

**ZONING BOARD OF APPEALS
MINUTES**

DATE: May 22, 2019
TIME: 9:00 a.m.
PLACE: Council Chambers

Public Hearing

Chairman Given called the Public Hearing to order at 9:05 a.m.

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: Chief Radman?

Fire Chief Radman: Present.

Richard Klinar: Mr. Given?

Chairman Given: Present.

Richard Klinar: First item on the agenda is Public Hearing for conditional permit as per Section 1131.05 of the planning and zoning code, to allow for a residential social service facility located at 2426 Elyria Ave. R-3 Zoning Sparkle Carey, applicant.

Chairman Given: Good morning is Sparkle Carey or representative's here?

Gary Fischer: Good morning I am Gary Fischer I am the architect on the project. 554 W 9th St. Lorain Ohio.

Geoffrey Smith: My name is Geoffrey Smith my address is 124 Middle Ave. Suite 800 Elyria, Ohio 44035 and I represent her in a legal capacity in regard to this matter.

Chairman Given: Good morning would you like to explain to everyone what you are requesting and what you will be requesting this morning?

Gary Fischer: Yes this is the former church complex on Elyria Ave. before 28th St.

Chairman Given: The former Holy Trinity complex?

Gary Fischer: Yes that is correct. The building in question was formally the building that housed the priest when they were on site. The plan is to convert this to a residential facility where there would be really permanent residence who would be under care. I really need some – I am looking at the code aspects of the building and it is set up for that because it is a large facility to house numerous people. The proposal is to maintain that use; the campus is currently being used in similar capacity as it has been before. The church is continuing to function. The social hall will be returned to the social hall and this will be another aspect of that property.

Chairman Given: So the services that are going to be provided out of there; is that what you are going to explain Mr. Smith?

Geoffrey Smith: Yes she provides services to currently eight or nine residents in Amherst. She has been asked to leave – her and her former partner got into a disagreement and so the partner's father had purchased the initial house and since it is in his name he has begun eviction proceedings; which is why we have requested this special meeting. Sparkle has gone through various steps in regard to fixing the new home and being able to move her new residents over. She has received additional licensing from the State of Ohio for this. Relevant to the conditional use itself it is clear that it is an allowed conditional use within the R3 district. It is very similar in the use that was there in terms of the nuns and the priests that lived there on a regular basis for long periods of time. It is intended that they become permanent residents. In regards to her staff; she has staff that works part time along with herself as an RN to take care of the residents. There is someone there 24/7 regarding that. Do you want me to address the zoning issue with the twelve hundred feet now or would you rather wait for that in the zoning meeting?

Chairman Given: What I would like to hear is who the – who are we trying to serve?

Geoffrey Smith: Generally she serves Veterans as I understand it who are in need of twenty four hour care – care isn't the right word. Twenty four hour – I don't want to use surveillance – surveillance is a bad word to use, but that is what is basically done. She goes through the State – she gets her licensing through the State and they suggest residents for her to live in the facility. She is running a few minutes late and I expect her shortly, but she can explain a little more about the complete work. She has already begun to get it fixed up and as soon as this is allowed and approved she will be able to move the residents in immediately and will begin operations as soon as June 1st if permitted.

Chairman Given: We can wait for her to come in so that she can tell us what she will provide. Do you want to explain the zoning issue?

Geoffrey Smith: Sure. In regard to the twelve hundred foot zoning there is a little discrepancy – not a discrepancy but there is a notation in the conditional use permit section itself that the Board is to look at what is – that they don't want to over – have too many facilities close together. Too many in a particular area. As I understand it there is one at the old St. Stans that was allowed, and I think that there isn't much else in type of these facilities. It fits right into the neighborhood there. When she entered into her lease

she was not aware of the fact that there is the twelve hundred foot requirement. In the conditional use it says that you just don't want them to be over populated in a particular area.

Chairman Given: There is Catholic Charities right around the corner on 28th and Caroline.

Geoffrey Smith: Right. So clearly this is an area that the City has found to be a good place for these facilities. I don't think that it has too many and I will let Sparkle explain. Sparkle what they would like to know is what kind of services you provide and who to.

Sparkle Carey: My name is Sparkle. The address is 2428 Elyria Ave. in Lorain. I would be serving Veterans and other residents that suffer from mental illness.

Chairman Given: Okay are these people – are they going to be coming and going? Are they going to be living there?

Sparkle Carey: They would be permanent residents. They would have twenty four hour supervision by myself – I am an LPN and by other medical State Certified staff.

Chairman Given: Members of the Board any further questions? No questions from the Members of the Board. Members of the audience do you have any questions or comments from the topic today? If you do I would ask that you step to the microphone and state your name and address for the record.

