

## Village of Put-in-Bay Planning Commission

P.O. Box 481, 435 Catawba Ave., Put-in-Bay, Ohio 43456 Ph: 419 341-0882

Meeting Minutes – June 5, 2017

### **Regular Meeting**

#### **Roll Call 11:01am**

Members Present: Mack McCann, Tip Boyles, DeeDee Duggan, Nick Michaels

Zoning Clerk: Karen Goaziou

Zoning Inspector: Todd Bickley

Motion to approve May meeting minutes by McCann, 2<sup>nd</sup> by Michaels. All in favor-yes.

Motion to approve May public hearing minutes by Duggan, 2<sup>nd</sup> by Michaels. All in favor-yes

#### **New Business:**

Application# 051717 – 560 Langram Road – applicant, Amy Huston, is applying for a lot split at 560 Langram Road.

Discussion took place the application and drawings. Legal description was not submitted for lot A or B.

Motion to approve lot split with legal description of lot A and B submitted prior to July meeting by McCann, 2<sup>nd</sup> by Duggan. McCann-yes, Duggan-yes, Michaels-yes, Boyles-yes. Motion carried.

Application# 051517 – 459 Langram – applicant, Jeremy Berman, is applying for a new construction building permit.

Poggemeyer had reviewed the application. Mr. Berman spoke regarding his project. Poggemeyer has showing less than one acre. Variance for less than an acre. Mr. Berman provided the data for the parcel and it is more than an acre. Poggemeyer was concerned about 20 to 25 foot roadway. Mr. Bickley stated under special use for c2 there is nothing regarding a driveway in the ordinances. Mr. Berman spoke that he meets setbacks. 35 feet for front yard, 34.6 feet for rear yard. The property will have a historical theme, will fit in with Banyon Cove 1 and other properties. Mr. Berman spoke of the catch basin. One catch basin is there now. Will be putting in a second catch basin. The storm system can't keep up from the village. The more people tie into it might begin to flow over. Mr. Boyles would like some time to review Poggemeyer's submission.

Motion for a public hearing on July 3<sup>rd</sup> at 11:00am for a special use permit for 459 Langram Road by Boyles, 2<sup>nd</sup> Duggan. Boyles-yes, Michaels-yes, Duggan-yes, McCann-yes. Motion carried.

Application# 050317 – Lot 5 Main St., applicant, Bernard McCann, is applying for a fence permit.

Mr. Boyles property is all commercial and will need to be sent to Poggemeyer. Discussion took place on whether fence permits will go to Poggemeyer.

Motion to table until next month following Poggemeyer's review by Boyles, 2<sup>nd</sup> by Duggan Michaels-yes, Boyles-yes, McCann-abstain, Duggan-yes. Motion carried.

Application# 053017-361 Bayview Ave, applicant, David Hill, is applying for a remodeling permit to add a garage door.

Mr. Boyles asked if he is required to have a garage door. Mr. Hill spoke that there is a window there now. Mr. Bickley, doesn't need a permit. Mr. Boyles, he isn't changing use or adding square footage.

A permit is not needed.

**Old Business:**

None

**Public Participation:**

Mr. Fitzgerald spoke that his sewer and plumbing are not that great. Mr. Fitzgerald wants to know if special use permit would be used for dorms. His property is c1. Not sure about where parking should be or what is needed of parking. Discussion of easement took place, it is both private and public and runs through property lines. Mr. Boyles stated it would have to be vacated. Mr. Bickley answered his questions - is not needed to rezone. Parking for employee housing or dorm. 1 parking space, per 3 sleeping beds. May need to reapply for special use permit. Set back is set for 15 feet. Can't meet the requirements will need a variance.

**Zoning Manual:**

Discussion of subdivision section of zoning manual. Mr. Wilber stated there is a subdivision section. Page 51 of zoning manual is a mistake 1 rental room is special use.

**Inspector's Report:**

Letter to Carl Krueger regarding employee housing on Chapman Road.

Letter to Josh/Tim Niese regarding finishing the stage project at T&J's.

Not response yet.

Mr. Boyles has a problem with Mr. Krueger's front yard being gravel and parking spots. Mr. Boyles stated what he applied to planning commission is not what was provided to the county. Parking spots were to be in the back of the property.

**Complaints/Observations:**

Bier garden on Hartford needs a fence permit. Liquor department said they need a fence. Mrs. Mary Pepe will be sent a reminder letter.

Reel bar pillars could not be removed. Mr. Bickley would like to know how to continue. Mr. Boyles if it is removable do we have say so over it. Mr. McCann asked about this in original meeting regarding liquor control. Mr. Boyles do we have say so over it if over 36 inches and removable. Is it still a structure? Mr. Bickley states it is in violation if it exceeds 36 inches.

Motion to send the Reel Bar a letter that their structure exceeds the highest limits of their permitted use by Boyles, 2<sup>nd</sup> by McCann. Duggan-yes, McCann-yes, Boyles-yes, Michaels-yes.

Islander Inn – sand volley ball court, a net that goes around the property. Is it a fence? Needs a fence permit and a variance for height.

Home next to Carl Krueger's has started to pour foundation. It had been approved, but permit was not signed. It was when Mr. Sneller was no longer the zoning inspector. Concern of parking in his front yard. Plans submitted showed garage in the back with parking in the back.

Mr. Michaels asked if the Anchor Inn will have an inspection since they are renting and check parking. Mr. Bickley asked for the clerk to provide him with the plans. Ms. Duggan asked if anything ever happened with the back building. Mr. Boyles stated nothing in zoning manual that said they can't put in shower.

Mr. Michaels brought up the bus on Erie St being parked in the parking lot with someone living in it with a pet possibly. What can be done? This is a police department issue.

Mr. Michaels is parking allowed in front of the Massie property which is now owned by Mr. Gatewood. Mr. Boyles said parking has been in front of the house for ages, prior to zoning manual. Mr. Michaels stated when he applied to park in the front of his property he was denied. Feels he should have been grandfathered in as well.

**Legal:**

Nothing

Motion to adjourn by McCann, 2<sup>nd</sup> by Duggan. All in favor-yes.

Meeting adjourned at 12:31pm.

## Village of Put-in-Bay Planning Commission

P.O. Box 481, 435 Catawba Ave., Put-in-Bay, Ohio 43456 Ph: 419 341-0882

Meeting Minutes – July 3, 2017

### **Regular Meeting**

#### **Roll Call 12:00pm**

Members Present: Mack McCann, DeeDee Duggan, Nick Michael

Zoning Clerk: Karen Goaziou

Zoning Inspector: Todd Bickley

Motion to approve June meeting minutes by Duggan, 2<sup>nd</sup> by Michael. All in favor-yes.

#### **New Business:**

**Application #051517 – S – 459 Langram Road – applicant, Jeremy Berman, is applying for a special use variance for 6 condos.**

No further discussion.

Motion to conditionally approve the special use permit with a 30 day rental condition and a 700sqft condo by McCann, 2<sup>nd</sup> by Duggan.

Michael - yes, McCann – yes, Duggan – yes. Motion approved.

**Application # 061917 – V – 72 Chapman Road – applicant, Carl Krueger, is applying for a set back variance of 10 feet in front yard and 19 feet in back, reduced parking and green space in front of building.**

Discussion took place on parking. Mr. Lemon asked if a variance can be submitted for front parking. All the other properties back in front. Mr. Bickley suggested for the neighbors to put in writing that they are not opposed to parking in front.

Motion to table until August meeting for parking issues by McCann, 2<sup>nd</sup> by Duggan.

Michael – yes, Duggan – yes, McCann – yes. Motion carried.

**Application #062617- 220 N Toledo Ave. – applicant, Bob Gatewood, is applying for a change of use permit.**

Confusion over why applicant would need a change of use permit. The chairman, Tip Boyles, was not present to clarify reason for change of use permit. Mr. Gatewood's business license had been approved for rentals.

Motion to table until August meeting by McCann, 2<sup>nd</sup> by Duggan. All in favor – yes

**Application #060617 – 218 Hartford – applicant, Mary McCann, is applying for a fence permit at the Bier Garden.**

Poggemeyers review had just been given to the members at the meeting. Mr. McCann stated he had a conflict of interest. The fence was needed for a liquor department the building department has approved it.

Due to a conflict of interest with a committee member and a committee member absent from, the committee is unable to vote.

Motion to table until August meeting by Duggan, 2<sup>nd</sup> by Michael. All in favor – yes.

Application #053017 – Lot 5 Main St – the applicant, Bernard McCann, is applying for a fence permit.

Poggemeyers review was distributed at the meeting.

Mr. McCann removed himself from the committee while discussion took place.

Mr. McCann stated that zoning approached dumpsters last year. The fence will be wooden, white, with double doors, and 7 feet high.

Due to conflict of interest of committee member and a committee member being absent, the committee is unable to vote.

Motion to table until August meeting by Duggan, 2<sup>nd</sup> by Michael. All in favor – yes.

**Application #051717-560 Langram, the applicant, Amy Huston, is applying for a split lot.**

Mr. Bickley stated all requirements were met.

Motion to approve the lot split at 560 Langram Road by Duggan, 2<sup>nd</sup> by Michael. All in favor - yes.

**Public Participation**

Mr. Huston has heard the property on the corner of Concord and Langram is supposedly going to be retail. It is residential and he would like to be notified if anything happens.

Mr. Bickley said to contact Mark or Amy at the county engineer to find out what the property is zoned.

Mrs. Niese would like to know what happens if they build and don't apply for a variance. Is there a penalty? Mr. Bickley stated there would be penalties if they didn't come to code.

## **Inspector's Report**

Anchor Inn – looks nice, needs to look at application but so far appears to be in compliance.

Bier Garden – still needs to investigate

Firetruck bar – certification of completion

Ms. Duggan asked if the liquor department requires a fence. Mr. Riddle stated liquor department was here and will determine if the bar needs anything else. It is in compliance with the health department.

## **Observations**

Ms. Goaziou went over the discrepancies found in anchor inn's billing and variances from 2015 and 2016. Mr. Michael looked over the variances and minutes from the meeting where the project was discussed. The variance applications the zoning inspector at the time told them they would need were not what was needed and all 3 of them were withdrawn.

Motion to approve a refund of up to \$600.00 once clerk is finished with entire investigation by Duggan, 2<sup>nd</sup> by McCann. All in favor – yes.

Motion to adjourn by McCann, 2<sup>nd</sup> by Duggan. All in favor – yes

Meeting adjourned at 12:58pm

## Village of Put-in-Bay Planning Commission

P.O. Box 481, 435 Catawba Ave., Put-in-Bay, Ohio 43456 Ph: 419 341-0882

### Public Hearing Minutes – July 3, 2017

#### **Public Hearing**

Application # 051517- S – 459 Langram Road -applicant, Jeremy Berman, is applying for a special use permit for 6 condos.

#### **Roll Call 11:03am**

Members Present: Mack McCann, DeeDee Duggan, Nick Michaels

Zoning Clerk: Karen Goaziou

Zoning Inspector: Todd Bickley

Mr. Berman spoke regarding his project. He would like to rent the condos yearly. The need for garage/condos would make it financially feasible.

Mr. Huston has a concern about rentals only. Mr. Huston stated Banyon Cove 1 has already been renting out.

Mr. Berman stated weekly rental is being with dealt with by the homeowner's association board. \$1000.00 a night fine for weekly renting. If the owner does not pay the fine, the property will have a lien against it. The legal description for Mr. Berman's project will have the same as Banyon Cove 1. No less than 30 day rental. It is not his intention to have it as a weekly rental.

Mr. Bickley asked if anyone is interested in living in it year round. Mr. Berman stated he does have a few people interested in year round rental. Mr. Bickley asked to see a copy of the bi-laws. Mr. Berman will be emailing it to Ms. Goaziou.

Mr. Bickley asked how big are the condos. Mr. Berman stated 700 sq ft, 1400 sq ft with te garages. They are two bedroom condos. 40 feet of the grass will be green space.

Discussion took place on size of condos being 700 sq ft vs 720 sq ft. Board can decide and vote on it.

Review took place of finding of facts.

Motion to adjourn by Duggan, 2<sup>nd</sup> by Michaels. All in favor – yes

Hearing adjourned at 11:28am.

## **Public Hearing**

Application #061917- V – Chapman Road, applicant, Carl Krueger, is applying for a setback variance for reduction of front yard to 10 feet and rear yard set back to 19 feet.

### **Roll Call 11:30am**

Members Present: Mack McCann, DeeDee Duggan, Nick Michaels

Zoning Clerk: Karen Goaziou

Zoning Inspector: Todd Bickley

Mr. Krueger spoke about the fact that the architect put on the balconies and porch which extended the set back to 10 feet. Mr. Bickley commented that the porch was out further than what appeared on original drawings. 8 sleeping rooms and 3 parking spaces would need to be approved. Where is the parking?

Mr. Krueger stated parking will be in the back. The adjacent property has 3 parking spots with 19-foot sections.

Mr. Paul Lemon spoke regarding needing special use permit. Mr. Lemon also stated no notice was given. Mr. Lemon read the ordinances he felt the variance should fall under. Mr. Lemon also stated that one night at 3am a golf cart got stuck in the mud and left its reverse signal on and woke up guests. This is just one of the reasons why he won't allow access to his property. Mr. Lemon also spoke with Dave (construction crew) in the fall early in the construction and let him know the drive way could only be used during construction. Mr. Lemon doesn't care what the property is called he just wanted to present the facts.

Mr. Bickley asked if there were any other questions and went over the finding of facts.

Motion to adjourn by Duggan, 2<sup>nd</sup> by Michaels. All in favor – yes

Hearing adjourned at 11:55am.



## Village of Put-in-Bay Planning Commission

P.O. Box 481, 435 Catawba Ave., Put-in-Bay, Ohio 43456 Ph: 419 341-0882

Meeting Minutes – August 7, 2017

### **Regular Meeting**

#### **Roll Call 11:05am**

Members Present: Mack McCann, DeeDee Duggan, Nick Michael

Zoning Clerk: Karen Goaziou

Zoning Inspector: Todd Bickley

Motion to approve July regular meeting minutes by McCann, 2<sup>nd</sup> by Michael. All in favor-yes.  
(Mr. Boyles absent from July meeting)

Motion to approve July public hearing minutes by McCann, 2<sup>nd</sup> by Duggan. All in favor-yes  
(Mr. Boyles absent from July public hearing)

#### **New Business:**

None

#### **Old Business:**

**Application # 061917 – V – 72 Chapman Road – applicant, Carl Krueger, is applying for a set back variance of 10 feet in front yard and 19 feet in back, reduced parking and green space in front of building.**

Mr. Boyles asked where are the three parking spots going to be located. Mr. Krueger asked Ms. Goaziou if she had received any letters. Ms. Goaziou read the letter from Mr. Pfahher giving Mr. Krueger permission to use his property. Mr. Wilber stated a legal document would be needed to give permission to Mr. Krueger. Mr. Bickley stated Mr. Krueger had anticipated using the easement in the back and then found out it is not an easement and he isn't able to use it.

Mr. Boyles discussed the property being employee housing and that it would follow those zoning ordinances. Mr. Boyles stated the planning commission board didn't get paperwork, blueprints, drawings, and variance application that were needed to build.

Figure out parking problem, 19 foot from step or roof? Spot must be 9 feet wide. Distance is 10 feet from the post. Total is 19 foot 4 inches. Does not have steps off the back porch. Only the side porch has steps.

Ms. Duggan asked if he says he can get legal documentation why don't we wait and vote on it at that time.

Motion to table parking issue until legal document stating access is submitted by Dugan, 2<sup>nd</sup> by McCann. All in favor-yes. Motion approved.

**Application #062617- 220 N Toledo Ave. – applicant, Bob Gatewood, is applying for a change of use permit.**

Mr. Gatewood was not in attendance. Mr. Boyles was under the impression Mr. Gatewood would be using the property for employee housing and he would need a change of use permit.

There was no mention of employee housing from Mr. Gatewood at previous meeting. He only talked about golf carts.

Mr. Gatewood's payment will be held until the permit is approved.

Tabled until Mr. Boyles talks to Mr. Gatewood.

**Application #060617 – 218 Hartford – applicant, Mary McCann, is applying for a fence permit at the Bier Garden.**

Motion to approve fence permit by Boyles, 2<sup>nd</sup> by Duggan. Boyles-yes, Duggan-yes, Michael-yes, McCann-abstain. Motion approved.

**Application #053017 – Lot 5 Main St – the applicant, Bernard McCann, is applying for a fence permit.**

Motion to approve fence permit by Boyles, 2<sup>nd</sup> by Duggan. Duggan-yes, Boyles-yes, Michael-yes. Motion approved.

**Public Participation**

Mr. Fitzgerald discussed project and showed drawings of employee housing and laundry facilities that he wants to build at 495 Catawba Ave. Employee housing, golf cart parking in the back (15 feet), double stairs, and front variances, mechanical/laundry in the front and manager suites. It will have a basement, 1<sup>st</sup> and 2<sup>nd</sup>. All employee housing.

There are issues with alley-easement in the back of property. Mr. Fitzgerald can't find documentation if the Village owns it. It is not on his deed. When he bought the property, it was all trees. He doesn't stop anyone from going through the alley. Zoning doesn't have a say in easement issues with the Village.

Mr. Bickley let Mr. Fitzgerald know he should apply for a special use and variance so it could be taken care of all at one meeting.

Mr. Berman dropped off a copy of language of the property owner association for his new condos. It is not yet filed with the court.

Mr. Cerny the Banyon Cove property owner association member would like to know what is going on with path/easement for golf carts. Mr. Mathys has it blocked and says it's on his property.

Mr. Boyles said this is issue between Banyon Cover, Niese, and Mathys. The Planning Commission wouldn't have a say as it doesn't fall under zoning. Suggested for Mr. Cerny to go to council meeting.

### **Zoning Manual Revisions:**

Mr. Boyles has begun to look at dumpster ordinance. Mr. Bickley said he would help to look them over as well.

### **Observations**

A golf cart is on top of Boat House golf cart rental building. Is it considered a sign?

Lovella is extending roof. Needs an application.

John Murphy was sent a letter and hasn't responded.

Does a fence need to be included in a Poggemeyer review? Take a month to decide, send a revision to council.

Motion to adjourn by Duggan, 2<sup>nd</sup> by Michael. All in favor-yes. Motion approved.

Meeting Adjourned at 11:59am.

## Village of Put-in-Bay Planning Commission

P.O. Box 481, 435 Catawba Ave., Put-in-Bay, Ohio 43456 Ph: 419 341-0882

Public Hearing Minutes – September 18, 2017

### **Public Hearing 11:05am**

Application # 082317 – SU – 495 Catawba Ave. application for special use permit for employee housing.

Members Present: Mack McCann, DeeDee Duggan, Nick Michael, Tips Boyles

Zoning Clerk: Karen Goaziou

Zoning Inspector: Todd Bickley

Mr. Fitzgerald spoke about the project. Mr. Fitzgerald said the biggest question has been about how it will look. It will match the Victory station next store with brick up the side of the building. The building will be 18 units, with a manager suite, a laundry facility (open to the public) and green space for picnic tables.

