

**ZONING BOARD OF APPEALS
MINUTES**

DATE: May 2, 2019
TIME: 9:00 a.m.
PLACE: Council Chambers

Richard Klinar: Prior to the public hearing there have been some changes to the agenda for this month. So before we get started we just wanted to let everyone know about that. Under public hearing the first one for Cooper Foster has been taken off of the agenda. Along with that the CUP #3 will not be on the agenda. BA #7-2019 they reconfigured their building so the parking space variances aren't needed so they have been taken off the agenda as well. The only other item is under the Planning Commission for the lot split review; due to some confusion with the parcel number – I just wanted to get that straight and get it on the record. The correct number is 02-02-003-102-003 and 018. That is it.

Public Hearing

Acting Chairman Phil Dore called the Public Hearing to order at 9:01 a.m.

Richard Klinar: First item on the agenda is Public Hearing for conditional permit as per Section 1135.05 of the planning and zoning code, to allow for a car wash, located at 2115 W. 21st St. Mildred Houston, applicant.

Chairman Dore: At this time we will open it up for the public to make comments. Do we have to take roll first?

Mr. Klinar: No.

Chairman Dore: Is the applicant present?

Mildred Houston: Yes sir. Good morning.

Chairman Dore: Please state your name and address for the record please.

Mildred Houston: Mildred Houston my address is 2822 Surf Ave. in Lorain, 44053.

Chairman Dore: Thank you. Could you explain your request?

Mildred Houston: I am going to be opening an auto detailing business. It was originally was a car wash. I am going to be employing senior citizens to supplement their income. I am also going to be employing younger people so that they can learn the skill of auto detailing and I will also be bridging the gap of those individuals in our community that are considered the misfits. I am going to be employing them also. I am going to merge them together with strong men that are going to be teaching them this auto detailing so that they can become productive citizens in our community also. I have a great passion for this.

Chairman Dore: Thank you. Are there any other comments from the members of the public? Seeing none we will move on to the next item. Thank you.

Mildred Houston: Thank you.

Richard Klinar: The second public hearing is for a conditional use permit as per Section 1131.05 of the planning and zoning code, to allow for a Self Storage Facility, located at 1089 Meister Rd. Curtis Kossman, applicant.

Chairman Dore: Is the applicant or representative present?

Steve Wisebroad: Good morning my name is Steve Wisebroad and I am vice president at Kossman Development Company and through our subsidiaries we are the owner of the Lorain Plaza Center at 1089 Meister Rd. Our application is a request to install climate controlled indoor self-storage units in a portion of the Lorain Plaza Shopping Center. There will be approximately 300 units in various sizes in total.

Chairman Dore: Are there any other public comments at this time? Seeing none; thank you. Now we will move on into the Zoning Board of Appeals Agenda please.

Richard Klinar: First item is the disposition of minutes from Previous Zoning Board and Planning Commission Meetings.

Chairman Dore: Is there a motion to accept the minutes?

Mr. Kramer: So move.

Mr. Zellers: Second.

Chairman Dore: We have a motion and a second. All those in favor?

All: Aye.

Chairman Dore: Those against? Motion carries. Second item please?

Richard Klinar: Next item on the agenda is B.A. #6-2019 2887 Grant St. Variance requested to erect fence in front set back. Section 1125.04 (D) In Residential districts fences shall not be erected closer to the front lot line than the front building line. R-1 Zoning Mohammad Alzeer, applicant. Just a little explanation on this if you look at the drawing that you have there – this is considered a “through lot” in the City of Lorain. Meaning that you abut two streets and that you don’t have a rear yard. So he is just here seeking a variance so that he can erect a fence in what is normally someone’s back yard, but it is not considered that – it is considered a front yard.

Mohammad Alzeer: Good morning my name is Mohammad Alzeer first of all I hope everyone can understand me English is my second language. I hope to explain what is going on. I am Mahammad Alzeer and I have Zeerco LLC I am member of the LLC. I do have this house – this house was vacant for more than fifteen years. I think that everyone knows about this house. I tried to fix it and cleaned it out and fixed it in the right way.