Councilwoman Moon: Good morning. Joann Moon 3543 Toledo Ave. Lorain Ohio 44055. I am the Council person in that fifth ward. Holy Trinity there was once a church there and they have since left. So the building has been sitting there. There are four buildings there. As the gentleman said there is a church and one is a hall. From what I hear they are going to be using the church as a chapel for weddings and the hall has been used already for parties. I have been there and there has never been any problems. There is also like you said there is the homeless shelter which is on 28th and Caroline. Which is Catholic Charities – my concern is that I get a lot of complaints from the neighbors about them sitting in the yards or just wondering the area. I think it would be good if they would have something for them to do during the day and not just leaving out of the building and wandering around. I had also spoke to Mr. Smith and he said that they are going to be hiring and they will be hiring local people from Lorain. I think it is good and I don't want those buildings just sitting there. We need to put people in those buildings because when I have problems with empty buildings – people break into the buildings and live in them. I just lost a person in an empty house and also had a house that they were using drugs and a lot of needles were found. So I have no problem with this I just feel like sometimes the homeless shelter they put them out during the day and they have nothing to do and they are just wandering around. So if you could have something for them to do during the day it would be good. Now you said something about medical – that they have problems with that. Will there be someone there to help them with those problems? That is one question I have. But right now I have no problems with them coming into that area.

Chairman Given: Okay. Ms. Carey would you like to respond to the Council person?

Sparkle Carey: Yes. I do plan to provide activities with them. They will not be roaming into the community. We have a set schedule on what our activities consist of. We want them to be better in the community and learn how to live in the community without causing any disturbance. So we will be on a set schedule. We will go to certain activities for four hours and then we will have in home activities and we also have counselors from Nami that come out once or twice a month. They do get counseling and they do have a case worker that visits with them on a monthly basis and does counseling with them. If we ever feel that they are away from their base line that is why we have the twenty four hour care then we contact their case worker and physician and we work together with them.

Chairman Given: Thank you. Are there comments from anyone else?

Tracy Duffield: Yes sir my name is Tracy Duffield from Duffield Enterprises Inc. I agree with that lady right there about the homeless people wandering around. They try to get into our eight unit apartment which is directly next door to the church. All this does is put my tenants in jeopardy if they are going to wander around like the people at Catholic Charities and try to get into our building that is secure. That is my concern.

Chairman Given: Ms. Carey would you like to respond?

Sparkle Carey: My residents are permanent so it won't be different people roaming around. They won't roam anyways but they will be permanent residents at this home. It is not like the shelter. I hope that brings more comfort, but they have more supervision than a shelter would have. Our job is to look after them and help them live normal lives not just tell them this is where you sleep now go out and find something to do. We are part of their whole life and their day. Thank you.

Chairman Given: Thank you.

Dennis Flores: Dennis Flores 212 W. 18th St. I object to the conditional use permit. You have codified ordinance 1131.02 an applicant for a conditional use permit shall be filed with the Chairman of the Board of Zoning Appeals by at least one of the property owners in which the conditional use permit is proposed. The owner of this property is Elyria Opportunities LLC is Tony Horn. The applicant is Sparkle Carey there is no written authorization or permission granted to her by the owner to be owner's agent or representative. There are several issues that are happening here. If there is going to be more than a multiple family dwelling – more than five the State requires that there be a sprinkler system. Indications of the fire inspection show that there are no and in the exhibits here there is no sprinkler system. Codified ordinance 1151.06 for multiple family dwellings and residential hotels a twenty foot strip adjoining rear lot line shall be maintained as landscape area. There is also the ordinance 5123.19 has been given or obtained by Sparkle Carey an Open Arms Adult care west llc; that is the tenant. There is no mandatory landscaping for multiple dwellings and residential hotels. So there are several issues at hand that I would like the zoning board to consider. Are there any questions?

Geoffrey Smith: As I understand it the questions that were raised by Mr. Flores deal with the lease. There is a lease that she has signed. Her lease is for thirty one hundred dollars a month. She has taken a lot of time and effort to put this in the City of Lorain to help the

City of Lorain in regards to the Veteran's needs. I think that with regard to the sprinkler that is not an issue with you. That would be an issue for the Building Department, Inspectors and the Fire Department to make the determination of what is needed in that regard. The landscaping there is no requirement as I understand it for the family home or the group home that she has going forward. Thank you.

Chairman Given: Thank you Mr. Smith.

Dennis Flores: The group home is in violation of building code ordinance 1135.05 both group homes and family homes shall comply with all regulations regarding Health, Fire and Safety and Building standards which are non discriminally applied.

Gary Fischer: So that is really why I am here. So all of those things are being reviewed as part as that and we have a submission ready for the City. This building was built prior to 1979 it falls under chapter 34 of the Ohio Building Code which governs existing buildings there are a set of valuations standards for life safety, fire safety and means of egress which we have evaluated this building for and it does meet these standards and we will provide that to the City as we move along in the process. Thank you.