Drainage going down near the historical society past the reel bar. During heavy rains, it is flooded. Victory and Victory golf cart drain to the street. Mr. Fitzgerald is not sure where the water currently goes on the property, possibly a cavern. Due to the alley way being extremely low the back of the property will need to be built up.

What happens to property in the back. Will it drain to the street? Suggested to put in another pumping station. Alley way has always been a problem.

Hotel next door is built to the property line in the back and never applied for a variance.

A car could not be driven down the alleyway. It used to be all trees.

Mr. Fitzgerald said his attorney was supposed to send a letter to Mr. Wilber asking for abandonment of the property. Discussed an incident that took place where a girl had an accident and it was on Village property, which is an issue. Carl's group, Reel Bar, and the Forge all come out through the alleyway. Lots of traffic.

The house has already been used as housing.

Mr. Michael asked about parking spaces. Mr. Fitzgerald said he can have more parking spaces if needed. One parking spot for up to 3 rooms. Hoping to only have 2 people per room.

Window units in the basement for fire are noted on the plans.

Mr. Wilber spoke on historical purposes regarding the alley. Proposal made at that time, Village would entertain vacating the alleyway, if easement was provided to the corner of the street. It

wasn't ever formalized. Mr. Fitzgerald doesn't mind doing it at all. It depends on how far Village would want it to go across. It's only 10 feet.

This alleyway floods everywhere, historical society, building next to it. Figure out somehow how to pump it to the street.

Mr. Ladd is concerned of the increase in safety and vehicle traffic. Noise and traffic going in and out of property. Majority of traffic enters from behind the brewery and goes out at victory station.

Discussion on alleyway. If Mr. Fitzgerald blocks it off, it becomes useless to everyone. The reel bar has two of his parking spots already. He doesn't want cars coming in and going out. It would be a safety issue.

Ms. Duggan there are 5 units and 3 floors. Mr. Fitzgerald corrected and said 6 units and 3 floors. They are 12X26, the size of a hotel room and everyone will have their own bathroom. Where will they eat? In their rooms, they will have a refrigerator and microwave. 17 units total. Up to 4 per unit, 68 people could potentially live there. Behind Ms. Duggan's, Booker's have between 80 and 100 people there. How long can laundry mat stay open? Something to consider. Mr. Fitzgerald says he would think during the day only. If the laundry mat is an issue, Mr. Fitzgerald says he doesn't have to put it in. He has been asked by others for a laundry facility.

16 people live there now. Plans to be 2 people per room. Currently houses 38 employees throughout the island.

Mr. Michael suggested putting restrictions/conditions on how many people per room. Ordinance does say up to 4 people can be housed per unit.

Ms. Shork hasn't seen plans and thought it would be just an addition to the building. The noise does concern her. The water goes on her property. Mr. Fitzgerald is putting in drainage to go to the road. She is not pleased with it. The Village is no longer residential, forcing people out of the Village. She thinks it's a shame and wants it to be known.

Ms. Duggan spoke again regarding the concern of noise.

Mr. Boyles spoke that we heard the concerns on noise, traffic, and drainage issues. 1288.04 Special Use permit, states that conditions can be put on how people are in the housing units. Call police to have a record of noise problems. It can then be brought to the attention of the zoning commission and permit can be revoked.

Close hearing at 11:45am.

## Village of Put-in-Bay Planning Commission

P.O. Box 481, 435 Catawba Ave., Put-in-Bay, Ohio 43456 Ph: 419 341-0882

Meeting Minutes – September 18, 2017

### **Regular Meeting**

#### **Roll Call 11:47am**

Members Present: Mack McCann, DeeDee Duggan, Nick Michael

Zoning Clerk: Karen Goaziou

Zoning Inspector: Todd Bickley

Motion to approve August regular meeting minutes by McCann, 2<sup>nd</sup> by Michael. All in favor-yes.

#### **New Business:**

**Application# 082317 – V- 495 Catawba Ave., applicant, Ed Fitzgerald, is applying for a variance to have zero distance from alley through property.**

Mr. McCann asked where to address the easement issue. Mr. Boyles said it would go to council. Zoning doesn't have authority over the alley way. Mr. Bickley states it should be worked out with council and Mr. Fitzgerald, not a zoning issue. The easement changes the property lines and he would no longer need a variance.

Mr. Fitzgerald said he would put it in writing today if needed. He doesn't want to block it off. He would give at least a 10ft easement.

Mr. Boyles suggested giving the easement paperwork to the Village before the next Council meeting and tabling it. Mr. Fitzgerald concern is council taking too long to make a decision and he loses valuable time to build during the season.

Mr. Boyles asked if the village agrees to alleyway vacation would he build a bigger building. Mr. Fitzgerald said no. The building will not change.

Motion to approve variance with an agreement with easement by McCann, 2<sup>nd</sup> by Boyles. Boyles-yes, McCann-yes, Michael-yes, Duggan-abstain. Motion approved.

**Application#082317 – SU -495 Catawba Ave, applicant, Ed Fitzgerald, is applying for a special use permit for dorm housing.**

Mr. Boyles stated that he read his ordinance earlier that says the zoning committee can dictate conditional uses.

Mr. Boyles would like a requirement of no more than 2 people per room and a 7 foot fence on both the back and side of property for sound barrier.

Motion to approve dorm housing with the conditions that no more than 2 people per room and a 7 foot fence for side and back property by Boyles, 2<sup>nd</sup> by McCann. Boyles-yes, Michael-yes, Duggan – abstain, McCann-yes. Motion approved.

**Application#090117 – 258 Delaware Ave., applicant, Daniel Lavine, is applying for a permit to extend an awning on existing awing.**

Mr. Boyles stated the first thing he would need to do is apply for a variance because it is over 3 feet, with 15 foot at the front property line.

Mr. Michael commented on the fire truck bar and what was the distance of the front yard. It was allowed the distance because of the already existing building. If the awning was already existing, that set back would be used.

Motion to approve the permit to extend awning by McCann, 2<sup>nd</sup> by Michael. Michael-yes, Boyles-yes, McCann-yes, Duggan-yes.

**Application#090117 – 323 East Point Road, applicant, John Murphy, is applying for a 5 foot fence permit.**

This is for the fence that was already built on property and is too close to the road and built without a permit. Mr. Boyles said fence looks nice, however he did it with no green space, no permit, no distance from the road, too high (to the light post). Mr. Murphy was not in attendance. He would have to apply for a lot of variances. A height and distance variance. And green space is a concern. There was grass prior to building the fence. Also, send a copy of the fence ordinance. It's possibly Mr. Murphy might own the property next to it as well. Permit is denied. Mr. Murphy will need to apply for various variances. Mr. Bickley will send a letter regarding the denial and what variances are needed.

**Application#090117 – 426 Loraine Ave. – applicant, Jamie Scher and Jane McAllister, are applying for a 6 foot fence permit.**

The fence will be put in on the south side of the property line between their property and Mr. Matthys's property. 75 feet from the 110 foot property line. Six foot high.

Motion to approve fence permit by Boyles, 2<sup>nd</sup> by Michael. Boyles-yes, Michael-yes, Duggan-yes, McCann-abstain. Motion approved.

#### **Old Business**

**Application # 061917 – V – 72 Chapman Road – applicant, Carl Krueger, is applying for a set back variance of 10 feet in front yard and 19 feet in back, reduced parking and green space in front of building.**

Variance application was tabled from the last two meetings. Waiting on a legal contract between Carl and neighboring property regarding an easement. Mr. Krueger had a legal contract drawn up and felt it was too much to ask of his neighbor. He is requesting variance for 2 parking spots in the front and one golf cart parking spot in back, instead of the easement. He does have letters from neighbors in favor of this parking. The other properties also have parking in front.

A parking spot must be 20 feet deep. Mr. Riddle said he has all the measurements of the streets in the Village. Mr. Krueger stated he could put in parallel parking. It would be tough to enforce.

Mr. Krueger is changing his variance request to 2 parking spots in front and 1 parking spot in back. He will need to start all over again with his variance application.

Mr. Kruger is also asking for a variance for front and back yard set-backs.

Discussion took place on building permit and whether it was approved.

Mr. Boyles would like to talk to Mr. Wilber for clarification. Mr. Boyles would like to table it.

Motion tabled.

**Application#062617 – 222 N. Toledo Ave – applicant, Bob Gatewood, is applying for a change of use permit.**

Application was withdrawn.

### **Public Participation**

Mr. Ohlemacher discussed the golf cart path between his property, Mr. Mathys's property, and the Village property. Concrete is going to be poured on Wednesday for parking and they would like to pour concrete on the golf cart path. Mr. Fred Cerny had a conversation with Mr. Wilber and Mr. McCann said the Village would not pay for it and had no objection for it.

There was a copy of the easement given to council members from Mr. Cerny at the last council meeting. Post have been put up to block the easement by Mr. Mathys.

Mr. Boyles doesn't feel this is a zoning issue and can't authorize on behalf of council.

Mr. McCann said they should have something from Wilber and it should be ok.

Ms. Goaziou asked Mr. Ohlemacher and Mr. Cerny to give a copy of letter Mr. Wilber gives to them concerning the pouring of concrete on the easement to have for the council's files.

Suggestion was for their attorneys to draft an agreement and send it to Mr. Wilber. It might speed up the process.



## **Inspector's Report**

228 Ibis – all the setbacks have been meet. Residential property.

Certification of Completions – Joey Wolfe and Tim Niese.

Wants to talk about the Reel bar at the next meeting.

Two single family homes

The Chapman home is done and appeared to be done appropriately.

The Columbus home still in construction. The adjacent property owners fence is on the wrong side of the property.

Motion to adjourn by McCann, 2<sup>nd</sup> by Duggan. All in favor-yes. Motion carried.

Meeting Adjourned at 12:50pm.

## Village of Put-in-Bay Planning Commission

P.O. Box 481, 435 Catawba Ave., Put-in-Bay, Ohio 43456 Ph: 419 341-0882

Meeting Minutes – October 2, 2017

### **Regular Meeting**

#### **Roll Call 11:05am**

Members Present: Mack McCann, DeeDee Duggan, Nick Michael, Tip Boyles

Zoning Clerk: Karen Goaziou

Zoning Inspector: Todd Bickley

Motion to approve September regular meeting minutes by Duggan, 2<sup>nd</sup> by Michael. Amend 3<sup>rd</sup> page in public participation to say pouring of concrete. All in favor-yes.

### **Old Business**

**Application # 061917 – V – 72 Chapman Road – applicant, Carl Krueger, is applying for a set back variance of 10 feet in front yard and 19 feet in back, reduced parking and green space in front of building.**

The property was approved as commercial space and parking required is 10 based on 1 spot per 400 sq. feet. Mr. Krueger is asking to go from 15 feet to 10 feet in the front yard, 25 feet to 19 feet in the back yard. Parallel parking in the front was discussed at a previous meeting. Mr. Bickley had an old drawing with 6 parking spots in the back and 2 spots in the side yard. Mr. Boyles asked if a title search had been done to be sure Mr. Krueger didn't have access to the back road. Mr. Krueger has not had a title search done, remembers it being in court in the past. The porch structure is the only thing in the 15-foot set back.

Motion to approve roof on front porch by Duggan, 2<sup>nd</sup> by McCann. Duggan-yes, Boyles-no, McCann-yes, Michael-yes. Motion carried.

If the set back is changed from 25 feet to 19 feet in the back, there will not be enough space for parking spots. Parking spots need to be 20 feet. Cars park in front and back now. On average there are 3 cars parked. There are 4 apartments, each apartment should have at least one parking spot, at least 4 cars. Mr. McCann would like to look at the back yard for a reduction of 6 feet. The lot size is 100x60.

Motion to continue to Monday, November 6<sup>th</sup> meeting to look at back yard by McCann, 2<sup>nd</sup> by Boyles

Duggan-yes, Michael-yes, McCann-yes, Boyles-yes. Motion carried.

Discussion took place on the reduction of parking spaces. No action was taken.

## **Inspector's Report**

Letter has been sent to John Murphy on denial of application.

Letter sent to Mary McCann regarding golf cart on top of building.

Letter sent to Tim Niese regarding piano stage with roof – has not heard anything.

Approval of screen enclosure at Ibis Road.

Chapman Ave property measures according to drawing.

Columbus Ave property measures according to drawing.

## **Legal**

Discussion on vacating the alley behind Reel Bar. This information has been forwarded to the clerk.

Motion to adjourn McCann, 2<sup>nd</sup> by Michael. All in favor-yes

Meeting adjourned at 11:57am.

## Village of Put-in-Bay Planning Commission

P.O. Box 481, 435 Catawba Ave., Put-in-Bay, Ohio 43456 Ph: 419 341-0882

Public Hearing Minutes – September 18, 2017

### **Public Hearing 11:45am**

Application # 082317 – V- 495 Catawba Ave – applicant, Ed Fitzgerald, is applying for a variance to building up to property line

Members Present: Mack McCann, DeeDee Duggan, Nick Michaels, Tip Boyles

Zoning Clerk: Karen Goaziou

Zoning Inspector: Todd Bickley

Ms. Shork discussed the building coming closer to her property. More headlights. Mr. Fitzgerald owns land on both sides of easement. Mr. Boyles suggests Mr. Fitzgerald get together with the Village regarding the alleyway.

Requirements can stipulate building a fence between properties for noise.

Mr. Fitzgerald spoke about parking. On his plans, he put it in to show the parking. He would need a variance permit to allow for golf cart parking. He is required one space per 3 rooms.

Hearing closed at 11:47am.

Hearing closed at 11:47am.

## Village of Put-in-Bay Planning Commission

P.O. Box 481, 435 Catawba Ave., Put-in-Bay, Ohio 43456 Ph: 419 341-0882

Meeting Minutes – January 3, 2017

### **Roll Call 11:21am**

Members Present: Nick Michael, Tip Boyles, Jessica Dress-in place of Mayor McCann

Zoning Clerk: Karen Goaziou

Zoning Inspector: Todd Bickley

Zoning Solicitor: Aimee Lane

Motion to approve November regular meeting minutes by Boyles, 2<sup>nd</sup> by Michael. All in favor-yes

### **Old Business:**

Application #112717-258 Delaware Ave – applicant, Daniel Levine, is applying for a permit for a lot split at 258 Delaware Ave.

Discussion took place regarding the easement. The Survey doesn't say where the easement is placed. The easement is not on Levine's property it is part of the Fitzgerald property.

Motion to accept lot split by Boyles, 2<sup>nd</sup> by Duggan. Michael-yes, Boyles-yes, Dress-yes

Application #111517-349 Dollar Ave. – applicant, Tracy Schork, is applying for a zoning amendment to rezone the property from c1 to c2.

Table until February meeting for a quorum.

Application #061917 – V 72 Chapman – applicant, Carl Krueger, is applying for a setback variance permit for reduce front yard setback to 10 feet and rear yard setback to 19 feet. 3 Parking spots required in rear of building and green space provided in front of building.

Four parking spaces were provided on a drawing of the property. A utility pole sits where one of the parking spots is drawn. Angled parking to the make the 20 feet. The four parking spots are in the front yard. 9 feet by 20 feet is one parking spot size. Building is overbuilt. Technically, 10 spots are needed. Cottages nearby with parking in the front are built further back from the road. Possibly removing the decks would create parking. The road is in the Township and the

property is in the Village. Suggestion was made that the applicant have a sit down with legal, member of board, inspector. The certificate of completion has been denied.

Table until February meeting.

Application #103117 – 323 East Point Blvd – Variance – applicant, John Murphy, is applying for a variance for a 5-foot fence in front yard

Table until February meeting.

Public Participation  
None

Zoning Manual Revisions  
Employee housing/dorm

Use a separate definition of dorm. Remove emp. housing and only use dorm- hotel used for employees. Dorm would need a special use.

Zoning Inspector  
None

Legal  
ADA – do not need it in a zoning manual.

Complaints/Observations  
Fox's dock new patio – Sharon Duggan/Marv Booker

Motion to adjourn by Dress, 2<sup>nd</sup> by Michael All in favor-yes

Meeting Adjourned at 12:20pm

## Village of Put-in-Bay Planning Commission

P.O. Box 481, 435 Catawba Ave., Put-in-Bay, Ohio 43456 Ph: 419 341-0882

Meeting Minutes – February 14, 2018

### **Roll Call 11:07am**

Members Present: Nick Michael, Tip Boyles, Mack McCann, Ty Winchester

Zoning Clerk: Karen Goaziou

Zoning Inspector: Todd Bickley

Zoning Solicitor: Aimee Lane

Recommended by Mayor McCann for Ty Winchester to be an alternate Planning Commission Member.

Oath was administered to Mr. Winchester.

Motion to approve January regular meeting minutes by Winchester, 2<sup>nd</sup> by McCann. All in favor-yes

Nominations for 2018 Planning Commission Members by McCann, 2<sup>nd</sup> by Michael

Chairperson – Mr. Boyles

V. Chairperson – Mr. Michael

Secretary – Ms. Goaziou

Winchester -yes, McCann -yes, Michael -yes, Boyles -yes.

### **New Business:**

Application #012318-204 Hartford Ave., applicant, Mary McCann, is applying for a remodeling permit to remove existing ramp, steps, and platform to construct a new larger deck, ramp, and stairs.

Mr. McCann spoke on behalf of Ms. McCann. The construction last year made the bank atm inaccessible for ADA. The remodel would consist of raising the whole deck and make it into one. The ramp is causing the ADA issue for the bank atm. The right-of-way will not be compromised.

Mr. McCann has recused himself from voting. Mr. McCann is speaking on behalf of Ms. McCann.

Discussion took place on Mr. Winchester possibly having a conflict. It was determined by legal there is not a concern.

Mr. McCann is to inform Ms. McCann an application is needed for the golf cart on top of the golf cart rental booth. It may need a variance.

Motion to approve application by Michael, 2<sup>nd</sup> by Boyles. Winchester -yes, Michael -yes, Boyles -yes. Motion carried.

Application #020618 – 239 Bayview Ave., applicant, Sharon Duggan, is applying for a new construction for new pavilion that already exists. The old pavilion was torn down and replaced with a new pavilion. Discussion took place on how people build something prior to approval. In the township, the cost is doubled. Planning Commission will have legal draw up an ordinance.

Motion to accept application by Michael, 2<sup>nd</sup> by McCann. Boyles -yes, Winchester -yes, McCann -yes, Michael -yes. Motion carried.

Application #020618-133 Sybil Road, application, Karen Ahner, is applying for a special use permit for a vacation rental.

This application has been withdrawn. Applicant does not want to upset neighbors. Check is to be returned once it is received.

### **Old Business:**

Application #111517-349 Dollar Ave. – applicant, Tracy Schork, is applying for a zoning amendment to rezone the property from c1 to c2.

Legal reminded the Commission the planning commission makes a recommendation to the council. The Commission is to look at the proposed change in terms of public necessity, will it change the effect of neighborhood, general welfare, and good zoning practices. Look at uses of surrounding properties. Properties surrounding are c1, the corner of Catawba and Dollar is c2.

