

Sylvania Municipal Planning Commission

Minutes of the special meeting of April 7, 2011. Mr. Lindsley called the meeting to order.

Members present: Read Backus, Ken Marciniak (arrived late), Thomas Lindsley, Mayor Craig Stough, (4) present. Robert Oberly present.

Item 2 - Council Referral of the City of Sylvania Zoning Code Update - Final Review Draft Zoning Amendments for review and recommendation. Mayor Stough reported that city council did not extend the 45-day report back period at the April 4, 2011 council meeting. The planning commission needed to have another special meeting so they could give their recommendation to city council. We received an e-mail from Mr. Luetke asking the planning commission to consider some additional changes to the proposed neighborhood conservation district. Mr. Oberly stated that we need to consider changing the north boundary of the district and move it south from the state line to south of Colonial Court. Mr. Marciniak arrived at this time. Mayor Stough mentioned that there are old buildings that are not historical. He would like to keep the period for demolition at 90 days and have the penalty for demolition prior to issuance of a permit to be \$1,000.00. He does have the authority to waive the waiting time for demolition so if some was tearing down an accessory building they would not need to wait the entire 90 days. He has resources of the Historical Society, the Sylvania Historical Survey, and information from Dr. Ted Ligibel to determine if a structure has historical significance and should not be demolished prior to the 90-day waiting period. They would like to add a provision that would discourage people from buying two or three houses on small lots and combining them into one lot to build a larger house, this disrupt the fabric of the neighborhood.

Mayor Stough, stated to ensure the work ability of the zoning code and to maintain the planning intent and goals of our code, he made the motion to recommend approval of the City of Sylvania Zoning Code Update - Final Review Draft Zoning Amendments subject to the recommendations discussed at our four (4) meetings of March 16, 2011, March 22, 2011, March 29, 2011, and April 7, 2011, Mr. Marciniak seconded the motion. The recommendations, with commentary in italics, being:

Any place Zoning Inspector appears in the code change it to Zoning Administrator.
This is to be consistent in the code.

Add two items into the zoning code so that they apply in all zoning districts.

- (a) No erosion, by either wind or water, shall be permitted which will carry objectionable substances onto neighboring properties or waterways.
- (b) Drainage or other waters from roof areas, driveways, parking lots and other sectors of the lot or project may not be permitted to flow onto or accumulate on any adjoining lot or property.

Chapter 1101 Definitions

1101.10 Agriculture - Definition be amended to include: Horses owned by occupants, as pets, are permitted on large lots, five acres or larger.

There are residents who have horses on their property, the new code would prevent them from selling their property as a horse property, it would prevent anyone from adding a horse on their

property.

1101.13 Billboard - The last sentence “A billboard is also a board, panel, or tablet used for the display of posters, printed or painted advertising matter, either illuminated or non-illuminated, that directs attention to goods, merchandise, entertainment, or services offered elsewhere that the premises where the sign is located.” be deleted from the definition.

This would prohibit the display of advertising for functions such as the Sylvania Firemen’s Pancake Breakfast, Northview and Southview Garage Sales, Festirama, Shred Day, etc.

1101.52 Home Occupation - “The occupation shall be conducted wholly within the dwelling or an accessory building” be added to the restrictions.

Chapter 1109 Site Plan and Development Plans

In all occurrences, except Section 1109.10, change the Zoning Administrator to Service Director or his designee.

It is ultimately the Service Director who has the responsibility to approve site and development plans. A Zoning Administrator may not be an engineer and have the knowledge necessary to review plans.

1109.04 Site Plan Submittal Requirements. -

(2) Change builder to owner / developer.

The builder for a project may not be selected prior to approval of a site plan and the project may not have even gone out for bids.

(7) The vicinity map at a scale of 1" = 400' shall show:

A list of what is to be shown on the Vicinity Map or there should be a period after 400'.

1109.05 Action on Site Plans. -

(a) Approval - Increase the approval time from six (6) months to one (1) year.

Six months may not be enough time for the bidding process and for obtaining necessary financing approval.

(b) Disapproval - Change Planning Commission to Service Director or his designee.

The Planning Commission may not need to see all site plans and if they do not review the site plan a disapproval letter should be written by whoever reviewed the plan.

