

**CITY OF MENTOR-ON-THE-LAKE
PLANNING AND ZONING COMMISSION
May 1, 2017**

The regular meeting of the Planning and Zoning Commission for the City of Mentor-on-the-Lake, Ohio was called to order by Mr. Cason on May 1, 2017 at 7:00 p.m. in the Community Room of City Hall, 5860 Andrews Road.

ROLL CALL: Ms. Cason
Mr. Johnson
Mr. Sweeney
Mr. Boomer
Mr. Sheldon

ALSO PRESENT – Mr. Brent Moore, Zoning Inspector
Mayor Eva
Jim Lunder, Council Representatives

APPROVAL OF MINUTES – April 3, 2017

MOTION by Mr. Johnson, and seconded by Mr. Sheldon to approve the minutes of April 3, 2017 as submitted.

ROLL CALL Ayes Ms. Cason
Mr. Johnson
Mr. Sweeney
Mr. Boomer
Mr. Sheldon

MOTION CARRIED 5/0

OPEN PUBLIC HEARING: Conditional Use Permit – Amvets Post 109 was present. They are looking to renew the Conditional Use Permit for a period of five (5) years for the sale and consumption of alcohol beverages, and to provide live entertainment/dancing and use of rear patio on the said premises. No questions were asked.

A MOTION by Mr. Johnson and then a second by Mr. Boomer to approve the Conditional Use Permit for a period of five years.

ROLL CALL Ayes Ms. Cason
Mr. Johnson
Mr. Sweeney
Mr. Boomer
Mr. Sheldon

MOTION CARRIED 5/0

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Conditional Use Permit – Ninja Sushi & Hibachi Restaurant was also present. They also applied for a Conditional Use Permit, for the sale and consumption of alcoholic beverages. Mr. Moore stated that this would be a new permit, and he suggests that the commission approve them, with operations continued as is. This permit would be granted for a period of one year, and then at renewal granted for five years. No questions.

A MOTION by Mr. Boomer and then a second by Mr. Johnson to approve the Conditional Use Permit for a period of one year.

ROLL CALL Ayes Ms. Cason
Mr. Johnson
Mr. Sweeney
Mr. Boomer
Mr. Sheldon

MOTION CARRIED 5/0

CLOSED PUBLIC HEARING:

COUNCILS REPORT: Mr. Johnson shared that the biggest issue currently with Council is about cats. The Cat Ordinance, there is a draft that the Law Director has. Once council receives the draft, they will review and make any changes necessary. The premise is to require registration of those who are actually care takers of ferrell cats with an organization such as Mentor Community Cats. They would maintain records and require them to have the cats vaccinated, spayed and neutered. Council wants to mitigate the population and expansion of cats in the community. It won't solve all the problems in the community, but it will help with all the stray cats. This is a step in the right direction to control the population. There is a community cleanup day coming up on Saturday with a cook out afterward. The mayor mentioned that one single cat being fed by a resident will constitute registering. The good thing about the ordinance is that they all should be registered, spayed and neutered. We will have record coming from the Community Cat Organization, so we can track and monitor it more closely. Mr. Moore and his staff will be able to look up the records when complaints come in. There is no cost to the city. Mr. Sweeney asked if someone is feeding a cat and they are not registered, they can get in trouble. The mayor replied with a yes, it should be reported. The mayor also spoke of a cat colony on chagrin. They start with one cat, then get five and they start to multiply. The Community Cat Organization said if the cats were not fixed we could have as many as 300-600 cats. This is a first step and he is not sure that there is any other step to follow. Hopefully we have good record, and we can get these cats registered. Mr. Lunder spoke of a situation on Sharon were there was five residents feeding one cat. When they found out about the registration process, they stopped feeding it.

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The mayor also mentioned that the City was named one of Ohio's safest cities, and that we were second in Lake County. The Lake Street project has begun. They eliminated the one way on Beech and Pinehurst. There have been a few issues with that, but they are working through that. While the mayor was at meeting at Lake School he was informed that of the 300 kids that attend, there are only about 20 children that walk to school. There are over 100 kids that get dropped off and picked up by parents every day. We also have a walking trail that is coming. It was fully funded by Dave of Lake County Development. It cost about \$60,001.00.

