

PLANNING AND ZONING COMMITTEE

OCTOBER 21, 2015

The meeting was called to order at 5:00 p.m. by Chairman Tim McCarthy. Committee members present were John Kevern, Tom Mackin and Tim McCarthy. Also present were Brody Walters, Planning and Zoning Administrator and Karlene Henderson, Law Director.

ECKEL ROAD OVERLAY

Kraig Mackett, owner of 13100 Eckel Junction Road, was present to discuss the requirement that a site be brought into full compliance with the Code if any improvements are made to the property. This property is in an area that was built while in the Township but has subsequently been annexed to the City. Mr. Mackett indicated that to bring his site into full compliance would cost almost one million dollars. Mr. Mackin asked if Mr. Mackett benefitted when he purchased the property because it was not up to Code. Mr. Mackett said that to some extent he did benefit. Mr. McCarthy said that if you buy the property at a discounted price it should give you equity, not necessarily financial equity, to make improvements, and he asked Mr. Mackett if he has tried to obtain financing. Mr. Mackett said he has looked at getting financing for these improvements, but the banks say that the improvements required have no real value other than to the City. The Committee previously discussed a deferred compliance schedule prepared by the Administration. Mr. Walters said that the deferred compliance schedule was designed to say that over the next ten years you will give us 100% compliance, and Mr. Mackett was not comfortable with making that commitment. Mr. Walters was asked how other communities deal with this subject. Mr. Walters said that he has seen various approaches and he gave the following breakdown:

- 0 – no requirements to conform
- 1 – only make affected “area” conform
- 2 – only make affected “topic” conform
- 3 – full compliance

He explained that with option 1, if you were adding on, only the addition would have to be in compliance. With option 2, if you were building an addition, the addition and the building would have to be in compliance but areas like the parking lot, sidewalks, etc. would not be affected.

Mr. McCarthy asked Mr. Walters to find some language for the Committee to review for option 2. Mr. McCarthy explained to Mr. Mackett the lengthy process involved in an amendment to the Code so even if the Committee supported a change, it would be take time. He thanked Mr. Mackett for coming to the meeting as it is helpful for them to hear the challenges from his side of it.

2016 PLANNING AND ZONING BUDGET

The Committee discussed the proposed 2016 budget for Planning and Zoning and agreed that the only outstanding issue is the contracts line item. Mr. Mackin said that there has been a change in purpose for that line item and it may not be good policy because there is no Council overview. He said it is appropriate to use funds from that line item to get an estimate for a project but the actual work should not be paid from that line item. Mr. McCarthy noted that there are no funds in the budget for updating the Planning and Zoning Code and he is not recommending that Mr. Walters do the update. Mr. Walters said that the update will be in the 2017 budget and he agrees that it is beneficial to have someone from the outside assist with the Code update. The committee agreed 3-0 that the contracts line item (110.1234.51273) should be reduced to \$40,000 in the 2016 budget. Mr. McCarthy said that he would be open to funds for the update to the Planning and Zoning Code being included in the budget.

There being no further business, the meeting adjourned at 5:58 p.m.

Respectfully submitted,

Tim McCarthy
Chairman, Planning and Zoning Committee

Next meeting: Wednesday, November 18, 2015 at 5:30 p.m.