

**Planning Commission  
January 26, 2022  
Meeting Minutes**

**Meeting called to order:**

Vice Chairman Pete McGory called the meeting to order at 5:00pm. The following members were present: David Miller, Mike Zuilhof, Conor Whelan, Jade Castile, and Steve Poggiali. Mr. Poggiali asked for Mr. Jackson to be excused from the meeting. Alec Ochs and Arin Blair represented the Community Development Department, Brendan Heil represented the Law Department, and clerk Kristen Barone was also present.

**Approval of minutes from the December 22, 2021 meeting:**

Mr. Miller moved to approve the minutes as submitted and Mr. Whelan seconded. All voting members were in favor of the motion.

**Election of Officers:**

Mr. Miller nominated Mr. McGory for Chairman and Mr. Poggiali seconded. With no other nominations, all members were in favor of the nomination, except for Mr. McGory, who abstained. Mr. McGory nominated Mr. Miller for Vice Chairman and Mr. Poggiali seconded. With no other nominations, all members were in favor of the nomination, except for Mr. Miller, who abstained.

**Adjudication Hearing:**

**1) Paper Street Holdings LLC submitted a Conditional Use Permit Application for 603 Columbus Avenue**

Mr. Ochs explained that this property is zoned as local business. Property to the north, east and south is zoned local business. Property to the west is zoned local business and two-family residential. The building was previously being used for office space, but is currently vacant. The applicant wishes to use some of the space in the structure for three transient rental units with a possible fourth unit in a second phase. The zoning code currently permits transient rental in the Local Business District with a Conditional Use Permit. Since Mr. Poggiali just joined the Planning Commission today, Ms. Blair wanted to let him know that there has been some discussion on potentially allowing transient rentals in the Local Business District. In the zoning code it states that the main uses in the General Business District are allowed in the Local Business District, if a Conditional Use Permit is granted. Mr. Ochs stated that there are currently 25 off-street parking spaces. The adjacent western parcel is also owned by the applicant and also has parking available. Staff believes that this use will not create more noise, dust, odors, ect, than other uses in this district. Staff also believe that this proposal will help fill the high demand for additional transient rental units that are walkable to do the Downtown Business District. Staff recommends approval of the proposed Conditional Use with the following conditions: 1. All applicable permits are obtained through the Building Department, Engineering Department, Planning Department and any other applicable agency, 2. The projects do not exceed the proposed four transient units. If the commercial spaces lack consistent occupancy, staff recommends applying again for a conditional use permit no less than 2 years from the current Conditional Use permit issuing date. Mr. Zuilhof stated that it would make sense to him to grant the Conditional Use Permit for the whole building, but if the applicant does not want that, then that would not make sense. Mr. McGory asked what exactly the applicant is asking for. Mr. Ochs stated that currently the applicant is asking for approval on just four units. Mr. Poggiali stated that he is always

