

Planning Commission
April 25, 2018
Meeting Minutes

The Chairman called the meeting to order at 4:30 PM. The following members were present: Mr. David Miller, Mr. Jim Jackson, Mr. Pete McGory, Chairman Mike Zuilhof, Mr. Conor Whelan, Mr. Joe Galea and Mr. David Waddington. Ms. Casey Sparks and Mr. Greg Voltz represented the Planning Department; Mr. Justin Harris represented the Law Department and Ms. Debi Eversole, Clerk from Community Development.

Mr. Galea moved to approve the meeting minutes from the March 21, 2018 meeting as submitted. Mr. Waddington seconded the motion. With no discussion, the motion carried with a unanimous vote.

Chairman Zuilhof swore in audience members and staff who will be offering testimony in either of the Public Hearing agenda items.

Ms. Sparks presented that the City of Sandusky had submitted an application for an amendment to the zone map to create an overlay district within the properties in the Cove District along Meigs Street and a portion of First Street to allow for transient rental. She explained that the existing zoning within the area is both R2F Residential Two- Family and R1-40 Single Family Residential and that the current zoning would not permit transient rental.

Ms. Sparks stated that in 2017, the city implemented additional regulations regarding transient rental. Transient occupancy means to use, occupy or possess, or the use, occupancy, or possession of a dwelling or other living accommodations for a period of 30 consecutive calendar days or less. Per Section 1129.06 a Transient Overlay District shall be created to spur investment in a declining geographic area with the goal of increasing property values and maintenance of homes in areas that are close in proximity to commercial and retail areas. Environmental Rental and Housing Code Section 1341.31 and the transient rental application address many of the parking, safety/ inspection, and violation issues.

Ms. Sparks added that the average total market value of the properties within the overlay district is \$55,818.37. Per the County Auditor's information the average market value for a home in Sandusky is \$125,327.08; the average for the County is \$154,560.00

Planning Staff recommended the adoption of the proposed amendment to the Zone Map to allow for a transient overlay district. If approved, Planning Commission would recommend to City Commission the proposed Zoning Amendment for approval. This will include notifying residents within 300' of the proposed overlay district of a Public Hearing at City Commission.

This initiative was outlined within the Bicentennial/ Comprehensive Plan. Staff believed that allowing for opportunity for transient rental within this area will assist in increasing property values.

Dan McGookey, 225 Meigs Street stated that he thought the proposal was a great idea. He stated that he attended the meeting to request that 3 parcels that he owned be added to the district; 629 and 632 East Washington Street and 225 Meigs Street.

Mr. Jackson asked staff why the overlay map appeared to have ins and outs on the west side of Meigs Street while other boundaries appear to be straight lines. Ms. Sparks stated that the proposed overlay district included properties that front Meigs Street. As a response to Mr. McGookey's request, she added that he could request a variance with the Board of Zoning Appeals to use his properties as transient rental.

Mr. Whelan asked to clarify the process of requesting to be a transient rental property. Ms. Sparks stated that the property owner would submit an application to the Board of Zoning Appeals and from there; staff would

notify residents 300' from that address of a Public Hearing during a regular scheduled Board of Zoning Appeals meeting where the members would vote whether or not to grant a use variance. Mr. Harris added that there will always be boundaries which properties will be inside and properties that will be outside. The best way to go about Mr. McGookey's request would be to request a Use Variance. Mr. McGory stated that it would not be unlikely that more overlay districts will be proposed that may include Mr. McGookey's properties.

Michele Gavin, 502 Sycamore Line stated that she owns a home that she annually rents the back portion but liked the idea that she could rent the front portion when she wanted to. She stated that this would bring her added income during the Cedar Point season.

Marybeth Ringholtz, 524 Anderson Street stated that her property value had gone down over the years. She stated that current landlords in the area are not maintaining their properties and is worried that transient rental properties will bring a lot of partying.

Anita Kennedy, 306 Meigs Street stated that she is aware of several properties that surround her that could potentially be used for transient rental and she is worried about the parties and parking. She stated that there are calls to the police every weekend for properties near her that currently rent annually. She wondered if she could rent out rooms of her home. She stated that her home is zoned residential and her yard is zoned commercial residential.

Mr. Harris stated that anyone that wished to use their property as transient rental had to complete a comprehensive application and meet certain requirements including parking, internal and external inspections, number of people using the property; owner is required to be within a 1 hour drive for any complaints. What also comes with the transient rental approval is progressive discipline. If an owner has 3 violations within a 12 month period, their rights will be revoked. Staff believes that with the regulations attached to transient rentals, the property owner will be very careful to whom they rent to and could potentially be better neighbors than traditional renters. Staff also believes that people will bring their properties up to code in order to rent the property; thus improving the property values.

Jase Myers, Anderson Street stated that he had attended the public meetings and spoke with his neighbors and his concern is that he doesn't want partying going on around his home with his children. He wondered if there was no interest in a particular area, could certain streets opt out of the overlay district. Chairman Zuilhof stated that if the overlay district passed and there are several people opposed, they could propose litigation to change. Mr. Harris agreed that you will not get 100% participation but used the example that if 49 residents out of 50 on one street oppose, they could petition that the legislation be changed. Mr. Harris reminded Mr. Myers that even if this were to happen, there will be neighbors to the back of his property that will still be allowed to rent. Ms. Sparks reminded Mr. Myers that any violations including noise violations will count toward the "3 strike" rule. If the owner wanted to keep their transient rental rights, they will make sure that there are no complaints on their property.