Chairman Given: Thank you Mr. Fischer.

Dennis Flores: There is no fencing or screening upon the property to maintain the residential character of the neighborhood. Codified ordinance 1135.04 (b) (1) require the architectural design and layout of the homes location, nature and height of any walls, screens, fences compatible land uses of the residential neighborhood.

Gary Fischer: So there are fences around the property on the rear property line adjacent to the residential. There is also a fenced yard area or a court if you will for the residents to use that is behind the building. It is an L shaped building so there is actually a fenced in courtyard for the residents to use that is existing. The fences are keeping with the character of the neighborhood currently.

Chairman Given: If I could say something; Mr. Flores do you have multiple items? Can you state them at one time so that we don't have to do tit for tat?

Dennis Flores: I sure do. Sure. I may not cover them all so I may have to come back and cover the ones that I miss.

Chairman Given: Okay.

Dennis Flores: The application fails to include a valid license; codified ordinance 1131.08 (a) (1). Parking requirements are not met. No designation of specific of parking spaces codified ordinance 1201.04 (b)(5) residential social services – one space per two residents. Due to the deterioration and the conditions of the parking lot and driveway there exists holes and a lack of a durable surface. There is insufficient lighting codified ordinance 1202.08 surface drainage and lighting. So those are two that I have for now. If someone wants to address those issues. If I have something I request that I am able to come back and introduce my objections.

Gary Fischer: Certainly I can't address the licensing standpoint but the parking is existing and there is plenty of parking for all of the functions on that site. The parking does need maintenance and the owner of the property has been doing that routine maintenance on the property. The drainage is existing. The lighting is existing and has met the City's standards for all of these years. There is no proposal to change the lighting. However there is security lighting on the exterior of the building and part of the code upgrades will be adding the required exit lighting on the exterior of the building as well.

Councilwoman Moon: I attended church there one time when it was Worship Cathedral and there is parking there. There is a fence in the back. In the back there was a tree that fell and it needs to be taken care of because the tree fell on the fence and damaged it. Number one they have been cutting the grass, they have removed the tree limbs, they have removed the junk cars. Yes the parking lot is bad but if you know anyone else they are working on this parking. There is enough parking because we had a big congregation at that church. Even with the hall there is enough parking on the side of the hall and the back. The fence there is a fence because there was going to be a daycare there at one time. I am sure there are problems there but they are here to take care of those problems, but I would like that fence to be taken care of. It was a neighbor's fence and the tree has fallen and damaged hers. If you would like to go out and look at – there are problems there because what is happening when these building set here and the parking lot isn't being used the up keep isn't there because it has sat there for awhile. Worship Cathedral left and went to another part of the city. Since then a new roof has been put on at the hall for when they have gatherings. You have to excuse me I am a little under the weather. I am quite sure they will take care of all of that. I am sure that the Fire Department and Mr. Klinar will work with them. Like I said we can't let these buildings just sit there. People have been breaking into them and living in them. I have had so much trouble in the fifth ward with vacancy and I just want these buildings to be used wisely. Thank you.

Chairman Given: Thank you Council person.

Geoffrey Smith: Thank you Ms. Moon. We have a bunch of pictures of some the changes in the building; if we could present these so that you can see that the goal is to take care of this particular property.

Chairman Given: Sure.

Geoffrey Smith: Thank you.

Dennis Flores: One more; the owner has failed to file a variance request no plot plan accompanied the variance request.

Gary Fischer: There is a plot plan with the variance request. So if there is additional information that is needed Rich is good about letting us know what is required for the variance request.

Chairman Given: Thank you Mr. Fischer. Mr. Flores is your questioning complete?

Dennis Flores: Excuse me?

Chairman Given: Do you have any further questions?

Dennis Flores: No that is it. Thank you.

Chairman Given: Thank you. Is there anyone else from the public that wishes to address the body on the topic today? No. Members of the Board any questions? No questions from the Members of the Board. Thank you this is a public hearing no formal motion will be made. We are here to hear the applicants request and listen to the neighborhood and see what their concerns are. Mr. Klinar next item?

Richard Klinar: Next item is the public hearing for conditional use permit as per Section 1131.05 of the planning and zoning code, to allow for self storage facility located at the northern 9.569 acres of 2250 Cooper Foster Park Rd. B2 Zoning Ron Coco, applicant.

Chairman Given: Mr. Coco?

