

MINUTES
ONTARIO PLANNING COMMISSION
SEPTEMBER 9, 2026

The Ontario Planning Commission met in regular session on September 9, 2026, at 4:10 p.m., in the Municipal Building with Jill Knight presiding. Present during roll call were Commission members Jill Knight, Hank Webb, Diane Wolfe, and Mayor Josh Bradley; Engineer Mark Rufener, Law Director Andrew Medwid, Zoning Inspector Benji Hall, Clerk of Council Cathy VanAuker, and Assistant Clerk of Council Abbey Beaver. Excused: Service-Safety Director Michael Morton

The minutes of the regular Planning Commission meeting of August 12, 2026, were presented for approval. Hearing no corrections, the minutes were approved as presented.

The first item to come before the Commission was a review of an 8' lot width variance request submitted by Seigneur Fox Construction for a lot split creating two parcels 81' wide on Rudy Road. The Code to be varied is Section 1141.01 Minimum Lot Width 85'.

Joel Fox, representing Seigneur Fox Construction, provided a site plan and explained:

- There are 13' on each side of both houses with 29' in between.
- He is asking for a variance of 4' on each lot.
- The houses fit on the lots.
- There are two lots on Rudy Road southeast of his property that are 83' wide.
- He will not build something he is embarrassed of.
- His intention is to grow this area.
- This will be a great way to get younger families into the area.
- City infrastructure is already in place.
- The lot depth is approximately 550'. Each lot will be .91 acres.

Lorraine Lauer, 42 Rudy Road, gave the Commission a document containing her additional concerns. Each member received a copy.

Director Morton provided his opinion on the variance in writing which Mrs. Knight read. He is not in favor of approving this variance.

Law Director Medwid read a variance presentation he prepared in the past.

- There are two types of variances, an area variance and a use variance.
- Mr. Fox is requesting an area variance.
- The standard to grant a variance is less stringent in which one must show practical difficulties not unnecessary hardship.
- Standards to consider for practical difficulties are:
 - Whether the property in question will yield a reasonable return.
 - Whether there can be any beneficial use of the property without the variance.
 - Whether the variance is substantial.
 - Whether the essential character of the neighborhood will be substantially altered.
 - Whether the joining property will suffer a substantial detriment as a result of the variance.

- Whether the variance would adversely affect the delivery of governmental services like water, sewer, and garbage.
- Whether the property owner purchased the property with knowledge of the restriction.
- Whether the property owner's predicament feasibly can be obviated through some method other than a variance.
- Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.
- What is substantial will be a decision for each person to make.

Mrs. Knight clarified that Mr. Fox meets all other requirements except for the lot size variance.

Mayor Bradley said it is an existing conforming parcel and if we approved the variance, it would create two non-conforming parcels, would this be a problem. Law Director Medwid advised the variance request is to get approval to make the lot non-conforming.

Law Director Medwid advised the problem the City is having is a lack of housing and anytime somebody brings housing to us we vote it down.

- Mayor Bradley responded:
 - We must look at our existing neighborhoods when making decisions.
 - We are short on housing, but we still need to protect neighborhoods.

Mr. Webb confirmed Mr. Fox is going to develop the property regardless of whether it is one house or two. It will depend on the approval of the variance request.

Mrs. Wolfe moved to approve an 8' lot width variance request submitted by Seigneur Fox Construction for a lot split creating two parcels 81' wide on Rudy Road, second by Mayor Bradley. Four members cast their votes aye, zero nay, and the motion passed.

The next item to come before the Commission is a minimum lot area variance submitted by Wigton Construction on two lots for the property at Park Avenue West and Clare Road. He is requesting an 894 square foot variance for the corner lot and a 4,070 square foot variance on the second lot. Each lot will face Clare Road. The Code to be varied is Section 1141.01 Schedule Limiting Lot Area, Density, Height and Area by Zoning District – Low Density Residential Minimum Lot Area is 14,450 square feet.

Andrew Wigton from Wigton Construction came forward to explain:

- Currently the two lots are plotted to face Park Avenue West. They would like to turn those lots and have them face Clare Road.
- The diagram provided was drawn with the maximum size house that would fit on each lot which are 70' by 45' houses. These dimensions equal 3,100 square foot houses. They do not plan to build houses that large.
- They have not decided on house plans for the lots.
- For safety aspects, coming out of the residence onto Clare Road is safer than onto Park Avenue West.
- He believes it would make the area look better with the houses facing Clare Road.

- Moving the frontage to Clare Road will meet the criteria to build on the corner lot but it needs the lot size variance.
- The second lot with the larger variance request is more square feet than the original plotted lot on Park Avenue West.
- It would not be good aesthetically for the area if the corner lot was left empty.
- There is a ditch running down Clare Road that would be eliminated if the variance is approved. Culvert pipes would be installed under the driveways.

