

CITY OF MENTOR-ON-THE-LAKE
PLANNING AND ZONING COMMISSION
March 5, 2018

The regular meeting of the Planning and Zoning Commission for the City of Mentor-on-the-Lake, Ohio was called to order by Ms. Cason on March 5, 2018 at 7:01 p.m. in the Community Room of City Hall, 5860 Andrews Road.

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

ALSO PRESENT- Brent Moore, Service Director
Desirea Thompson, Council President
Jim Lunder, Council Representative

APPROVAL OF MINUTES – February 5, 2018

MOTION by Mr. Boomer, and seconded by Mr. Johnson to approve the February 5, 2018 minutes as submitted.

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

MOTION CARRIED 4/0

CORRESPONDENCE: Mary Bill read a memo that was submitted by Hollie Bartone, Administrative Director in regards to the renewal of the Conditional Use Permits for Cal's Marathon and Mario's Lakeway Lounge. This document will be on record and a copy will be in the Planning and Zoning book.

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OPEN TO THE PUBLIC: Renewal of Conditional Use Permit for Cal's Marathon. Cal Gandolf, owner of Cal's Marathon and his wife were present. Ms. Cason shared that the City expressed some of their concerns. She recalls the discussion from last year about the 20 allowable cars aloud.

Mr. Gandolf expressed that he has done the best he can to maintain the allowable amount of cars. They do a lot of business and he does to try to be in compliance, but he also may have a lot of cars come in at a given time and cannot turn away customers. He mentioned that he leaves the parking lot open so that gas trucks, tow trucks can all come in. There are no problems with large vehicles getting into the parking lot.

Ms. Cason asked Mr. Gandolf if he was still having an issue with abandoned cars. He and his wife both expressed not that many. His wife expressed that the City wanted them to align themselves up Vitalone's, and they expressed that they have not. The main reason is that Lake Auto buys over \$5000.00 in gas from them, and they feel that they need to patronize them over a company that does not give them the business. Mrs. Gandolf expressed that they have contacted Republic about the location of the dumpster and that they have left it up to them to move it to the proper location, she also expressed that the gas pumps are not blocked. The pumps are always wide open. Mr. Boomer shared that he has never had a problem getting to the pumps either. Mr. Gandolf stated that there have been times when the lot is full and he puts cars anywhere he can fit them, so he does not have to turn away customers. He expressed that sometimes they have too many cars and then other times they are low. It all depends on the need for repair. He wished he had more room. He apologized for the times that he has messed up, but he cannot refuse customers. Ms. Cason shared that she has observed the flow throughout the last year.

Mr. Sheldon asked Mr. Gandolf on what percentage of time have you exceeded the 22 spots over the course of the year on a monthly basis. Do you think you are over more consistently than you are under the 22 spots allowed? Their response is that it varies, any given day is different. It really depends on when people pick up and drop. There are times that people may leave cars for 2-3 days before they pick them up. It's always a transient. They can only hope that they pick them up as soon as they are done. Mr. Gandolf stated it's really a different life unless you are there to experience you won't understand it.

Mr. Moore mentioned that the entrance on Manor needs to be cleared. This is one instance that Ms. Bartone is concerned about. This entrance needs to be clear for two way traffic. The problem is if one car is parked there for the weekend, then it's blocking and then a safety vehicle would not be able to get in.

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MOTION by Mr. Boomer and seconded by Mr. Sheldon to approve the renewal of the Conditional Use Permit for a period of five (5) years, subject to the same conditions as last year. (This is referenced on the permit, which will be submitted for the record.)

If there is a consistent problem or there are issues with the Police and or Fire Departments, then the board can come together and revisit the permit.

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

MOTION CARRIED 4/0

OPEN TO THE PUBLIC: Renewal of Conditional Use Permit for Mario's Lakeway Lounge.

Ms. Cason expressed the Cities concern about the large equipment that continues to be on the property, and having a debris free landscape. Ms. Cason mentioned that she is not sure that the board can make this condition a part of the Conditional Use Permit, especially since it is the entire neighbor's property. It would be their responsibility to keep it cleaned up. Mr. Moore mentioned that we have sent Ms. Crane a letter in reference to this matter.