Ron Coco: My name is Ron Coco Clark and Post Architects and my address is 6125 South Broadway in Lorain representing the development team for a proposed self storage facility at 2250 Cooper Foster Park Rd. This is the third time that we have been before the group so we have been tracking this hopefully. We have gone through the lot split process and adjoining and that has been approved. We have gone through the rezoning process so it is not zoned B2 which is consistent with your new zoning ordinance language that allows self storage facilities in B2 zoning. So the next aspect to get approval on is obtaining the conditional use permit for the proposed development. The application that was provided addressed various elements and questions that are pertinent to conditional use permits per chapter 1131 of the ordinance. So I will go through those with you. This is an image that you were provided but I have blown it up to give you a little clearer indication of the proposed development. This site is currently undeveloped at this time. The owners are looking to purchase the property but is conditional on getting the approvals from the local authorities. Their intent is to do the project in phases. The first phase is as you see here which is a series of storage units and covered storage for RVs, boats etc. Under the ordinance for B2 there is a twenty five foot front yard setback and ten foot side setback. To the easterly portion of the property as you may be aware there is a two hundred foot easement – utility easement with First Energy for a high tension power line that runs through the property that needs to be maintained. There will be no structures built per the requirements of that easement. As you see in the plan here we have allowed and allocated a buffer zone along the westerly and northern part of the property that abuts the residential properties nearby. It abuts Eastman Dr. to the west and the rear properties of the residents on Reserve Circle. As you see on this plan and when we present on the easterly edge we actually show an undeveloped area that would be mounded and buffered that ranges from fifty six feet to forty feet well beyond the twenty feet setback and on the northerly edge it ranges from forty four feet to twenty feet buffer strip to where there would be perimeter fencing for the development. It is not intended to develop this area in green where the future units would go depending on how business activities go with the first phase. One of the elements of the project that we do not have answers on primarily due to the fact that weather conditions are not conducive we still have wetland delineation to be determined yet. That being said our proposed plan is as presented here today. With that I know there is specific elements of a conditional use that is required that has to meet which is part of the application process. I believe in the application that we have

submitted we have addressed all of those. We don't think it negatively impacts the area as a B2 zoning and it means all the requirements as laid out in chapter 1131. I would be glad to answer any questions from the Board as well as members of the audience.

Chairman Given: Thank you Mr. Coco. Members of the Board any questions on this application? No questions from the Board. Members of the audience? If you would like to address the body please come up to the microphone and state your name and address for the record.

Beth McGarvey: My name is Beth McGarvey I live on Eastman Dr. and plan on staying there for quite a while. Could you go over the buffer between Eastman the storage facility?

Ron Coco: So Eastman Dr. is shown here and we are showing by the zoning code there is a twenty five foot buffer setback requirement but we are showing an area that is fifty six to roughly forty feet on the northerly edge that would be maintained as green space. We also intend to put a landscape buffer mound with plantings on that mound.

Beth McGarvey: How high is that mound going to be?

Ron Coco: Four foot high earth bound and six foot high spruce spaced ten foot on center.

Beth McGarvey: At what point will those be there? When the building is done?

Ron Coco: Yes it is part of the whole development. I know this area currently is wooded. As far as when we clear that area is to be determined. We may reserve clearing that property for another phase, but that is to be determined.

Beth McGarvey: A neighbor told me and I haven't researched it that the people on Eastman Dr. own a certain amount on the other side of Eastman Dr.

Ron Coco: I don't believe that is the case. The property owners have given us and we have surveyed the property in terms of where the property line boundaries occur on the easterly edge. It is basically along the right of way line as...

Beth McGarvey: Right so the twenty five foot starts ?

Ron Coco: Right on the westerly edge of Eastman Dr.

Beth McGarvey: So there will be a four foot mound and a six foot fence?

Ron Coco: Well a tree – evergreens and behind it by the drive area would be the fence.

Beth McGarvey: How high is the fence?

Ron Coco: Seven feet vinyl (inaudible).

Beth McGarvey: Are you going to have lighting at night?

Ron Coco: So as part of the application it was noted that the operators of this facility it will be closed from 11 pm to 6 am so there will be no traffic or activity going on at night. There will be limited lighting just on the buildings themselves. So you aren't going to have light poles or light towers around the facility.

Beth McGarvey: Directed toward?

Ron Coco: Well it is part of the ordinance so it will be a zero cutoff so it will all be directed downward.

Chairman Given: Thank you ma'am.

Jeff Hall: Good morning my name is Jeff Hall 5427 Eastman Dr. Lorain Ohio. I guess I am confused. This was already rezoned as B2?

Chairman Given: This was previously rezoned yes.

Jeff Hall: As of?

Chairman Given: I don't have the date in front of me. Mr. Klinar do you have the date?

Jeff Hall: We were able to...

Ron Coco: It was approved on May 5th.

Jeff Hall: I thought that was just for the lot split. There were two items on the agenda and we received notification that the first item was cancelled.

