott Lepsky, made a motion to table this item until the next meeting. Motion carried 5 – 0.

### **NEW BUSINESS:**

#### Design Review Committee Item:

#### New Sign Panel – Dollar General – Patterson Place Pylon Sign

Mr. Bachman informed the Commission that the Design Review Committee turned down the sign submitted for Dollar General. In May 2010, the Committee reviewed the re-skinning of the pylon sign. At that time, the City was told the bottom panel of the pylon sign would be used by the Senior

Lifestyle Community. The Design Review Committee felt that since Dollar General and the one remaining vacant space are smaller lease areas than Hometown Market and Planet Fitness, they should share one panel on the pylon sign. Mitch Rhodus reminded the Commissioners of the investment the City has made in this area.

Mr. Bachman stated that an email was sent to both the sign company and Neyer stating they should attend this evenings meeting and no one is here.

Jeff Holtegel, seconded by Scott Lepsky, made a motion to table the recommendation made by the Design Review Committee for Dollar General's new sign panel.

Motion carried 5 – 0.

**GENERAL DISCUSSION:**

Mitch Rhodus stated he spoke with City Councilmembers regarding the use of companies corporate colors in the D-1 area. All of council felt they should be reviewed on a case by case basis. If signage is deemed inappropriate, it should be turned down.

Being no further business, Mitch Rhodus, seconded by Scott Lepsky, made a motion to adjourn. Motion carried 5 – 0.

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Jerry Dailey, Chairman

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Peggy Flaig, Clerk