Ms. Schork's original plans were to remodel, the changes that the neighbors were going to make are not desirable to live in the area anymore. Has a potential who is interested in leasing the property. C2 would have more of an opportunity. State law that a liquor permit can only be within so many feet of the school.

Mrs. Tristler is a surrounding neighbor at 374 Dollar Ave. It is a residential street. Most residents who own a business live in it. Concerned the complexion of the neighborhood would change and does not want their neighborhood to become like Loraine Ave. Village would lose residents/voters. Both Mr. Bodenbender and Mr. Michael have both applied for c2 in the past and been denied. She would like to see the property stay c1.



Mr. Michael corrected Mrs. Tristler, his application was withdrawn for a c2 because of lots of unhappy people. They are one of three families still living in the neighborhood and doesn't want it to be zoned c2.

The next step is to recommend to council.

Recommend to Council to deny the C2 application by McCann, 2<sup>nd</sup> Winchester.

Council will still have to have a hearing. Reasons stated to deny were concerns of turning into a bar, most property is c1 and they are still able to operate a business. Property owner is not necessarily entitled to the largest profit as long as there is a viable use.

Boyles -yes, Michael -abstain, Winchester -yes, McCann -yes. Recommendation carried.

Application #103117 – 323 East Point Blvd – Variance – applicant, John Murphy, is applying for a variance for a 5-foot fence in front yard

Table until further issues resolved. Mr. Murphy has until April 23, 2018 to submit a survey. A letter was sent certified mail. A variance hearing did not take place due to discrepancy with his application.

Application #061917 – V 72 Chapman – applicant, Carl Krueger, is applying for a setback variance permit for reduce front yard setback to 10 feet and rear yard setback to 19 feet. 3 parking spots required in rear of building and green space provided in front of building.

A current site plan with 4 spots all in front of property was submitted to the Commission. The 4 spots were not up to code/scale. The utility pole would be in one of the parking space. The utility pole is most likely in the right-a-way. Continue to table and owner doesn't seem to appear. Has not been available to discuss alternate parking. He may be waiting on direction of board. Property owner will need to make some hard choices. Property owner had the built entry ways into the front/back/and side yards which hinders parking.

Two choices: deny the application or approve with 4 spaces and up to owner to comply with 4 spaces on his property.

Motion to accept minimum of 4 parking space, must be 9X20, fit current zoning requirements, and not in the front of the property, must have a dust free hard surface by Boyles, 2<sup>nd</sup> by McCann.

Michael – no, Winchester -yes, McCann -yes, Boyles -yes. Motion carried.

How long does owner have to comply? 30 days to appeal decision. If owner appealed, it would then go to the court of common pleas. If owner does not appeal, give a specific amount of time to comply. If owner does not comply, Commission would take it to court of common pleas.

Rear yard set back variance. Owner has built into the rear yard set back.

Motion to deny variance by Winchester, 2<sup>nd</sup> by McCann. McCann -yes, Winchester -yes, Michael -yes, Boyles -yes. Motion carried to deny rear yard set back variance.

#### Public Participation

None

#### Zoning Manual Revisions

Draft of amendments to manual. Dormitory -removing employee housing definition. Also add double the fine when owner builds prior to application being approved. Scott Sneller needs to be removed as the zoning inspector on forms.

#### Zoning Inspector

#### Legal

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#### Complaints/Observations

Possible need member next month -Renee Market – citizen seat.

Motion to adjourn by McCann, 2<sup>nd</sup> by Winchester. All in favor-yes

Meeting Adjourned at 12:09pm

## Village of Put-in-Bay Planning Commission

P.O. Box 481, 435 Catawba Ave., Put-in-Bay, Ohio 43456 Ph: 419 341-0882

Meeting Minutes – March 7, 2018

### **Roll Call 11:02am**

Members Present: Nick Michael, Tip Boyles, Mack McCann

Zoning Clerk: Karen Goaziou

Zoning Inspector: Todd Bickley

Zoning Solicitor: Aimee Lane

Motion to approve February regular meeting minutes by Michael, 2<sup>nd</sup> by Michael. Michael-yes, Boyles-yes, McCann-yes. Motion carried.

### **New Business:**

### **Old Business:**

Application #103117 – 323 East Point Blvd – Variance – applicant, John Murphy, is applying for a variance for a 5-foot fence in front yard

The board has not received certified mail verification for original letter sent to Mr. Murphy's Put-in-Bay address. Letter to be sent to Kelly & Ferreo with the copy of the original letter.

Application #061917 – V 72 Chapman – applicant, Carl Krueger, is applying for a setback variance permit for reduce front yard setback to 10 feet and rear yard setback to 19 feet. 3 parking spots required in rear of building and green space provided in front of building.

Discussion took place on how to review an area variance. Need facts in your record if you go to appeal and hold an evidentiary hearing. The applicant has 30 days to appeal decision of the board.

The Planning Commission will send a letter of its decision and conclusions of facts to the applicant.

Motion to approve conclusions of facts with amendment to paragraph two by Boyles, 2<sup>nd</sup> by Michael. McCann-yes, Boyles-yes, Michael-yes. Motion carried.

Public Participation

None

## Zoning Manual Revisions

Discussion took place on doubling the fees should an applicant build prior to getting approval from the Village Planning Commission. The code now doesn't provide for penalizing the owner after they build.

Discussion also took place on how much of a deposit should be required for a Poggemeyer review. The Village shouldn't have to suffer from applicant's not paying their fees. \$1000.00 deposit would most likely include all fees and costs. This base fee doesn't seem to be out of place with the Poggemeyer reviews that have taken place in the past.

Motion to recommend amending the code to double the application fee to after the fact application and to have a \$1000.00 deposit required for building permit and Poggemeyer review for commercial property by McCann, 2<sup>nd</sup> by Boyles. McCann-yes, Boyles-yes, Michael-yes. Motion carried.

Motion to recommend ordinance to council by Michael, 2<sup>nd</sup> by McCann. McCann-yes, Boyles-yes, Michael-yes.

## Zoning Inspector

### Legal

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### Complaints/Observations

Blu Luna/Harbour Square- do they have a building permit?

Motion to adjourn by Boyles, 2<sup>nd</sup> by McCann. All in favor-yes

Meeting Adjourned at 11:58am.

## Village of Put-in-Bay Planning Commission

P.O. Box 481, 435 Catawba Ave., Put-in-Bay, Ohio 43456 Ph: 419 341-0882

Meeting Minutes – April 4, 2018 continued to April 11, 2018

### **April 4, 2018**

#### **Roll Call 11:02am**

Mack McCann, Nick Michel, Tip Boyles

Members Present: Nick Michael, Tip Boyles, Mack McCann, Renee Market (April 11<sup>th</sup> meeting)

Zoning Clerk: subbing for clerk, fiscal officer, Kelly Niese

Zoning Inspector: Todd Bickley (April 11<sup>th</sup>)

Zoning Solicitor: Aimee Lane (April 11<sup>th</sup>)

Renee Market expressed an interested in joining the board. She will attend the next meeting to be sworn in by Planning Commission solicitor.

Chairman Boyles requested a recess of April 4<sup>th</sup> meeting until April 11<sup>th</sup>, due to not enough members to hold a quorum due to the weather. Motion to move meeting to Wednesday, April 11, 2018 by Byles, 2<sup>nd</sup> by McCann. All in favor -yes

### **April 11, 2018**

Oath of office was given to Renee Market.

Roll Call 1:04 pm

Renee Market, Michael, Boyles, McCann

Motion to approve March regular meeting minutes with changes from solicitor by Boyles, 2<sup>nd</sup> by McCann. McCann -yes Michael-yes, Market-yes Boyles-yes Motion carried.

#### **New Business:**

Application#030618-194 Hartford Ave.- applicant, Mary McCann, is applying for a sign permit for cart on the roof of building.

Mr. McCann was reminded by legal not to discuss this application or if he did he could not vote. Mr. McCann stepped away from the table.

Mr. Boyles asked to table until the board receives measurements of all signs which are not to exceed allowed measurements, 2<sup>nd</sup> by Michael. Michael-yes, McCann-abstain, Boyles-yes, Market-yes.

Application#031918-185 Toledo Ave. – applicant, Miyo Hristovski, is applying for a patio/canopy permit.

Mr. Hristovski appeared with drawings and application. After talking with engineer, he asked board how zoning works for commercial property. Does applicant submit plans to Poggemeyer? See zoning clerk first to submit application. Applicant should submit plans to Poggemeyer. Review from Poggemeyer will be sent to the board. The zoning manual is available online and through the zoning clerk's office. Mr. Boyles suggested to submit to Poggemeyer as soon as possible to be ready for May 2nd meeting. Mr. Hristovski may want to find out if Roger Miller's permit for signs are still valid. Discussion took place on signs and requirements. Mr. Bickley recommended to table for amendments to keep on the agenda.

Motion to table by Boyles, 2<sup>nd</sup> by Michael. Boyles-yes, Market-yes, McCann-abstain, Michael-yes.

Application#033018-240 Delaware Ave. – applicant, Bernard McCann, is applying for a fence permit.

The previous application and extension of permit had expired. Mr. Winchester handed out drawings.

Motion to approve the fence permit by Michael, 2<sup>nd</sup> by Market. Michael-yes, Boyles-yes, McCann-abstain, Market-yes.

Application#033018 – 76 Chapman Ave. – applicant, Paul Lemmon, is applying for a rental room permit.

Discussion took place on where the rental is located. It is zoned R-2 and a permitted use. Motion to approve by Market, 2<sup>nd</sup> by Michael. Boyles-yes, Market-yes, McCann-yes, Michael-yes

### **Old Business:**

Application#103117 – 323 East Point Blvd – Variance – applicant, John Murphy, is applying for a variance for a 5-foot fence in front yard. - **CONTINUE TO TABLE**

### **Public Participation**

Mr. Winchester would like to know where to go for assistance. He should go to Mr. Bickley. He may want to amend original approved permit.

Mr. Krueger passed around new proposal for parking on his property on Chapman Road. A new updated site plan for review for the next meeting on May 2nd. He will submit bigger plans from architect.

### **Zoning Manual Revisions**

Zoning ordinances have been introduced to council and had a first reading.

### **Zoning Inspector**

Seven Gables- 1<sup>st</sup> house on water side of shore villas has been in discussions. Owners not yet made determination on what they want to do with house.

### **Legal**

No report

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### **Complaints/Observations**

Motion to adjourn by McCann, 2<sup>nd</sup> by Michael. All in favor-yes

Meeting Adjourned at 2:03pm.

**Meeting Minutes -May 2, 2018**

**Roll Call: 11:06**

Members Present: Mack McCann, Nick Michael, Renee Market, Tip Boyles  
Zoning Inspector: Todd Bickley  
Zoning Solicitor: Aimee Lane  
Zoning Clerk: Karen Goaziou

Motion to approve April minutes by Market, 2<sup>nd</sup> by Michael. All in favor -yes.

**New Business:**

Application#042018-185 Toledo Ave., applicant, Miyo Hristovski, is applying for a zoning permit for new/remodel construction.

Discussed Poggemeyer Review. Poggemeyer is just a recommendation in which the board looks at the ordinances and zoning manual. A variance is needed according to the zoning manual for 5 feet 6 inches front yard set back.

Motion for a public hearing set for Monday, May 14<sup>th</sup> for variance by Boyles, 2<sup>nd</sup> by Market. Michael-yes, Marker-yes, Boyles-yes, McCann-abstain. Motion carried.

Application#042018-272 Delaware Ave. A,B,and C., applicant, Roger Rhode, is applying for a sign permit.

Discussion took place on what signs were already on the building. Mr. Rhode will provide information on the reminder of the square footage of signage on the building.

Motion to approve list of signs with current measurements if it doesn't exceed 150sq ft. by McCann, 2<sup>nd</sup> by Boyles. Boyles-yes, Market-yes, Michael-yes, McCann-yes.

Application#042318-183 East Point Blvd., applicant, Ed Pesicka, is applying for a front and side yard set back variance to push new building back 9 feet from existing front yard location.

Mr. Bickley did not approve first application. A variance is needed for front and side yard.

Motion for a public hearing set for Monday, May 14<sup>th</sup> for variance by Boyles, 2<sup>nd</sup> by Market. Market-yes, Michael-yes, McCann-yes, Boyles-yes. Motion carried.

Application#042718-340 Doller Ave., applicant, Marv Booker, is applying for a fence permit.

The fence is located on the line property. Both parcels are commercial. It will be a wood fence. Section 1292.04(c) allows for an 8 foot fence on commercial property.



Motion to approve by McCann, 2<sup>nd</sup> by Boyles. Michael-yes, McCann-yes, Boyles-yes, Market-yes.

Application#050118-500 Catawba Ave., applicant, Joey Wolf, is applying for a sign permit.

Motion to approve by McCann, 2<sup>nd</sup> by Michael. Boyles-yes, McCann-yes, Market-yes, Michael-yes.  
Motion carried.

Application#050318-441Catawba Ave., applicant, Carl Krueger, is applying for a sign permit.

Signage sq. footage with historical billboard would be over the allowable amount in the zoning manual. Planning Commission would like to know the total sq footage with the billboard. If the square footage is over 150 sq feet with the billboard, a variance will be needed.

Motion to approve contingent on 150 sq. feet by Boyles, 2<sup>nd</sup> Market. Boyles-yes, Michael-yes, Market-yes, McCann-yes.

Motion for a public hearing set for Monday, May 14<sup>th</sup> for variance by Boyles, 2<sup>nd</sup> by McCann. McCann-yes, Market-yes, Boyles-yes, Michael-yes. Motion carried.

### **Old Business:**

Motion to amend agenda for application# 090116-Lot 164 by Boyles, 2<sup>nd</sup> Market. Michael-yes, McCann-yes, Boyles-yes, Market-yes. Motion carried.

Motion to amend agenda to new application by Market, 2<sup>nd</sup> by Boyles. Market-yes, Michael-yes, McCann-yes, Boyles-yes. Motion carried.

Motion to reconsider amendment to agenda by Boyles, 2<sup>nd</sup> by Michael. Michael-yes, Boyles-yes, Market-yes, McCann-yes. Motion carried.

Discussion took place on parking. Alley is not the center for the end of the property. Does not have access to the alley. Suggestion was the remove back porch. Motion to approve parking as specified 4 spots, 9X20 by zoning manual code and a hard surface by Boyles, 2<sup>nd</sup> by Market. Michael-no, Market-yes, Boyles-yes, McCann-yes. Motion to rescind prior motion by Boyles, 2<sup>nd</sup> by Market. Market-yes, Boyles-yes, McCann-yes, Michael-yes.

Solicitor does not think a new variance would help. The time to pursue an appeal has passed. If the back stoop is removed, the set-back will be correct. It can be brick to allow water to flow. Discussion took place on 1292.01(B) of the zoning manual. Once a picture was shown to the board, it was determined the structure is actually a balcony and fits the zoning manual code.

Motion to approve app#090116 and drawings of parking spots, 9X20, hard surface by Boyles, 2<sup>nd</sup> Market. Boyles-yes, Market-yes, Michael-no, McCann-yes.

Application#030618-194 Hartford Ave.- applicant, Mary McCann, is applying for a sign permit for cart on the roof of building.

Continue to table application

Application#103117 – 323 East Point Blvd – Variance – applicant, John Murphy, is applying for a variance for a 5-foot fence in front yard.

Motion to un-table application by Boyles, 2<sup>nd</sup> by McCann. McCann-yes, Michael-yes, Market-yes, Boyles-yes. Motion carried.

Motion for a public hearing set for Monday, May 14<sup>th</sup> for variance by Boyles, 2<sup>nd</sup> by Market. Market-yes, Michael-yes, Boyles-yes, McCann-yes. Motion carried.

Motion to adjourn by Boyles, 2<sup>nd</sup> McCann. All in favor-yes.

Meeting adjourned at 1:06pm.

**Meeting Minutes -June 6, 2018**

**Roll Call: 2:04pm**

Members Present: Mack McCann, Jerry Flint, Renee Market, Tip Boyles

Zoning Inspector: Todd Bickley

Zoning Clerk: Karen Goaziou

Motion to approve May meeting minutes by Market, 2<sup>nd</sup> by Flint. All in favor -yes.

Motion to approve May special hearing minutes by Market, 2<sup>nd</sup> by Flint. All in favor-yes

**New Business:**

Discussion took place on the application for a fence to go around the dumpster at the Commodore/Mr.Ed's. The front yard is considered Loraine Ave. A variance will be needed for front yard set-back. Clerk to notify owner.

**Old Business:**

Application#030618-194 Hartford Ave – applicant, Mary McCann, is applying for a sign permit for golf cart.

The total number of signs for all the establishments are over the maximum by 270 sq feet. Currently, the total amount of sign square footage is 420 sq feet. There are for the signs listed.

Discussion took place on golf cart size. Golf cart square footage totaled 464 sq feet.

All signs were put up without approval of board.

Motion to deny application by Boyles, 2<sup>nd</sup> by Flint. Market-yes, Flint-yes, Boyles-yes.

Tip will notify owner that a variance will be needed for all signs.

**Zoning Manual:**

Revisions are on the 3<sup>rd</sup> reading in Council.

**Inspector's Report:**

Jan Leitch contacted Todd regarding an application from 2012. It was originally tabled. Refer to legal counsel.

Motion to adjourn by Boyles, 2<sup>nd</sup> Market. All in favor-yes.

Meeting adjourned at 2:30pm

## **Meeting Minutes -July 3rd, 2018**

### **Roll Call: 11:05am**

Members Present: Jerry Flint, Renee Market, Tip Boyles

Zoning Inspector: Todd Bickley

Zoning Clerk: Karen Goaziou

Motion to approve June meeting minutes by Market, 2<sup>nd</sup> by Flint. All in favor -yes.

### **New Business:**

Application#061118-272 Delaware Ave. – applicant, Ed Fitzgerald, is applying for a fence permit to go around a dumpster.

Mr. Fitzgerald spoke on behalf of project. Property is to be combined as one as soon as Lovella piece is added to the Commodore. Time frame is unknown as the auditor has to approve it. Catawba and Lorain were considered side yards when they bought it. Discussion took place on what address are on all the parcels. Mr. Fitzgerald is trying to make the dumpster area look better. A variance would be needed to go from a 3-foot fence to a 7-foot fence. 8 feet is the max amount for a commercial fence.

Motion for a variance hearing on August 1<sup>st</sup>, 2018 at 11am by Market, 2<sup>nd</sup> by Flint. All in favor-yes.

Application#062918-240 Delaware Ave.- applicant, Bernard McCann, is applying for a patio/deck bar permit.

Ty Winchester spoke on behalf of project. Discussion took place on the uniqueness of the container bar. County considers it a permanent structure. It is considered fire safe and has 4-foot footers with steel plates to hold in place. It adheres to all the zoning manual requirements.

Motion to approve permit by Flint, 2<sup>nd</sup> by Market. Flint-yes, Market-yes, Boyles-yes.