Chairman Given: This has had a public hearing, through Council and it was taken to Council for the vote. Which is why this brings to this topic here to this body.

Jeff Hall: On April 15th I was in the Council meeting and they didn't approve it at that point of time. The May 5th meeting I believe was for the lot split.

Chairman Given: Mr. Klinar?

Richard Klinar: Yeah the May 5th the Planning and Zoning meeting the lot split was approved but this item was removed because it hadn't been passed by Council yet. The Council meeting would have been the Monday after May 5th when it went to Council it was approved and that is why we are having this today rather than May 5th.

Chairman Given: City Council meetings are different days and performed at night.

Jeff Hall: Correct. I guess I am still confused. Were we supposed to attend that one? I had no idea if they changed and approved it. As far as getting notified? I mean last time I heard they had approved the lot split and now today it is the planning commission.

Chairman Given: Yeah the clerk of council office is right next door and ask her to state for the record when it was approved, how it was approved etc. In order to get to this point City Council would have had to approved the rezoning of the property. I was there.

Jeff Hall: Yeah I would have loved to have been there too. I kind of don't know what to say here. At the time when this was considered from residential to B1 there was a condition put in place for a one hundred foot buffer zone. This is now kind of gone out of the wayside completely. I just thought that was a good starting point. Thirty five foot is a minimum buffer. This is going to be a key way for the rest of the development affecting Eastman Dr. which half of them didn't get notice because they are not abutting or adjacent properties. The buffer zone is minimal in my opinion. Mr. Coco what was the – that is going to be more storage to the left and that is going to be future storage?

Ron Coco: That is correct.

Jeff Hall: These storage units going to be single story?

Ron Coco: Yes.

Jeff Hall: What is the purpose of the climate control – just briefly. Is it just typical for cars and trucks?

Ron Coco: These will be typical self storage units. They will not be conditioned. So they are just the three banks of units that we show will be covered. There is one open canopy covered area to the east edge that will just provide covered protection for vehicles, boat and rvs.

Jeff Hall: So they are not climate controlled?

Ron Coco: No they are not.

Jeff Hall: I thought that was one of the conditions for B2 is for the climate controlled units.

Chairman Given: Mr. Klinar?

Richard Klinar: I don't know if that is a condition. I will have to read the ordinance. I believe that it was a previous conditional use for Meister Rd. I think if it is a detached outside two story building like that – that was a condition of the conditional use.

Jeff Hall: If it wasn't climate controlled could it remain?

Richard Klinar: It could be a condition of it. The board could put that condition on it, but it's not part of the conditional use.

Jeff Hall: I thought that was the reason that it was rezoned B2.

Richard Klinar: The B2 was to allow for the conditional use.

Jeff Hall: Now being that this technically (from what I understand) the front yard faces west are there any conditions that they have to meet for the frontage to match up with the residential properties across the street?

Ron Coco: Through the chair; as part of the B2 zoning the front yard setback is twenty five feet. The side yard setback are ten feet abutting residential. Mr. Klinar can check that but I think that is correct. As I stated in my opening comment the buffer area that we have allocated on the front yard of this property along Eastman exceeds that from twenty five foot – we are showing fifty six to forty feet buffer strip.

Jeff Hall: Currently on the other side of the street is about ten feet of woods before the property line hits. Are there any plans to leave that? The natural trees and stuff that is there because the road is so small.

Ron Coco: As I have indicated in my first comment this whole area that you see right now is a wooded treed undeveloped site. We may not clear this area for some time until we have an indication that we are going to move forward with phase two of the project. But we want to get approval on the conditional plan based on future full development. So to your point I can't answer at this time if we are going to clear that easterly or westerly side of the property.

Jeff Hall: This is more tied up against the road. The property line sits back here. This road is only sixteen feet wide.

Ron Coco: Right.

Jeff Hall: Now I didn't know if you were planning on leaving this strip and do the buffer on the other side so that in the summer time you get some protection with the natural trees that are there and in the winter time the shrubs and bushes will cover the rest. I guess that is all I have for now. I really wish we would have been there for that meeting and I think that the buffering maybe not as wide as we would like.

Chairman Given: Okay thank you sir.

Ron Coco: Through the chair just as a note for B2 item 1165.07 for landscaping under B2 it does indicate that there should be a ten foot landscape strip maintained adjacent to all street lines which we are certainly doing that and exceed that requirement.

Chairman Given: Okay thank you.