concerned with tenant behavior when it comes to transient rentals, so if the applicant is only planning on using three units to begin with and the fourth unit is in a second phase, he would like to see just the three approved for now to see how it goes before approving the fourth unit. Mr. Ross Boesch, member of Paper Street Holdings, LLC, stated that he would ideally like to see the whole property approved for a Conditional Use Permit, but at a minimum, the four units. He said that he does not see filling office space as viable since there is plenty of office space available in the area. There is however more of a demand for transient rentals. He said that since talking with staff and providing the plans, he has found out that there is enough space on the first floor for all four units, so the fourth unit would not need to go on the second floor. He said that he does have someone interested in the first and second floor commercial space facing Columbus Avenue. Mr. Poggiali asked the applicant that if the whole property was given a Conditional Use Permit, how many units would he put in there. Mr. Boesch stated that he would not put more than six units in the building. He stated that they use noise monitoring devices and they set strict time frames on noise levels so that they are not being loud at night time. There would be at least 18 cameras on this property. If there is guest that is not following the rules, they would not invite them to stay again. He said he has been doing this for five years now and has had overall good experiences. Mr. John Feick, of 629 Columbus Avenue, said that he is not necessarily against the request, but would hope that the Planning Commission would not approve more than what the applicant is asking for and see how it goes before approving more. He then said that there are two other businesses on the block that do not have any off street parking. He said that while this property does have off street parking, you will see that the parking is in two different parcels. His concern is that if they remain two different parcels, the applicant may want to sell the one parcel or use it for something else, creating less parking. If approval of the Conditional Use Permit is granted, he would like to see a condition along with that making the applicant combine those parcels, so that all of that parking remains. Mr. Zuilhof stated that he thought that parking is underused but asked staff if the site meets all of the parking requirements or not. Mr. Ochs stated that the applicant has stated that there is about 40 parking spots there, but there was only 25 in the drawings staff were given so that is all staff put on the report. Mr. Ochs stated that only one parking space is needed per transient rental unit, so if there were four transient rental units, only four parking spots would be needed. Mr. Ochs stated that there is a clause that the Conditional Use Permit can be revoked if issues arise, but does not have the exact language with him. Mr. Whelan asked staff what the parking requirements would be for the four transient rental units plus the office space, because if the applicant meets those requirements, he does not think it would be fair to force the applicant to combine the lots. Mr. Ochs stated that the parking requirements for the office space would depend on the type of business that would occupy the space, so it is hard to say, but staff believes there is adequate parking available for transient rental and office space. Mr. McGory moved to approve the Conditional Use Permit for four transient rental units and subject to staff's recommendations. Mr. Miller seconded the motion. Mr. Poggiali stated that he will be voting against the motion just because he understands the concern for transient rentals in the residential neighborhood, but would be in favor of three units. Mr. Poggiali voted against the motion. All of the other members voted in favor. The motion passed.

#### **Old Business:**

**1) Sandusco, Inc. submitted a Similar Main Use Application for 709-F West Perkins Avenue (tabled at last meeting)**

Mr. Miller voted to take this item off the table and Mr. Zuilhof seconded. All members were in favor of the motion. Mr. Ochs reminded the commission that the current use at this location is a



pawn shop and retail store. The applicant would like to add firearms to the items that can be purchased, sold, and pawned at this location. Currently, the zoning code does not specifically permit the sale of firearms or similar uses in the General Business district. General Business does allow uses permitted in Local Business districts. The Local Business district permits the sale of sporting and athletic goods. Staff feels that a firearm may be interpreted as a sporting good. Staff stated that the property is located 135 feet from Sandusky City Schools property (the field behind the store). The proximity to school property was a concern at the last meeting and staff was asked to get clarification on the rules on if this could be allowed this close to school property. Ms. Blair explained that Police Chief Jared Oliver stated that he did not have any concerns with the applicant's request as long as they were following ATF guidelines. She then explained that staff looked up the ATF guidelines after the last meeting and found that a school zone is defined as being within a distance of 1,000 feet from the grounds of a public, parochial, or private school. Exceptions to the school zone requirements: the possession of a firearm on private property not part of school grounds. Once a customer leaves private property located within a school zone, they may be in violation of the federal law, except in the situation where the firearm is unloaded and is contained within a locked container or a locked firearms rack that is on a motor vehicle. The Ohio Law does not prohibit a firearms dealer to operate within a school zone. Ms. Blair then reminded the Planning Commission what the criteria are for the Planning Commission to determine if the applicant's proposed use would be considered a similar main use to other uses in the same zoning district, which are: a) The use does not create dangers to health and safety, and does not create offensive noise, vibration, dust, heat, smoke, odor, glare, or other objectionable influences to an extent greater than normally resulting from other uses, b) The use does not create traffic to a greater extent than other uses, c) Appropriate specific safeguards, applying to a particular application, may also be specified in the permit, d) 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. Other main uses that are permitted in the General Business district include but are not limited to: railroad and bus passenger stations, motels, social clubs, amusement and recreation services, sale of sporting goods, and sale of alcohol. Mr. Ochs stated that staff does ~~not~~ believe that the proposed use will not create dangers to health and safety, create offensive noise, vibration, dust, heat, smoke, odor, glare, or other objectionable influences to a greater extent than other uses listed in the General Business District. Staff recommends approval of the proposed similar main use with the following conditions: 1) All applicable permits are obtained through the Building Department, Engineering Department, Planning Department, and any other applicable agency, 2) ATF guidelines of purchase/sale are properly followed, 3) No ammo is to be sold at the location without further analysis. Mr. Miller stated that he thinks that Sandusky has a gun problem, but after reading the criteria for determining a similar main use, he could not find a legitimate reason to deny it. He was also very encouraged by the applicant at the last meeting that they follow the ATF guidelines and take all of the precautions to make sure they are handling the firearms in a safe manner. Mr. Zuilhof stated that he believes that firearms could equally be argued against being considered a sporting good. He said that he does not believe that the proposed use fits the code and he will not be voting in favor of it. Ms. Blair stated that the question is not whether or not the proposed use is considered a sporting good or close to a sporting good. The question is whether or not the proposed use creates an objectionable influence to a greater extent than similar uses in the General Business District. Mr. McGory stated that he believes there is a gun problem in the country, but he also does not see a reason to not approve the application based on the code. Mr. Poggiali stated that if the Police Chief does not have an issue with it he certainly does not. Mr. McGory then made a motion to

