

**ZONING BOARD OF APPEALS
MINUTES**

**DATE: April 3, 2019
TIME: 9:00 a.m.
PLACE: Council Chambers**

ZONING BOARD OF APPEALS

Chairman Dan Given called the meeting of the Zoning Board of Appeals to order at 9:10 a.m. and asks Mr. Klinar to take the roll call.

MEMBERS PRESENT: Mr. Given, Mr. Patterson, Mr. Zellers, Mr. Kramer, Chief Homolya.

Richard Klinar: First item on the agenda is the disposition of minutes from previous Zoning Board of Appeals and Planning Commission meetings.

Chairman Given: Is there a motion?

Mr. Kramer: Motion to approve.

Mr. Zellers: I will second.

Chairman Given: I will make a motion to dispense with the reading has been made and seconded. All those in favor?

Mr. Kramer, Mr. Zellers, Chief Homolya: Aye.

Chairman Given: Those against?

Mr. Patterson: Abstain I wasn't here.

Chairman Given: Mr. Patterson abstains. Motion approved.

Richard Klinar: First item on the agenda is #4-2019 4285 Oberlin Ave. Variance requested to add 1,280 square feet to existing 1,280 square feet accessory building. Section 1129.05 (D) (1) Maximum allowable accessory use for this lot is 780 square feet. B-1 zoning Douglas Pearce, applicant.

Chairman Given: Is Mr. Pearce here today? Mr. Pearce it's been a long time.

Douglas Pearce: Hi Dan Given.

Chairman Given: How are you? For the record state your name and address and tell us what your plans are.

Douglas Pearce: My name is Douglas Pearce 4285 Oberlin Ave. Lorain. I am interested in putting an addition on an existing to keep my vehicles parked inside. I have been having incidents – I even had one yesterday I had to call and file a police report of people wandering around through the yards and breaking into my vehicles. I would like to put them inside in a garage and that is what I am doing this for.

Chairman Given: So this is your personal home and you would be using this for personal reasons not for business purposes correct?

Douglas Pearce: It used to be years ago. Back in 1959 when the garage was originally built.

Chairman Given: Okay. Any questions from the Board? No questions from the Board. Is there anyone in the audience from the neighborhood that has any concerns?

Richard Klinar: I just received one phone call from an abutting property owner and he didn't seem to have any issues with it.

Chairman Given: Okay we will add that to the minutes that the abutting property owner did not have objections. Board members is there a motion?

Chief Homolya: Motion to approve.

Mr. Kramer: Support.

Chairman Given: Mr. Homolya makes the motion and it was supported by Mr. Kramer. All those in favor signify by saying aye?

All: Aye.

Chairman Given: Those against? Motion carries. Thank you Mr. Pearce.

Douglas Pearce: Do I go upstairs to file for the permit or do I have to wait for the permits?

Richard Klinar: We will need drawings...

Douglas Pearce: I turned in the drawings when I filed for everything. Thank you.

Chairman Given: Next item Mr. Klinar?

Richard Klinar: Next item on the agenda is B.A. #5-2019 PPN 02-00-051-142-030 and 02-00-051-142-032 Corner of Bridge Dr. and Iowa Ave. Variance requested to allow for outside storage. Section 1171.08 All uses except for loading and parking must be conducted within a fully enclosed building. I-1 Zoning Jason Petkovsek, applicant.

Chairman Given: Jason come forward state your name and address for the record and tell us what your plans are.

Jason Petkovsek: Jason Petkovsek 1309 W. 37th St. Lorain. I am looking to put in a landscape supply yard; having mulch, compost, top soil, river rock, gravel things of that sort. To have a building for that – everybody else has it outside of a building that is all I am looking to do.

Chairman Given: Mr. Klinar what are the requirements for that type of business in that district?

Richard Klinar: The zoning does permit what he wants to do there. The zoning just doesn't allow for the outside storage other than parking or deliveries and that type of thing. I can tell you that this same type of variance was granted several years back for a construction company.

Chairman Given: This is directly across the street from Angelica correct?

Jason Petkovsek: Yes I also own the property across the street on Bridge Dr.

Chairman Given: The neighborhood especially with Angelica there; we have been having problems with Lafarge as well as the other company Jonick we worked out an agreement I think it was in 2018 that all of the businesses that were contributing to the debris field being on the street coming and going - pulling the stuff out. We have an agreement with the two people that were causing the dust and the dirt on the roadway would all contribute along with the City with the cleanup of that on a regular basis to make sure that area is clean and isn't causing problems especially with Angelica being right there. The dust gets into the filters and they supply materials for hospitals and medical units and it is an important thing to keep clean in that neighborhood. So when I look at what you are proposing here there is a chance that you would be contributing to that mess along the roadways as well and we would have to have an understanding with the City that you will be working with us to keep the area clean.

Jason Petkovsek: Okay that is fine.

Chairman Given: I will have our Public Property Department contact you if the Board decides to move forward with this. So that everyone has a written understanding of all of it. Members of the Board any questions?

Mr. Zellers: So your offices are across the street?

Jason Petkovsek: Yes. I own 1256-1260 Bridge Dr.

Mr. Zellers: So further to the west along the tracks there is some storage there that isn't yours?

Jason Petkovsek: No.

Mr. Zellers: So where are you talking about doing this is in the grass space?

Jason Petkovsek: Yes.

Chairman Given: Is there anyone in the audience that has any questions? Abutting property owners? Mr. Klinar did anyone call?

Richard Klinar: No.

Chairman Given: Okay. Members of the Board?