Michelle Sheets: Good morning Michelle Sheets 2051 Reserve Circle South. My house is directly behind Sports N Stuff. I am also confused about the change to B2 we were given letters and led to believe that that meeting was cancelled and rescheduled. I had no idea that was going to happen and change that day none of us knew that. So I am very disappointed to hear that. I also wanted to bring up that the original ordinance meeting about changing the zoning I feel that the public wasn't sufficiently provided with the information since the Planning Commission recommended on January 2nd about the public hearing that was scheduled three times and canceled twice. So it was constant confusion so yes it was published in the newspaper, but it is published in a newspaper that

is only published once a week and it is specialized in Amherst, Oberlin and Wellington. There is no Lorain section of that so I don't know how many people actually have that newspaper. It is no longer published in the Morning Journal or the Chronicle so that the rest of us can get to it. I guess I am concerned with the fencing since the developer can request to eliminate the wrought iron or the decorative fencing – is that going to be withdrawn or suspended by Council too? Landscaping since you are putting an Industrial building into the B2 section now are we going to get the industrial barriers or are we going to get the B2 barriers? So B1 and B3 get a twenty foot strip but B2 gets a ten foot strip. Where as; industrial gets a twenty foot strip. I just believe that a dense landscape along the perimeter would be both a visual and physical buffer for the hardscape. So they are going to be closed from 11pm until 6 am so we are still going to have headlights coming in our back windows since all of our houses face the back of the woods area. So until 11 pm anyone that drives in or out we will have reflecting lights in our windows so no privacy for us. I am not sure how high the units will be – are we going to be staring at flat roofs? Constant illumination all night long we will be living next to a parking lot. No longer will it be dark in our backyards we will have light. Since the easement can't be fenced – you can't build on it or do anything on how are we protected people coming in under the electrical lines now? You are allowing crime in my neighborhood just through that driveway as we had nothing and now you are bringing more and more people through that area. I am also worried about the drainage. Right now the storm sewers are constantly eroding my backyard I am constantly having to fill that in. How is that going to be handled? I guess I am just disappointed that Council didn't listen or involve us. Thank you.

Chairman Given: Thank you for your comments.

Devon Sheets: Good morning Devon Sheets 4509 Blush Ct. Lorain. Basically my parents live right there and my kids are there every day playing in the backyard their swingset is going to be ten feet from possibly if they – nothing is saying that this is exactly what they are going to do. There is nothing that can ever prove that they are being one hundred percent truthful. So if they go to the rules on the books that could be ten feet from where my kids play. Everyone can say that I am against Lorain building and getting better and developing – if you take a short drive you can find nine or ten storage buildings now. How many storage units do we need? Don't we want to bring in things that bring in jobs and money and visitors from other places? I would rather see that area where it be productive for the City rather than something where one or two or a handful of people that are going to make money off of. If you think about Lorain and how many people are at or below the poverty line what is this doing for any of our citizens? It doesn't seem to be productive at all. I would rather see something where someone can get a job or those people can do something better – bring people in to make the City nice. A lot of people can't afford a storage unit to begin so who are we serving with this other than the ones outside of the places that have vacancies. I have called the storage places around and they have a ton of vacant units. So I don't understand why it has to be so close to the neighborhoods and why we need it at all. That is basically my concerns – mainly the safety because there are a lot of little kids in that neighborhood. You hear the stories you don't know who those people are bringing in or what is being stored there –drugs or theft things like that and that is just bringing that into an area that has been safe for years. Like I said I am not against something going in there eventually, but have it be something that is going to

make Lorain a better place not just another building that is going to be an eyesore – a bunch of concrete that does nothing to build up the City. That is pretty much all I have.

Chairman Given: Thank you.

Mary Sedano: My name is Mary Sedano and I live on Williamsburg Dr. in Lorain. I cannot hear everything that is being said unless you are saying it right into the microphone so if I am repeating questions I am sorry about that. Number one what do you mean by climate controlled?

Ron Coco: Some developments of self storage facilities provide year round environmental control of the storage spaces; heating and cooling. This particular development however will not have that. It is an unheated space if you will. So that is not a requirement that we indicated that we would have for this particular development. There are some that are doing that, but not this one.

Mary Sedano: Okay. Do they have doors that roll up is that how you get into them or what?

Ron Coco: All of the units will have individual rolling garage doors that would be padlocked and secured.

Mary Sedano: Okay are they – when they come down and everything are they really flush with the concrete or whatever the ground is that you aren't going to have to worry about little critters or bugs getting into them?

Ron Coco: Most it is always the intent that the units are secured and sealed when the doors are closed, but as you know these little critters can get into small spaces. So that is going to be up to the unit – the people that rent these units if they want to put some protection in them, but they are sealed as tight as possible.

Mary Sedano: With storage units that I have seen how do you get into them? Do you have a gate that slides and a code that people have or what?

Ron Coco: In this particular development plan the main access to this site will be off of Cooper Foster Park Rd. If you are familiar with where the intersection where Lormet Credit Union is that is where the access will be, and there will be an access drive that will take you north to this parcel. At that point on the property there will be a key card gate that will allow only those that have rented space to gain access into it. So it will not just be open to the general public.