Rick Ringholtz, 524 Anderson Street stated that people that rent property don't take the same care that property owners do. He added that his property value had gone down since rentals came into the area.

Lori Arnold, 410 Cove Street stated that she had a duplex on the water that her father bought in 1955. She stated that in the past year, she had received letters from the city. She felt it was unfair and that there were a lot of other homes that need help in the area.

Michele Gavin suggested that owners of rental properties do not have to rent to partiers, they can choose who they rent to. They can also post their own house rules that must be followed.

Mr. McGory stated that he still owned a home on Anderson Street so he would abstain from the vote, but he stated that he did understand both sides of the subject. He added that he was unsure that he will participate

in renting if the overlay district passed, but he was not fearful of it passing because transient rental properties have more rules at stake. There are several properties within the city that rent to people that do not make the greatest neighbors and there's nothing you can do about it. With transient, the owner has the option to never rent to unruly tenants again.

Mr. Whelan moved to recommend approval to City Commission for the proposed overlay district. Mr. Jackson seconded the motion. With no further discussion, the motion carried with a 6/0 vote; Mr. McGory abstained.

Ms. Sparks presented that Bull Tunnell had applied for site plan approval and a similar main use permit to allow for a storage/shop facility at 2122 Campbell Street. The existing zoning is "LB "Local Business, the applicant is requesting to construct a storage/ shop building on the property. The existing use is a Retail Electrical Shop. The applicant had requested to construct a 5,600 square foot building for indoor storage. The applicant had communicated that business hours would remain the same and that Ohio Edison required that each building will need to have separate services as such this will be located on a separate lot. Section 1109.01 states that the proposed use must be in compliance with the following standards:

1. The uses do not create dangers to health, safety, nor do they create offensive noise, vibration, dust, heat, smoke, odor, glare or other.
 - The storage facility will be utilized for parking
2. The use does not create traffic to a greater extent than other uses listed in the classification to which is added.
 - The storage facility will not create additional traffic; the patrons will utilize the existing facility and parking area
3. In addition to the above general standards, appropriate specific safeguards, applying to a particular application, may also be specified in the permit.
 - The storage facility meets the general standards and safeguards.
4. The Planning Commission may revoke the similar main use permit if the property is not maintained in the manner that would conform to the required standards.

The applicant has also requested site plan approval for the proposed building. All setbacks have been met, however Planning staff would recommend that if the area between the buildings will be utilized for vehicle traffic, staff would recommend paving.

Front: The proposed setback is 20' 8"

Side: The proposed side yard setback is 21'

Rear: The applicant is proposing a 30' 2" rear yard setback

The applicant is utilizing the facility for parking and storage of vehicles so not additional parking is required; however the applicant has indicated a stone parking area with six parking spaces.

Planning Staff recommended approval of both the similar main use permit and the site plan with the following conditions:

1. Understanding the property is adjacent to a residential area; staff would recommend additional screening along the northern and eastern portion of the proposed site. The screening shall be a 5 ½ foot fence or landscaping at a height of 5 ½ feet.
2. Pavement of the area in between the buildings if it is to be utilized for vehicular traffic.
3. All building permits shall be obtained.
4. All state and federal regulations shall be followed.

Bill Tunnell, 2122 Campbell Street stated he was the owner/operator of All Phase Electric and that he would answer any questions the members had. Mr. Whelan asked if he would be ok with the required fence. Mr.

Tunnell stated that he had planned to put a fence there anyway. Mr. Miller asked why a lot split was required. Mr. Tunnell stated that Ohio Edison is requiring the lot be split in order to place a second meter. Mr. Tunnell stated that there is already a separate address for the lot split and Ms. Sparks stated that the lot split meets all zoning requirements and can be approved administratively.

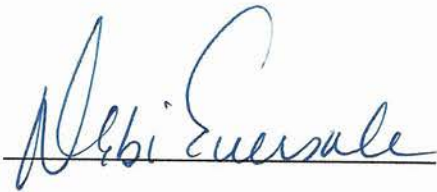
Beth Barton, 2137 Campbell Street asked if the building would be on the north side or the south side of the current business. Chairman Zuilhof stated that it would be on the empty lot to the north.

Mr. Miller moved to approve the application subject to staff's conditions. Mr. McGory seconded the motion. With no further discussion, the motion carried with a unanimous vote.

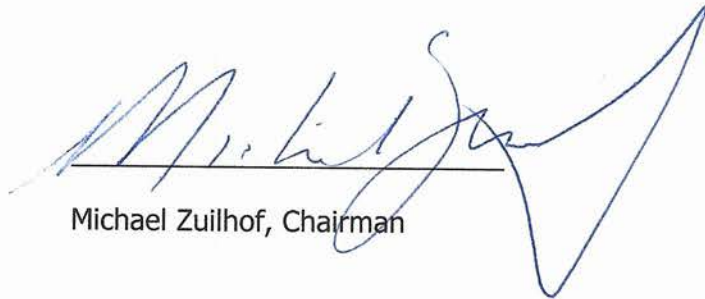
Chairman Zuilhof asked if there was any other business to discuss. Mr. Galea asked if staff could consider a way for residents to "opt in" or "opt out" of a transient rental overlay district if they wish. This including adjacent properties. Mr. Miller stated that going back to Mr. McGookey's request, his properties were not actually adjacent as they do not face Meigs Street, they face Washington Street. Chairman Zuilhof agreed and stated that was the benefit of not making a spur of the moment decision, but rather have the chance to deliberate such requests.

With no further business, the Chairman adjourned the meeting at 5:40PM.

APPROVED:



Debi Eversole, Clerk



Michael Zuilhof, Chairman