Chapter 1110 Traffic Impact Studies / Access Management

1110.06 Access Drives and Section 1110.07 Curb Cuts, Signals - Change City of Sylvania to Service Director for the City of Sylvania.

Chapters 1117 through 1127 R-1, R-1A, R-2, R-2A, R-3, and R-4 Districts

1117.02, 1119.02, 1121.02, 1123.02, 1125.03, and 1127.03 Minimum Requirements - All the minimum requirements for the residential districts revert back to the former requirements.

Agree with the comments from the public meeting that the minimum requirements go back to the old code. Suggest that for new subdivisions we should use the larger lot requirements, and implement that by adding a new zoning district with suburban lot designation for new single family residential development.

Chapter 1127 R-4 Multiple Dwelling Medium High Density District

1127.12 Accessory Buildings and Uses - Paragraph (c) be deleted and replaced with:

- “(c) Recreational Vehicle, Utility Trailers and Equipment Storage.
Recreational equipment may be parked or maintained in a R-4 District for a period of time not exceeding seventy-two hours, unless housed within a garage.”

This would be for the higher density multiple dwelling district such as Stonehenge and Regis Park. There is not sufficient space for storage of recreational equipment without interfering with other owners or residents in the buildings.

Chapter 1135 B-1-B Modified Business and Office District

1135.07 Permitted Uses - Uses permitted in the B-1-B District: Add “Restaurants with drive- through window service”

This district was originally adopted to allow for restaurants such as McDonald’s and Taco Bell. All of these businesses rely heavily on their drive-through customers.

Chapter 1139 B-3 Central Business District

1139.05 Performance Standards - Delete (a) and (c).

- (a) *Not allowing outside storage or activity is in conflict with permitted uses for Restaurant, with outdoor customer dining area and Sidewalk café.*
- (c) *In the B-3 there are existing businesses with drive-through window service. Would it be unfair to prohibit drive-through window service for a new business such as a coffee shop, ice cream parlor, or other business to not be able to have a drive-through window.*

1139.06 Yard Requirements - Make the front yard requirement of no greater than twelve feet and may be as little as zero feet, applicable to the downtown block of Main Street between Monroe Street and Maplewood Avenue.

Many buildings in the B-3 Central Business District would be non-conforming which could make it difficult to finance a purchase or a loan for improvements for new businesses.

1139.09 Transparency - Add front to read “A minimum of 60 percent of the street-facing front building facade between two feet and eight feet in height must be comprised of clear windows that allow views of indoor space or product display areas.”...

When a building is situated on a corner lot, the street-facing side building facade may be storage space, office space, restrooms and other spaces that business owner would not want on view to pedestrians or people driving past the building.

Chapter 1141 B-4 Shopping Center District

1141.06 Design Standards - (1) Eliminate the sentence “All sides of a building open to view by the public, whether viewed from public or private property, shall display a similar level of quality and architectural interest.” The preference would be to have the similar quality of building materials on all sides of the building so we do not have a large expanses of concrete block walls visible to the public.

Requiring some architectural features on side and rear walls to create visual interest would be preferred, however that may not be practicable due to security and cost effectiveness.

1141.09 Delay in Construction - Return this section to the code.

1141.10 Development - Return this section to the code.

Maybe the two sections should be renumbered so that the development comes before the delay in construction section. These sections are applicable to rezoned land and maybe with the restriction on the location for B-4 zoning these sections may not be necessary.

Chapter 1145 M-1 Light Industrial District

1145.03 Yard Requirements - Return the front yard and side yard requirements to the old code.

A large portion of the M-1 Light Industrial District is located in Whetstone Park, the lots are mostly 40 feet wide and 116 feet deep requiring a front yard of 50 feet would take almost half of the lot depth and two side yards of 10 feet would take half of a single lot width so the lots are too small for the new requirement.

Chapter 1149 Flood Plain Districts

1149.01 Definitions -

- (c) Amend the definition to reference the latest Flood Insurance Study and not the one dated October 6, 2000.

The maps have been updated for 2011 and the flood insurance study may change to reflect the new maps and keep the Base flood water elevation to the latest standard.

- (ii) (2) Amend the paragraph to read: Any alteration of a historic structure, provided that the alteration will not preclude the structure's continued designation as a "historic structure"; or

This was probably just a typographical error.

1149.33 Change in watercourse.

1149.34 Alteration of community boundaries.

1149.99 Penalty.

Restore these three sections to the code.