Over there we have a problem because the house is on the curve. Everyone cuts the curve and they don't respect the privacy for the house. They bother the tenants over there because it is weird but they cut curve and the driveway is over there they come from the convenience store and everybody from that area they go to the convenient store and cut through the grass and cut close to the house. There is a window over there and there is no privacy which is bothering them a lot. I tried to – I want to do a fence which I am going to do a wire fence that doesn't – for example some people they told me that I put a wood fence it won't be allowed because they won't be able to see the other way because of the curve. That is why I am going to do a wire fence just to prevent the people from cutting into the grass. This is my tenant she is here with me and she can explain to you guys how she feels because she lives over there.

Chairman Dore: Will you please state your name and address for the record please?

Megan: My name is Megan (inaudible) and I live at 2887 Grant St. Lorain Ohio.

Chairman Dore: Thank you.

Megan: We moved in about two months ago and we have noticed that we put up no trespassing signs but people still continue to cut through the grass. The yard is in a triangle and some people don't want to go around. We did put up no trespassing signs but we feel we need a fence of some type. One because there is a sidewalk for the patio area and people use that as a public sidewalk and it is right on the property in front of the big window which is our sun room. So it actually connects the two driveways. We have asked people not to do it. I was threatened by one man that he was going to bring his wife to fight me because I asked him not to cut through his yard. We have three small children; a son that is four and two twin daughters so I would like them to be safe.

Chairman Dore: Thank you. Are there any concerns of the board?

Mr. Zellers: You had mentioned a wire fence. How high is that wire fence?

Mohammad Alzeer: We will do four to five foot. Just to stop the people from crossing that area.

Chairman Dore: Do we have any concerns from the members of the public? Are there any other concerns from the Board? If not we will entertain the pleasure of the Board.

Mr. Zellers: I will make a motion to approve that would be conditional on that it be a wire fence that can be seen through and no higher than three feet.

Mohammad Alzeer: Three feet like this? They might jump on it. Four foot maybe they won't jump on it.

Mr. Zellers: I think five feet it way too high.

Richard Klinar: Just so you know regulations allow for a six foot fence.

Mr. Zellers: I am not in favor in putting a fence in at all. I understand that there is a problem, but I don't think it is going to blend in with the neighborhood. I am certainly willing to concede on a wire fence that you are able to see through. If four feet is more of the standard height then I will amend my...

Mohammad Alzeer: Just one more thing sir, the curve I can go from the curve around ten to twenty foot. Wherever they turn they will be able to do safely because I can take it from the curve ten to fifteen feet down like this from so that it will be clear. You have the drawing.

Mr. Zellers: Yeah I have the drawing; all that you are doing is talking yourself out of the motion that I began.

Mohammad Alzeer: Yeah I will take it back. It is going to be around twenty foot. On the drawing is that I have twenty or twenty five feet from the curve on the angle. It is going to be clear and everyone will be able to see. It will not be a problem there. We tried to make it look better and nice. We try to do Lorain all of my houses I try to fix them in the right way.

Chairman Dore: I think that there does appear to be a possible safety issue here, but as long as we have a fence that is transparent. My neighbor has a four foot fence which I think is quite appropriate. I think that a five foot fence would not be appropriate, but I think that a three foot fence wouldn't quite serve it's purpose but that is just my opinion.

Mr. Zellers: So again I will amend my motion to have a four foot fence.

Chairman Dore: Is there support to that?

Mr. Kramer: Support.

Chairman Dore: We have motion and support. All those in favor?

All: Aye.

Chairman Dore: Those opposed? Motion carries. Thank you sir. Can we have the next item please?

Richard Klinar: Next item is the Conditional Use Permit #4-2019 2115 W. 21st St. Conditional Use Permit requested to allow for Car Wash B-2 Zoning Mildred Houston, applicant.

Chairman Dore: We have already heard from the applicant. Do you have any other additional comments?

Mildred Houston: No I do not.

Chairman Dore: Are there any concerns from the Board? Are there any concerns from members of the general public? At this time I will entertain the pleasure of the Board.

Mr. Zellers: I would make a motion to approve.

Mr. Kramer: Support.

Chairman Dore: All those in favor?

All: Aye.

Chairman Dore: Anyone opposed? Motion carries. Next item.

Richard Klinar: Next item on the agenda is CUP #5-2019 1089 Meister Rd. Conditional Use Permit requested to allow for Self Storage Facility. B-3 Zoning Curtis Kossman, applicant.

Chairman Dore: In the public hearing we have heard from the applicant does the applicant have anything further at this time?

