

Minutes of VERMILION MUNICIPAL PLANNING COMMISSION
of October 7, 2026 @ 7:00 pm

***PRESENT:** Heather Shirley, Mike Cremean, Ed Leonard, Rob Kruty. **Absent:** Jeff Hammerschmidt*

***In ATTENDANCE** Chris Howard, City Engineer; Tony Valerius, Service Director; Scott Orille, Law Director; Gary Howell, Council Representative, Dannin Strittmather, Assistant Clerk of Council.*

Call to Order:

Heather Shirley called the Wednesday, October 7, 2026, meeting to order.

Approval of Previous Meeting Minutes:

M. Cremean MOVED; E. Leonard seconded to approve the minutes of the September 2, 2026, Planning Commission Meeting. Roll Call Vote 4 YEAS. **MOTION CARRIED.**

Since there were not enough members present, the July 8, and August 5, 2026, minutes will be moved to the November 4, 2026, agenda for approval.

Correspondence/Audience:

The Chair acknowledged receipt of a letter and photographs from resident James Spehar, who came forward to explain his concerns about clearing work at a nearby development. The Chair stated that the Commission had copies of the letter and photographs and asked Spehar explain his concerns.

Spehar said he was disappointed that the minutes approving the development's first phase did not address how work would affect the surrounding neighborhood. He described ongoing tree-clearing activity, dust, and dirt, which he said had affected nearby residents for nearly two months. He had also sent a letter to City Council, read at its September 21 meeting, and had asked questions but had not received answers to all of them. He said that after he contacted his ward council representative, he understood that the contractor, Edwards Tree Service, would be asked to stop work when conditions became too dusty or to use a water truck rather than dragging trees across the site. Spehar said the work continued for roughly two weeks after that discussion, without a water truck or work stoppage.

Spehar noted that his wife was disabled and had breathing difficulties, and said the dust was a health concern for her and for others. He emphasized that the site was surrounded by homes, not isolated farmland, and said the clearing had stopped only because the clearing work was finished. He questioned what would happen to the approximately 45 acres of bare ground, citing concerns about city requirements and environmental regulations. He asked the Commission and City to take nearby residents' circumstances into account when approving developments and to ensure that contractors were held responsible for their work.

Spehar also questioned whether work had begun in phases two and three even though, as he understood it, only phase one had been approved. He said the approved plan showed a 20-foot buffer around the site, but he saw areas where the buffer consisted only of weeds or appeared absent. He asked who would maintain those areas before a homeowner's association (HOA) was established, which he thought could take years, and whether the developer could proceed with roads or other work in phases that had not been approved.

Service Director Tony Valerius explained that the zoning on both sides of the area behind Spehar's property was R-4A and that a required screening buffer generally was not needed with anything that is like zoning. He stated

that a 30-foot buffer with 60% opacity was required where R-6 abutted the residential zoning near Highbridge Road, affecting approximately seven homes. Regarding the 20-foot area buffer shown on the plan, Service Director Varius said it appeared to have been intended as an area the developer would generally leave undisturbed, rather than a buffer required to meet the screening standards. T. Valerius said the City would raise maintenance of that area at a pre-construction meeting with the contractor and would need to check how it should be maintained in the interim.

Spehar reiterated that he believed the plan approved by the Commission showed a buffer and questioned whether it was fair to expect an HOA associated with an initial phase of approximately 50 homes to maintain areas serving the broader project. Chair Shirley asked whether the project was still in phase one. T. Valerius answered that the work completed to date was clearing, and before construction began, City staff and the engineer would meet with the contractor. E. Leonard asked about the concerns that were expressed that happen before the preconstruction meeting that is generated by the clearing process and how it gets addressed and if anyone from the City monitors it. Engineer Howard answered they do not monitor tree clearing activity; they are not grading. T. Valerius confirmed he met with the developer multiple times and sent photos he received, and he knows there was still dust after they spoke. The tree clearing is now complete and the contractor is no longer on site. Engineer Howard stated that the cleared ground would need to be stabilized, while noting that planting seed alone might not be effective at that time of year.

Spehar said the City should ensure that developers and contractors were held accountable rather than allowing them to proceed without regard for nearby residents as they felt they were ignored during this first go around. Chair Shirley thanked him for bringing the matter to the Commission's attention.

Old Business: None.

