

PLANNING & ZONING COMMITTEE

FEBRUARY 10, 2022

The meeting was called to order at 5:30 p.m. by Chairperson Tim McCarthy. Committee members present were Tim McCarthy and Barry VanHoozen. Cory Kuhlman arrived at 5:35 p.m. Barry VanHoozen left the meeting at 6:22 p.m. Also present were Kate Sandretto, Law Director, Brody Walters, Planning and Zoning Administrator, and Mark Easterling, Deputy Planning and Zoning Administrator.

APPOINTMENTS TO HISTORIC LANDMARKS COMMISSION

Mr. McCarthy and Mr. VanHoozen voted to adjourn to Executive Session at 5:30 p.m. Mr. Kuhlman arrived at 5:35 p.m. and entered Executive Session at that time. The Committee members, Mr. Walters and Mr. Easterling reconvened following Executive Session at 5:48 p.m. The Committee members voted 3-0 to recommend that Susan Rowland Miller and Scot MacPherson to be appointed to the Historic Landmarks Commission.

APPROVAL OF PRIOR MONTH'S MINUTES

The Committee unanimously approved the prior month's minutes.

CITIZEN'S CONCERNS

Jeff Hoffmann, 310 Mulberry Street, has received a letter from the City regarding the parking of his trailer in the front yard, and wanted to know if there is an application for a variance. He does not want to have to park his trailer, which he uses for his business six days a week, behind his home. Mr. Walters stated that per the Ordinance that was passed, Mr. Hoffmann is in violation of the Zoning Code for not being parked in the rear yard.

The Committee explained that some residents who have trailers in their front yards want to do so year-round while others nearby complain that their view down the street is blocked. As a result, the Committee was not inclined to make changes to the applicable Ordinance. Mr. Hoffman confirmed that he can park his trailer in the portion of his driveway that is in the back yard during the winter months.

Scott King, 925 Walnut Street, does not see the point of the Ordinance for trailers, if they are allowed for certain parts of the year. Mr. McCarthy explained that the theory is to strike a balance between property owners who want to park RVs and trailers in the portion of their driveway that is in the front yard and nearby property owners who don't want their view blocked.

CONEX BOXES – SECTION 1250.61

Ms. Sandretto introduced a revised version of the Ordinance to make it clear that things such as Conex boxes, semi-trailers, and shipping containers are accessory structures within the meaning of the Zoning Code. These have always been prohibited and this is just being made clearer with this edit.

Mr. Kuhlman wanted to know what the penalty is for violating this Ordinance and wondered if there is a way to make violations of this a civil penalty. Ms. Sandretto stated that they can evaluate the penalty section for the Planning and Zoning Code as a best next step after the Land Use Update is completed. The Committee members agreed 3-0 to recommend the revisions to City Council.

LAND USE TABLE

Greg Rufty, 26671 Foxton Court, owns Extra Virgin Food Services, which is a catering company with multiple types of catering services. He proposes to add Catering, on-premise and off-premise, to the Land Use Table that dictates where uses can be located. On-premise catering is for the production of food for the consumption at a function such as a banquet or event that is held on the physical premises of the establishment of the facility that is producing the food. Off-premise catering is the production of food for consumption at a location away from the caterer's food production facility. With off-premise catering, food may be picked up at this location by the customer, but may not be consumed on the premises.

Mr. VanHoozen left the meeting at 6:22 p.m.

Mr. McCarthy stated that this will now go to the Planning Commission and his initial reaction is that it is a good idea. Mr. Kuhlman added that he thinks this is a great addition and that he appreciates Mr. Rufty taking the time to explain this thoroughly. Ms. Sandretto suggested adding the wording to not contain a drive thru, so that there is a distinction between a fast food restaurant and a catering company. The Committee thanked Mr. Rufty for the work he has done on this issue.

OTHER BUSINESS

Mr. Walters explained that Mayor Mackin has asked his Department to consider purchasing Hybrid vehicles at this time. The proposal is to purchase three of the exact same 2022 Ford Escape Hybrids at \$29,417.00 each, from Montrose Ford. \$95,000.00 was budgeted to replace their fleet, bringing them under this number, even with any decals that need to be completed. Mr. Kuhlman wanted to know about signage being put on the vehicles and hopes that it will indicate what Department the vehicles are from. Mr. Walters would be supportive of that, as he believes it is important to identify who they are and what they are doing. Mr. Walters also wanted to add that, of their vehicles currently, the one with the lowest mileage has 153,000 miles on it. The Committee members agreed 2-0 to recommend this to City Council.

Mr. Kuhlman would like a history of Land Use Plans and how they did or did not address the Heights in each of those. He would like to make it standard practice that, when the City is analyzing a rezoning request for a specific property, adjacent Perrysburg Township properties are also made aware of any Public Hearings. Mr. Walters and Mr. Easterling believe that practice is already in place because they alert any property owner within 200 feet of the parcel, irrespective of whether they are in the City or Township, but they will check to be sure that is the case. Ms. Sandretto wanted to reiterate that the Land Use Plan would give her a defensible document to cite very clearly when there is a rezoning request. Mr. Kuhlman wanted information regarding annexations in the Heights and the increase in taxes that the property owner would face. Mr. Walters stated that this is actually a misconception and that there are tax advantages when properties annex into the City.

There being no further business, the meeting adjourned at 6:58 p.m.

Respectfully submitted,

A handwritten signature in black ink, reading "Timothy C. McCarthy". The signature is written in a cursive style with a large, stylized 'T' and 'M'.

Tim McCarthy, Chairperson
Planning & Zoning Committee

Next Meeting: Wednesday, March 2, 2022 at 5:30 p.m.