

PLANNING AND ZONING COMMITTEE

JANUARY 29, 2019

The meeting was called to order at 5:34 p.m. by Chairman Tim McCarthy. Committee members present were Tim McCarthy, Jonathan Smith, and Becky Williams. Also present were Laura Alkire, Law Director, and Mark Easterling, Deputy Planning and Zoning Administrator.

PROPERTY MAINTENANCE CONCERNS

Mr. Easterling explained that the Planning and Zoning office was contacted by neighbors of the property at 28282 White Road because they believed that the property owner was running a business out of his home, there were a number of trucks parked on the property, and there is an ongoing driveway project. Mr. Easterling said that his office contacted the property owner, and the owner told them that he bid on the trucks in an auction and did not think he would be successful in purchasing all of them and his intention is to sell them. Mr. Easterling said the property owner is running a landscape business from his home, but that is permitted under the Code as long as certain requirements are met. With regards to the driveway project, Mr. Easterling said that the property owner did pull a permit to do the driveway, and he has one year from the date of the permit to begin the project. After the one year mark, the property owner will have to show he is making progress, but has an additional year to complete the project.

Andrew Conrad and Megan Bovee of 811 Blackhorse Court, and John and Jane Faehnle of 821 Blackhorse Court were present to discuss their concerns about the property. Mr. Conrad said that nothing has been done since October except the property owner moved some of the dirt from the front yard to the back yard, and he threw straw over the dirt. Mr. Conrad said this property owner does all of the work himself, and it is not done professionally. Mr. Conrad said there are also tree trunks standing where the property owner used a pick-up truck to pull down the tree, but left the trunk.

There was some discussion regarding property owners' rights and the property maintenance process. Mr. McCarthy asked that the Planning and Zoning office contact the property owner again and get a specific date for the removal of the trucks, and to monitor the progress on the driveway once the weather breaks. Ms. Alkire said that she can get involved because sometimes a letter from the Law Director can help move property owners along.

APPOINTMENTS TO COMMISSIONS

Mr. McCarthy moved to go into Executive Session to discuss the selection or appointment of public officials. Seconded by Ms. Williams. Ayes: (3). Nays: (0). The Committee went into Executive Session at 6:10 p.m. They returned from Executive Session at 6:32 p.m. The Committee agreed 3-0 to recommend the appointment of Susan Edinger to the Historic Landmarks Commission, and the appointment of Gilda Mitchell to the Planning Commission.

FORT MEIGS CEMETERY FENCE

Mr. McCarthy asked what the Code says about fencing that would apply to the cemetery. Mr. Easterling explained that the cemetery is in the Corridor Overlay, and it

has three front yards. The existing chain link fence could be replaced with chain link, but it would have to be the same style, height, and be in the exact same location. Mr. Smith said that this is a gateway to City and although the cemetery has limited funds, maybe the City could do some type of masonry wall to fulfill the Corridor Overlay requirement. He also suggested that the City look at making chain link fences in front yards a Special Approval Use in areas with Institutional zoning. There was discussion regarding alternative fence styles. Tom Friess, Cemetery Superintendent, and Bob Warnimont, Chairman of the Board of Trustees, recommended chain link fence all around the cemetery because of maintenance concerns with other styles of fencing. Mr. Friess added that perhaps some type of brick pillar could be used with the chain link fence to dress it up along SR25. Mr. McCarthy suggested that the Planning and Zoning staff attend the next Cemetery Board meeting to further discuss fencing options.

CITIZENS' CONCERNS

Jason Robie, 1025 Hickory Street, expressed concerns about a compost bin that was put in the back yard of the property at the corner of Orchard and Hickory in October. Mr. Robie said that it is located about twenty feet from his back porch and is sitting in water. He is concerned that it will begin to smell. The Planning and Zoning office will contact the property owner to see if they would be willing to move the compost bin.

CIVIL CODE UPDATE

Prosecutor Chynna Fifer was present and explained how property maintenance violations are handled once they reach her office. She explained that she has had several cases where the property owners are elderly and did not have the resources to make the needed repairs. Ms. Alkire said that she would not recommend eliminating the criminal code, but use it hand in hand with a civil code. She said that the code currently reads that the Law Director can file any remedy allowed by law. She said that she would like to find a functional civil code that is enforced, as many communities have a civil code, but they do not use them. Ms. Alkire said that she would like to see some statistics as to how many cases we are dealing with, and, perhaps if she got involved prior to it being forwarded to the Prosecutor, more of them could be resolved without criminal prosecution. Mr. McCarthy said that the Committee is looking for whatever tools will address the issues, and would welcome any recommendations that can improve our ability to deal with property maintenance issues.

There being no further business, the meeting adjourned at 7:28 p.m.

Respectfully submitted,

A handwritten signature in black ink that reads "Timothy G. McCarthy". The signature is written in a cursive, flowing style.

Tim McCarthy, Chairman
Planning and Zoning Committee

Next meeting: Wednesday, February 13, 2019 at 5:30 p.m.