New Business:

Applicant: Burkholder's Custom Construction LLC. – Property Location: 1050 Sunnyside Rd, Vermilion OH 44089 – PPN#01-00-013-000-060- (Preliminary Plan Approval)

Dave Burkholder of Burkholder Custom Construction presented a request for preliminary plan approval for a proposed building at 1050 Sunnyside Road. He described a proposed 56-by-200-foot post-frame building, approximately 11,300 square feet, on a roughly 1.82-acre parcel. It would be located east of an existing building and accessed from Sunnyside Road by an existing private access road. The proposed exterior included metal siding, a black metal roof, eight overhead doors, and eight pedestrian doors. Burkholder said the applicant was seeking preliminary approval and wanted to understand what revisions or additional information would be needed for the next review.

Chair Shirley asked about the building's intended use. Burkholder described it as business space to be leased to businesses, and said the owners believed there would be demand for this kind of space. Matt Chase, identified as the property owner, explained that there would be 100 feet between the two buildings and they would pave the entire stretch. The existing building would remain a private warehouse and the proposed building would provide business space.

Chase described the intended tenants as small, typically blue-collar businesses that needed indoor space; for example, a plumber, an HVAC business, or a car-detailing operation—and might not want to purchase property of their own. He clarified that the units were intended for operating businesses, not self-storage. The plan was to create eight units, each approximately 25 by 56 feet, or roughly 1,400 to 1,500 square feet. The spaces could be combined or reconfigured to meet a tenant's needs. In response to questions about hours, security, and access, Chase said operations would be subject to applicable local requirements and that the property would have a

perimeter fence as required by ordinance. M. Cremean asked Mr. Chase to clarify that these would not be storage units. C. Chase responded that they would not be storage units.

Chair Shirley asked about water and sanitary service. Chase said the intention was to provide a bathroom in each unit but asked whether the City would prefer a shared bathroom. Chair Shirley asked what the size of each unit would be. C. Chase answered they would be 1,400 to 1,500 square feet. C. Howard said building code and accessibility requirements, including the number of employees and restroom provisions, would be reviewed through the building and plan-review process. C. Howard asked if the existing building had water and sanitary service. C. Chase answered yes.

E. Leonard asked about management of surface-water runoff from the building and parking area. C. Howard said the project would have to comply with water-management requirements. Chair Shirley confirmed that the applicant had received the City Engineer's letter. C. Howard identified items to be resolved for final review, including signed and sealed plans, stormwater calculations, parking information, documentation of access, and the applicable limit on building coverage. He also noted that per code, the percentage of lot covered should be no more than 50% of the area. C. Chase asked whether the coverage calculation included paving; C. Howard clarified that the requirement applied to the building and accessory structures, not the parking lot.

R. Kruty asked whether the owners would retain the property and lease the units rather than sell them individually. Chase confirmed that they would retain ownership and be responsible for maintenance.

M. Cremean emphasized the importance of minimizing disruption to neighboring residences after the discussion they had that evening. The discussion also addressed the access road and utilities. An audience member, Homer Taft who identified himself as Ward Four Councilman, raised the question of responsibility for the private road, observing that it was not a paved City road and asking whether the applicant had legal rights to use it and the utilities beneath it. Taft also cautioned that the use should remain distinct from a self-storage facility, which he said was restricted outside industrial zoning under the City's ordinance. Chair Shirley confirmed with Chase that the units were intended for businesses operating from the site, not storage alone. C. Chase said the property had a legal easement for use of the private road and utilities beneath it and that the existing infrastructure appeared to have been sized for an industrial park, subject to confirmation. City Engineer Howard confirmed that the document submitted was an access easement agreement and said he had not yet reviewed it.

R. Kruty MOVED; E. Leonard seconded to approve the preliminary plan contingent upon everything being addressed from the City Engineer's letter dated October 2, 2026. Roll Call Vote 4 YEAS. **MOTION CARRIED.**

Applicant: YVES + VINE 935 Vermilion Development LLC – Property Location: 935 Decatur Street, Vermilion OH 44089 – PPN#: 18-65004.001 – (Recommendation for Property Re-Zoning R-4 to R-6)

Chair Shirley called the applicant forward. Before the petitioner spoke, Member Ed Leonard stated for the record that he would abstain from the matter. He said he lives directly across the street from the development. Although he has no financial interest in it and is not a partner or investor, the outcome would affect him financially regardless of the decision. He said that, as the city attorney had advised, if he could not be impartial or had formed thoughts or determinations about it, he should recuse. He said the public should expect public bodies to act in the community's interest and not in the particular interest of a member's property near the site. For that reason, he would abstain from deliberation and voting. Chair Shirley thanked him and noted that the Commission still had a quorum and would proceed.