Steve Wisebroad: No further questions, but if there any questions I am available to answer them.

Chairman Dore: Thank you.

Mr. Zellers: Has your company done something like this before? I think it is rather creative to put the storage inside an existing facility. Have you done that in the past and how has the success been?

Steve Wisebroad: We have done this in the past. We have a shopping center in a suburb of Pittsburgh that we have done something similar to. We have retail tenants and we have taken some of the lower level space and some of the untenanted space and converted it to self-storage. It opened in November of last year and things are going according to plan. We have created our own brand which is Defender Self Storage so that will be the name that will be placed on it, and we have a management company that will help us run the facility. We have plans to do this at a couple of our other properties as well.

Mr. Zellers: Is this something that is a trend in the industry or is this something you are pioneering?

Steve Wisebroad: I think we have seen it in other shopping centers where retail has shifted and owners are trying to find ways to fill the space and bring services to the community. So yes I have seen it in other areas.

Chairman Dore: Any other questions from the members of the Board? Are there any public comments? Seeing none I would entertain a motion from the Board.

Mr. Zellers: I will make a motion to approve.

Mr. Kramer: Second.

Chairman Dore: All those in favor?

All: Aye.

Chairman Dore: Opposed? Motion carries. Thank you. Do we have a motion to close the meeting?

Mr. Kramer: I will make that motion.

Mr. Zellers: Second.

Chairman Dore: All those in favor?

All: Aye.

Chairman Dore: Meeting adjourned.

Richard Klinar, Acting Secretary

Phil Dore, Chairman

PLANNING COMMISSION

Mayor Ritenauer: Good morning everybody I would like to call this meeting the Planning Commission meeting of May 2, 2019 at 9:17 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: Present.

Richard Klinar: Mr. Dore?

Chairman Given: Here.

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.

Mr. Kramer: I will make the motion.

Mr. Zellers: Second.

Mayor Ritenauer: Motion has been made and seconded. Any alterations or amendments to the minutes? Hearing none all those in favor?

All: Aye.

Mayor Ritenauer: Those opposed?

Mayor Ritenauer: Motion carries. Next item?

Richard Klinar: Submission for Planning Commissions review of lot split at PPN #02-02-003-102-005 and 018 Cooper Foster Park Rd. Ron Coco, applicant.

Mayor Ritenauer: Okay with these lot splits just a reminder that the Commission only reviews them to make sure that they are in conformance with applicable City codes and regulations. So with that I will ask Mr. Hasel if he would approach the microphone. You

can get comfortable because we have three of these. With this first one any issues from your vantage point?

Doug Hasel: None whatsoever. It complies with the City standards.

Mayor Ritenauer: Very good. Any questions or comments from the Commission? No comments I will let the record reflect that. This lot split meets City code. Mr. Klinar next item?

Richard Klinar: Submission for Planning Commissions review of lot split located at PPN# 02-02-003-102-087 and 090 corner of Leavitt Rd. and Nantucket Dr. Robert Caravona, applicant.

Mayor Ritenauer: If you would like to speak Mr. Caravona you don't have to but if you would like to? Very good. Mr. Hasel same thing any issues with this one?

Mr. Hasel: No there are no issues at all Mr. Mayor.

Mayor Ritenauer: Any questions from the Commission? Hearing none let the record reflect that the Planning Commission reviewed and Mr. Hasel confirmed that there are no issues with this lot split. Next item.

Richard Klinar: Submission for Planning Commissions review of lot split located on the corner of Leavitt Rd. and All Pro Athletic Blvd. PPN#02-02-008-107-034 and 02-02-007-101-055 A.P. Realty Holding, applicant.

Mayor Ritenauer: Once again Mr. Hasel?

Mr. Hasel: This one also meets the standards set forth of the City.

Mayor Ritenauer: Any comments from the Commission? Hearing none let the record reflect that this submission for lot split meets the proper city codes and regulations. Seeing no other business I will entertain a motion for adjournment.

Mr. Kramer: Motion to adjourn.

Mr. Zellers: Second.

Mayor Ritenauer: Motion has been made and seconded. All those in favor?

All: Aye.

Mayor Ritenauer: We are adjourned at 9:20 a.m. Thank you.

Richard Klinar, Acting Secretary

Chase Ritenauer, Mayor