Mary Sedano: Okay you have talked about the landscaping and the mounding and everything that way. There will be a fence around the whole property and maybe like barbed wire on top? Is it going to be so that someone can't climb up there and come in?

Ron Coco: No there is not going to be barbed wire. We do call for it to be a seven foot tall fence which is pretty much typical at these units. These types of developments. If someone wants to climb that fence they certainly can, but there is going to be security cameras positioned around the property.

Mary Sedano: Okay. Back to the mounding and the landscaping again. It has been my experience; I don't care how much the footage and the lighting the trees anything like that doesn't stop the noise of cars coming or going anything that way. Because I have that little mall behind my house where Planet Fitness is. Granted you will not have semi trucks coming in there but I can hear everything that comes and goes in there. There is fencing, there is mounding, there is evergreen trees so that doesn't cut out everything for the residential neighborhood. I just with all the vacant land that Lorain has I am just always amazed that they want to rezone something in a residential neighborhood where the residents have to put up with this where there are other areas that aren't going to bother single family homes. Like I said I have that little strip mall behind my house and I am way off the main road so it isn't like they had to put it in there and put it back in there. There is just so much residential neighborhood has to put up with for businesses to rezone as commercial it seems like. I know the girl back here commented that there are going to be storage units down at Harborwalk and there are going to be three hundred storage units at the Lorain Plaza at Meister Rd. and two miles we need another three hundred storage units? I just wonder about that. One other question I wanted to ask will everything be inside? Are you going to be able to store trailers, boats, RVs, campers that type of thing on the property?

Ron Coco: As stated previously and on the plan; the area where it is stated open storage – that would just be an covered area that would allow for the storage of campers, RVs and boats.

Mary Sedano: Okay thank you.

Chairman Given: Thank you.

Pete Falbo: Hi I am Pete Falbo one of the owners at Great Lakes Storage and I just wanted to hopefully answer a couple of questions here. I own a facility at 3542 Colorado Ave. it is Stanley Storage and I have about three hundred units there and I get roughly six to eight cars there a day. The traffic is usually minimal. I encourage you to come out and take a look at the current facility and see what I have done with it and I try to keep it pretty nice. Other than that we hope to do the same thing over here. It will be – there won't be a facility like it between Huron and North Olmsted for what we are doing over there. It is going to offer a lot to the customers. There is a three thousand unit shortage right now for facilities in that area. One of the reasons that we picked that facility is because you go by grocery stores and you go by drug stores and things like that by the facility and that showed it to be a really strong area for that. Any questions I can answer hopefully?

(Inaudible)

Ron Coco: The buffer strip – if you look on the plan so again along the north edge of the property which is on the top of the drawing so there is a ten foot setback requirement however what we are showing is that we are providing because the property line is skewed twenty foot to forty four foot buffer strip. So it exceeds by one hundred percent or more the required setback.

Michelle Sheets: You are going to stay how far?

Ron Coco: Twenty to forty four.

Michelle Sheets: So you are giving me twenty here?

Ron Coco: Yes ma'am.

Michelle Sheets: Well here is a picture of twenty five feet from my property line.

Ron Coco: Okay.

Michelle Sheets: Well I just wanted to show you that out my back window that is where you are putting it. So you wouldn't want to look at that out your back window right? That is pretty scary. If anyone else wants to see that is what twenty five feet is from my yard.

Chairman Given: Mr. Kramer?

Mr. Kramer: Mr. Coco on the buffer zone on the north end is there going to be a mound where these lights won't reflect?

Ron Coco: The entire north edge will be mounded and landscaped.

Mr. Kramer: How high?

Ron Coco: Four foot high mound with six foot trees.

Mr. Kramer: I would like to see that a little bit higher than four foot. Maybe six to eight feet with trees?

Ron Coco: We can certainly do that.

Mr. Kramer: I think you know the way some of the people explained it when you have cars coming down and reflecting and everything a little higher than four foot would work.

Ron Coco: Understood usually a four foot mound would block the light off of the vehicle (inaudible).

Chairman Given: Any other comments from members of the audience this morning?

Jeff Hall: I just still have to say that this went to B2 like that and one of the comments was a reminder this is going to be sitting out my front window – maybe not right away but when they build the second phase. So I am assuming the planning commission put this into place or approved it and I have my sanitary storm sewers – this has nothing to do with Mr. Coco but they overflow everytime there is a heavy rain. Our street is a disaster that needs repaved. There is nothing going on that is improving our property value. Everything is going the opposite direction and I have concerns. Thank you.

Chairman Given: Thank you sir. Members of the Board do you have any other questions or comments on the topic? No. Members of the audience thank you for participating in the public hearing. The next item on the agenda will be the Zoning Board of Appeals and I would like to take a five minute recess and then I will call that meeting to order.