### **Old Business:**

Application#030618-194 Hartford Ave – applicant, Mary McCann, is applying for a sign permit for golf cart.

Tabled until next meeting

### **Public Participation**

Mr. Fitzgerald discussed a new project to extend the roof above the Green Room. There will be no extension of the patio. It will be put on brick due to safety of the roof line. It will provide a sound barrier. It won't be higher than the existing roof line. Signs will not be needed at this time. Suggestion was made to add total number of the other signs when applying for sign permit.

**Zoning Manual Revision:**

Boyles discussed rejecting the 3<sup>rd</sup> reading of parking ordinance which is with council. Some ideas discussed where 50/50 golf cart-car parking, satellite parking, when a business renews a business license they must show parking spots, golf cart business must show a parking spot for each golf cart.

Solicitor discussed dumpster issue. Should they have to have a variance. Dumpsters should be enclosed. Look at dumpster ordinances from other municipalities. Revisit issue.

Discussion took place on Thatch roofs (having too many of them) and their appearance (not appealing).

**Inspector's Report:**

Motion to adjourn by Boyles, 2<sup>nd</sup> by Market. All in favor-yes.

Meeting adjourned at 12:05pm.

**Meeting Minutes – August 8, 2018**

**Public hearing at 11:05am**

**Roll Call**

Members Present: Jerry Flint, Renee Market, Tip Boyles

Zoning Inspector: Todd Bickley

Zoning Clerk: Karen Goaziou

Application#030618-194 Hartford Ave.- applicant, Mary McCann, is applying for variance to allow golf cart on the roof of building.

No one in attendance to speak on behalf of variance. Discussion took place on the list of signs provided does not match the amount of signage on the property. The total overage of square footage going by the list provided is 314sq feet.

Hearing ended at 11:20pm

**Regular Meeting 11:21pm**

**Roll Call**

Members Present: Jerry Flint, Renee Market, Tip Boyles

Zoning Inspector: Todd Bickley

Zoning Clerk: Karen Goaziou

Motion to approve July meeting minutes by Flint, 2<sup>nd</sup> by Market. All in favor -yes

**New Business:**

Application#072518-272 Delaware Ave- applicant, Ed Fitzgerald, is applying for a remodel permit to extend roof on existing building.

The extended roof is not to increase amount of people. It is to control the noise and bugs.

Motion to approve permit by Flint, 2<sup>nd</sup> Boyles. Flint-yes, Market-yes, Boyles-yes

Motion approved.

**Old Business:**

Application#030618-194 Hartford Ave.- applicant, Mary McCann, is applying for a sign permit for cart on the roof of building.

The National Park put up a fence that was taller than the owner, Mary McCann, had expected. Due to this, there were many people who could not find the golf cart rental. Signs amongst the property do not have permits. A list of signs was provided but was not a complete list. Total overage of square footage

going by list is 314sq. feet. Area Variance Finding of Fact was read by Chairman Boyles. The applicant doesn't appear to have lost business due to no sign, applicant should be aware of codes prior to purchasing property.

Motion to deny variance due to partial list of signs and already is over the square footage allowed by Boyles, 2<sup>nd</sup> by Market. Boyles-yes, Market-yes, Flint-yes. Motion denied.

Application#061118-272 Delaware Ave. – applicant, Ed Fitzgerald, is applying for a fence permit to go around a dumpster. (Variance application was not submitted)

Variance is on hold due to property lines being submitted to the County. Suggestion was made to still apply for a variance due to height of sign.

#### Public Participation

None

#### Zoning Manual Revisions

Fences around dumpsters ordinance. Discussion of land to relocate dumpsters or be allowed at the Township Recycling Center.

Parking – would like to make it easier on businesses. Planning Commission can modify during application if business can show through architect why parking isn't needed.

Revisit sign ordinance.

Poggemeyer gave a quote for looking at zoning manual. Low end \$2500.00, high end \$25,000. Discuss at meeting in September.

#### Inspector's Report

Working on Certificates of completion. Property at 76 Chapman has a lot more concrete to be poured. 18 months is the time line given for a permit.

Notice of Violation letter sent to Miyo Hristovski regarding sign.

Lovella – county shut them down, is there a permit?

#### Complaints

Shore Villas drainage issue. Need to address Administrator.

#### Legal

None

Motion to adjourn meeting at 12:35 by Boyles, 2<sup>nd</sup> by Market. All in favor -yes  
Meeting adjourned.

**Meeting Minutes – September 5, 2018**

**11:07pm**

**Roll Call**

Members Present: Jerry Flint, Renee Market, Tip Boyles

Zoning Inspector: Todd Bickley

Zoning Clerk: Karen Goaziou

Motion to approve August meeting minutes by Market, 2<sup>nd</sup> by Flint. All in favor -yes

No new or old business on the agenda.

**Public Participation**

Mr. Fitzgerald presented site plans for a new tree bar to be built behind Lovella's. It will be an elevated tree bar, the existing building will be removed. 1600sq feet will be in the air and it will be 12-14 feet high. Below will be bathroom, storage, and sales. 9 full parking spots are provided. 30 foot set back for side yard from Frosty's. Would also like to install 15 foot wall to protect sound. The look will be similar to Mist. No more cabanas will be added. 3 entrance and exits due to fire laws. Not sure of signage. Letter will be sent to Mr. Mathys and Lovella that they will not be able to use alleyway. Discussion on where to put housing, will be adding 8 to 10 more employees. 4 employee rooms and 1 common above parking. Application and permit fee cost \$484.05.

**Zoning Manual:**

Special Meeting to take place on Wednesday, September 19<sup>th</sup> at 10am. Topics to be discussed are parking, dumpster/compactors, design décor, and signs.

Mr. Flint will email Pigeon Forge sign ordinances so that Commission can take a look at reference.

**Inspector's Report**

Notices were sent to Miyo Hristovski regarding sign violation and to Mary McCann regarding sign permit.

**Legal**

None

Motion to adjourn meeting at 12:23 by Boyles, 2<sup>nd</sup> by Market. All in favor -yes

Meeting adjourned.



**Special Meeting Minutes – September 19, 2018**

**10:14am**

**Roll Call**

Members Present: Jerry Flint, Renee Market, Tip Boyles

Zoning Inspector: Todd Bickley

Zoning Clerk: Karen Goaziou

No public present. Mr. Cerny provided emails with parking ideas.

Purpose of the special meeting was to discuss the zoning manual and how to move forward with parking, sign, dumpster/compactor, and décor issues.

Parking was discussed in length. Mr. Boyles had spoke with several business owners and each had a different opinion. Leave parking alone, do away with parking, no parking, reduction in parking, 50/50 parking. Mr. Boyles is not in favor of no parking. Doesn't feel satellite parking would work due to deed restrictions.

Discussion took place on if the goal was to make downtown a walking downtown. This is something Council would need to discuss and approve. Planning Commission can make suggestions to Council. The Fredricks property was bought with the intent to sell spots to businesses for their employee parking. In doing so, the downtown area would be 3 hour paid parking.

Regulating golf cart rentals by Village rentals having to provide a parking space for each golf cart plus employee parking at rental business.

Mrs. Market discussed restriction on golf cart rentals, no parking or driving on Delaware, parking lots outside of Delaware. Could lessen businesses problems for parking.

Parking Ordinance revisions are a work in progress and clerk to update for Commission.

Short discussion took place on Signs. Getting rid of signs? Not enough sign sq footage, ask owner/residents.

Does the sign ordinance go with the business or the property – per place of business.

Meeting recessed to Wednesday, October 19, 2018 at 10am.

Meeting adjourned at 12:07pm. All in favor-yes

**Meeting Minutes – October 3, 2018**

**11:04**

**Roll Call**

Members Present: Jerry Flint, Renee Market, Tip Boyles

Zoning Inspector: Todd Bickley

Zoning Clerk: Karen Goaziou

Motion to amend agenda for special meeting September 19<sup>th</sup> by Boyles, 2<sup>nd</sup> by Market. All in favor-yes.

Motion to approve September meeting minutes by Market, 2<sup>nd</sup> by Boyles. All in favor-yes

Motion to approve September special meeting minutes by Boyles, 2<sup>nd</sup> by Market. All in favor-yes.

**New Business:**

Application#091818-185 Toledo Ave, applicant, Miyo Hristovski, is applying for a sign permit.

Mr. Hristovski was not present at meeting. Discussion took place on square footage of each sign on the property. The footage exceeds 150sq feet.

Motion to send letter to regarding excess square footage violation by Boyles, 2<sup>nd</sup> by Market. Boyles-yes, Flint-yes, Market-yes

Application#092518-500 Catawba Ave., applicant, JoAnne Wolf, is applying for a awning permit.

Ms. Wolf was present. Discussion took place on whether the application would need to be sent to Poggemeyer for review. The structure will be permanent and attached to the little cottage roof.

Motion to table until reviewed by Poggemeyer by Boyles, 2<sup>nd</sup> by Flint. Market-yes, Flint-yes, Bolyes-yes.

Discussion took place on cost of deposit for Poggemeyer review. A deposit of \$250.00 was posted.

Application#100118-272 Delaware Ave., applicant, Ed Fitzgerald, is applying for a new construction permit.

Mr. Fitzgerald was present. Discussion took place on Mr. Fitzgerald's meeting with Mark Wager and a architect firm. The county wants a fire shutter for a five foot walkway.

Motion to tale until reviewed by Poggemeyer by Boyles, 2<sup>nd</sup> by Market. Boyles-yes, Flint-yes, Market-yes.

Mr. Fitzgerald will be sending out letter to Mr. Mathys and Mr. Levine regarding not being able to use alley way for parking.

#### Public Participation:

Mr. Joe Patek a former Planning Commission member commended the board for doing a much better job than when he was on the planning commission. He has a concern with the sign for the Sand Bar posted near the post office. Very hard to see traffic. Possibly the sign could come down over the winter. The road is private property and leased to the post office. Discussion took place on corner property and sign ordinance 1292.05. Check files for sign permit. Mr. Patek also wanted the commission to be aware that workshops for Planning Commission meetings are held in Mayfield Village. Mr. Patek also feels the ordinance book should be updated every 5 years with at least one public hearing.

Mr. Fitzgerald asked if meeting minutes could be put online. He also asked how to find current litigation. Litigation can be found on the Ottawa County Commons Pleas Court webpage.

#### Zoning Manual Revisions

Special meeting will be held on October 10<sup>th</sup> at 1:00pm to discuss.

#### Inspector's Report:

Cell tower on Mitchell would like to add to their 87.5 height and make it 100ft high.

John Kocher would like to vacate the private road near Bath St. In 1997, it went to council, but didn't have 3 readings. Council will need to go through the process again. There is a garage on the property now.

Letter to Daniel Levine regarding parking.

Letter to Miyo Hristovski regarding sign sq. footage.

Discussion took place on subdivisions and making sure they are part of the ordinances.

Motion to go into executive sessions to discuss with legal counsel pending litigation by Boyles, 2<sup>nd</sup> by Market. Boyles-yes, Market-yes, Flint-yes.

Came out of executive session at 1:21pm.

Discussion took place on Hartford Ave golf cart sign variance. Board would like to continue with appeal. This appeal/application only applies to the golf cart sign. Separate applications will be needed for all other signs over the 150sq foot sign ordinance. Todd will be sending a letter regarding the violation.

Motion to adjourn by Flint, 2<sup>nd</sup> by Market. All in favor-yes

Meeting adjourned at 1:30pm.

Motion to adjourn by Boyles 2<sup>nd</sup> by Flint. All in favor -yes.

Meeting Adjourned

**Special Meeting Minutes – October 17, 2018**

**11:04**

**Roll Call**

Members Present: Jerry Flint, Renee Market, Tip Boyles

Zoning Inspector: Todd Bickley

Zoning Clerk:

Application#092518-500 Catawba Ave., applicant, JoAnne Wolf, is applying for a awning permit. Poggemeyer review recommends a variance. Poggemeyer needs to be contacted to discuss why a variance is needed in the side yard. Motion to table Market, 2<sup>nd</sup> Flint. All in favor-yes.

Application#100118-272 Delaware Ave., applicant, Ed Fitzgerald, is applying for a new construction permit.

Mr. Fitzgerald met with Poggemeyer and George Pollis for commercial permits. Mr. Fitzgerald will be submitting revised parking spots on new site plan. Motion to approve application for new construction by Tip, 2<sup>nd</sup> by Flint. All in favor-yes.

Discussion took place on dumpsters/trash regarding moving them, set up, and who would pay for it all. The public wants off site compactor lots. Bring up issues with the Township or Village to give people another option than just making rules without another outlet. Mrs. Market will write a proposal for dumpsters for the October 22, Township Trustee meeting.

Parking – waiting – Mr. Boyles is going to write up a proposal.

Signs – Mr. Flint is going to write up a proposal.

Décor – not discussed.

**Public Participation:**

Ed Fitzgerald is concerned with gas trucks parked in Village public areas. Mr. Boyles let him know it is a Village Council concern, and he will ask legal about it.

Ed Fitzgerald is concerned with golf carts taking up parking spots. Mr. Boyles informed him that issue is being discussed in our revised zoning manual.

Motion to adjourn by Boyles 2<sup>nd</sup> by Flint. All in favor -yes.

Meeting Adjourned

**Meeting Minutes – November 7, 2018**

**Public Hearing**

**11:05pm**

**Roll Call**

Members Present: Jerry Flint, Ty Winchester, Tip Boyles

Zoning Clerk: Karen Goaziou

Application#092518-500 Catawba Ave.- applicant, JoAnne Wolf, is applying for an awning permit.

Hearing had to be continued due to not enough members for a vote.

Motion to continue to Wednesday, November 14<sup>th</sup> at 1:00pm by Boyles, 2<sup>nd</sup> by Winchester. Boyles-yes, Flint-yes, Winchester-yes. Motion passed.

**Regular Meeting**

**11:07am**

**Roll Call**

Members Present: Tip Boyles, Jerry Flint, Ty Winchester

Zoning Clerk: Karen Goaziou

Motion to approve October regular meeting minutes by Flint, 2<sup>nd</sup> by Boyles. Boyles-yes, Flint-yes, Winchester-abstain. Motion passed.

Motion to approve October special meeting minutes by Boyles, 2<sup>nd</sup> by Flint. Winchester-abstain, Boyles-yes, Flint-yes. Motion passed.

New Business:

Application#102318-234 Toledo Ave-, applicant, Jim and Marie McMonagle, are applying for a permit to remodel/add an addition.

Discussion took place on how Commission should proceed. This is a c-2 property which is used as a residential use. Commission needs confirmation from Solicitor and Zoning Inspector on how to proceed. Should it go to Poggemeyer?

Motion to table until November 14<sup>th</sup> meeting by Boyles, 2<sup>nd</sup> by Flint. Flint-yes, Winchester-yes, Boyles-yes. Motion passed.

Application#102818-500 Catawba Ave., applicant JoAnne Wolf, is applying for a side yard variance.

Not enough members for a vote.

Motion to table until November 14<sup>th</sup> at 1:00pm by Boyles, 2<sup>nd</sup> by Winchester. Winchester-yes, Boyles-yes, Flint-yes. Motion passed.

Application#103118-222 Toledo Ave., applicant, Robert Gatewood, is applying for a remodel and change of use permit.

Mr. Gatewood provided a new lot survey is Mr. Boyles. Discussion took place on Poggemeyer's review. Poggemeyer indicates this is a limited size hotel that is in C1. C2 does not have limited size hotel use. The property is zoned C2. A phone call was place to Mr. Bickley to clarify whether all of C1 uses fit into C2. Mr. Bickley informed the clerk that each district has it owns uses. A variance will be needed for a limited size hotel. The height of the deck is 30inches. The railings will put the deck over 36 inches. A variance will be needed for the railing height.

Motion for public hearing on Tuesday, November 20<sup>th</sup> at 11am on a variance for use by Boyles, 2<sup>nd</sup> by Winchester. Boyles-yes, Winchester-yes, Flint-yes. Motion passed.

Application#110118-248 Erie St., applicant Village of Put-in-Bay, is applying for a lot split.

Chairman signature was needed on documents.

Application#110218-Toledo Ave., Dianne Duggan, is applying for an accessory building permit.

Application needs to be reviewed by Poggemeyer.

Motion to table until review has been done by Boyles, 2<sup>nd</sup> by Winchester. Boyles-yes, Flint-yes, Winchester-yes. Motion passed.

Old Business:  
None

Public Participation:  
None

Zoning Manual:  
Definitions from Poggemeyer regarding apartment/hotel.

Inspector Report:  
None

Complaints/Observations:  
None

Legal:  
None

Motion to adjourn by Boyles 2<sup>nd</sup> by Flint. All in favor -yes.

Meeting Adjourned at 12:10pm

**Meeting Minutes – November 14, 2018**

**Public Hearing**

**1:10pm**

**Roll Call**

Members Present: Renee Market, Jerry Flint, Ty Winchester, Tip Boyles

Zoning Solicitor: Aimee Lane

Zoning Clerk: Karen Goaziou

Application#092518-500 Catawba Ave.- applicant, JoAnne Wolf, is applying for an awning permit.

Oath was administered to JoAnne Wolf.

Discussion took place on parking. Drawings from last renovation were presented. The Ladd side yard variance was never used. No additional parking is required. The size yard set-back on EMS side is 4 feet from property and 15 is required, 11 foot set back variance is needed.

See Statement of Facts of Variance

The awning is a permanent structure, wood, and will follow the roof line.

Motion to close hearing by Boyles, 2<sup>nd</sup> by Market. All in favor-yes. Hearing closed at 1:24pm.

**Special Meeting**

**1:25pm**

**Roll Call**

Members Present: Renee Market, Jerry Flint, Ty Winchester, Tip Boyles

Zoning Solicitor: Aimee Lane

Zoning Clerk: Karen Goaziou

Motion to amend agenda to include Application#110118-248 Erie St, applicant, Village of Put-in-Bay, is applying for a lot split by Boyles, 2<sup>nd</sup> by Flint. Flint-yes, Boyles-yes, Winchester-yes, Market-yes. Motion passed.

Motion to un-table old business from November 7<sup>th</sup> meeting by Boyles, 2<sup>nd</sup> by Flint. Winchester-yes, Market-yes, Flint-yes, Boyles-yes.

Application#102818-500 Catawba Ave., applicant JoAnne Wolf, is applying for a side yard variance.

Motion to approve by Market, 2<sup>nd</sup> by Flint. Market-yes, Boyles-yes, Flint-yes, Winchester-yes. Motion passed.

Motion to approve Application#092518-500 Catawba Ave original application for awning permit by Boyles, 2<sup>nd</sup> by Market. Market-yes, Boyles-yes, Flint-yes, Winchester-yes. Motion passed.

Application#110618-191 S Toledo Ave, applicant, James Zawondi, is applying for a replat.

Motion to approve replat by Boyles, 2<sup>nd</sup> by Flint. Flint-yes, Winchester-yes, Market-yes, Boyles-yes. Motion passed.

