

MINUTES
ONTARIO PLANNING COMMISSION
FEBRUARY 11, 2015

The Ontario Planning Commission met in regular session on February 11, 2015, at 7:00 p.m., in the Municipal Building with Chairman Fred Zahn presiding. The following Committee members were present at roll call: Chairman Fred Zahn, Mayor Randy Hutchinson, Service-Safety Director Jeff Wilson, Mick Motley and Jill Knight. Also in attendance was Law Director Andrew Medwid, Zoning Inspector Dan Herrold, Mark Rufener of K.E. McCartney and Clerk of Council Cathy VanAuker.

Mr. Zahn presented for approval the minutes of the regular Planning Commission meeting held January 12, 2015. Mrs. Knight made a motion to approve the minutes as presented and Mr. Wilson seconded the motion. Four members voted Aye, zero Nay, one Abstain by Mayor Hutchinson and the motion to approve the minutes passed.

First to come before the Commission was Todd Slaboda seeking final site plan approval for a 60' x 120' accessory building to be located at All American Transport, 575 Beer Road.

- This accessory building would be behind the existing primary building.
- All setbacks and the building height are in compliance. Storm water management was not required.
- This would be located in the Wellhead Protection Zone 2 area. The Water Department Supervisor found no objections.
- The building would primarily be a pole barn for vehicle storage.
- No utilities were required.
- The area north of the building would be gravel and not for customer use.

Mr. Motley made a motion to accept the final site plan for a 60' x 120' accessory building to be located at All American Transport, 575 Beer Road. Mrs. Knight seconded the motion. At roll call, five members voted Aye, zero Nay, and the motion passed.

The next item brought Ron Gainar of Verizon and SBC forward requesting to install an accessory building inside the fenced compound area located at 557 Home Road. Mr. Herrold said all setback requirements were met, Lt. Mullins was contacted regarding the generator that would be attached to the accessory building, and storm water management was not required.

Mr. Wilson made a motion to approve the installation of an accessory building to be located inside the fenced compound for Verizon and SBC at 557 Home Road. Mrs. Knight seconded the motion. At roll call, five members voted Aye, zero Nay, and the motion passed.

Weldon Hostetler, representing Eric's Outdoor Furniture, was next to approach the Commission seeking final site plan approval for a new permanent office to be located at 310 Lewis Road. Mr. Herrold said all setbacks meet requirements, trash would be located inside the facility so there wouldn't be a visible dumpster enclosure, and the customer area would be paved.

- One handicap parking space fulfills the requirement of one for every twenty-five spaces. There are no parking specifications for this type of facility.
- The sewer line would be taken from Park Avenue for the restroom.

- Mr. Rufener said he looked at the storm water management and there would be less than 20 sf in disturbance.

Mayor Hutchinson made a motion to approve the final site plan at Eric's Outdoor Furniture for a new permanent office to be located at 310 Lewis Road. Mr. Motley seconded the motion. At roll call, five members voted Aye, zero Nay, and the motion passed.

The next item on the agenda was Angelo Sorrenti seeking final site plan approval for one duplex and two variance requests on each of his seven lots. The lots are zoned R-2 and located at the corner of Rosewood and Tanglewood. Mr. Zahn requested the Board approve to have one inclusive vote for all seven lots on the frontage variance and one inclusive vote for all seven lots on the side yard variance.

- Mr. Wilson suggested three votes so a separate vote could be taken for the side yard variance of lot 1952 which was adjacent to an existing residence.
- When Mr. Sorrenti asked if there was still a design restriction on the front width of a garage, Mr. Herrold responded code requires each dwelling unit shall have a minimum of one garage with interior dimensions of not less 12' x 22' and shall be located on the same lot as the dwelling.
- Mr. Sorrenti said he has another building design that was 50' wide with 10' on each side but it wasn't as esthetically pleasing.
- Mayor Hutchinson said his only concern was the setback from the property on the west side being less than 10'. Mr. Sorrenti said he could change the design to get the 10' but it wouldn't be as attractive.
- Mr. Herrold said a site plan would be necessary to show the 10' side yard setback was in compliance. A frontage variance would still be required.

Mr. Wilson made a motion to table lot #2606 in order to allow Mr. Sorrenti more time to consider his design options. Mayor Hutchinson seconded the motion. At roll call, five members voted Aye, zero Nay, and the motion passed.

Mayor Hutchinson made a motion for the Commission to have two votes pertaining to the six remaining lots, one vote for the sideyard setback variance and one vote for the frontage variance. Mr. Wilson seconded the motion. At roll call, five members voted Aye, zero Nay, and the motion passed.