Garrett Allen, the applicant's attorney, gave the business address 1500 West 3rd, Suite 300 (his firm, which he noted had recently merged, is rendered in the recording as Walter | Haverfield). He introduced his business

partner, Ray Reyes, at the same address, and the project architect, Jeff Foster, at 1220 West Sixth Street, Cleveland.

Mr. Allen said the applicant had appeared almost a year earlier, to the date, under the previous administration, when there was quite a bit of questioning about what the board and Commission are legally entitled to do. With the new administration, there had been several conversations with Mayor Owens, Law Director Scott Orille, and Service Director Tony Valerius about what stage the project is at. He stated that tonight's request is a rezone and not site plan approval. He emphasized that the request was a rezoning and not site plan approval. The site plans were provided for conceptual purposes and would be reviewed through engineering later. He described the request as a legislative act, not an administrative one, with the commission making a recommendation to Council.

Mr. Allen explained that the applicants acquired the property from the Vermilion Local School District around September of the prior year. The site is about 10 acres and contains a roughly 75,000-square-foot vacant school that contains asbestos and other debris. The applicants plan to demolish the school using available state grant funding and to build about 80 homes in a combination of cluster homes, row homes, and ranches. He described this as one of the only large properties in downtown Vermilion, and said the intent was for the development to feel native to the site and not like a separate subdivision. He said it would be walkable and open to the community and have public amenities for homeowners and the neighborhood. The applicants reviewed the footprints of existing homes and all applicable zoning codes and concluded that R-6 fit best after considering alternatives.

He said a few variances would eventually be needed through the Board of Zoning Appeals (BZA), where the burden would be on the applicants and where the BZA would not be bound by any recommendation made by the commission. He called most of the variances minor, namely a slight density variance and variances for side, rear, and front yards, which he said most buyers no longer want large yards. He stated that they were not seeking to change the site plan substantially and were not engaged in a bait and switch. They could have requested R-6 zoning without presenting a plan and later sought the same variances through plan review, but preferred transparency. He described the many community meetings and interviews the applicants had held and said residents have his personal phone number. He said he was happy that Commissioner Leonard had recused himself.

Mr. Allen further observed that the code's definition of a unit is outdated and does not distinguish a large four-to-six-bedroom national-builder home from a smaller, efficient modern row home. He said most modern codes look at site coverage, comparing buildable area to green space, whereas the Vermilion code only refers to a living unit, which could be a tiny home or a very large house. He estimated that one to one-and-a-half of the applicants' homes equals the footprint of a traditional home. He also described the site as abnormal because the school district built the entire block without any intention that it be redeveloped, leaving very deep lots that would not work well under R-4 and prevent the site from looking and feeling like an organically developed city block. That, he said, was why the applicants sought a less stringent classification offering more flexibility.

Architect Jeff Foster said the goal was for the development to feel like a seamless continuation of the surrounding neighborhood. He described scale as including the distance between residences, height, and the width of rights-of-way. He said the conceptual plan shows about 80 units ranging from about 1,500 square feet for a two-bedroom, two-story unit to about 2,100 square feet for a four-bedroom unit, with most units offering first-floor living. He said this appeals to different generations and offers the benefits of a new home with less to maintain. He described the streets as narrow private roads with private utilities and no public rights-of-way, but designed to be a fabric that could continue if neighboring parcels develop. He said renderings were included to show the quality of the product, something a step above typical national builders, with a mix of materials and styles. He said the applicants were not proposing three-story town homes and that two or three of their units equal one typical modern single-family home footprint.

Mr. Allen added that, in response to community meetings, the applicants kept the scale low along Decatur, placing ranches there with the taller two-story row homes further into the site so that the streetscape matches the homes across the street. He described the request as a horizontal approval and not a vertical one, resulting in an orderly, controlled development with private streets. The applicants could widen the streets in coordination with city engineering. They would place covenants and restrictions in an HOA controlled by the developer for major items and would work with the law director to incorporate provisions the city wants, including making the city a third-party beneficiary of the declaration, developer consent would remain with them. The developer would self-perform construction through an affiliated entity. He described the property as a troubled site and said he had not met anyone who disliked the project or opposed something happening there, except one person who wanted an amphitheater, which the developer could not finance.