Chapter 1150 Neighborhood Conservation Overlay District

1150.01 Purpose of the Neighborhood Conservation Overlay Zoning District - Eliminate the next to last sentence; "While some structures within this Overlay District have obvious historic qualities, others may lack sufficient historical, architectural or cultural significance to be designated as a more formal Historic District."

This may impede the enforcement of the section.

1150.02 Application of Neighborhood Conservation Overlay Zoning District. - District to be defined as: Starting at Monroe Street at the railroad tracks, west along Monroe Street from the railroad tracks to Parkwood Boulevard, then north to Maplewood Avenue, then east to the east property line of Burnham Park, then north to Erie Street, east to Garden Park Drive and encompassing both sides of the street, then north to the south boundary of Memorial Field, then east to the rear property lines of the lot on Colonial Court, then south to end of Colonial Court, then east to the North Branch of Ten Mile Creek, then south to the north side of Erie Street, then west to the railroad tracks, and then south to Monroe Street.

Set the district boundaries to preserve the character of the neighborhoods. The area immediately north and west of the downtown area. A map of the area is attached.

1150.03 Requirements -

- (d) Eliminate the “all” so it reads “Building Materials: No less than 75 percent of the exterior building materials used for the construction and/or renovation of a principal structure shall be materials also found on the exterior of structures along the same block.”

Not all houses in a block may have the same exterior materials, there will be a lot of wood siding and maybe one or two houses with brick exteriors, requiring the use of materials found on all structures may change the character of the dwelling. This would not allow an owner to side their house with aluminum or vinyl siding.

- (g) Amend the paragraph to read: “Lot combinations: To help preserve and protect the historic character of the neighborhood lot combinations is discouraged. Whenever applications are made to construct a new principal structure, or add to an existing principal structure, on two or more separate or combined parcels, such an application shall be first reviewed by the Planning Commission. This review shall include consideration of proposed building mass and scale in the context of neighboring property. Plan approval may include conditions requiring measures to reduce the visual mass of the building to make it compatible with established residences. “

This would prevent building an overly large house that would disrupt the fabric of the neighborhood.

- (h) Add that “Garage doors facing the street and not set back from the front of the dwelling are limited to 30% of the front facade.”

This would eliminate houses where all you seem to see are the garage doors with the front door set back from the front of the house.

1150.03 Demolition - Make the waiting period ninety (90) days.

This would conform to the standard for conservation districts.

1150.06 Landmark Houses - Establish a Landmark House designation in cooperation with the owners of the property for houses of historic significance.

Preserve the houses that are significant in the history of Sylvania. The character of some neighborhoods has already changed and some houses have not been maintained so they may not be able to be preserved.

1150.99 Penalty - Set the penalty for demolition of a structure prior to the issuance of a zoning permit at \$1,000.00.

This may discourage owners from demolishing a structure.

Chapter 1151 Downtown Overlay District

Clarify the boundaries for the Downtown Overlay District.

Should the area be the B-3 Central Business District or should it be north of Monroe Street?

Chapter 1160 Landscaping

Was this chapter reviewed by the City Forest and the Special Project Coordinator? They should review the chapter since projects are referred to them for review.

Chapter 1165 Satellite Dish Receiving Stations

1165.01 Size Requirements and Location - Add a restriction to prohibit satellite dishes in the required front yard in residential districts.

This will get a satellite dish back from the sidewalk and have the satellite dish closer to the dwelling, so that it would be less likely to be damaged and less of an eye sore.

Chapter 1187 Architectural Districts

1187.02 District Boundaries. - The Regulated Architectural District be expanded to include all commercial properties in the city. All references to the Unregulated Architectural District be eliminated from the code.

The old boundaries are based on the fire district, the city has grown and the boundaries have not been adjusted to include new properties. The board has been fortunate that they have been able to talk applicants into building their project to a higher standard but with the unregulated district they can only make suggestions and have no real enforcement powers.

Vote being: Backus, Lindsley, Marciniak, Stough (4) aye; (0) nay. Motion passed by a 4 to 0 vote.

Dr. Backus moved, Mr. Lindsley seconded to adjourn the meeting. All present voted aye. Meeting adjourned.

Submitted by,

Barbara Taylor, Secretary
Municipal Planning Commission