

CITY OF MENTOR-ON-THE-LAKE
PLANNING AND ZONING COMMISSION
AUGUST 6, 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 August 6, 2018 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-absent
Mr. Sheldon-absent

ALSO PRESENT - Brent Moore, Service Director
Desirea Thompson, Council President
Jim Lunder, Council Vice President
Mayor Eva

APPROVAL OF MINUTES – June 4, 2018

MOTION by Mr. Johnson, and seconded by Mr. Sweeney to approve the June 4, 2018 minutes as submitted.

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

MOTION CARRIED 3/0

OPEN PUBLIC HEARING: Ninja Sushi & Hibachi Restaurant appeared before the board to renew their Conditional Use Permit. It was good for one year and they are wishing to renew it for a period of five years. Mr. Moore stated that there were no issues that he was aware of. No questions were asked.

MOTION by Mr. Sweeney, and seconded by Mr. Johnson to approve the Conditional Use Permit for a period of five years.

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

MOTION CARRIED 3/0

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There was a second request for a fence variance for 7940 Lakeshore, owner is Robin Haffa. Her boyfriend Mario was there to represent. The request was to remove the existing chain link fence from 5 feet next to the pool and extend it out to the east sidewalk with a wood privacy fence; it also goes from the front edge of the house over as well. The question here is about the fence being along the east side of the sidewalk along Marine Parkway. Ms. Cason stated that the intention was to have enough space if a pedestrian was walking down the sidewalk so that they could be seen. Mr. Moore stated that there is also a possibility that there could be utilities along this side of the sidewalk. The house to the south on Marine Parkway has them along the sidewalk. Ms. Cason asked if there is a usual right of way or easement that utilities are placed at. Mr. Moore stated that Marine Parkway has a sixty foot right of way, which would put it thirty foot from the center of the road. The cable and phone company have a little bit more, he did not know exactly what it is.

Ms. Cason asked where that would put the fence. Mr. Moore stated about five feet from the sidewalk. It was also mentioned that the sidewalk jogs over. Mr. Moore stated that they are asking for it to go along the back edge of the sidewalk along Marine Parkway. Mr. Sweeney asked why the sidewalk is jogged like it is. Mr. Moore mentioned he had no idea. Mr. Sweeney asked if they ever did any excavation, would they put back in a straight line. Mr. Moore mentioned that he would have to look at the site plan. Mrs. Thompson asked, do you think that's when they connected Marine Parkway to Lakeshore. Mr. Moore mentioned that with the utilities running the way they are, it would not surprise him if they are five feet on Ms. Haffa's property from the sidewalk. Mr. Moore mentioned that he knows that cable is on the west side of the road. Ms. Cason asked what the difference from the tree to the sidewalk was. Mario mentioned he estimates about thirty to thirty five feet. There was discussion among the commission. Mr. Moore was concerned about the property behind them. His concern was for when he backs out of his driveway and having enough sight to see for pedestrians walking down the sidewalk. Mr. Sweeney said it shows one car parked in front of the house, you get two and it takes it up to the existing sidewalk. Ms. Cason proposed that it not closer than five feet from the sidewalk at the south east corner. Ms. Cason and the commission then discussed her proposal. She mentioned that there are a couple different extenuating circumstances that they need to consider. There is potential for blocked vision. We create a blind driveway. If we leave about five feet, we can get to an easement. Mr. Sweeney mentioned that there was the same situation on Linden, and they set it at eight feet from the sidewalk. Mr. Johnson suggested ten feet from the sidewalk. There was discussion among the commission as to being 5 feet from the sidewalk and then an additional five feet from the neighbors sidewalk, which would then give him approximately fifteen feet from the south east corner of the neighboring sidewalk. Mr. Moore stated even if the neighbor had a large pick up, he would still be able to see backing out of his driveway. Mrs. Thompson stated on the other side of this house across the street is Lawnfield. When you are on Lawnfield looking across the street, you would have to be able to see past that fence, because some people blow through the stop sign on Marine Parkway. Mr. Moore mentioned he didn't think that would be an issue. Mrs. Thompson stated that their front window is directly in line with Lawnfield.

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Mario mentioned that the fence would not come any further from the front edge of the house. There was discussion among the commission. Ms. Cason asked if there is a fence east of this pool. Mario stated the fence was torn down north and south, but east and west is currently still up. The center fence was removed. There is still a fence west side of the tree. There was continued discussion among the commission. Mr. Sweeney asked about having chain Link fence? Mario mentioned that they were looking to put up a six foot high wood privacy fence.

Ms. Cason mentioned that the regulation calls for a two foot high fence; they actually recommend a split rail. It's difficult when you look at corner lots, they consider it two fronts. It's not really a side yard. This is a very busy and well-traveled corner. There would be a need for a variant just to get the stockade fence in the existing location. There was continued discussion among the commission. Mr. Moore stated that if he was just going to replace the existing chain link to a stockade, he would not have had him come to this meeting, because he would have been in line with the house. There was further discussion among the commission in regards to distance from the rear corner of the neighboring sidewalk and the Marine Parkway sidewalk.

Mr. Johnson asked what the distance between existing fence and the sidewalk is. Mario and the commission looked over the pictures to determine the length in question. Mr. Moore stated that it was forty five feet from the back edge of the property sidewalk to the existing fence. Mario asked about the safety concerns. Ms. Cason stated that it is traffic concerns. They have to have appropriate clearance for neighboring driveways, to be able to back out with full view. Mario asked about angling the fence to help with the view. Ms. Cason stated that he could but there decision would be based on were the further most line is. The commission then discussed it even further among themselves.

MOTION by Mr. Sweeney and seconded by Mr. Johnson to allow a six foot wood fence to be fifteen feet from the southeast back corner or twenty feet off the existing sidewalk, running parallel with the property line.

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

MOTION CARRIED 3/0

Mario asked if someone could come out and show him exactly were the line is. Mr. Moore said he would come out on the day that the permit is picked up.

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COUNCILS REPORT: Mr. Johnson stated that Council will not be taking the month of August off because they are currently on second reading of the ordinance to create Business One and Business Two Districts. That should pass by the end of the month. They will also be reviewing the list of properties to rezone that the administration has put together. Mr. Johnson made the commission aware that he will not be at September meeting. Mr. Sweeney asked about the medical marijuana sales, what if someone wanted to come into the City and open up a store front. He stated that they had talked about it and that he would have to check with Paul Morris.

OLD BUSINESS

Mr. Johnson asked if the Mayor could be added to the agenda, it was agreed upon. The Mayor's report will be given before Councils report

Mayor Eva reported that they had a fun weekend collecting school supplies. The fill a cruiser was successful, the car wash was too. His office is full of school supplies. The car wash raised nearly \$500. The trunk sale is next Saturday starting at 9:00 am, with spots still open. There is also a public auction on Saturday as well, starting at 10:00 am. The Pinehurst project is coming along well, with paving to start in a week to ten days.

NEW BUSINESS

ANNOUNCEMENTS AND SETTING OF MEETINGS: September 10, 2018

A MOTION by Mr. Johnson to adjourn by acclamation

MEETING ADJOURNED – 7:38 pm

APPROVED 11.5.18
Date


Co-Chairman

ATTEST MBell
Planning and Zoning Clerk