

MINUTES
ONTARIO PLANNING COMMISSION
August 8, 2018

The Ontario Planning Commission met in regular session on August 8, 2018, at 5:00 p.m., in the Municipal Building with Mayor Hutchinson presiding. The following Commission members were present at roll call: Mayor Randy Hutchinson, Service-Safety Director Jeff Wilson, Jill Knight and Mick Motley. Also, in attendance was Law Director Andrew Medwid, K.E. McCartney Engineer Mark Rufener, Zoning Inspector Dan Herrold and Clerk of Council Cathy VanAuker.

Mayor Hutchinson presented for approval the minutes of the regular Planning Commission meeting held June 13, 2018. Mrs. Knight moved to approve the minutes as presented with a second by Mr. Motley. Three members cast their votes Aye, zero Nay, one Abstain by Mayor Hutchinson and the motion to approve the minutes passed.

Mrs. Knight moved to excuse Mrs. Hellinger from this evening's meeting, second by Mr. Wilson. Four members cast their votes Aye, zero Nay, and the motion passed.

The first item before the Commission was a request by Snyder Funeral Homes for a parking variance for their property located at 9 Chambers Road. Todd Snyder, Director, came forward and said the owner of the property was a partnership, Ohio Funeral Support Services, which he was a member. Mr. Snyder then complimented Mr. Herrold on being very helpful during this process that took several months.

- The property was being developed to attract a tenant who currently operates in Columbus, Ohio Cremation and Memorial Society.
- This would be a very limited service funeral operator and licensed by the state as a funeral home.
- Up to 40% of the clientele is handled completely online. The future trend of many clients is not to have a funeral, they prefer direct disposition.
- The size of the building requires 19 parking spaces, there are currently five spaces. The site plan was approved for 20 spaces, then following the approval they received the quote. The proposed 10 new spaces on the side are acceptable but the site falls away at the back of the building making it cost prohibitive to add the remaining four parking spaces.
- The request for a variance was due to the County limiting the building occupancy at 25 people, a large portion of the business would be done online, the average daily car count would be two to three vehicles because 85%-90% of the clients would only have one or two cars maximum, and the lot development expense exceeds the practicality of putting in and attracting this new low cost provider.
- Mr. Herrold suggested if parking becomes an issue in the future then Snyder Funeral Home would agree to add the remaining four parking spaces required by code.

Mr. Motley moved to approve the parking variance request by Snyder Funeral Homes for their property at 9 Chambers Road with the understanding the remaining four parking spaces required by code would be added if necessary, second by Mrs. Knight. Four members cast their votes Aye, zero Nay, and the motion passed.

Mayor Hutchinson presented several topics for discussion:

- 1) A resident living near Cole, Tool & Die has complained about the noise. Council asked the Law Director to research if there was a noise decibel level in our code. Some municipalities specify noise levels for the different zoning areas.
 - Mr. Wilson felt in order to attract business the Industrial zone shouldn't have a noise level. That was the nature of their business with presses and equipment.
 - This area was rezoned in 2001, Cole, Tool & Die opened approximately 2013, and the resident has lived at this location since prior to the rezone.
 - Discussion will continue at the next meeting.
- 2) City code does not allow real estate signs to be placed off the property or directional signs. The suggestion was to have one directional sign which would inform people there was a home(s) for sale on the street.
 - The property owner on the corner would need to grant permission for signs to be placed on their property because signs are not allowed in the right-of-way.
 - Mr. Medwid said each realtor must be given the same privilege of putting up a sign or it would be a constitutional violation.
- 3) A request was made to review the notification process for high weeds. Current code was efficient but there was a delay waiting on the Post Office for their once a week list verifying the delivery of certified mail. Residents receive one notice per year, if there was another violation then a citation could be issued without sending a notice.
 - Grass/weeds are allowed to be 8" high. After receiving a complaint the height is checked, notices are sent if the height exceeds 12" or is ready to seed.
 - It takes up to a week between the time a certified letter is mailed and the posting verifying it was received.
 - Verbal notices will no longer be given, anytime someone needs contacted about a violation it will be by written notice.
- 4) Residential fences were discussed a couple of years ago and presented to Council requiring fences are 3' from the property line but it was not approved. Mayor Hutchinson requested the same proposal be submitted again to Council. Nothing was included about property surveys.
 - Mr. Herrold requested requiring a permit. He uses the drawing submitted by the property owner.
 - Mayor Hutchinson said there have been more complaints about neighbors not maintaining their side of the fence or not being allowed on their neighbor's property to take care of their side of the fence or to mow. The 3' would allow each resident to remain on their own property for maintenance.

- Mr. Medwid will review legislation previously presented for any necessary changes.
 - Existing fences on the property line would be grandfathered because they met code at the time of installation.
 - Fence permits are \$20 and based on the property owners drawing.
 - Mr. Herrold recommended adding to the legislation when a privacy fence was installed the more aesthetic side (flat side) faces out and the post side goes in toward the property owner.
 - Mayor Hutchinson suggested making this change to the legislation and allow Mr. Medwid time to review before forwarding to Council.
 - Discussion will continue at the next meeting.
- 5) Sidewalks at a new business or home doesn't have a timeline for installation. Mayor Hutchinson would like to add code requiring sidewalks must be installed prior to occupancy of a house and prior to the opening of a business. Apartment complexes, or construction with phases, would require sidewalks are installed before moving into that phase.
- Most of the time sidewalks are put in when the driveway is poured and driveways must be in before occupancy of a home.
 - Sidewalks should conform to the surroundings. Not all neighborhoods have sidewalks so any new construction in these areas shouldn't have to put in a sidewalk.
 - Currently, if there aren't sidewalks in the area, the Zoning Inspector requires a letter from the homeowner stating they understand a sidewalk was not required at that time but in the future if the city requires a sidewalk they would need to comply. This signed letter is kept with the permit.
 - Discussion will continue at the next meeting.

At 5:45 p.m., with no further business to come before the Planning Commission, the meeting was adjourned upon a motion by Mrs. Knight and a second by Mr. Motley.

Susan Hellinger, Chair

Date