Application#102318-234 Toledo Ave – applicant, James and Marie McMonagle, are applying for a remodel permit.

Residence and will remain a residence. Mr. Bickley can approve with no Poggemeyer review.

Motion to approve by Boyles, 2<sup>nd</sup> by Market. Market-yes, Flint-yes, Boyles-yes, Winchester-yes. Motion passed.

Application#110218-Toledo Ave., applicant, Dianne Duggan, is applying for a accessory building permit.

Motion to approve by Market, 2<sup>nd</sup> by Flint. Market-yes, Boyles-yes, Winchester-yes, Flint-yes. Motion passed.

Addition to agenda

Application#110118-248 Erie St, applicant, Village of Put-in-Bay, is applying for a lot split.

Motion to approve by Market, 2<sup>nd</sup> by Flint. Winchester-yes, Flint-yes, Boyles-yes, Market-yes. Motion passed.

Adjust date and vote.

Public Participation:

Ms. Duggan wanted clarification on how many rooms can be in a bed and breakfast. As of 10/10/16 an ordinance was passed to go from 16 rooms to 24 rooms. Parking would need to be added according to the ordinance.

Zoning Manual Revisions:

A first draft of a dumpster ordinance was drafted by Mrs. Market. In order to have a dumpster/compactor at Township dump, businesses would need to participate in a recycling program. They can be outlawed. However, owner could ask for a variance due to hardship.

Signage- suggestion was made to come up with a formula that would entail the square footage of property with the square footage of signage. Total signs on property, whether for one or more businesses, would have to comply with the square footage allotted.

The board would like to see C1 district added to the C2 district. Also, come up with a definition and use for apartment/hotel under 5 rooms. Limited must have at least 5 rooms.

Inspector Report

None

Motion to reschedule application#110818-222 Toledo Ave – variance hearing to December 5<sup>th</sup> at 11am by Boyles, 2<sup>nd</sup> by Market. Flint-yes, Boyles-yes, Market-yes, Winchester-yes. Motion passed.



## Complaints/Observations

None

## Legal

Discussion took place on golf cart as a sign appeal. Brief for the plaintiff's is due on the 26<sup>th</sup>.

Discussion took place on Mr. Mathy's property having enough parking spaces for golf carts. Concerns are that he is using too many spaces. Letter to Mr. Mathys of violation.

Motion to adjourn by Boyles, 2<sup>nd</sup> by Market. All in favor-yes. Meeting adjourned at 2:45pm.

Motion to approve October regular meeting minutes by Flint, 2<sup>nd</sup> by Boyles. Boyles-yes, Flint-yes, Winchester-abstain. Motion passed.

Mot

Motion to approve October special meeting minutes by Boyles, 2<sup>nd</sup> by Flint. Winchester-abstain, Boyles-yes, Flint-yes. Motion passed.

## New Business:

Application#102318-234 Toledo Ave-, applicant, Jim and Marie McMonagle, are applying for a permit to remodel/add an addition.

Discussion took place on how Commission should proceed. This is a c-2 property which is used as a residential use. Commission needs confirmation from Solicitor and Zoning Inspector on how to proceed. Should it go to Poggemeyer?

Motion to table until December meeting by Boyles, 2<sup>nd</sup> by Flint. Flint-yes, Winchester-yes, Boyles-yes. Motion passed.

Application#102818-500 Catawba Ave., applicant JoAnne Wolf, is applying for a side yard variance.

Not enough members for a vote.

Motion to table until November 14<sup>th</sup> at 1:00pm by Boyles, 2<sup>nd</sup> by Winchester. Winchester-yes, Boyles-yes, Flint-yes. Motion passed.

Application#103118-222 Toledo Ave., applicant, Robert Gatewood, is applying for a remodel and change of use permit.

Mr. Gatewood provided a new lot survey is Mr. Boyles. Discussion took place on Poggemeyer's review. Poggemeyer indicates this is a limited size hotel that is in C1. C2 does not have limited size hotel use. The property is zoned C2. A phone call was place to Mr. Bickley to clarify whether all of C1 uses fit into C2. Mr. Bickley informed the clerk that each district has it owns uses. A variance will be needed for a limited size hotel. The height of the deck is 30inches. The railings will put the deck over 36 inches. A variance will be needed for the railing height.

Motion for public hearing on Tuesday, November 20<sup>th</sup> at 11am on a variance for use by Boyles, 2<sup>nd</sup> by Winchester. Boyles-yes, Winchester-yes, Flint-yes. Motion passed.

Application#110118-248 Erie St., applicant Village of Put-in-Bay, is applying for a lot split.

Chairman signature was needed on documents.

Application#110218-Toledo Ave., Dianne Duggan, is applying for an accessory building permit.

Application needs to be reviewed by Poggemeyer.

Motion to table until review has been done by Boyles, 2<sup>nd</sup> by Winchester. Boyles-yes, Flint-yes, Winchester-yes. Motion passed.

Old Business:

None

Public Participation:

None

Zoning Manual:

Definitions from Poggemeyer regarding apartment/hotel.

Inspector Report:

None

Complaints/Observations:

None

Legal:

None

Motion to adjourn by Boyles 2<sup>nd</sup> by Flint. All in favor -yes.

Meeting Adjourned at 12:10pm

**Public Hearing Meeting Minutes – December 5, 2018**

**Public Hearing**

**11:03pm**

**Roll Call**

Members Present: Renee Market, Jerry Flint, Tip Boyles

Zoning Clerk: Courtney Blumensaadt

Correct 36ft to 36in for variance

Motion to amend public hearing notice for Application#110118-222 N. Toledo Ave to read 36 inches vs 36 feet for the railing by Market, 2<sup>nd</sup> by Boyles. Flint-yes, Market-yes, Boyles-yes. Motion passed.

Oath was given to anyone speaking on behalf of the hearing applications.

Application#110118-222-N Toledo Ave., applicant, Robert Gatewood, is applying for a use variance to allow a motel/hotel limited size which is c1, and to allow a railing area variance higher than 36 inches from grade on the proposed deck.

Mr. Bob Gatewood spoke on behalf of his application. Would like to add two nightly rental rooms on the back part of the house. Mr. Gatewood read through the variance findings of facts. Mr. Gatewood believes it's a substantial for his property to be feasible to the owner. Doesn't feel the essential character would be altered or the cause detriment to anyone in the area. There have been multiply hotels in the area for years. No government services would be altered. Mr. Gatewood did know most ordinance but was not aware of certain ordinances when purchased. He can't find an ordinance or variance. Doesn't live there, can't be a guest house, can't be a bed and breakfast, can't be a rental. Asking for a variance to do something from C1 to be used in C2.

Second variance is for the height of the deck. Less than 30 inches off the ground. Common sense tells him to put up a rail. Spoken to most neighbors regarding egress. Putting a security gate to keep people from the street out and customers will not be able to get onto the back of Cincinnati road. The railing is what needs an area variance not the deck. Deck would be 30inches off the ground. He would like to have a permanent railing. Showed detail on the plans.

Can you do two variances on one application? All of Mr. Gatewood's variance findings of fact were for his c1 to c2 use variance. The application is somewhat limited, and really speaks to the area variance, not the use variance. Not required by law to be on separate applications. Mr. Bickley commented that 1262.03 is the use variance criteria. If criteria are discussed in the meeting, it can move ahead. Solicitor Lane suggests possibly creating a separate application for use variance.

Mr. Gatewood addressed Mr. Jim McMonagle's letter to the Commission regarding an easement on Cincinnati road. No commerce allowed at Cincinnati road. The road is for use by other owners and their guests, vehicles and passengers of owners on Cincinnati road. It doesn't say commercial guests.

Application#111918-191 S. Toledo Ave, applicant, Archon Intrepid Investments, is applying for variance for the front yard setback to go from 50 feet to 20 feet.

Mr. Ken Russ, from Legends construction, representing Mr. Joe Sebring (the trust Archon Intrepid Investment). The original house was within a five-foot set back. The reason the variance is needed is so that the pool can stay in the back of the house which will leave the south portion of property still open. The fence around the pool will only be seen by the owners. Spoken to neighbors the concern is landscaping of the south end and do not want their views blocked. The original house had 2000sq foot on the first floor. The new house will have 3200sq foot on the first floor. The second floor is larger and goes across the garage. Total sq footage of livable space is 8400. Trying to fit it in where neighbors' views would not be obstructed. Also wants to keep it out of the flood plain area. Existing garage will be removed once project is finished. Variance finding of facts. 1. Pool and house won't fit based on locations and visual for neighbors and flood plans. 2. The existing house was closer than variance needed. Not a single house sits within the 50 foot set back. 3. It's the same set back. Also at the end of the street. 4. Would not affect government services. 4. Yes, the house is designed too big for the lot. 5. No (Chairman stated flood plains can be worked with, walls can be put in, fill can be filled. There are other ways without a variance.) Mr. Russ says they weren't trying to benefit the owners, they want neighbors to be accommodated around them. 6. Chairman stated he looks at the book as rules and regulation set that everybody to adhere by and a variance should be used in the most specific scenarios. Anytime we use a variance it's going outside of the norm of the book. The old house sat closer to the road and built prior to the zoning book.

The zoning book is in place with the intention that old houses would be rebuilt and conform to the book.

Mr. Bill Jellison states he appreciates the zoning board. They do not have any objection to it. Their view will be improved once the garage is moved.

Mr. Jay McKenna has had several conversations with Mr. Dave Jenkins from Legends. Number of concerns, mainly the size of the home. The view will be impacted and also the sun to the home will be impacted. Based on Mr. McKenna's discussion Mr. Jenkins and Mr. Russ efforts to minimum the view to our property. It would help with the sun if moved back to 50ft. He will not object to the variance because of the tradeoffs of the view down the south side of Toledo. The area will remain unobstructed and open limited only be 3 foot bushes, no new trees and impediments will be put in place. It will minimize the impact on his property. Mr. McKenna submitted a letter of discussion between Mr. Jenkins and Mr. Sebring regarding the south side property.

Mr. Russ has spoke with owner and their intention is to keep the south side view for the other property owners. It is their intent to keep it open.

Mr. Kevin Becker is across the street. His wife wrote a letter. Their position is similar to Mr. McKenna's. They will lose most of their view of east point. They don't have an issue as long as the view over the flood plain and to the east are not blocked.

Close hearing at 11:44am

## Village of Put-in-Bay Planning Commission

P.O. Box 245, 435 Catawba Ave., Put-in-Bay, Ohio 43456 Ph: 419 341-0882

### **Meeting Minutes – December 5, 2018**

#### **Regular Meeting**

**11:44am**

#### **Roll Call**

Members Present: Tip Boyles, Jerry Flint, Renee Market

Zoning Clerk: Courtney Blumensaadt

Motion to approve the minutes from November regular meeting by Market, 2<sup>nd</sup> Flint. Boyles-yes, Flint-yes, Market-yes. Motion approved.

Motion to approve the minutes from November special meeting by Market, 2<sup>nd</sup> Flint. Boyles-yes, Market-yes, Flint-yes. Motion approved.

#### **New Business:**

Application#110118-222-N Toledo Ave., applicant, Robert Gatewood, is applying for a use variance to allow a motel/hotel limited size which is c1, and to allow a railing area variance higher than 36 inches from grade on the proposed deck.

Concern of parking. Golf cart business and rental rooms. The structure itself is not increasing. Parking will not need to be increased. Mr. Gatewood spoke of having plenty of land to increase parking if necessary.

Motion to approve the 36inch high railing with total height from ground no higher than 72 inches on the 3 individual porches on side of house by Boyles, 2<sup>nd</sup> by Flint. Boyles-yes, Flint-yes, Market-yes. Motion approved.

Mr. Boyles points out a use variance uses a bit of a different criteria. A use variance must not be contrary to the public interest and the commission must ensure that the spirit and content of the zoning code are observed. In other words, the use request must be consistent and harmonious with the existing uses in the specific zoning district. In addition, all of the following conditions must be found.

Special circumstances or conditions that apply to the building or land in question are peculiar to such latter property and do not apply general to other land or building in the vicinity and were not created by the applicant. During public hearing, Mr. Gatewood explained that the viability of the property really necessitated another business use. That would be one piece that would fit under special circumstances.

The granting of the variance is necessary for the preservation and to the enjoyment of the substantial property rights and would not merely serve as a convenience. Benefit for paying for property and by having employee housing.

The variance will not reduce an adequate supply of light or air to any adjacent property. Not an issue.

Increase congestion in public streets. Won't be an issue.

Increase the danger of fire, apparel to the public safety or unreasonably diminish or impair establish property values within the surrounding areas or in any way impair the health safety or general welfare of its inhabitants. It will help property values.

Motion to approve the use variance by Market, 2<sup>nd</sup> by Flint. Boyles-yes, Flint-yes, Market-yes

Motion to approve the application by Boyles, 2<sup>nd</sup> by Market. Boyles-yes, Flint-yes, Market-yes.

Application#111918-191 S. Toledo Ave, applicant, Archon Intrepid Investments, is applying for variance for the front yard setback to go from 50 feet to 20 feet.

Discussion took place on the set back of 20 feet. Will be 20 feet from the street right away/ the property line.

Discussion took place on taking the wall down. Mr. Russ had spoke with Mr. Bickley regarding having to leave a wall. It is not in the code that a wall is needed when rebuilding.

Mr. Bickley discussed a certification of completion. He will work with Mr. Russ to check the set back at the beginning and at the end to be put in file.

Motion to approve the variance structure itself under the understanding that the owner does not construct anything south of the house to interfere with the lake view, variance of 20 feet include drawings to be submitted to with exact distance to confirm the 20ft by Boyles, 2<sup>nd</sup> by Flint. Market-yes, Boyles-yes, Flint-yes. Motion approved.

\*\*\* Mr. McKenna would like a copy of the minutes. Email.

### **New Business/Public Participation**

A person spoke on behalf of Mr. Mark Mathys who would like to put a 12x12 tv screen at the back side of the pool at Put-in-Bay Resort. Will be used for sporting events. No advertisement at all.

Discussion took place on if it says name of hotel it will be considered a sign. No drink specials. Any use beyond a tv would require sign permits.

Currently have two small tvs and have direct tv.

A letter from Put-in-Resort owner stating that he will be putting up a tv to be connected to direct tv with no advertising or drink specials.

Chief Riddle wanted to know if pools are supposed to be screened from the public. A public pool has not been put in since the ordinance went into effect. Concern of safety with people stopping to see large tv.

Look for pool ordinance.

### **Zoning Manual:**

### **Inspector Report:**

Write a letter to Miyo to remind him that the commission is waiting for a response regarding signs.

**Complaints/Observations:**

Sign for Adventure Bay is in the right of way. The right a way is owned by the Village. A letter can be written to have the sign removed. A zoning certificate will be needed to replace the sign.

**Legal:**

McCann appeal case: the briefing schedule has been modified. Discussion took place on street ordinances. Port Clinton – each business use is a certain sq ft. (business license approach), Vermillion is maximum signage on premise per 5 sq ft per linear feet of frontage. Also, allotment of free-standing sign. Sandusky codes are based on what streets and speed limits. C1 and C2, interpret C1 should all be in C2.

Motion to adjourn by Boyles 2<sup>nd</sup> by Flint. All in favor -yes.

Meeting Adjourned at 12:55pm

Village of Put-in-Bay Planning Commission  
P.O. Box 245, 435 Catawba Ave., Put-in-Bay, Ohio 43456 Ph: 419 341-0882

**Meeting Minutes – January 2, 2019**

**Regular Meeting**

**11:00am**

**Roll Call**

Members Present: Jerry Flint and Renee Market

Zoning Clerk: Karen Goaziou

Elect new officer – tabled to next month. Neither are interested in the Chairman position.

December minutes – tabled to next month.

Mr. Flint will not be available for February or March meeting.

**New Business:**

**Old Business:**

**Public Participation:**

**Zoning Manual:**

Sign ordinance: possibly look at resort area ordinances.

**Inspector Report:**

**Complaints/Observations:**

**Legal:**

Discussion took place on the Mathys lawsuit. It is in the hands of the council to appeal.

Motion to adjourn by Market, 2<sup>nd</sup> by Flint. All in favor -yes.

Meeting Adjourned at 11:07 pm



Village of Put-in-Bay Planning Commission  
P.O. Box 245, 435 Catawba Ave., Put-in-Bay, Ohio 43456 Ph: 419 341-0882

**Meeting Minutes – February 6, 2019**

**Regular Meeting**

**Meeting called to order at 11:09am**

**Roll Call**

Members Present: Tip Boyles and Renee Market

Zoning Clerk: Karen Goaziou

Elect new officer – tabled to next month. Tip will be stepping down as Chairman

December and January minutes – tabled to next month.

**New Business:**

**Old Business:**

**Public Participation:**

**Zoning Manual:**

**Inspector Report:**

**Complaints/Observations:**

**Legal:**

Motion to adjourn by Boyles, 2<sup>nd</sup> by Market. All in favor -yes.

Meeting Adjourned at 11:13am

## Village of Put-in-Bay Planning Commission

P.O. Box 245, 435 Catawba Ave., Put-in-Bay, Ohio 43456 Ph: 419 341-0882

### **Meeting Minutes – March 13, 2019**

#### **Regular Meeting**

#### **Meeting called to order at 11:30am**

#### **Roll Call**

Members Present: Tip Boyles, Renee Market, and Jessica Dress

Zoning Clerk: Courtney Blumensaadt took minutes

Elect new officer. Tip will be stepping down at April meeting.

December, January, and February minutes – tabled to April meeting.

#### **New Business:**

Application#021819-461 Catawba Ave., applicant, The Reel Bar, is applying for a remodeling permit to enclose existing storage area.

The area starts at the wheel chair ramp and goes along wall. There doesn't appear to be enough room to fit a table. It will be used as a storage area. Andy Christensen present to discuss application. The storage area will continue to have the same color/look of the building. It doesn't hinder ADA. Water flow from the roof will continue to be the same.

Motion to approve application by Market, 2<sup>nd</sup> Boyles. Dress-yes, Boyles-yes, Market-yes. Motion approved

Application#031019-385 Doller Ave, applicant, Admiral Bodee's B&B, is applying for a remodeling permit to make existing garage into a guest room.

Concern is parking. Spot 10 is an alternate spot. Removal of the shed is a must for parking. The parking spots will need to be paved. Currently, they are gravel. As gravel it drains well. Concern is when paved it would drain to other properties. Drainage needs to be addressed.

Letter to address drainage.

Motion to table by Market, 2<sup>nd</sup> by Dress. Boyles-yes, Market-yes, Dress-yes. Motion approved.

#### **Old Business:**

Application#091818-185 Toledo Ave., applicant, Miyo Hristovski, is applying for a sign permit.

Square footage of all signs on property. Discussion took place on each sign and the size of the signs. As well as multi-tenant signs. Changes to the sign ordinance are being discussed by the planning commission. The planning commission and Mr. Hristovski added up signs. Little advertising of menu signs can be turned around toward the inside of the restaurant and customers. Take big sign down—harbor square and can leave the advertising menu facing the outside.