Chair Shirley asked about the community use areas he had mentioned. Mr. Allen said that residents most wanted a dog park, and the applicants were planning a dog park and park-like common areas with walkways and pathways between the developments, with ponds and water features to be worked out in site plan with the engineer. The aim is for the neighborhood to feel inviting and naturally landscaped. He said they were not building parks, since downtown is about a 15-minute walk or a five-minute drive, and they wanted people to interact with downtown without detracting from city services.

Chair Shirley asked about the land bank application for demolition from the earlier meeting. Mr. Allen said funds had been awarded through the state, though the state was late in awarding them, but the applicants needed more clarity on the development before proceeding. He explained that they did not want to leave a vacant lot, and that representations made to the state concerning full-time-equivalent and investment benchmarks were part of the basis for the award, so accepting the funds without a project would not make sense. The funds were awarded and marked for the project. When asked about deadlines, Mr. Allen said that all of the original deadlines had passed because the state had been supposed to award the grants in February and made the awards in August, so the deadlines were reset. He estimated that abatement would take one to two months, including removal of some above-ground oil tanks, and demolition about another month. Everything was being approved through the state and the land bank, and the applicants hoped to roll the demolition into site work in an orderly, efficient way.

Chair Shirley asked how the surrounding community would be protected during abatement, demolition, and construction. Mr. Allen said a certified abatement contractor would perform the work using positive pressure and HEPA filters, regulated strictly by the EPA and OSHA, with disposal handled appropriately. A separate qualified, licensed contractor would perform the work, and the Ohio EPA would oversee it along with OSHA. He said asbestos abatement is common and not novel.

M. Cremean asked at what point in the approval process the demolition would begin. Mr. Allen said it would likely occur as the applicants progressed through approval of the site plan and variances. Once they felt confident, they could close on construction financing, which he said was lined up, and proceed. He added that the grant is reimbursement-based, so the applicants must pay out of pocket and have everything approved by the state and by the land bank, which acts as the pass-through entity.

R. Kruty asked who would be responsible if the demolition went poorly and dust spread. Mr. Allen said the applicants would be responsible. He said that he is very public and easy to reach and that he had heard about complaints such as those raised earlier and had seen them on other projects. He said the applicants take pride in avoiding such problems. They would keep a site superintendent on site, control their own construction, choose the subcontractors, and draft the subcontracts themselves. He said they would keep dust down with a water truck drawing from a hydrant, or from a meter with reimbursement, and would have a plan that Tony would review and approve. He added that the applicants are used to building in tight urban environments, mostly in Cleveland, so this large site, where equipment can be staged properly, is ideal. He asked that anyone call him personally if something goes wrong.

E. Leonard asked whether there would be continued community conversation so that surrounding residents would know what was happening. Mr. Allen said yes, and that residents would have his personal phone number. He said that when the applicants purchased the site, they found considerable hostility toward development, including public backlash and referendums over earlier approvals, and decided to listen to residents through citizen meetings, phone calls, and social media. He cautioned that it is a construction site and there would be noise and dust, but said the applicants typically pay for neighbors' car washes as a thank-you and welcome site tours at appropriate times.

Chair Shirley asked about the roads, noting concern about their width and about emergency vehicle access. Mr. Allen said this is something that gets resolved in site plan approval, where the fire marshal must also approve, and that the plans shown were preliminary estimates. He said the applicants had discussed widening the roads and that the layout was designed to accommodate emergency vehicles. Mr. Foster said the current plan meets the fire code on paper, but the team would prefer to go further by meeting with fire officials about their apparatus to make sure it fits throughout the development. He said they also planned to provide good parking access, landscaping and sidewalks, and would study whether on-street parking is needed, which would require a wider street section. Drainage and stormwater would have a large impact and would likely eliminate a few units because stormwater facilities need space on the site. He said the applicants wanted to continue the dialogue with city officials and have more confidence to present at the next stage. Chair Shirley said that on-street parking could be tight and recommended that it be examined at the next step. Mr. Foster said visitors are always a design challenge, since most units have two residents with two cars inside and a third in the driveway, and that visitor parking should not be a burden. Mr. Allen added that parking is controlled through the declaration and said he would like to be presenting the site plan but that this was the first step.

Chair Shirley noted that the principal issue previously was a request to rezone from R-4 to R-6 when R-6 requires 25 acres and the site has only 10, and that the law director had been asked to research the matter. Scott Orille said the commission's task that evening was to consider the zoning change and that, as part of it, a variance reducing the minimum area from 25 acres to 10 would be required. He said that anything the commission does would be a recommendation to Council and that the commission has the authority to make a recommendation on both the variance and the zoning change.

