

MINUTES
ONTARIO PLANNING COMMISSION
OCTOBER 14, 2020

The Ontario Planning Commission met in regular session on October 14, 2020, 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, Mayor Randy Hutchinson, Service-Safety Director Jeff Wilson and Jill Knight. Also, in attendance was Law Director Andrew Medwid, K.E. McCartney Engineer Mark Rufener, Zoning Inspector Michael Morton and Clerk of Council Cathy VanAuker. Mick Motley was excused from this evening's meeting.

Mrs. Hellinger presented for approval the minutes of the special Planning Commission meeting held September 2, 2020. Mrs. Knight moved to approve the minutes as presented with a second by Mayor Hutchinson. Four members cast their votes Aye, zero Nay, and the motion to approve the minutes passed.

Mrs. Hellinger introduced the new Zoning Inspector, Michael Morton. Mr. Morton said he appreciates how helpful everyone has been, and Mayor Hutchinson said he has received positive feedback from those who have worked with him.

Mr. Wilson moved to change the November Planning Commission meeting to November 12, 2020 at 5:00 p.m. Second by Mrs. Knight. At roll call, four members cast their votes Aye, zero Nay, and the motion was approved.

- The November meeting was changed due to city offices being closed on Veterans Day.

Joel Fox, 3890 Horizon Drive, came forward to propose a site design for his variance request. A gas line runs through the lot and because the gas company will not allow him to build close to the line, he loses half of the lot and the sale of a building. To accommodate the hardship on this lot, Mr. Fox would like to build a triplex. The building can't be turned because it would extend beyond the property line causing him to lose use of the lot.

- Kurk Stimens, owner of the multi-family buildings across the street, told Mr. Fox that he appreciates what he's doing in the area.
- The best use of the lot is to build a triplex

Law Director Medwid said duplexes are allowed in R-2 but triplexes are not. Variances are to vary the actual site plan, such as a side yard setback. A living arrangement on the property is a permitted use, which is an R-3. Mr. Medwid preferred to rezone this lot instead of a variance.

- The rezone creates a spot zone but by doing so allows the building to stay within the character and nature of the existing area and fits the best.
- The rezone would allow one building with three units instead of two buildings with two units each.
- Mr. Fox was not planning on starting this building until spring, which allows time for the rezone process.

Mayor Hutchinson moved to approve the rezone to go before Council. Mrs. Knight seconded the motion. At roll call, four members cast their votes Aye, zero Nay, and the motion was approved.

The next item to come before the Commission was the discussion on fencing around swimming pools. Ontario requires a fence around a pool. Richland County grants final approval to residents with a motorized hard pool cover.

- The property owner is liable if they don't follow city code and install a fence around their pool, even though Richland County approved the cover.
- Mr. Morton provided code from other municipalities requiring fences around pools.
- All Commission members were in favor of the fence.
- Mr. Wilson preferred code was changed from a 5' to 4' fence height, which would be consistent with other cities. Most fence heights are 4', such as chain-link and decorative fencing. No more than a 6' height is consistent with our other fence code.
- Mayor Hutchinson would like a full disclaimer on the pool permit.
- Hard covers installed without a fence are in violation of our code and not grandfathered because a fence has always been required.

Mayor Hutchinson moved to change code section 1145.10(4), requiring a pool to be enclosed by a fence not less than 4' high, instead of 5' high. Second by Mrs. Knight. At roll call, four members cast their votes Aye, zero Nay, and the motion was approved.

At 6:25 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. Wilson.

Susan Hellinger, Chair

Date