Inspector Hall said:

- The lots are 60' on Park Avenue West.
- The corner lot is non-buildable on Park Avenue West.
- Moving them to Clare Road you lose the 35' of frontage.
- The first lot variance is minimal at 894 square feet.

Mrs. Knight asked if the diagram submitted is an actual site plan. Mr. Wigton stated it was.

Director Morton provided his opinion on the variance in writing which Mrs. Knight read. He is not in favor of approving this variance.

Mrs. Wolfe inquired about how close the houses would be to each other.

Mr. Wigton said:

- He would like them to be as far apart as possible, at least 20' apart.
- He does not have an exact plan for the houses.

Mrs. Knight asked who owns the lot on the corner of Clare Road and Park Avenue West.

Mr. Wigton advised:

- It is owned by Jim Rogers until Wigton Construction buys it to build. He would continue to maintain the lot.
- The corner lot as originally plotted is unbuildable due to setbacks.
- It will finish the corner cosmetically if they can build on it.

Mayor Bradley clarified that Wigton Construction has a land contract with Jim Rogers for the parcels and at this time they do not have a formal site plan with houses.

Mrs. Knight questioned whether they could put one house on the lots instead of two houses and how far apart the houses are that have been built on Park Avenue West.

Mr. Wigton explained:

- One house could be built but there would still be a pre-parceled lot that would need to be sold.
- He doesn't have the exact number for the distance between the houses on Park Avenue West, but they are close together. Those were built on the existing long and skinny lots.

At 4:38 p.m., the Public Hearing was opened for a minimum lot area variance submitted by Wigton Construction on two lots for the property at Park Avenue West and Clare Road.

At 4:39 p.m., hearing no one who wished to speak, the Public Hearing was closed.

Law Director Medwid asked with the houses facing Clare Road, would a side yard setback variance be needed to build the house on the corner. Mr. Wigton said no it will fit within zoning requirements.

Mrs. Knight questioned if he is not sure what size house he is going to build then the drawing doesn't constitute as a site plan. Mr. Wigton answered the drawing submitted is not for zoning approval, this is for building area. This is not an actual legal plan.

Inspector Hall inquired if the houses will be built on a slab or have basements. Mr. Wigton would like to have basements.

Mayor Bradley requested to see a site plan in place.
Inspector Hall agrees it would give a better visual for the Commission.

Mrs. Knight said a variance request for 4,070 square feet is substantial.
Mr. Wigton explained:

- The original lots on Park Avenue West were smaller than what is required.
- The way they were originally plotted doesn't meet criteria.

Inspector Hall advised moving the lots to face Clare Road is going to put them into newer zoning code requirements from when the parcels were originally plotted.

Mrs. Knight moved to request a site plan and table this variance to the next meeting, second by Mrs. Wolfe. Four members cast their votes aye, zero nay, and the motion passed.

At 4:44 p.m. Mrs. Knight, without objection, declared a recess while Reveille LTD set up their presentation.

At 4:55 p.m. Mrs. Knight reconvened the meeting and gave the floor to Reveille LTD for the presentation of the Zoning Code Update.

Rachel Bach, representing Reveille LTD, presented an overview of the Zoning Code Update and Zoning District Map.

- The current zoning code has a lot of information, but it is not organized in a way people can find things.
- The new Zoning Code should help lower variance requests.
- The Zoning Code is a tool for implementation of the Comprehensive Plan.
- Applications and Fee Schedules should be taken out of the Zoning Code.
- The best way to update the Zoning Code is to repeal the current one and replace it with the new one.
- The goal is to schedule the Zoning Code Public Hearing on the Council agenda for October 21, 2026.
- The Committee is still working on Rental Registration, Construction Registration, and Vacant Property Registration. These are not part of the Zoning Code.

Mrs. Knight asked about food vendor guidelines and if they are outlined in the new code.
Ms. Bach stated there is nothing in the code, it would be under Business Regulations.

Mrs. Wolfe would like to see billboards addressed in the new Zoning Code.

Mayor Bradley said it has been suggested to extend the data center moratorium until the State sends out its study after the November elections. There is a section in the new Zoning Code as a place marker until decisions are made. He asked about changes to the Zoning Code once it is recommended to Council.

Law Director Medwid advised if there are changes to the document the Ordinance would read as amended.

Mrs. Wolfe moved to recommend the Zoning Code Update to Council for approval, second by Mrs. Knight. Four members cast their votes aye, zero nay, and the motion passed.

Mrs. Knight thanked Clerk of Council Cathy VanAuker for all her years of service and wished her the best of luck in her retirement.

At 5:44 p.m., with no further business to come before the Planning Commission, the meeting was adjourned.

/s/ Jill Knight, Chair

Date