

MINUTES
ONTARIO PLANNING COMMISSION
AUGUST 11, 2021

The Ontario Planning Commission met in regular session on August 11, 2021, at 5:00 p.m., in the Municipal Building with Chair Susan Hellinger presiding. Present during roll call were Commission members Susan Hellinger, Jill Knight, Mick Motley, Mayor Randy Hutchinson and Service-Safety Director Jeff Wilson; Law Director Andrew Medwid, K.E. McCartney Engineer Mark Rufener, Zoning Inspector Michael Morton, and Clerk of Council Cathy VanAuker.

Mrs. Hellinger presented for approval the minutes of the special Planning Commission meeting on June 29, 2021. Hearing no corrections, the minutes were approved as presented.

The first item to come before the Commission was the second variance request by Polly Mosier, 50 Woodbine Drive, to allow a shed in the front yard. Per Section 1145.01(b), accessory buildings shall not be erected in any required yard but the rear yard. Mrs. Mosier came forward to say, since the last meeting one shed was torn down and taken to Milliron to recycle and she is trying to clean up the property.

- Mr. Morton concurred with Mrs. Mosier's statement. Many of the items were cleaned up and the remaining items in the yard will go in the other shed once it is moved.
- Mrs. Mosier would like to move the existing shed to where the other shed was located, which is 100' off the road.
- Mr. Wilson said, at the last meeting Mrs. Knight recommend placing the shed on the north side of the property in front of the house. If it was moved to that location the shed would not abut neighboring property. Mr. Theaker, owner of two parcels fronting Park Avenue West, indicated during the last meeting that he was fine with that location. Mr. Wilson was in favor of the location but was not in favor of leaving the shed on the south side of the property.
- Paul Harringer, owner of H&T Demolition Excavating, said he delivered the shed and wasn't aware of the zoning requirements. He will work with the property owners and move the shed, at his expense, to a proper location to help resolve this problem.
- Mr. Wilson said he would consider their request to move the shed where the other shed was located, as long as the property remains cleaned up, otherwise the variance would be voided.
- Mrs. Mosier said they will paint or stain the existing shed.

At 5:08 p.m., the public hearing was opened for the variance request by Polly Mosier to allow a shed in the front yard at 50 Woodbine Drive.

Seth Hooks, 54 Woodbine Drive, came forward to say he was in agreement with the location proposed for the shed. However, he would like someone to look at the four cars parked on the property. If the vehicles aren't being used or moved then they are part of the excess items, just like the tables and chairs.

- Mr. Morton said all of the cars are registered and have license plates.

Mr. Motley verified with Mr. Harringer that he understood the new location to place the shed. Commission members agreed to allow thirty days to move the shed.

At 5:14 p.m., seeing no one else who received public hearing notification letters, the public hearing was closed.

Mrs. Knight moved to approve the variance request submitted by Polly Mosier, 50 Woodbine Drive, to place the shed, as discussed at this meeting, on the northwest corner of the property, approximately 150' from the right-of-way, with the contingency the property is to remain clear of debris. Second by Mayor Hutchinson. Five members cast their votes Aye, zero Nay, and the motion was approved.

Discussion Items:

Concession Stands

Mayor Hutchinson said food trailers are becoming more prevalent in the community, they are remaining at one location from days to weeks at a time, and he has received some complaints because they are taking business away from our local establishments. Copies of concession truck ordinances from Bellville and Lexington were distributed.

- Some municipalities limit the operation of food vendors on business properties to twice a year with a maximum of three days at one location and require a \$100 permit fee.
- Special events are not included in these restrictions, such as festivals and concerts.
- Currently, Ontario does not require a fee when requesting a permit and concession trailers can stay at one location 180 days.
- Income taxes aren't required to be paid unless operating consecutively for 21 days. More research will be done to verify this rule.
- Non-profit organizations are not included, such as Lions Club.
- Mr. Wilson said more food trucks are showing up while the local restaurants are recovering from the pandemic, covering payroll and making lease/building payments.
- Mayor Hutchinson suggested Commission members read through the sample ordinances and continue discussion at the next meeting.

Public Hearing Letters of Notification

Code requires letters sent to properties contiguous to and across the street from the property involved in the variance request. Mrs. Hellinger would like more property owners notified because a variance request could affect additional residents even though they aren't next to that

property. Some municipalities extend notification to a specified distance from the property requesting the variance.

- Mrs. Hellinger will contact other municipalities for their rules.

Unfinished Church on Park Avenue West

Mayor Hutchinson said another inspection will take place at the church on Park Avenue West. The owner must pay taxes because it is not an operating church. The property owner is listed as Marion Avenue Grace Brethren Church, but there may no longer be an affiliation with that church.

- The Law Director will research if a time requirement could be included in our code, stating if a building isn't finished within a specified amount of time the property must be restored to the original condition.

At 5:33 p.m., with no further business to come before the Planning Commission, the meeting was adjourned.

Susan Hellinger, Chair

Date