Mr. Cacic was not present so this matter was tabled until the April meeting.

CLOSED PUBLIC HEARING

COUNCILS REPORT: The Zoning Committee is reviewing and correcting the zoning mistakes made around the City in terms of buildings that are in compliance with the current zoning. Council is also discussing and proposing the creation of two business districts and eliminated the office district, which is currently the west side of Andrews Road. That would be Business District 1 and then the east side would be Business District 2. The difference would be that the west side would be required to have more Conditional Use Permits, primarily because they are adjacent to residential property. That would allow more control over such things as a drive thru, lights, smells and requiring barriers between those properties.

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Ms. Cason asked if that would be including higher fencing. Mr. Johnson replied they are not sure as to what the barriers will be, maybe vegetation and or fencing. It will be determined what will be allowed and not allowed in each Business District, and what would require a Conditional Use Permit. The Office District and Industrial District are going to be eliminated. The Zoning Committee meeting is next Monday night the 12th.

OLD BUSINESS: Residential District Ordinance Review

Mr. Moore mentioned that the board got to hear two versions of what Mr. Buescher was presenting and that the BZA board heard a third version. Mr. Moore is suggesting that we wait until he comes up with a final version, before we discuss and go over the document. He mentioned he was pretty close to a final version. Mr. Moore mentioned tabling this until then. He also mentioned that he likes the concept. Ms. Cason stated that there are some good pieces that he brought out, maybe dust off the current version. Her concern was more about the aesthetics than they were about safety. Mr. Moore stated that Mr. Buescher would like to remove the grandfather clause, and he does not think that is possible. This would be something that the Law Director would need to review. Mr. Boomer asked what the grandfather clause was. Mr. Moore stated that anything built prior to September 14, 1955 is a buildable lot, no matter what the lot size. Mr. Moore pointed out that most of the lots in the city are 50 and 60 foot lots, but there are some 40 foot lots. He mentioned that there had been a resident who had three lots and was asked to split them and make two, and he was satisfied with that. Mr. Kaim also had three lots, and was asked to split them into two. He did not and appealed the decision. He is building three homes and Mr. Buescher is not happy with that, personal to him. Mr. Boomer mentioned that it would be an eye sore. He understands that this was done legally and that it is something that we must be alright with. Mr. Moore stated that even though the state says they are buildable, he is going to go by what the ordinance states. Ms. Cason agreed that this is part of the ordinance that we are willing to look at. This item will be tabled until such time as a new document is presented.

NEW BUSINESS: Mr. Moore mentioned that Mr. Sweeney wanted him to bring up fences, since we are approaching that time of the year. The distance between fences and sidewalks are of concern. He suggested coming up with a standard foot requirement, such as 6 or 8 feet between them. He pointed out the home on Richwood, which is about 2 feet off the sidewalk. Ms. Cason asked if the current rule is from the right of way. Mr. Moore stated that would be from the back of the sidewalk, sometimes further. Mr. Sweeney is asking for us to establish a standard amount, so that it can be fair for everyone across the board.

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Ms. Cason stated that this would be a good consideration, something that should be part of an ordinance change. Mr. Johnson stated it would just affect corner lots. Mr. Johnson's point of concern was there are so many that already exist, how do you set a limit when there are so many that already have them. How do you justify one over the other? Mr. Moore's take on a fence permit is if you are going to replace an existing fence exactly the same, then you don't need a permit. If there is a change in material, looks, or move it then a permit is required. The fence on Woodside in the front yard was a special circumstance, to hide the resident's property. He can keep it as long as he maintains it, but if he wants to change it then it is no longer permitted. A chain link fence on Manor as well. Ms. Cason mentioned making a recommendation to the Zoning Committee to look at a more standard way with fences on top of sidewalks. Ms. Cason mentioned that they can consider it on a case by case basis. There was continued discussion on fences and what the ordinance states.

ANNOUNCEMENTS AND SETTING OF MEETINGS: April 2, 2018

A MOTION to adjourn by acclamation by Mr. Boomer and seconded by Mr. Sheldon.

MEETING ADJOURNED – 7:35 pm

APPROVED 4/2/18
Date


Chairman

ATTEST UBill
Planning and Zoning Clerk