M. Cremean asked about the possibility, discussed at the previous meeting, of acquiring the adjacent church property. Mr. Allen said the applicants have talked with essentially every adjacent landowner and had designed the streets to connect naturally through neighboring sites but had nothing concrete. He said the applicants are being practical about acquisitions, hold the property with no debt, and would consider incorporating other sites if they acquire them.

Chair Shirley asked about the density issue discussed at the last meeting, noting that R-6 did not meet the density code. S. Orille said that R-6 would increase density. E. Leonard noted that R-6 is limited to a certain density. Mr. Allen said the applicants are not requesting a density variance, and the only variance before the commission is lot size. Any variances to R-6 would come later, with the applicants carrying the burden under a balancing test, and he asked Scott to confirm. The law director said he somewhat agreed. In deciding whether to rezone, the commission may weigh whether the rezoned property would conform with the surrounding area, and if the commission believes the density is inappropriate for the surrounding area, it may consider that in its recommendation to Council. Mr. Allen emphasized that the applicants are not asking for approval of the site plan or of 80 units, and could return with 60, 40 or 100 units. He said involving the engineer could reduce the count to 75, 60, or 81 he said he would like less focus on that and for the record, they are not asking approval for 88 units, it is just a conceptual.

R. Kruty asked whether approving R-6 would give any assurance that this proposal would be what is built. Mr. Foster said it was almost guaranteed that it would not be exactly this plan. He noted that the current paper plan exceeds what R-6 would allow, but its density is consistent with the surrounding neighborhood, and that the

final density would be less than eight units per acre. R. Kruty asked whether the applicants would return seeking more variances. Mr. Foster said they never rule it out, and that there could be a couple, but they were not asking for them now because they were not prepared to defend them. Mr. Allen added that engineering input could change the plan, that infrastructure takes up land and units would likely go away, so density was a conceptual figure and not a firm commitment. He said the plan shown was the applicants' ideal plan, that 25 conceptual iterations were tested before choosing this one, and that real dimensions and detailed review would come with the site plan.

T. Valerius pointed out that, since the area is currently zoned R-4, if it were rezoned to R-6 there would be a buffer requirement between the R-6 and the adjoining R-4. Mr. Allen said that would be dealt with in site plan with civil engineering.

R. Kruty then raised concerns about HOAs that are handed utilities and streets and then struggle financially, including with roofs and roads, and asked for comment. Mr. Allen said he could speak only to how the applicants structure their own HOAs. He said the units are fee simple, not condominiums, so the roof is the homeowner's responsibility, and each owner carries a regular homeowner's insurance policy, with a party wall between units. He said the association would be responsible for the roads and utilities, that the applicants perform reserve studies, with engineers evaluating the useful life of pavement and utilities, and that they disclose projections to prospective purchasers. He said the applicants subsidize the association until it is financially healthy, and that the HOA is governed under Ohio Revised Code Chapter 5312 as a planned community, which allows flexibility and a focus on core items such as infrastructure and not minor aesthetic restrictions.

R. Kruty said he had seen, particularly in Florida, associations that were never capitalized, with boards later waiving full funding of reserves, and asked that the developer ensure the HOA is properly capitalized. Mr. Allen said the applicants already do this. Each purchaser, and each later purchaser on transfer, pays a working capital reserve, typically one to three months of dues, at closing. The developer also capitalizes the association in early years when only a few residents are paying and prepares five-year projections. He said the Florida situation differs largely because those associations are insured, whereas this HOA would carry only general liability and pavement cannot be insured against hazards. He explained that reserve requirements would be written into the declaration and purchase agreements, and that under Chapter 5312 they cannot be waived by a simple vote as can occur under the condominium act in Chapter 5311, so waiver would effectively require unanimous consent of 80 owners. He said the applicants' reputation is at stake, and they want to avoid problems.

Chair Shirley asked whether the applicants would act as the HOA or use a management company. Mr. Allen said the developer would control the HOA as declarant, would handle day-to-day bookkeeping using Argo management software, and would not seek to earn management fees. The applicants would remain involved through warranty work and the transition to a homeowner board. Chair Shirley said her concern was that boards of directors change constantly. Mr. Allen said the key is setting up governance correctly, and that he would personally draft the documents. Owners would be added to the board as they move in, and the developer would remain as a professional guide through the transition. Any management company would be terminable by the homeowners once the board is turned over, and the applicants would not lock owners into long-term contracts.

