

MINUTES  
ONTARIO PLANNING COMMISSION  
APRIL 11, 2018

The Ontario Planning Commission met in regular session on April 11, 2018, at 5:00 p.m., in the Municipal Building with Chair Susan Hellinger presiding. The following Commission members were present at roll call: Chair Susan Hellinger, Service-Safety Director Jeff Wilson, Mayor Randy Hutchinson, Mick Motley and Jill Knight. Also, in attendance was K.E. McCartney Engineer Mark Rufener, Assistant Law Director John Studenmund, Zoning Inspector Dan Herrold and Clerk of Council Cathy VanAuker.

Mrs. Hellinger presented for approval the minutes of the regular Planning Commission meeting held March 8, 2018. Mrs. Knight moved to approve the minutes as presented with a second by Mr. Wilson. Three members cast their votes Aye, zero Nay, two Abstains by Mrs. Hellinger and Mr. Motley, and the motion to approve the minutes passed.

The first item to come before the Commission was a Conditional Use permit requested by Joshua Hylton for a massage therapy business to be located in his home at 3594 Park Avenue West, zoned Business. Mr. Hylton said his part-time business would be opened 4 – 8:00 p.m. One customer would be scheduled at a time so additional parking would be minimal. As a residential business the sign would be attached to the house.

Mrs. Hellinger called three times for anyone who received a letter pertaining to this Conditional Use permit request who would like to come forward and express their views. Hearing none, Mrs. Knight moved to approve the Conditional Use permit submitted by Josh Hylton for a massage therapy business in his home at 3594 Park Avenue West. Mr. Motley seconded the motion. Five members voted Aye, zero Nay, and the motion passed.

The next item on the agenda brought Craig Underwood of New Haven Auto Sales forward requesting a Conditional Use permit approval for an additional used car display lot to be located in a vacant lot that he owns west of 3631 Park Avenue West, zoned Business. Mr. Underwood said he would like to display three or four cars on this lot, there would not be a sales office.

- When Mrs. Hellinger expressed concern about parking on a grass lot, Mr. Underwood said he planned to keep the lot mowed short and there was a lot of fill and gravel that has been there for years so it shouldn't create mud. Mrs. Hellinger considered this to be a parking lot and codified ordinance 1145.19(b) states an off-street parking lot, including parking spaces, and maneuvering lanes, shall be surfaced with asphalt or concrete according to specifications approved by the city engineer. Mr. Underwood responded that cars are parked along that strip a lot. Mrs. Hellinger said for esthetic reasons she would not approve this request to have cars parked in what looks like a yard, unless there are plans to put down gravel.
- In response to Mr. Wilson's question, Mr. Underwood agreed to put down gravel if the lot became muddy. Mr. Underwood said the display was for visual concept, if a customer was interested in looking at a car he would bring the vehicle to his dealership lot.
- A privacy fence will be installed between the residential property to the east and the lot, the fence will extend the length of the house. A 15' greenbelt is required between residential use and business properties.

- Mr. Underwood will have a front license placard, price and phone number on the cars.
- Mr. Herrold confirmed that following sign approval Mr. Underwood would place a sign behind the vehicles as shown on the drawing

Mrs. Hellinger invited anyone who received a letter pertaining to this request and wanted to speak to come forward. Calling three times, there were no responses.

Mrs. Knight moved to approve the Conditional Use permit request by Mr. Underwood of New Haven Auto Sales for an additional used car display lot west of 3631 Park Avenue West.

Mr. Wilson seconded the motion.

- Mayor Hutchinson asked to amend the motion to include the condition that gravel would need installed upon the recommendation of the Zoning Inspector. The lot has a gravel base from years ago.
- Mrs. Hellinger would like gravel put down before cars are parked on the lot.
- Mr. Wilson said he would not support the request without the condition that based upon the Zoning Inspector's observation, if the lot becomes muddy Mr. Underwood agreed to install gravel. Mrs. Knight and Mr. Motley were in favor of this condition.

The motion was amended to approve the Conditional Use permit requested by Mr. Underwood of New Haven Auto Sales for an additional used car display lot, west of 3631 Park Avenue West, with the condition that upon the Zoning Inspector's opinion if mud becomes a problem in the lot then Mr. Underwood would need to install gravel. Four members voted Aye, one Nay by Mrs. Hellinger, and the motion passed.

The final item to come before the Commission brought David Hendrix, owner of Broadview Mansfield, LLC, before the Commission requesting approval of a front yard setback variance of 4', a south side yard setback variance of 3' and a garage length variance of 2' 4". Mr. Hendrix explained that a couple of weeks after purchasing the home it was destroyed by fire. The lot size was too small to accommodate current code. The existing foundation would be used with an additional crawl space under the new structure. The existing house was 24' wide with 920 sf on a 55' wide lot. The required minimum side yard setback is 8'.

Mrs. Hellinger invited those who received a letter pertaining to these variance requests to come forward and address the Commission.

Brenda Thornton, 807 Tanglewood Drive, asked how much of an extension would go into the neighboring properties. Mr. Herrold explained the changes would not extend over the property lines, everything would remain within Mr. Hendrix's parcel. By code, side yard setbacks are 8' from the property line, this request is 5' from the property line so there would be no encroachment into another property. The required front yard setback is 35' from the right-of-way in the center of the road into his property, the request is 31'.

Mayor Hutchinson moved to approve the requested 4' front yard and 3' south side yard setback variance, seconded by Mrs. Knight. Five members voted Aye, zero Nay, and the motion passed.

Mr. Wilson moved to approve the request for a 2' 4" garage length variance, seconded by Mrs. Knight. Five members voted Aye, zero Nay, and the motion passed.

Mrs. Hellinger said another city similar in size to Ontario sends certified letters to abutting property owners and non-certified letters to property owners within 300' because a variance request could affect more property owners in the immediate area.

- Mr. Herrold said letters are sent to additional property owners if a variance request has the potential of impacting the area.
- Mrs. Hellinger asked Commission members to think about making this change for future discussion.

At 5:29 p.m., with no further business to come before the Planning Commission, the meeting was adjourned upon a motion by Mr. Motley and a second by Mrs. Knight.

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Susan Hellinger, Chair

Date