Motion to approve the sign application contingent on the removal of the harbor square sign by Market, 2<sup>nd</sup> by Dress. Boyles-yes, Market-yes, Dress-yes.

**Public Participation:**

**Zoning Manual:**

Signs on the percentage of maximum of the business front frontage from the curb. Window signage?  
Pools-to draft an ordinance to block pools from street with fence or wall. 1292.03 pools/private pools, no fence should be less than 4 feet. 1288.04J community pool shall be walled of fence shall not be less than 4 foot and in good condition. Six foot height and a solid, non-transparent fence. Shield the view of the public. Any pool that isn't a private pool.

**Inspector Report:**

Danny Lavine - Lovella needs parking.

**Complaints/Observations:**

**Legal:**

McCann case is in the court's hand. Communities are looking at zoning codes regarding medical marijuana dispensaries.

Motion to adjourn by Market, 2<sup>nd</sup> by Dress. All in favor -yes.

Meeting Adjourned at 12:23pm

## Village of Put-in-Bay Planning Commission

P.O. Box 245, 435 Catawba Ave., Put-in-Bay, Ohio 43456 Ph: 419 341-0882

### **Meeting Minutes – April 3, 2019**

#### **Regular Meeting**

#### **Meeting called to order at 11:20am**

#### **Roll Call**

Members Present: Tip Boyles, Renee Market, Jessica Dress, and Jerry Flint

Zoning Clerk: Karen Goaziou

Motion to approve December 2018 meeting minutes by Market, 2<sup>nd</sup> by Boyles, Dress-yes, Boyles-yes, Flint-yes, Market-yes. Motion approved.

Motion to approve January 2019 meeting minutes by Boyles, 2<sup>nd</sup> by Market. Market-yes, Flint-abstain, Boyles-yes, Dress-yes. Motion approved.

Motion to approve February 2019 meeting minutes by Market, 2<sup>nd</sup> by Boyles. Boyles-yes, Flint-abstain, Market-yes, Dress-yes. Motion approved.

Motion to approve March 2019 meeting minutes by Boyles, 2<sup>nd</sup> by Market. Dress-yes, Flint-yes, Boyles-yes, Market-yes. Motion approved.

Motion to approve December 2018 special meeting minutes by Dress, 2<sup>nd</sup> by Flint. Market-yes, Flint-yes, Boyles-yes, Dress-yes. Motion approved.

Motion to nominate Renee Market as Chairman by Boyles, 2<sup>nd</sup> by Dress. Boyles-yes, Flint-yes, Market-yes, Dress-yes. Motion approved.

Tip Boyles will remain on the board as the Village Council's liaison.

Motion to nominate Jerry Flint as Vice Chairman by Boyles, 2<sup>nd</sup> by Market. Flint-yes, Boyles-yes, Dress-yes, Market-yes. Motion approved.

Motion to nominate Karen Goaziou as Planning Commission secretary by Boyles, 2<sup>nd</sup> by Dress. Boyles-yes, Market-yes, Flint-yes, Dress-yes. Motion approved.

#### **New Business:**

#### **Old Business:**

Application#031019-385 Doller Ave, applicant, Admiral Bodee's B&B, is applying for a remodeling permit to make existing garage into a guest room.

Motion to un-table by Market, 2<sup>nd</sup> by Boyles. Dress-yes, Flint-yes, Market-yes, Boyles-yes. Motion approved.

Discussion took place on parking. They will not be adding any parking. Several businesses around them have stone parking vs. paved parking. Nowhere to take drainage. Village doesn't offer drainage. This was an issue in the past as well. A French drain was discussed. Concern is more water will go onto neighbor's property. A French drain would also only hold so much water. The building will not be changing inside. A parking spot that has been used in the past will be added.

Motion to approve with gravel parking lot and removal of shed by Boyles, 2<sup>nd</sup> by Market. Dress-yes, Flint-yes, Boyles-yes, Market-yes. Motion approved.

### **Public Participation:**

Mr. Flint excused himself from meeting.

### **Zoning Manual:**

Solicitor sent email regarding marijuana zoning restrictions.

Signs- frontage – percent of curb. Put a cap on it. Sq foot per so much of curb.

TV's – Limit the size of tv size outside. Solicitor will look into this matter.

Mobile signs – Council

Swimming pool –

Motion to look into amending the swimming pools ordinance by Boyles, 2<sup>nd</sup> by Market. Market-yes, Boyles-yes, Dress-yes. Motion approved.

2011 zoning code mentions pools can't be seen by public – this was not accomplished. Private pool vs. Business (community) pool. Private are used for family or residential. Community pool is used by many people.

Motion to send swimming pool ordinance to Council by Boyles, 2<sup>nd</sup> by Market. Dress-yes, Market-yes, Boyles-yes. Motion approved.

Motion for special meeting on March 1<sup>st</sup> after regular scheduled meeting to discuss changes in the Planning Commission Zoning Manual by Market, 2<sup>nd</sup> Boyles. Dress-yes, Boyles-yes, Market-yes. Motion approved.

### **Complaints/Observations:**

#### **Inspector's Report:**

Residential applications were approved.

Mr. Kruger's property on Chapman will be sent a reminder letter about parking. Still has time to complete the project.

Mr. Mathy's new property on Loraine – has gravel for parking and no green space.

Daniel Levine will be contacted to see if parking complies.

### **Legal:**

Motion to adjourn by Boyles, 2<sup>nd</sup> by Market. All in favor-yes. Adjourned at 12:13pm.

## Village of Put-in-Bay Planning Commission

P.O. Box 245, 435 Catawba Ave., Put-in-Bay, Ohio 43456 Ph: 419 341-0882

### **Meeting Minutes – May 1, 2019**

#### **Regular Meeting**

**Meeting called to order at 11:03am**

#### **Roll Call**

Members Present: Tip Boyles, Renee Market, Jerry Flint, Jessica Dress

Zoning Clerk: Karen Goaziou

Motion to approve April meeting minutes by Boyles, 2<sup>nd</sup> by Dress. Flint-yes, Boyles-yes, Market-yes, Dress-yes. Motion approved.

#### **New Business:**

#### **Old Business:**

Discussion took place on Margarita's signage. Are the two windows of Del Sol movie posters? Measurements of all signs were given in meeting. Mr. Bickley and Mrs. Market will do an inspection to be sure signs follow sign ordinance.

#### **Public Participation:**

#### **Zoning Manual:**

Marijuana distribution center -to be placed under adult entertainment section of zoning manual.

Signs- discussion took place on what percentage of curb footage could be signage with a max of 500sq ft. Make is as easy as possible. The curb footage measurement can be found on the auditor's website.

#### **Complaints/Observations:**

Parking at Lovella's.

Flagpole structure at the PIB Winery.

#### **Inspector's Report:**

Letter to Pesika regarding the firepit.

Accessory building permitted at 606 Bayview Ave. for Susan Market.

#### **Legal:**

Motion to adjourn by Dress, 2<sup>nd</sup> by Boyles. All in favor-yes. Meeting Adjourned at 12:04pm.

## Village of Put-in-Bay Planning Commission

P.O. Box 245, 435 Catawba Ave., Put-in-Bay, Ohio 43456 Ph: 419 341-0882

### **Meeting Minutes – June 5, 2019**

#### **Regular Meeting**

**Meeting called to order at 11:43pm**

#### **Roll Call**

Members Present: Jerry Flint, Renee Market, Tip Boyles, and Jessica Dress

Zoning Clerk: Karen Goaziou

Motion to approve May meeting minutes by Boyles, 2<sup>nd</sup> by Dress. Dress-yes, Market-yes, Flint-yes, Boyles-yes.

#### **New Business:**

Application#052919-206 Toledo Ave, applicant, Jeffrey Leitch, is applying for an amendment to his property from R1 to C1.

Table until application is complete with neighboring addresses by Market, 2<sup>nd</sup> by Dress. Flint-yes, Boyles-yes, Dress-yes, Market-yes.

Solicitor spoke regarding going over the procedure for the amendment application.

#### **Old Business:**

Miyo Hristovski removed signs at Margaritas.

#### **Public Participation:**

Use map needs to be replaced and updated or removed from the Townhall wall. A consultant from Poggemeyer can put together an updated use plan if board would like that to happen. A black and white map is available for free.

#### **Zoning Manual:**

Marijuana distribution center -the state has capped the number of licenses. However, there is one available in Ottawa County. Important to regulate for dispensary or land in the zoning manual. Ex. moratorium from Council to prevent all Marijuana dispensary. A moratorium usually lasts for at least six months. Village Solicitor will be drawing an ordinance regarding this matter. Adult entertainment would be a good place to put this in the zoning manual.

Signs- ordinance is still being drafted. Largely looking at modifying the dimension and size for the commercial districts. Residential would need to follow current sign ordinance. Items to take into consideration when writing ordinance are election, rental or sale, and event signs for temporary use can't have a time set to remove. Also, constitutional rights allow these signs to be used. Sandwich boards can't be in the right of way. Would not be a temporary sign. It's a permanent sign but can be moved. Solicitor will look into sandwich board ordinance from City of Oberlin.

Discussion took place on adding all C1 to C2 zoning manual.

**Inspector's Report:**

Mr. Fitzgerald is still working on the Tree Bar.

The dorm permit located at 495 Catawba Ave. has expired.

Lovella parking spots have been lined.

Mr. Kreuger's property on Chapman Road has some areas that have been paved. A golf cart has been parked in the back of property.

Several calls regarding the property on the corner of Langram and Concord has had interest in building. Property is zoned R1.

Digger from Catawba Construction will be taking care of the application for the fire pit on the Pesika residence.

Email from Jeremy regarding Banyon Cove. The property already exists. No parking needed.

**Complaints/Observations:**

New awning at the Boardwalk/Keys. A picture will be taken for Todd. Parking at McCann field - charging without a business license.

Sign for Jet Ski rental is in the right a way. No parking on electric poles.

Sign for Adventure Bay at the Post Office is in the right a way. Chief will notify owner of the property.

Sandwich board safety at Ed's, T&J's, Boathouse, Frosty's, Margaritas, Shirt Shack, Fire Engine, Reel Bar.

**Legal:**

None

Motion to adjourn by Market, 2<sup>nd</sup> by Boyles. All in favor-yes. Meeting Adjourned at 12:43pm.



## Village of Put-in-Bay Planning Commission

P.O. Box 245, 435 Catawba Ave., Put-in-Bay, Ohio 43456 Ph: 419 341-0882

### **Meeting Minutes – July 3, 2019**

#### **Public Hearing**

Application#061719-403 Emily Lane, applicant, Bill Jellison, is applying for a fence permit and variance to install an 8 foot fence.

#### **Hearing called to order at 11:04**

**Roll Call** Market-yes, Flint-yes, Boyles-yes, Dress-yes

**Oath** Ms. Lane administered the Oath to those speaking during the hearing.

Mr. Jellison spoke regarding the fence variance needed. His abutting neighbors creates noise, traffic coming straight through to his house and trash in his yard. He has called the police several times regarding this matter. He is not sure if the Lane is private. There are 4 pieces of property. The Crews nest subdivision is one adjoining property owner. Mr. Petro has picked up several pieces of trash. Mrs. Urge's daughter lives across the street from the hotel and says it is very noisy.

The area variance find of facts was then read. Please see attached at the end of minutes.

Hearing closed at 11:17am

#### **Regular Meeting**

#### **Meeting called to order at 11:18am**

**Roll Call** Boyles-yes, Dress-yes, Market-yes, Flint-yes

#### **New Business:**

Application#061719-403 Emily Lane, applicant, Bill Jellison, is applying for a fence permit and variance to install an 8 foot fence.

No discussion took place

Motion to approve fence variance by Market, 2<sup>nd</sup> by Flint. Boyles-yes, Flint-yes, Dress-yes, Market-yes.

Ordinance discussion took place regarding amending the agenda to include Zoning Manual code C1 and C2 by Boyles 2<sup>nd</sup> by Flint. Dress-yes, Boyles-yes, Flint-yes, Market-yes.

Motion to initiate Zoning Manual code C1 and C2 by Market, 2<sup>nd</sup> by Flint. Dress-yes, Boyles-yes, Flint-yes, Market-yes.

Motion to recommend to council draft ordinance C1 and C2, logical sense for C1 to be part of C2 by Dress, 2<sup>nd</sup> by Flint. Market-yes, Boyles-yes, Dress-yes, Flint-yes.

Mr. Galvin addressed the Planning Commission regrading a piece of property on Langram Road. Discussion took place on what zoning requirements are required for this property if it were to be employee housing. The board would need him to be specific as possible about the use of the property. He also should speak with his neighbors regarding their thoughts on the property being employee housing. Mr. Galvin would like the property to have a pre-built home and be able to store the DeRivera Parks maintenance equipment. The property would most likely need a use variance.

Following Mr. Galvin's discussion, a motion took place.

Motion to remove permitted rental room under special use section 1268.01(9) of the zoning manual by Boyles, 2<sup>nd</sup> by Dress. Dress-yes, Boyles-yes, Flint-yes, Market-yes.

Motion to recommend to council the removal of rental room under the special use section of the zoning manual by Boyles, 2<sup>nd</sup> by Market. Flint-yes, Market-yes, Dress-yes, Boyles-yes.

### **Old Business:**

Application#052919-206 Toledo Ave., applicant, Jeffrey Leitch, is applying for a zoning amendment.

Motion to un-table by Market, 2<sup>nd</sup> by Dress. Dress-yes, Flint-yes, Market-yes, Boyles-yes

Rezoning of property from R1 to C1. Intent to rezone is to raise the property value of the home. Cincinnati road is partly vacated. Road was shown on the Auditor's website as being half vacated. That is what he pays taxes on currently.

Rezoning aren't considered lightly. The council considers it cautiously and thoroughly. Property owner isn't always entitled to the best and highest use of their property.

Motion to recommend to send to council to vote no on approval due to wanting to rezone for a higher property value by Boyles, 2<sup>nd</sup> Market. Market-yes, Boyles-yes, Flint-abstain, Dress-yes.

### **Public Participation:**

#### **Zoning Manual:**

Marijuana

Council currently has a moratorium on marijuana dispensers for one year. Would like the marijuana zoning manual revision to be included under adult entertainment. The Village does not have any agricultural land. All cultivation, processing, and dispensers are allowed in C2 adult entertainment. Discussion took place on business license changes as well.

Signs- currently working on it.

#### **Inspector's Report:**

Mr. Pesika has submitted an incomplete application regarding the outdoor fireplace. Should legal council send a letter? Mr. Bickley will send a letter of violation.

#### **Complaints/Observations:**

Will Pasquale's need an extension for the blue box bar? When does the permit expire?

Mr. Mathys has removed all the green space on new property. It is being used as parking. Needs to be a dust free space. It still requires having 30% green space in C2 and no parking in the front 15 feet. New yellow posts?

Discussion took place on the IV Joint business. First application denied because it didn't have a fixed location. Currently, he has a lease with David Washtock whose property is C2. This type of a business is considered health wellness. Should they be required a special use permit. Clinic is not defined in the zoning manual. Possible professional office, since they are registered nurses and they have a medical director. This particular use doesn't fit into any of the zoning uses. They would need to plead their case to the Planning Commission. Private party can initiate a text amendment. Possible putting in the zoning manual, if you don't see what you are wanting to do in the manual you aren't able to do it – no variance or special use.

**Legal:**

Motion to adjourn meeting by Market, 2<sup>nd</sup> by Boyles. All in favor -yes

Adjourned at 12:55pm.

**Village of Put-in-Bay Planning Commission**  
P.O. Box 245, 435 Catawba Ave., Put-in-Bay, Ohio 43456 Ph: 419 341-0882

**Meeting Minutes – August 6, 2019**

**Regular Meeting**

**Meeting called to order at 11:06am**

**Roll Call**      Market-yes, Boyles-yes, Dress-absent, Flint-yes

Motion to approve public hearing meeting minutes by Market, 2<sup>nd</sup> by Flint. Flint-yes, Boyles-yes, Market-yes.

Motion to approve regular meeting minutes by Market, 2<sup>nd</sup> by Flint. Market-yes, Boyles-yes, Flint-yes.

**New Business:**

Motion to amend agenda to include IV Joint parking on at 269 Erie St. by Boyles, 2<sup>nd</sup> by Market. Market-yes, Flint-yes, Boyles-yes.

IV Joint provided the necessary parking.

Motion to accept parking plans for IV Joint at 269 Erie St. by Boyles, 2<sup>nd</sup> by Market. Market-yes, Boyles-yes, Flint-yes.

**Old Business:**

None

**Public Participation:**

Mr. Mike Cooper spoke on behalf of starting a hydration business as well. Mr. Boyles informed him that the Council passed a motion at an earlier special council meeting putting a One Year Temporary Moratorium on accepting, processing, and approve of new or renewal applications for mobile or fixed intravenous therapy.

**Zoning Manual:**

Discussion took place on the land use map. Request council to move forward with the land use map.

Motion to apply to council to make a committee for a new land use plan by Market, 2<sup>nd</sup> by Flint. Boyles-yes, Market-yes, Flint-yes.

Discussion also took place on if something is not in the zoning manual then it can't be done.

Motion to initiate code amendment to create stiffer boundary on what is allowed and what isn't by Market, 2<sup>nd</sup> by Boyles. Boyles-yes, Flint-yes, Market-yes.

**Inspector's Report:**

192 Toledo Ave is possible doing deck work. A stop work order has been issued by the County.

Dave Zilch will be applying for an accessory building permit for Tracy Schork.

Pesicka violation notice sent, 30 days to comply.

The post on Mr. Mathys property on Loraine – what is the purpose? Mr. Mike Cooper stated to keep other people from parking there. It has chains also.

Mr. Boyles would like a definition for things that need to be more specific: clinic, retail establishment, structure.

**Complaints/Observations:****Legal:**

Motion to adjourn meeting. All in favor-yes

Adjourned at 12:11pm

**Village of Put-in-Bay Planning Commission**  
P.O. Box 245, 435 Catawba Ave., Put-in-Bay, Ohio 43456 Ph: 419 341-0882

**Meeting Minutes – September 5, 2019**

**Regular Meeting**

**Meeting called to order at 11:05am**

**Roll Call**      Market-yes, Boyles-yes, Dress-yes, Flint-yes

Motion to approve August regular meeting minutes by Market, 2<sup>nd</sup> by Flint. Boyles-yes, Dress-yes, Flint-yes. Market-yes.

**New Business:**

Application #081219 – 154 Delaware Ave. – applicant, Thomas Duffy, is applying for a fence permit.

It was determined the property owner needs to sign the application for it to be valid.

Motion to table by Boyles, 2<sup>nd</sup> by Flint. Flint-yes, Market-yes, Dress-yes, Boyles-yes.

Application #081319 – 249 Doller Ave. – applicant, Tracy Schork, is applying for private accessory building with guest house.

Discussion took place if the house is occupied. It is a guest house if someone is living in the house. Guest house is considered an accessory building if no one is living in the space. Accessory building has different setbacks. The height, if an accessory building, would need a variance.