Chief Homolya: I will make the motion to approve.

Mr. Kramer: Support.

Chairman Given: Chief Homolya makes the motion to approve and has support. All those in favor signify by saying aye?

Mr. Kramer, Chairman Given, Mr. Patterson, Chief Homolya: Aye.

Chairman Given: Those against?

Mr. Zellers: Nay.

Chairman Given: One nay. Motion approved. Thank you sir. Mr. Klinar anything further today?

Mr. Klinar: That is it for Board of Appeals.

Chairman Given: Make a motion to adjourn. Is there support?

Chief Homolya: Support.

Chairman Given: Motion has been made and seconded. All those in favor signify by saying aye?

All: Aye.

Chairman Given: Those against? Meeting is adjourned.

Richard Klinar, Acting Secretary

Daniel Given, Chairman

PLANNING COMMISSION

Mayor Ritenauer: Good morning everybody I would like to call this meeting the Planning Commission meeting of April 3, 2019 at 9:11 a.m. to order. I ask for the roll to be taken.

Richard Klinar: Roll Call. Mr. Kramer?

Mr. Kramer: Present.

Richard Klinar: Mr. Patterson?

Mr. Patterson: Present.

Richard Klinar: Mr. Zellers?

Mr. Zellers: Here.

Richard Klinar: Mr. Given?

Chairman Given: Present.

Richard Klinar: Mayor Ritenauer?

Mayor Ritenauer: Present.

Richard Klinar: Okay as in previous meetings disposition of minutes from previous Zoning Board of Appeals and Planning Commission meetings.

Mayor Ritenauer: If no one has any comments on minutes I will entertain a motion.

Mr. Zellers: I will make the motion.

Mr. Kramer: Second.

Mayor Ritenauer: Motion by Mr. Zellers seconded by Mr. Kramer. Any discussion on the motion any changes? Hearing none I will all of those in favor?

Mr. Kramer, Mr. Given, Mr. Zellers: Aye.

Mayor Ritenauer: Those opposed?

Mr. Patterson: Abstain.

Mayor Ritenauer: Mr. Patterson abstains. Minutes are approved.

Richard Klinar: We have one item on the agenda today Z.C.A. 3-2019 PPN # 02-02-019-103-029, (033), (035), (036), (039) West Park Dr. Submission for Planning Commissions recommendation to Lorain City Council for the rezoning of parcels located on West Park Dr. to allow for City of Lorain Central Service Complex from R-1B and I-3 to I-2 Zoning. Lori Garcia, applicant for City of Lorain.

Mayor Ritenauer: I know that Mrs. Garcia is not here, but I do see Mr. Darnos and Mr. Coco. If one of you would like to approach and explain to the Commission what we are doing here.

Ron Coco: Good morning, my name is Ron Coco with Clark and Post Architects 6125 South Broadway in Lorain. I am here representing the project with Mike Darnos with the Street Department. This is a proposed relocation of the City Service complex currently located on Broadway to a site on West Park Dr. They acreage is zoned as R-1B and R-3 currently. This facility will house the vehicle maintenance operations for the city and it will also have the offices for street and public properties – as well as the storage for the vehicles in those departments. It will contain some outside areas as well; salt storage, material storage etc. The zoning change request will allow for this use to occur at that site.

Mayor Ritenauer: Okay. Any questions or comments from the Commission?

Mr. Kramer: How far back does this property go back? Does it go back to (inaudible) facility?

Ron Coco: Does it go back where?

Mr. Kramer: The end of the property goes back to?

Ron Coco: The south end of the property ends at if you are familiar with the site there are some out buildings that are used by the police swat storage and it extends down that south line.

Mayor Ritenauer: Any other questions or comments? None from the commission, I will ask the audience anything on this request? Seeing no one I would entertain a motion.

Mr. Kramer: I so move to accept this.

Mayor Ritenauer: Mr. Kramer has approved. Is there a second?

Mr. Patterson: Second.

Mayor Ritenauer: Seconded by Mr. Patterson. Any discussion on the motion? Hearing none I will ask for a roll call.

Richard Klinar: Mr. Kramer?

Mr. Kramer: Yes.

Richard Klinar: Mr. Patterson?

Mr. Patterson: Yes.

Richard Klinar: Mr. Zellers?

Mr. Zellers: Yes.

Richard Klinar: Mr. Given?

Mr. Given: I would ask Mr. Resar is it appropriate for me to vote on this topic it being city property?

Attorney Resar: You should abstain.

Mr. Given: Move to abstain.

Attorney Resar: To the mayor I would abstain.

Richard Klinar: Mayor Ritenauer?

Mayor Ritenauer: There you go I abstain as well. So with that we do have the three affirmative votes.

Mr. Klinar: Correct motion passes.

Mayor Ritenauer: Motion passes. Before that I don't see this being probably the first or the last time this issue has come up. We should probably look into that a little further. This is a City Planning Commission with two of the city principles on it.

Attorney Resar: I will have to research it.

Mr. Patterson: It can be a conflict. One way or another it is going to happen.

Attorney Resar: It is going to happen. Council has to vote on it. You have all council members..

Mayor Ritenauer: Yes we will have to look into it. No further business I will entertain a motion for adjournment.

Mr. Given: So move.

Mayor Ritenauer: Is there a second?

Mr. Patterson: Second.

Mayor Ritenauer: There is a second. All those in favor?

All: Aye.

Mayor Ritenauer: Alright we are adjourned at 9:16 am. Thank you.

Richard Klinar, Acting Secretary

Chase Ritenauer, Mayor