R. Kruty asked whether homeowners could ever petition the city to take over the streets. Mr. Allen said he would need to review the public dedication ordinance and confer with Scott. Because the streets would be common elements, owners would hold them as tenants in common, so every owner would have to consent, and the city council would have to accept the dedication. The law director noted that had been considered in Avon Lake and based on that consideration, the commission and Council had almost always required that private streets meet all the requirements of a public street. Mr. Allen said the applicants would likely include declarant control rights that keep the streets private, and that the easiest way to address the city's concern would be to condition the rezoning on site plan approval with streets remaining private, with the planning commission retaining

jurisdiction over approval, for example, if traffic issues arise. He said that this would prevent homeowners later from pressing the city to take over the streets.

Councilman Taft residing at 3972 Edgewater Drive spoke again. He complimented Mr. Allen and the team on their professional presentation and engagement with the community, said he is a member of Council, and said any recommendation would come to Council, so nothing he said should be taken to prejudice his vote. He noted that rezoning from R-4 to R-6 moves the density from about 3.9 to 6, and that if the developer sold the property the next day the zoning would remain R-6 regardless of whether the preliminary or final plan stayed the same. He therefore hoped the commission would do considerable work now to place appropriate conditions on the approval and not wait a year or two. He said he has long expressed concern about roads narrower than 26 to 28 feet, whether public or private, because of emergency services. He said the roads were proposed at 24 feet previously and he believed they remain at 24 feet, which he considered unsafe. He noted that with seven feet of on-street parking on each side, about 10 feet would remain, while fire trucks and ambulances are about eight feet wide, and not everyone parks close to the curb. He said he was not inclined to support anything allowing 24-foot streets.

He also expressed concern that what is eventually built can differ from the preliminary plan even after rezoning has been approved. He said he had an ordinance before the Legislative committee, possibly to be considered at the coming meeting, that would require two meetings of this commission about 30 days apart for any major subdivision over four acres. This would give neighbors a chance to learn about and comment on projects, as many do not currently attend because they are unaware. He noted that a public hearing is required on this rezoning, so residents would have at least one opportunity, but said that many problems and objections would be resolved by doing this work at the commission level before sending it to Council. He concluded that the developer has a good reputation and presumably good intentions, but what is passed legally is what will be required later.

Mr. James Spehar, 3992 Hilltop, spoke again. He said he used to live on that side of the city and knows the area, and he agreed something must be done with the empty school building. He said the site is tightly surrounded by houses, and the concern now is not dust but asbestos. He said he believed the developer's statement that qualified, regulated contractors would be used, but that to calm residents' nerves there should be defined procedures, monitoring, and a city representative who will watch the work, so that the situation does not recur in which weeks passed with no action beyond conversations. He asked that these measures be prepared in advance.

Mr. Allen responded that asbestos is governed by local building officials, the State, the U.S. EPA, and OSHA, with criminal penalties for improper disposal or failure to remediate. He distinguished it from tree or land clearing, which is overseen by a sewer or conservancy district or the city, saying hazardous materials are subject to multiple layers of regulation. He added that no one would risk jail to save money on asbestos work.

The Chair asked whether there was further discussion and then stated that she would entertain a motion to recommend to City Council that the property be rezoned from R-4 to R-6. The law director suggested that the commission consider two separate recommendations to Council: first, the area variance reducing the minimum lot area from 25 acres to 10 acres, and second, the rezoning from R-4 to R-6, so that Council could address each. The Chair agreed and called for a motion on the area variance first. The law director clarified that the variance was a reduction of roughly 15 acres, from 25 to 10.

M. Cremean MOVED; R. Kruty seconded to make a recommendation to City Council an area variance reducing the minimum area for R-6 zoning from 25 acres to 10 acres for 935 Decatur Street. Roll Call Vote 3 YEAS; 1 ABSTAIN (Leonard). **MOTION CARRIED.**

R. Kruty MOVED; M. Cremean seconded to recommend to City Council that the property at 935 Decatur Street be rezoned from R-4 to R-6. Roll Call Vote 3 YEAS; 1 ABSTAIN (Leonard). MOTION CARRIED.

Adjournment:

H. Shirley adjourned the meeting upon no further business.

Next meeting – November 4, 2026, at 7:00 p.m. - Vermilion Municipal Complex, 687 Decatur Street