Richard Klinar, Acting Secretary

Daniel Given, Chairman

ZONING BOARD OF APPEALS

Chairman Given: Good morning everybody I would like to call the Zoning Board of Appeals meeting to order. Mr. Klinar?

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

Chairman Given: Make a motion to dispense with the reading.

Mr. Patterson: Second.

Chairman Given: There is a motion and a second. All those in favor?

All: Aye.

Chairman Given: Those against? Motion carries. Next item.

Richard Klinar: First item on the agenda and I just want to make this clear that the proper address is 2428 Elyria Ave. I just confirmed that with the applicants. So first item on the agenda is C.U.P. #6-2019 2428 Elyria Ave. Conditional Use Permit requested for 2428 Elyria Ave. to allow for a Residential Social Service Facility. R3 Zoning Sparkle Carey, applicant.

Chairman Given: One of the items that were brought up for consideration and one of the items that Councilman Flores brought up was that there may be a missing application from the property owner or the person that is going to be leasing to have the authority to do this. What I would like to do is make this as a condition of consideration if the Board approves this that the applicant or the property owner has seven days to get us the proper paperwork ratifying that you do have the proper authority and everything that is taken care. I understand everything that was stated by the attorney that there is a proper lease in place etc. but we will make if this passes that this has to be here within seven days. Okay so Mr. Klinar? Request for conditional use for 2428 Elyria Ave. for a consideration of the Board correct?

Richard Klinar: Correct.

Chairman Given: Members of the Board what say you?

Mr. Zellers: I just have a couple of questions if I could.

Chairman Given: Mr. Zellers?

Mr. Zellers: With the Veterans only – is this just for Veterans?

Sparkle Carey: It is for Veterans and individuals that suffer from the same mental illnesses.

Mr. Zellers: So it isn't Veterans only?

Sparkle Carey: No, but it is majority is Veterans. I have a sponsorship with the VA.

Mr. Zellers: Okay. Is this just for males? Females? For mixed?

Sparkle Carey: Just for males.

Mr. Zellers: Okay good.

Sparkle Carey: Thank you.

Chairman Given: Thank you. Any other questions? I will make a motion to approve is there support? Councilman Flores?

Councilman Flores: Yes convenience and economics are not justifiable reasons to grant a variance and for that reason I protest.

Chairman Given: I appreciate your comments Mr. Flores. No second on the matter? The item dies for a lack of second. Next item?

Richard Klinar: Next item on the agenda was part of the first but B.A. #8-2019 2428 Elyria Ave. Variance requested to be able to reduce the distance between Residential Social Service Facilities to approximately 600 feet. Section 1131.08 (B3) no residential social service facility shall be located within 1200 feet of another such facility. R3 Zoning Gary Fischer, applicant.

Chairman Given: Any comments on this item? Based upon I will make a motion to pass is there a second? No second this item dies for lack of support. Next item?

Richard Klinar: Next item on the agenda is C.U.P. #3-2019 Conditional Use Permit requested for the northern 9.539 acres of 2250 Cooper Foster Park Rd. to allow for self storage facility. B2 Zoning Ron Coco, applicant.

Chairman Given: Any comments from the Board?

Mr. Patterson: I just wanted to confirm that the proper notice was given to the abutting property owners?

Chairman Given: For the record we asked the Clerk of Council to come in and she showed that appropriate notice was given on the original application. It was sent out to abutting property owners that was validated every step of the way. Personal notice is not given to the abutting property owners by Law it is not necessary however every step of the way was advertised publicly according to Law so that the public would be aware if they followed it. Thank you. Based upon that I will make a motion to pass the request is there a second?

Mr. Kramer: I will support with one condition. The condition be that the mound on the north end be six to eight foot with an easy grade to maintain lawn and trees with an easy run off of water.

Chairman Given: Okay motion has been made and I will support that. Any questions on the motion? No questions on the motion. Mr. Klinar I would ask for a vote.

Richard Klinar: It is normally just a voice vote do you want to do roll call?

Chairman Given: Take a roll call vote.

Richard Klinar: Okay. Mr. Kramer?

Mr. Kramer: Yes.

Richard Klinar: Mr. Patterson?

Mr. Patterson: Yes.

Richard Klinar: Mr. Zellers?

Mr. Zellers: Yes.

Richard Klinar: Chief Radman?

Chief Radman: Yes.

Richard Klinar: Mr. Given?

Chairman Given: Yes. Thank you motion carries. Mr. Klinar is there anything else that needs to be addressed this morning?

Richard Klinar: No that is all that is on the agenda.

Chairman Given: Thank you Mr. Klinar this meeting is adjourned thank you for attending everybody.

Richard Klinar, Acting Secretary

Daniel Given, Chairman