approve the application per staff's recommendations. Mr. Miller seconded the motion. Mr. Zuilhof and Ms. Castile voted against the motion. All of the other members voted in favor of the motion. The motion passed.

**2) Cross View Bay Ltd submitted a Site Plan Application for 1231 First Street**

Mr. Ochs explained that the applicant wishes to develop the parcel into a luxury recreational vehicle park as an amenity to the marina facilities currently in operation. Sites are also expected to be available to rent to customers other than marina customers. The proposed RV park is designed for the public to bring their own RV's but some sites are expected to have owner provided moveable structures available for transient rental. Staff feels that there is not a unit of measurement for parking requirements specific to this application. Each RV site has parking for 1-2 vehicles. Staff opinion is this is sufficient parking for park customers and visitors. Short term parking is provided for the bath house, whose only users will be current customers of the RV park. Staff feels this is adequate for the site as proposed. Landscaping has been added per staff comments during preliminary review. Additional landscaping is not required by the code since there is no consolidated parking area exceeding 25 spaces. Engineering and Building staff stated they will need more detailed plans down the road. Ms. Blair read aloud an email that the applicant wanted staff to share with the Planning Commission an update since submitting the proposed site plan (see attached email). Mr. Ochs then stated that the applicant also stated that for accessibility concerns in the southeastern corner they may remove another RV site or two, but is asking that the Planning Commission approve the plan with 50 knowing that they may remove one or two. Staff recommends approval with the following condition: All applicable permits are obtained through the Building Department, Engineering Department, and any other applicable agency. Mr. Zuilhof stated that in response to the Planning Commissions remarks at the last meeting, the amended site plan has exceeded his expectations. He moved to approve the application subject to staff's conditions. Mr. Miller seconded the motion. Mr. McGory stated that he noticed that there are some residential lots along the sides of this proposal and hopes that the green buffering on the site plan is enough to please the residents. Mr. Miller stated that he is pleased that the applicant is working with the City on accommodating the bike pathway. Mr. Poggiali stated that he is glad to see that there will be a quiet time and there will be someone on site at all times to make sure everything is running smoothly. All voting members were in favor of the motion and the motion passed.