Motion to deny based on height, use of guest house with the primary house not having an occupant by Boyles, 2<sup>nd</sup> by Market. Flint-yes, Boyles-yes, Dress-yes, Market-yes.

Application #081619 – 193 E. Point Blvd. – applicant, Edward Pesicka, is applying for an outdoor fireplace.

Discussion took place on setbacks and location of fireplace. A variance for setbacks is needed.

Motion to refer to zoning inspector to contact owners re: variance by Boyles, 2<sup>nd</sup> Market. Market-yes, Flint-yes, Boyles-yes, Dress-yes.

**Old Business: None**

**Public Participation: None**

**Zoning Manual:**

Proposed medical marijuana ordinance for October meeting

**Inspector's Report:**

Discussion took place on the PIB Land Use Plan. Mr. Bickley explained the map. Add to council agenda. Council needs to make a motion to create land use plan committee.

**Complaints/Observations:** No new signs at the Keys.

**Legal:** Waiting on golf cart decision

Motion to adjourn meeting. All in favor-yes

Adjourned at 11:46pm

**Village of Put-in-Bay Planning Commission**  
P.O. Box 245, 435 Catawba Ave., Put-in-Bay, Ohio 43456 Ph: 419 341-0882

**Meeting Minutes – October 2, 2019**

**Regular Meeting**

**Meeting called to order at 11:13am**

**Roll Call** Boyles-yes, Dress-yes, Market-yes, Flint-yes

**New Business:**

Application#091919 – 349 Doller Ave. – applicant, Tracy Schork, is applying for a variance to allow for peak to go from 25 feet to 26 feet.

Ms. Schork is waiting to redo house. Plans to live in the guest house and move into the house once it is finished. There needs to be someone living on the property (principal dwelling).

The peak of the house will need a 1 foot variance to go from 25feet to 26feet.

Motion to set a variance hearing for Wednesday, October 16<sup>th</sup> at 12:15pm by Boyles, 2<sup>nd</sup> by Flint.  
Market-yes, Dress-yes, Boyles-yes, Flint-yes.

Application#091019 – 192 Toledo Ave. – applicant, Kevin Becker, is applying for a permit to replace existing deck.

15 foot deck to be added to accessory building – Zoning inspector approved.

**Old Business:**

Application #081319 – 249 Doller Ave. – applicant, Tracy Schork, is applying for private accessory building with guest house.

Waiting on variance hearing.

Application #081219 – 154 Delaware Ave. – applicant, Thomas Duffy, is applying for a fence permit.

Motion to untangle by Market, 2<sup>nd</sup> by Dress. Market-yes, Boyles-yes, Flint-yes, Dress-yes.

Owner has signed the application for a fence. The neighbors are in favor of the fence.

Motion to approve by Market, 2<sup>nd</sup> by Boyles. Flint-yes, Dress-yes, Market-yes, Boyles-yes.

Application #081619 – 193 E. Point Blvd. – applicant, Edward Pesicka, is applying for an outdoor fireplace.

Notice of violation has been sent by inspector. 30 days to reply.



**Public Participation:**

None

**Zoning Manual:**

Discussion took place on Poggemeyer Review for commercial property.

122:03

Addressed to reflect Residential home on Comm Property (site plan review not needed)

A fence would be exempt from sign plan review. Accessory building square footage (due to size)

Ms. Lane to draft ordinance any structure needs a site plan review on commercial property by zoning approved professional engineer, include fee schedule.

Marijuana ordinance – c2 zoning district special use. Would also require a business license. Business License provisions would be in an Adult/entertainment business and would not be allowable within 500 feet of a school, church, or public playground. 1288.05.

**Inspector's Report:**

None

**Complaints/Observations:**

Mathys is proposing to buy each house on Loraine (owned by the Niese's) per year. Plans are to build 4 residential condos for personal use and one rental. 5 foot variance for the back. Plans may include extending the bar and putting in a 5 foot wide sidewalk down Loraine. Planter boxes, fence, ect. included as green space. Green space doesn't have a definition. Street lights may be installed as well.

Mathys current property used for parking has poles and chains to block it off. It isn't a permanent fence, chains can be removed.

**Legal:**

Reminder to not correspond through email with all board members.

McCann appeal -upheld decision, 30 days to take down or appeal. Needs to remove through an appeal or a stay. November 6<sup>th</sup> meeting discuss potential violations.

Aimee announced she will no longer be working as the Zoning Solicitor. At this time, Susan Anderson will be filling her position.

Dates for calendar of 2020 meetings needs to be discussed at next meeting. Council is moving their meetings to Tuesday.

Land use map – Jake Market is setting up a committee.

Motion to adjourn meeting. All in favor-yes

Adjourned at 12:23pm

**Village of Put-in-Bay Planning Commission**  
P.O. Box 245, 435 Catawba Ave., Put-in-Bay, Ohio 43456 Ph: 419 341-0882

**Meeting Minutes – November 6, 2019**

**Public Hearing**

Application#091919 – 349 Doller Ave. – applicant, Tracy Schork, is applying for a variance to allow for peak to go from 25 feet to 26 feet.

**Hearing called to order at 11:04am**

**Roll Call** Boyles-yes, Flint-yes, Dress-yes, Market-yes

**Oath**

Dave Zilch – 7598 Township 79, Bellevue, Ohio  
Tracy Schork – 349 Dollar Ave, Put-in-Bay, Ohio

Mr. Zilch discussed that a foot can't be dropped.

Find of Facts for Variance – separate document attached

Primary residence is the plan for the house. The plan is to build storage (for car) and guest house (to live in while house is being renovated). The property has Village water and sewer.

Motion to adjourn by Market, 2<sup>nd</sup> by Boyles. Dress-yes, Market-yes, Boyles-yes, Flint-yes.

Meeting adjourned at 11:13am

**Regular Meeting**

**Meeting called to order at 11:15am**

**Roll Call** Flint-yes, Dress-yes, Boyles-yes, Market-yes.

Motion to approve October meeting minutes by Dress, 2<sup>nd</sup> Flint. Flint-yes, Dress-yes, Boyles-yes, Market-yes.

**New Business:**

No new business

**Old Business:**

Application #081319 – 349 Doller Ave. – applicant, Tracy Schork, is applying for private accessory

Motion to approve variance with the owner being the occupant until which time the house is completed by Market, 2<sup>nd</sup> by Dress. Flint-yes, Dress-yes, Boyles-yes, Market-yes.

Application #081319 – 349 Doller Ave. – applicant, Tracy Schork, is applying for private accessory.

Motion to approve application by Boyles, 2<sup>nd</sup> by Market. Dress-yes, Boyles-yes, Market-yes, Flint-yes.

Application #081619 – 193 E. Point Blvd. – applicant, Edward Pesicka, is applying for an outdoor fireplace.

Application is incomplete and wasn't signed. Sent a second violation. Reapply for and not approved to relocate. Side increase from 3 feet to 7 feet, other yard at 3 feet. Mr. Bickley talked to Mr. Pesicka. One set back is 4 feet 7 inches have to round up to 5 feet. If the new application were not approved, he would have to relocate the accessory structure at his own cost.

Motion to table Market, 2<sup>nd</sup> by Flint. Boyles-yes, Market-yes, Dress-yes, Flint-yes.

**Public Participation:**

None

**Zoning Manual:**

Land use plan is going to be headed by Jake Market. A meeting is to take place on December 11<sup>th</sup> at 11 am - open to the public. Limit of 7 members.

Motion to approve of 7 members to land use committee to include Planning Commission member by Dress, 2<sup>nd</sup> by Market.

Mr. Boyles computer is not working. Discuss parking at next meeting.

Mrs. Dress discussed moratorium on iv therapy, a designated zoning area, for also need additional parking.

Discussion took place on IV Clinic. IV Clinic should be considered an adult entertainment business. Adult Oriented Business definitions in Section 1288.05 section C2, shall be located within 200 feet of Lakeview Ave. IV Clinic just need to add definition and requirements in a separate section. Could be located at Victory Ave. Adult Oriented Business can't be within 500 feet of church or school. Can be on C2 property.

Mr. Boyles suggest under parking for mobile businesses would have to submit a business license application and additional parking for its business and for clinics. It would be set at 6 spaces.

Possible name for area would be considered a health district.

IV Clinic and Medical Marijuana faculty both have a moratorium for 1 year.

Draft in motion for marijuana definition to add to adult oriented business.

Attorney will draft new zoning manual definitions.

**Inspector's Report:**

A bedroom and bathroom were added to a residence on 470 Victory Ave. Mr. Bickley has approved.

No Poggemeyer review. It is considered a residence on a c2 property. Can't find a Poggemeyer ordinance. New one has been sent to Mr. Bickley by attorney. Discussion took place on changes in the manual.

**Complaints and Observation:**

Air bnb at 424 Bayview Ave. The Fouts are the owners. It is a residential property. Called Sleepy Fox on air bnb. Mr. Bickley will send violation letter. Send a screenshot of Airbnb advertising the house to attorney.

Banyon Cove Condo are also listed on Airbnb. Their home owners association does not permit nightly or weekly rental. Paul Jeris has also mentioned this to the Mayor.

Is there a special use list within zoning we can cross reference with listing on Airbnb?

Verify 18 months for Carl Kruger property on Chapman regarding parking. Front yard is still gravel.

**Legal:**

Golf Cart case has appealed the court's decision.

**New Meetings times for 2020 will be the first Tuesday of the month at 11am.**

Motion to approve meeting schedule for 2020 by Market, 2<sup>nd</sup> by Boyles. All in favor-yes

Motion to adjourn meeting by Boyles, 2<sup>nd</sup> by Flint. All in favor-yes

Meeting adjourned at 12:19pm.

**Village of Put-in-Bay Planning Commission**  
P.O. Box 245, 435 Catawba Ave., Put-in-Bay, Ohio 43456 Ph: 419 341-0882

**Meeting Minutes – December 11, 2019**

**Meeting called to order at 11:20am**

**Roll Call** Flint-yes, Boyles-yes, Dress-yes, Market-yes.

Motion to approve November meeting minutes by Dress, 2<sup>nd</sup> Market. Boyles-yes, Dress-yes, Market-yes, Flint-yes.

Motion to approve November public hearing minutes by Market, 2<sup>nd</sup> by Dress. Boyles-yes, Market-yes, Flint-yes, Dress-yes.

**New Business:**

No new business

**Old Business:**

Application #081619 – 193 E. Point Blvd. – applicant, Edward Pesicka, is applying for an outdoor fireplace.

Continue to table

Violation letter should suggest removing it. Side yard set back has been changed and corrected on newest application. Application should reflect rear yard set back variance should be 23 feet, not 2 feet.

Boyles spoke about it being put on the independent lot, offset of his house. An accessory structure can't be put on there if there isn't a residence. It is continuous to the lot he owns.

Bickley needs to evaluate the site plan and what were the set backs from the original application when the house was built.

**Public Participation:**

None

**Zoning Manual:**

Attorney Anderson is working on marijuana, iv clinics, poggemeyer review. Rewriting 1222.03D Site Plan Review. Boyles is rewriting parking. Market is working on definitions. Flint is working on signs.

**Inspector's Report:**

Krueger has not complied with putting parking in at 72 Chapman Road. Variance application was for 4 parking spaces, one for each unit. Variance application is null and void after 18 months. Parking spaces reverts to 10 spaces. Should he be fined?

Legal send notice of violation. Gravel and grass are not a hard surface. Should not be parking in front yard.

**Complaints and Observation:**

None

**Legal:**

McCann applied a day late for an appeal. The court's decision stands. The golf cart will need to be removed. Bickley will send a letter with a deadline to be removed by March 31<sup>st</sup>, 2020. Failure to comply, will result in a criminal citation.

Motion to adjourn meeting by Market, 2<sup>nd</sup> by Boyles. All in favor-yes

Meeting adjourned at 11:57am.

**Village of Put-in-Bay Planning Commission**  
P.O. Box 245, 435 Catawba Ave., Put-in-Bay, Ohio 43456 Ph: 419 341-0882

**Meeting Minutes – January 7, 2020**

**Meeting called to order at 11:04am**

**Roll Call** Boyles-yes, Flint-yes, Dress-yes, Market-yes.

Motion to approve December meeting minutes by Dress, 2<sup>nd</sup> Flint. Boyles-yes, Market-yes, Dress-yes, Flint-yes.

**New Business:**

No new business

**Old Business:**

Application #081619 – 193 E. Point Blvd. – applicant, Edward Pesicka, is applying for an outdoor fireplace.

Continue to Table

Discussion took place on adjacent lot being under the same ownership. It is considered all the same lot. Variance finding of facts is incomplete. Mr. Bickley will contact Mr. Pesicka.

**Public Participation:**

None

**Zoning Manual:**

Poggemeyer Review is on council's agenda.

Nothing new on Parking, Signs, or Definitions

Marijuana is with Attorney Anderson

**Inspector's Report:**

Violations letter being sent to Mr. Krueger. The time to have parking lot finished has passed.

Attorney Anderson– letter to Ms. McCann regarding the case.

**Complaints and Observation:**

Mr. Flint will not attend February or March meetings. The February meeting will be moved to Tuesday, February 18, at 11am.

Bodie's Bungalow needs to file for a permit to add 4 rental rooms with parking specifications. The total number of rooms will be 17. A limited hotel is under 24 rooms.

191 S. Toledo Ave needs to file an application for a fence. Six pillars exist on the property now with the possibility of vegetation in between them. A variance will be needed as well. Mr. Bickley will send letter.

**Legal:** None

Motion to adjourn meeting by Market, 2<sup>nd</sup> by Flint. All in favor-yes

Meeting adjourned at 11:46am.

Village of Put-in-Bay Planning Commission  
P.O. Box 245, 435 Catawba Ave., Put-in-Bay, Ohio 43456 Ph: 419 341-0882

**Meeting Minutes – February 18, 2020**

Public Hearing 11:20am

App# 120919- 193 East Point Blvd, applicant, Edward Pesicka, is applying for a 3-foot variance for an outdoor fireplace.

**Roll Call**

Dress -yes, Market-yes, Flint-no, Boyles-yes.

No one was there to speak on behalf of the variance.

Jeff Bringardner, a neighbor across the street, has no objection to the variance. Applicant tried to be considerate of neighbors by building it behind garage and not blocking their view. If it were moved, it would block the neighbors view.

Plans that were received were hand drawn. The fireplace was put behind garage to keep from blocking the view from of the neighbors.

\*\*\*Finding of Facts: see attachment

Question to solicitor regarding if zoning can mandate having a property with two parcels be deeded together. Mr. Bickley spoke that an affidavit can be signed that the two parcels will be sold together. Ms. Anderson spoke on putting a condition in the variance to have two parcels deeded as one.

Motion to adjourn by Market, 2<sup>nd</sup> by Dress. All in favor-yes.  
Meeting adjourned bay 11:24pm

**Regular Meeting Minutes**

**Roll Call:**

Dress-yes, Market-yes, Boyles-yes, Flint-no

Motion to approve January meeting minutes by Boyles, 2<sup>nd</sup> by Dress. Dress-yes, Market-yes, Boyles-yes

**New Business:**

App # 012720 – 375 Doller Ave. – applicant, Joseph Bodenbender, is applying for a permit to convert existing dwelling into guest units and new ramp and decks.

Mr. Bodenbender, owner, was in attendance. Explained to Mr. Bodenbender why the application was sent to Poggemeyer for review.

Discussion on the shed took place. Shed is going to be removed as soon as possible. Mr. Boyles would like to know why the square footage has changed. 2480 feet to 1120 feet. The footage has changed due to the space being used as commercial and more parking spaces were needed in the past. Lost 1000 feet with reducing space to residential. Total parking spots needed are 16. Once shed is removed, there will



be two parking spaces. Affidavit would say they won't sell the parcels separately or if they do, they need to meet the zoning requirements.

Motion to approve with removal of shed and an affidavit (subject to review by zoning inspector) by Boyles, 2<sup>nd</sup> by Market. Dress-yes, Market-yes, Boyles-yes. Motion carried.

App# 012420 – 191 S. Toledo Ave. – applicant, Joseph Sebring, is applying for a fence permit. An area variance is needed for the height of fence.

Motion to table application by Market, 2<sup>nd</sup> by Boyles. Market-yes, Boyles-yes, Dress-yes. Motion carried.

App # 120919 – applicant, favor Edward Pesicka, is applying for a 3 foot variance for an outdoor fireplace.

Motion to untable by Market, 2<sup>nd</sup> by Dress. Dress-yes, Boyles-yes, Market-yes. Motion carried.

Motion to approve the variance by the finding of facts by Market, 2<sup>nd</sup> by Dress. Market-yes, Dress-yes, Boyles-no. Motion carried.

App # 081619 – 193 E. Point Blvd. – applicant, Edward Pesicka, is applying for an outdoor fireplace. Motion to untable by Market, 2<sup>nd</sup> by Dress. Dress-yes, Boyles-yes, Market-yes. Motion carried.

Motion to approve application based on variance approval by Market, 2<sup>nd</sup> by Dress. Market-yes, Dress-yes, Boyles-no. Motion carried.

## **Public Participation**

None

## **Zoning Manual:**

IV Joint Ordinance - Motion to pass onto council by Market, 2<sup>nd</sup> by Boyles. Boyles-yes, Market-yes, Dress-yes. Motion carried.

Discussion took place on fixed location and mobile. Safety and travel issue with mobile businesses in the Village. Mobile is not a definition in the zoning manual.

Motion to add to section 1260.06 - facility whether operated in a mobile or fixed facility or location by Boyles, 2<sup>nd</sup> Market. Market-yes, Boyles-yes, Dress-yes. Motion carried.

## **Parking:**

Marking it easier for zoning board and businesses. Parking spots must be marked and open to the public – nothing in the way, ex. dumpster. Signs showing where parking exists. No more off-site parking. Businesses should have golf cart parking. Changing from 2/3 1/3 to 50/50 with golf carts vs. cars. All square footage of the building -hallways, patio, office, storage. 25 rooms-25 spots (using 50/50). Bar and pool based on square footage. Golf cart rental must have a spot for each golf cart. Portable businesses provide parking for business and for customers -3 golf cart, 3 cars. No grandfathering – if changes are made on property parking needs to bring up to code.

## **Sign:**

Curb frontage and max size per sign

Definitions of portable sign and projection sign

Limit on tv size viewable from street.

**Inspector's Report:**

Violations letter being sent to Mr. Krueger. The time to have parking lot finished has passed.  
Attorney Anderson– letter to Ms. McCann regarding the case.

**Complaints and Observation**

Send letter to Mathys regarding parking lot being brought up to zoning code and have green space.

**Legal**

None

Motion to adjourn meeting by Market, 2<sup>nd</sup> by Dress. All in favor-yes  
Meeting adjourned at 12:50pm.