At 7:35 p.m., the public hearing relating to the sideyard and frontage variance requests for six lots at the corner of Rosewood and Tanglewood was opened.

David Pohlbel, 1926 Teakwood Drive, came before the Commission to say the zoning regulations in place in 1995 were changed for a reason so property purchased after that time should not be granted variances. The zoning regulations in effect at the time of purchase should be adhered to and not follow old code.

- Mr. Herrold said they were attempting to grandfather the plat that was approved by Richland County and Council in 1995 into today's standards.

Next to come forward was Wendy Griefenstine, 1941 Teakwood Drive. She had to design her home to fit the property guidelines and felt they should be held to the same accountability. Another concern was the water run-off on Randallwood that swamps all of the backyards. Her children have been waist deep in water and rode a raft from the side of the house into the street.

Mike Stransky, 880 Randallwood Drive, lives adjacent to the lot that was tabled and he thanked Commission members for giving it more consideration. His concern was his shallow backyard and by setting the structure on lot #2606 back farther would impede his backyard living space. The pine trees are at the edge of the property line. Building a single family home instead of a double on that lot would allow more setback footage.

At 7:46 p.m., hearing no one else who wished to speak, the public hearing was closed.

Law Director Medwid advised that Mr. Stransky's comments should be carried forward to when lot #2606 was discussed because that lot was tabled and not included in this public hearing.

Mayor Hutchinson made a motion to carry-over Mr. Stransky's comments to the next meeting when lot #2606 is discussed. Mr. Motley seconded the motion. At roll call, five members voted Aye, zero Nay, and the motion passed.

When Mrs. Knight asked if the stormwater plan was available for the subdivision so that Mrs. Griefenstine's concern could be addressed, Mr. Herrold said they do not have a stormwater plan but it would be part of this plan before the zoning permit could be issued. Mr. Rufener said they would want to look at each of the properties. Mayor Hutchinson said they want to make sure it drained properly so they are not flooded in the back.

Current code requires 100' frontage for a two-family dwelling. The variance request was for lots # 2612, 2611, 2610, 2609, 2608, and 2607 which have frontages that range between 70' - 73'.

Mr. Wilson said the total frontage of the lots, including #2606, is just over 600'. If the area was replatted to include using a portion of lot #2613 it could result in meeting the 100' frontage requirement but would eliminate one building. Mr. Sorrenti said #2613 could not be used due to the 50' gas line easement.

- Lt. Mullens would need to approve the 12' and 14' distance between buildings. This could become an issue if fire trucks could not get to the back of the buildings. The distance between buildings could be contingent upon approval by the Fire Department.
- The 100' frontage has been in effect since at least Ordinance 01-50 passed December 6, 2001 and remained in the amendments passed July 24, 2003.
- Mr. Herrold said research was done in an attempt to locate the frontage requirements at the time this was platted in 1995. Richland County confirmed these were valid lots.

Mr. Zahn suggested tabling this item until they get answers to their questions. Mr. Herrold will compile questions from the Commission members and once the answers are researched that information will be shared with Mr. Sorrenti.

Mr. Wilson made a motion to table Mr. Sorrenti's project until the Board receives answers to their questions. Mrs. Knight seconded the motion. At roll call, five members voted Aye, zero Nay, and the motion passed.

The next item on the agenda brought Craig Hunt, 3680 Park Avenue West, forward to appeal Ontario City Codified Ordinance 1145.09 for light measurements that are taken when a privacy fence is involved.

- Mr. Zahn said Planning Commission is in favor of sending Mr. Hunt's request to City Council in favor of changing the existing code.
- Mayor Hutchinson said he was involved in taking the light measurement and proposes any time a fence of any kind is involved the measurement is taken from the same distance at the property line but at fence height.

Mayor Hutchinson made a motion recommending to Council the changing of the code to reflect when a fence is involved the light measurement is taken at the height of the fence and the distance from the property line remains the same. Mr. Wilson seconded the motion. At roll call, five members voted Aye, zero Nay, and the motion passed.

The last item on the agenda was the discussion on a new Zoning Ordinance or Zoning District for hospitals. Mr. Herrold said the response he received from Mr. Daniels of Avita Health Systems was they don't specifically track the amount spent on signage, it comes out of the marketing budget. Mr. Herrold suggested inviting hospital representatives from Avita and Ohio Health to speak at the next Planning Commission meeting as to what would or would not be beneficial regarding hospital signage.

At 8:20 p.m., with no further business to come before the Planning Commission, Mr. Motley made a motion to adjourn with a second by Mrs. Knight. At roll call, five members voted Aye and the meeting was adjourned.

Fred Zahn, Chairman

Date