

MINUTES OF PUBLIC HEARINGS

PERRYSBURG CITY COUNCIL

NOVEMBER 15, 2016

Mayor Olmstead called the first public hearing to order at 6:00 p.m. Present were Council Members Jim Matuszak, Tim McCarthy, Rick Rettig, Jonathan Smith, Barry VanHoozen, and Becky Williams (6). Nelson Evans was absent (1). Also present were Bridgette Kabat, City Administrator, David Creps, Clerk of Council, Karlene Henderson, Law Director and Mark Easterling, Zoning Inspector.

The purpose of the first public hearing was to hear public comment about the Planned United Development (PUD) known as Carronade Park. Mr. Easterling explained that the property consists of three parcels and is approximately 22.77 acres in size and all parcels are currently zoned R-5 (Two Family Residential). The current zoning permits 158 units and the applicant is proposing 120 units, a reduction of approximately 25%. Mr. Easterling added that the landscape plan has been received.

Ms. Williams asked if the grading plan has been received and Mr. Easterling said that he was not sure. Ms. Williams asked why the Planning and Zoning Administrator recommended that this not have to go back to the Planning Commission. Mr. Easterling said that he believes it is to avoid redundancy. Mr. Matuszak said that on page 2 of the report it says that the current zoning allows for a single duplex unit on each individual parcel which would only be six units. Mr. Easterling said that the "a" should be deleted before single duplex units. Mr. Rettig asked about a driveway off of Lake Vue Drive and Mr. Easterling and Ms. Kabat explained that the driveway will be off of Carronade Drive.

There being no further questions from City Council or the public, the public hearing was adjourned at 6:10 p.m.

Mayor Olmstead called the second public hearing to order at 6:15 p.m. Present were Council Members Jim Matuszak, Tim McCarthy, Rick Rettig, Jonathan Smith, Barry VanHoozen, and Becky Williams (6). Nelson Evans was absent (1). Also present were Bridgette Kabat, City Administrator, David Creps, Clerk of Council, Karlene Henderson, Law Director and Mark Easterling, Zoning Inspector.

The purpose of the second public hearing was to hear public comment about a proposed code amendment dealing with curb-cuts and driveways. Mr. Easterling explained that this proposed amendment would bring all residential and commercial driveway requirements into the Planning and Zoning Code rather than keeping the requirements split between two chapters of the Codified Ordinances (Ch. 1022.15 and 1250.51). The amendment would also add new requirements and clarify issues related to legal non-conforming, new work as well as repairs/maintenance.

Mr. Rettig said that in the proposed language, 1250.51(b)(8), a comma needs to be inserted after asphalt. Ms. Williams stated that this amendment started at the Service Committee in response to several residents' concerns about their non-conforming driveways. She said that the major concerns were the administrative policy regarding the number of curb-cuts permitted, the 24' maximum width at the curb-cut, and the 35% front yard limitation. Ms. Williams said that she feels this is good language that covers the legal non-conforming issues and it helps residents. Mr. McCarthy noted that a pre-inspection needs to be done before a legal non-conforming driveway is removed. He said that he assumes that is so they don't make the driveway any bigger. Ms. Williams said that is correct. Mr. Matuszak asked if they lose the legal non-conforming status if no pre-inspection is done. Ms.

Williams and Mr. Easterling both said that yes, they would lose the legal non-conforming status if a pre-inspection is not done.

Lane Williamson said that he represents several people on this issue. He said that he appreciates the City's efforts and he called attention to an email sent to Council members from one of his clients regarding a relief valve. He said that what is missing from this proposed amendment is language that it can go to the Board of Zoning Appeals. He said that the Service Committee voted 2-0 to include language regarding the BZA. Mr. Williamson said that if you can't meet the exact replacement, there should be some mechanism for challenges; older properties may be challenged to replace a driveway exactly.

This item will be discussed by the Planning and Zoning Committee at their December meeting.

There being no further comment, the public hearing was adjourned at 6:30 p.m.

Mayor Olmstead called the third public hearing to order at 6:30 p.m. Present were Council Members Jim Matuszak, Tim McCarthy, Rick Rettig, Jonathan Smith, Barry VanHoozen, and Becky Williams (6). Nelson Evans was absent (1). Also present were Bridgette Kabat, City Administrator, David Creps, Clerk of Council, Karlene Henderson, Law Director and Mark Easterling, Zoning Inspector.

The purpose of the third public hearing was to hear public comment about a proposed code amendment regarding the location of swimming pools. Mr. Easterling explained that the code currently allows swimming pools only in a rear yard. This amendment would allow swimming pools in a side yard with approval from the Board of Zoning Appeals.

Mary Heather Munger stated that they are making this request because there are locations within the City where it is a challenge to put a pool in a rear yard. She said that they understand the need to be sensitive to neighbors.

There being no further comment, the public hearing adjourned at 6:32 p.m.

David D. Creps, Clerk

Michael J. Olmstead, Mayor