**Discussion on Transient Rentals Regulation:**

Ms. Blair explained to Mr. Poggiali that two people that have property in two different neighborhoods in the City have asked the Planning Commission to create an overlay district in those neighborhoods so that they can do transient rental there. Staff held meetings to get input from residents in those neighborhoods and put out a survey for people to fill out to get their overall input on transient rentals. Staff have been asked to do research to see what other places are doing. There has also been a lot of discussion the last few months between staff and the Planning Commission regarding whether or not to make changes to the code or leave the code the way it is. As of right now transient rentals are allowed in seven different districts, and then as staff just discovered, can be allowed in the Local Business District if granted a Conditional Use Permit. Mr. Zuilhof stated that a lot of deliberation went into the code the way it is now and that it may just be fine the way it is. Mr. McGory asked what the City of Huron does. Arin stated that they permit a maximum amount for the residential districts on a first come first served basis. Mr. Whelan explained to Mr. Poggiali that in the past he has brought up the idea of if a certain percentage of people in an area are all for something, they can bring the idea to Planning



Commission to deliberate. He stated that he does not like the fact that people all over the City are wanting something and nothing seems to be coming of it. He said that Mr. Maldonado and Mr. Stuck have been asking for staff and Planning Commission to consider the transient rental overlay district in two different neighborhoods for over a year now. Mr. Zuilhof stated that he thinks it is not unwise that people have the right to petition the government and the government does not have to do what is being asked. He said that government bodies need to be careful with the decisions being made. Ms. Blair added for clarification that there is a way for residents that are touching an existing overlay district to get their property into the overlay district, through coming to the Planning Commission with a rezoning application. Also the current process to create a new overlay district, is on Planning Commission or City Commission to decide and there are criteria such as it must be in a declining area and in close proximity to commercial and retail areas. Jess Lippert stated that she is a property manager in the area for long term and short term properties. She has done a lot of research on transient rentals and she agrees that everyone is trying to find a medium ground on how to regulate them. She said that her advice is to hold the property managers accountable. She said that there are many things property managers can do to make sure that their guests are being good guests. She said that in her experience they have mostly families that stay at their properties and do not cause issues. She said that they have had over 300 bookings with their two transient rentals and have only had to call the cops once. She said that they have way more issues with their long term tenants. She said that through their transient rentals they also give business to other local employers as they use local cleaning services, landscaping companies, etc.

**Other Business:**

Ms. Blair stated that at the last meeting they discussed regulating small box discount stores and she was asked to come up with draft legislation for the Planning Commission to review. She said that she still needs to discuss some things with the Law Director before bringing something to Planning Commission.

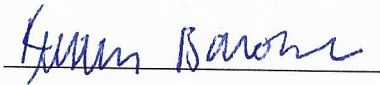
**Meeting Adjourned:**

Mr. Poggiali moved to adjourn the meeting and Mr. Whelan seconded. The meeting ended at 7:13pm

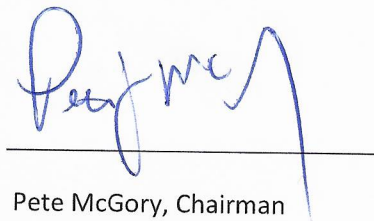
**Next Meeting:**

February 23, 2022

**Approved:**



Kristen Barone, Clerk



Pete McGory, Chairman

**From:** [Kula Lynch](#)  
**To:** [Aaron Klein](#)  
**Cc:** [Arin Blair](#); [Alec Ochs](#); [Josh Snyder](#); [Todd Hart](#); [John Hoty](#)  
**Subject:** CrossView  
**Date:** Wednesday, January 19, 2022 3:34:50 PM

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***THIS EMAIL IS FROM AN EXTERNAL SOURCE. PLEASE DO NOT CLICK ON ANY LINKS OR ATTACHMENTS IF YOU ARE NOT EXPECTING THEM OR UNLESS YOU KNOW THEM TO BE SAFE***

Aaron –

Thank you for meeting with me last week to discuss our project at Cross View. We are committed to preserving an area for the bike path to cross our property in the relative location that is currently on the plan. We realize that having the three crossings through the bike path is not feasible either for the City or for us (we would have to gate each access drive, which is not all that practical). Our intention is to have vehicular traffic cross the path only at the main gate, with a secondary crossing at the very east end of our property, but that will really only be for emergency (like fire), or the very occasional boat or equipment delivery that cannot travel through the main entrance. Note that we do plan to have man gate(s) along the pathway so that our guests can enter and exit the pathway. Locations for one or more man gates will likely be determined at a later time.

Please advise if you have any questions.

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