OLD BUSINESS: Yager's Auto & Marine, they have not provided us with any of the information requested. Mr. Moore stopped in to talk with them. They said that they were trying to get a letter, but Elaine Crane was not being cooperative. Mr. Sweeney asked if they had been operating in the city since 1983 under the assumption they had a Conditional Use Permit. Mr. Moore stated they had applied for one and never showed up for the meetings. Mr. Sweeney asked the Mayor if he talked with Jim Lyons. The mayor's response was that there are a couple things going on here. One being the assumption, that they have been doing this for 30 years. Mr. Sweeney mentioned he was worried that it would come back to bite us, because the city allowed them to operate for all these years without a permit. Ms. Cason stated that we are not trying to go back and penalize them. The mayor did talk with Mr. Lyons, and with what the commission decided about being in compliance by July 1. This was more than enough time for people to get the boats in the water or on a trailer, somewhere else beside in Yager's lot. They are well aware of what has been asked of them and they have not yet come up with any of the documentation that we have asked for. Come July 1 they will be out of compliance, and it will then be turned over to Mr. Lyons and Mr. Gurley to handle. The mayor mentioned that he knows that they have been doing this for a long time, and that somewhere along the lines it just got put aside and it was never pursued. There was a letter of complaint that council and the mayor both received from a resident on Park Street. There is probably more than one person not happy. Mr. Sweeney shared that he was just concerned that we are covering ourselves. Mr. Moore also mentioned that Blystone's has a permit and then so should Yager's for doing the same operation. Upon receiving a complaint and the fact that we are cleaning up some old records is how this issue has been brought up. Everyone in the city has been coming into compliance except Yager's. The mayor mentioned that he also spoke with Cal's and with the Chief of Police and what can they do about the junk cars that are being left. They spoke with Vitalone's and they will handle getting the cars out of Cal's lot. They will handle getting abandoned tires and taking them to the impound lot.

The mayor mentioned again about Yager's and what he is going to do with the boats. They are very close together, and whether there is fuel in them or not. If there is a fire that starts, no way is the fire department going to come close to putting it out. It is going to have to burn. It is going to take out residents on Park Street. The best thing they will have to do is just contain it.

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Mr. Moore stated that by July 1, they are supposed to have the boats removed from the area between Mario's Lounge and the church. The commission has not come up with a number, so I don't know how many to tell them to get rid of. The Mayor mentioned they are going to have to get in touch with Elaine Crane and get the required documents in order for him to continue his business. Ms. Cason said that we proposed 15 boats and he requested 80 boats. If Mr. Yager came up with a realistic number of boats that were in compliance with what we asked then it could be discussed. For now the number will be 15 which were proposed. Ms. Cason mentioned that we will wait for July 1, unless they come to the next meeting. Mr. Moore will talk with them and let them know that if they don't show up at a meeting they may get 0 boats allowed. It will be 0 boats allowed if they don't have a permit that states otherwise.

NEW BUSINESS: Mr. Moore asked the commission if the city can put up an 8ft fence along the back yard behind the service garage. He stated that there is at least a 6ft fence going up. The city is building a salt shed, and they are improving the back yard area. They will be putting all the outdoor equipment back behind the pole barn, and he is sure that the neighbors are not going to want to look at all the equipment and stone. Ms. Cason mentioned that at one point they discussed allowing an 8ft fence between a residential and commercial area. This is not a totally new conversation; it has definitely been in discussion before. Sheetz is an example as well as the house that is next door to Overlook Beach Park. Mr. Moore stated that it would be a wood fence. This would be great to have when the walking path gets put in as well. The mayor mentioned that if he was coming here to walk, he would not want to look at someone's back yard. Even residents may not want to look out the back yard and see folks walking on the path. Ms. Cason asked, if we had any input from the residence? Mr. Moore stated that there is one resident who doesn't like where the salt shed is going. We are putting in a base for a road to go in back there, so that we can store our stuff without sinking into the ground. The resident said that they are killing her trees. This started a year ago when the resident said that she did not want to have to look at the equipment. A privacy fence would help with this situation. She also put that on plan for health, but she wants it where she wants it, not where the city needs to put stuff. This would be the only resident against this. Mr. Moore stated that there will be a fence up tomorrow, weather pending. The wood fence will replace the chain link that is currently there. It will go from behind the pole barn to the Service Garage, and eventually all the way down the back side of the property. Ms. Cason mentioned that she would think that the residents would want the privacy especially since there would be the walking path. She would not want to see people walking in her back yard. The mayor said that the path is going go along that fence line. Mr. Boomer also mentioned that Ohio Water has an 8ft chain link fence, and we just recently allowed a resident to put an 8 ft. fence right alongside of it. She has not put up the fence yet. Mr. Moore said that the fence will be a stockade fence. It will get put up a few inches off the property line, and then they will tear down the chain link.

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A MOTION by Mr. Johnson and then a second by Mr. Sheldon to approve up to an 8ft fence at City Hall between the residential and the city property, acknowledging that other instances have been made when there is a commercial property butting up against a residential property. They have gone beyond the normal 6 ft.

ROLL CALL Ayes Ms. Cason
Mr. Johnson
Mr. Sweeney
Mr. Boomer
Mr. Sheldon

MOTION CARRIED 5/0

ANNOUNCEMENTS AND SETTING OF MEETINGS: June 5, 2017

MEETING ADJOURNED – 7:31 pm by acclimation

APPROVED JUNE 5, 2017
Date

Ralph Boomer
Chairman

ATTEST Bill
Planning and Zoning Clerk