Village of Put-in-Bay Planning Commission  
P.O. Box 245, 435 Catawba Ave., Put-in-Bay, Ohio 43456 Ph: 419 341-0882

**Public Hearing and Meeting Minutes April 2, 2020**

**Public Hearing – 191 S. Toledo Ave., applicant, Joseph Sebring, is applying for a fence height variance.**

**Roll Call** Flint-present, Boyles-present, Dress-present, Market-Present

**Oath**

Ken Russ -Legends, 36 St. Mary, Norwalk, Ohio 44857

Cindy Shelton-Becker – 192 Toledo Ave., Put-in-Bay, Ohio 43456

See attached finding of fact.

Mr. Russ and landscaper didn't look at it as a fence. Thought it was decorative. Mr. Russ addressed Mr. McKenna's letter. All at grade. Grade is taken from street level. Electric, water, and sewer were shown on map to members. Eight pillars are on the property. A fence can go up to the property line.

Letter was read from Jay McKenna, a neighbor. Please see attachment. He had some suggestion for wording. Variance is only for existing pillars. No pillar should be any higher than 52 ½. No objection from Mr. McKenna. Mrs. Shelton-Becker wants to make sure no decorations are on top of the pillar. Feels the house is large for lot. Fence would have to be large for the structure of the home. Comfortable if the bushes are not high. She is non-committal or approving if Mr. McKenna's concerns are addressed.

Ed Tichner at 131 Toledo Ave, a neighbor two doors down, objects and did not give a reason. (left a voice mail on Planning Commission phone.

The ac condensers are recessed down at 24 to 30 inches at the most.

Motion to adjourn by Dress, 2<sup>nd</sup> by Boyles. All in favor – yes  
Meeting Adjourned at 12:56.

**Regular Meeting**

**Roll Call** Market-present, Flint-present, Boyles-present, Dress-present.

Motion to approve February regular meeting minutes by Boyles, 2<sup>nd</sup> by Market. Market-yes, Flint-yes, Boyles-yes, Dress-yes. Motion approved.

Motion to approve public hearing minutes by Boyles, 2<sup>nd</sup> by Dress. Flint-yes, Market-yes, Boyles-yes, Dress-yes.

**New Business:**

App# 022520-191 S Toledo Ave., Joseph Sebring, is applying for a fence variance to increase the height of the fence from 36 inches to 52 ½ inches in the front yard.

Motion to untable variance application by Dress, 2<sup>nd</sup> Boyles. Dress-yes, Flint-yes, Boyles-yes, Market-yes.

Chairman Market expressed her disappointment in having to have a 2<sup>nd</sup> variance hearing. Mr. Russ did speak with Todd. It wasn't their intent to need a 2<sup>nd</sup> variance.

Mr. Boyles read the definition of area variance. Property is far from unusable. 16 ½ inches is substantial. There is a view problem. Water line is running between the pillars. Mr. Russ knows there are zoning requirements. Shorten posts. Property is not unusable without pillars.

Mayor Dress is not opposed since there isn't an objection from the adjacent neighbors. She does agree setting precedent letting people come to the commission for forgiveness.

Neighbors are not opposed to it, but not excited about it. They are content, but don't want any higher. No reason that the pillars needs to be 52 ½ inches tall.

Motion to not approve by Market, 2<sup>nd</sup> by Boyles. Dress-yes, Boyles-yes, Market-yes, Flint-yes.

Mr. Bickley deferred to Attorney Anderson on what happens after it is denied. The commission has 10 days to provide the applicate with a finding of fact and determination. The applicant then has 20 days to appeal. If not appealed, 30 days for applicant to comply to 36 inches. Grade is taken from street level. Mr. Russ stated they probably will not appeal it. The process for appealing can be found in the zoning manual at 1262.03.

Motion to provide finding of fact to attorney by Boyles, 2<sup>nd</sup> by Market. Dress-yes, Boyles-yes, Flint-yes, Market-yes.

**Old Business:**

App# 012420 – 191 S. Toledo Ave. – applicant, Joseph Sebring, is applying for a fence permit.

Must submit a new application with fence at 36 inches. Mr. Bickley will let applicate know to submit a new application.

**Public Participation:**

None

**Zoning Manual Revisions:**

IV Clinic – council changed from keeping it at the back of village property and took out the adult entertainment section to read it can't be adjacent to any establishment serving alcohol.

Definition of adjacent is not in the zoning manual. It is only mentioned in the public hearing section of the manual section 1262.03E4. Definition should read something along the lines of having common borders, front and back and including public right away and across.

Signs, Marijuana, Definitions, Parking, Poggemeyer

**Inspector's Report:**

Letter to Mr. Krueger – no response, he has received the letter. Attorney Anderson will be in touch with Mr. Bickley regarding the actions to be taken now.

Letter will be sent to Mrs. McCann regarding the golf cart to be removed by June 1, 2020.

Mr. Bickley was contacted regarding a home business with a massage table in the residential 1 district. It's a renter, home occupation (1 person).

**Complaints/Observations:**

Shed has not been removed from Bodee's Bungalow.

**Legal**

Application for Bodee's Bungalow. Parcel numbers will be provided by Mr. Bickley.

Motion to adjourn by Flint, 2<sup>nd</sup> by Dress. All in favor -yes.

Meeting adjourned at 1:37pm.

Village of Put-in-Bay Planning Commission  
P.O. Box 245, 435 Catawba Ave., Put-in-Bay, Ohio 43456 Ph: 419 341-0882

**Meeting Minutes June 2, 2020**

**11:03am**

**Roll Call**      Dress-Present, Flint-Present, Boyles-Present, Market-Present

Motion to approve April regular meeting minutes by Boyles, 2<sup>nd</sup> by Market. Flint-yes, Dress-yes, Market-yes, Boyles-yes. Boyles-yes. Motion approved.

Motion to approve April hearing minutes by Dress, 2<sup>nd</sup> by Boyles. Boyles-yes, Flint-yes, Dress-yes, Market-yes. Motion approved.

**New Business:**

App# 052020-521 Catawba Ave., applicant, Joe Field, is applying for a temporary rental dwelling permit.

Permanent uses for C1 is under 1272.01. Owner, Joe Field, present at the meeting. Uses both parcels for property. Property is owned by Marion Investments; sole proprietor is Joe Field. Poggemeyer review addresses the application. Owner has homes in Marian and Florida. Trying to spend as much time as possible at the Put-in-Bay property. They will probably rent half the time and live in it half the time. They are renting the house, not rooms. There are 7 to 8 bedrooms. Discussion took place regarding the crowd at the property the past weekend). Mayor Dress explained they would need a business license to be a rental. The property can be used as a temporary one family dwelling, no less than 7 days, not more than 30 days. The owners will not need to stay on property.

Motion to approve one family temporary use dwelling with the conditions that it be a 7 day rental and not more than 30 days and to adjust all marketing being in compliance by Boyles, 2<sup>nd</sup> by Market. Dress-yes, Market-yes, Flint-yes, Boyles-yes.

App# 050820 – 521 Catawba Ave., applicant, Joe Field, is applying for an accessory building permit.

Both parcels are together as one. Detached garage with attached patio. It will be 36 feet long and 14 feet wide. It will be in the same place as the existing garage. Discussion on set backs took place. No variance needed.

Motion to approve 14x30 feet with max height of 13 feet and setbacks on application maintained on the garage and open patio by Market, 2<sup>nd</sup> Boyles. Flint-yes, Market-yes, Dress-yes, Boyles-yes. Motion approved.

App# 052220-193 E Point Blvd., applicants, Edward and Wendy Pesicka, are applying for a fence permit.

Discussion took place on property at an intersection. It has two separate streets. It is considered an intersection. Has two front yards by variance approved variously. No structure can be over 3 feet. The application is asking for a 48-inch fence.

Motion to deny permit based on property, two front yards corner lot neither under 3 feet by Market, 2<sup>nd</sup> by Flint.

Motion to amend by adding based on fence encroachment on property not owned by them by Market, 2<sup>nd</sup> by Dress. Boyles-yes, Market-yes, Dress-yes, Flint-yes.

Property owners have not used the correct zoning ordinances. Owners are welcome to contact any member to discuss their property.

**Old Business:**

Discussion took place on the definition of Adjacent. Adjacent is different than Adjoining. Proposed to put adjacent in the general definitions, or specific to the iv therapy regulations, or change the word to adjacent in iv joint therapy regulation and use the definitions that already exists in the code.

Motion to initiate amendment changes to planning commission zoning code to add general definition of adjoining defined as 1262.03 and 04 and adjacent defined as meaning properties that are antiguous, close or nearby, including the properties next to or across the street and do not require the properties to share a common boundary by Market, 2<sup>nd</sup> by Dress. Flint-no, Boyles-yes, Dress-yes, Market-yes. Motion carried.

**Public Participation:**

None

**Zoning Manual Revisions:**

Signs, Parking, Poggemeyer

**Inspector's Report:**

To send another letter to Mr. Krueger regarding the parking on his property.

Another letter will be sent to Mrs. McCann regarding the golf cart to be removed and they are in violation. Next step is legal action.

**Complaints/Observations:**

**Legal**

Motion to adjourn by Market, 2<sup>nd</sup> by Dress.

Meeting adjourned at 12:50pm.

Village of Put-in-Bay Planning Commission  
P.O. Box 245, 435 Catawba Ave., Put-in-Bay, Ohio 43456 Ph: 419 341-0882

**Meeting Minutes July 7, 2020**

**11:03am**

**Roll Call**      Market-Present, Dress-Present, Flint-Present, Boyles-Present.

Motion to approve June regular meeting minutes with changes to garage size as 14x36 by Market, 2<sup>nd</sup> by Boyles. Market-yes, Flint-yes, Dress-yes, Boyles-yes. Motion carried.

Motion to approve June public hearing minutes by Market, 2<sup>nd</sup> by Dress. Flint-yes, Dress-yes, Boyles-yes, Market-yes. Motion carried.

**New Business:**

App# 062620-193E. Point Blvd, applicant Edward and Wendy Pesicka, are applying for a variance to replace the fence that already exists.

Motion to set for variance hearing on Thursday, July 23 at 11:00am by Boyles, 2<sup>nd</sup> by Flint. Boyles-yes, Market-yes, Flint-yes, Dress-yes. Motion carried.

**Old Business:**

App# 052220-193 E Point Blvd., applicant, Edward and Wendy Pesicka, are applying for a fence permit.

Table until August meeting.

**Public Participation:**

None

**Zoning Manual Revisions:**

Signs – regulate the type of signage, instead of how many signs or square footage. No giant, flashy, obnoxious signs that will disturb residents, attract may flies, or create a nuisance. Send a letter to owners asking their opinion on signs, email comments to Renee or Karen. Add parking to the letter as well.

**Inspector's Report:**

Lot 10 Duff's Subdivision – building house.

To send a violation letter to Mr. Krueger regarding the parking on his property.

Spoke with Mrs. Fuchs regarding renting house/rooms. She is not renting this year due to Covid.

George Wilber called to say the Golf Cart had been removed from the Boathouse property and asked to receive a letter stating they complied. It was decided a letter will not be written.

Sebring fence – looks like 36 inches. Renee will take a look at it.

**Complaints/Observations:**

Mathys wants to know if he needs a permit to rebuild a fence that was ruined by a golf cart. He plans to put up a new one. The fence is in front of a pool and near a roadway. It is not grandfathered in, will need a permit. See 1215.19 Community Pools.

New sign at Tree Bar - Cameo.



**Legal**

IV Joint withdrew appeal without prejudice.

Motion to adjourn by Market, 2<sup>nd</sup> by Dress. All in favor-yes.

Meeting adjourned at 12:05pm.

Village of Put-in-Bay Planning Commission  
P.O. Box 245, 435 Catawba Ave., Put-in-Bay, Ohio 43456 Ph: 419 341-0882

**Meeting Minutes August 4, 2020**

**11:03am**

**Roll Call** Flint-present, Market-present, Boyles-present, Dress-present

Motion to approve July regular meeting minutes by Market, 2<sup>nd</sup> by Flint. Dress-yes, Flint-yes, Boyles-yes, Market-yes. Motion carried.

Motion to approve July public hearing minutes by Boyles, 2<sup>nd</sup> by Market. Market-yes, Flint-yes, Boyles-yes, Dress-yes. Motion carried.

**New Business:**

App# 062620-193E. Point Blvd, applicant Edward and Wendy Pesicka, are applying for a variance to replace the fence that already exists.

Discussion took place on quick claim deed. 120.2 feet – Chairman Market showed the dimensions of the deed. The quick claim deed barring is incorrect. No stamp and not on auditor's website.

New proposal was presented by Mr. Gilum for the fence. Discussion took place on whether it would need a new public hearing. The fence would be in line with the house and 4 feet high. Taking out other elements. After discussion took place, Mr. Gilum spoke on behalf of new proposal – not an alternative – would this comply if variance is not approved.

Motion to deny the variance request until further legal documents are provided on who owns the property by Market, 2<sup>nd</sup> by Flint.

Mr. Gilum can provide title. Does not have it with him. Should have been provided at hearing. Also, should have provided survey at the meeting.

Mr. Boyles spoke that he would like to approve a 4 foot fence for front and side yard to their property line. Zoning would allow to the property line. Variance would be for 1 foot. If they build it to the State property line, the State can take care of it.

Mrs. Market withdrew the motion. Mr. Flint withdrew his second.

Motion to approve fence to a maximum of 4 feet high located in front and side yard up to the applicant's premises and must be in compliance with all applicable local and state ordinance by Boyles, 2<sup>nd</sup> Market. Market-yes, Boyles-yes, Dress-yes, Flint-yes.

**Old Business:**

App# 052220-193 E Point Blvd., applicant, Edward and Wendy Pesicka, are applying for a fence permit.

Motion to approve application for fence by Market, 2<sup>nd</sup> by Boyles. Market-yes, Boyles-yes, Dress-yes, Flint-yes.

**Public Participation:**

Fred Cerny – 491 Langram Road (Banyon Cove) Would like to know if the Village can help with tenants who are not complainant with Banyon Cover HOA bylaws by providing rentals shorter than 30 days. Owners do sign a copy of the HOA. When the permit application was approved by the Planning Commission, it stipulated rentals could not be shorter than 30 days. The HOA was provided by Banyon Cove to the Planning Commission as part of the permit application. Provided documents from attorney, being sued for civil rights violation, text messages between owner and HOA President.

**Zoning Manual Revisions:**

Adjacent/Adjoining

**Inspector's Report:****Complaints/Observations:**

New sign at Tree Bar - Cameo.

**Legal**

Motion to adjourn by Market, 2<sup>nd</sup> by Dress. All in favor-yes.

Meeting adjourned at 11:52pm.

**Village of Put-in-Bay Planning Commission**  
P.O. Box 245, 435 Catawba Ave., Put-in-Bay, Ohio 43456 Ph: 419 341-0882

**Meeting Minutes September 1, 2020**

**11:04am**

**Roll Call** Flint-Present, Boyles-Present, Dress-Present, Market-Present

Motion to approve August regular meeting minutes by Boyles, 2<sup>nd</sup> by Dress. Flint-yes, Dress-yes, Dress-yes, Boyles-yes. Market-yes. Motion approved.

**New Business:**

App# 052020-521 Catawba Ave., applicant, Joe Field, would like to revise garage plan to add 2 feet of width to go from 14 to 16 feet.

Mr. Field asked to go from 14 feet and 18 feet. House and garage are 20 feet apart. Only 5 feet needed.

Motion to approve extension by Boyles, 2<sup>nd</sup> Flint. Market-yes, Flint-yes, Boyles-yes, Dress-yes.

Will need to provide drawing of the distance from house to garage.

**Old Business:** 72 Chapman Road – discussion took place on parking situation. Also needs to have a hard, dust free parking surface. Must fit zoning requirements. Ken Russ indicated that this project would be started in two weeks.

Send letter: reminder letter know they are in violation, needs done by deadline – November 1, 2020. Send letter certified. Susan will review letter.

**Public Participation:**

None

**Zoning Manual Revisions:**

Market is working on letter to business letter regarding signs.

Adjacent/Adjoining – all sent together in revisions.

Automobile rental/golf cart in our book requiring parking and where and definitions of automobile.

Define and put it in zoning manual. Rental company needs to have parking space for each one of them.

C-2 – special use.

**Inspector's Report:**

Cerny application – 3 car garage and living quarters upstairs. Is residential property.

**Complaints/Observations:**

New tree bar sign – big black box when off. Cameo – located outdoor stage/concrete wall, big black box when off.

**Legal**

Site plan zoning – has been passed by Council.

Motion to adjourn by Market, 2<sup>nd</sup> by Dress.

Meeting adjourned at 11:42am.

Village of Put-in-Bay Planning Commission  
P.O. Box 245, 435 Catawba Ave., Put-in-Bay, Ohio 43456 Ph: 419 341-0882

**Meeting Minutes October 6, 2020**

**11:13am**

**Roll Call** Flint-Present, Boyles-Present, Market-Present, Dress-Present

Motion to approve September regular meeting minutes by Dress, 2<sup>nd</sup> by Market. Market-yes, Flint-yes, Dress-yes, Boyles-yes. Motion approved.

**New Business:**

App# 092720 – 259 Erie St., applicant, Tiffany Alexander, is applying for an additional rental space/storage/personal space permit.

Discussion took place on when application was received. It came in on September 27<sup>th</sup> and the Poggemeyer review came in on October 5<sup>th</sup>. The Commission did not have an appropriate amount of time to read Poggemeyer's review. Architectural drawing was not submitted.

Motion to table to November 3<sup>rd</sup> for Commission to read review and obtain architectural drawing by Market, 2<sup>nd</sup> by Dress. Boyles-yes, Market-yes, Dress-yes, Flint-yes.

App# 100220 – 401 Main St, application, Bernard McCann, is applying for a fence permit.

Kevin Dailey spoke on behalf of the fence permit. He showed an ariel picture of where the house is located. Fence would be along easement. Discussion took place on Main St and how it originated. Toledo is the front yard. Main Street stops at the Sand Bar. Private driveway all the way through to the Round House. Physical address is 401 Main St.

Front yard is all commercial. Front yard-road right away to measure set back. Toledo is the front yard.

White or wooden picket fence.

Motion to approve by Boyles, 2<sup>nd</sup> by Market. Withdraw Motion by Boyles, 2<sup>nd</sup> Market.

Motion to approve with the stipulation that considering that two side yards, and no front yard by Dress, 2<sup>nd</sup> by Boyles. Boyles-yes, Dress-yes, Flint-yes, Market-yes.

**Old Business:**

**Public Participation:**

Judy Berry – 180 Sybil Road – asked the Planning Commission what their position is on golf cart parking, not rented and having parking spaces. This zoning revision is being worked on now. Parking will be needed for each golf cart and business golf cart parking.

**Zoning Manual Revisions:**

Working on parking spots for each golf cart – not the golf cart business.

**Inspector's Report:**

72 Chapman parking-pillars have been removed. November 1<sup>st</sup> is deadline.

Posts at the end of Toledo Ave are 3.5 feet. Ken's response was yes it is. He said he could not get anyone to look at it when he was fixing it. A letter needs to be sent to Ken and owner. The neighbor continues to call about the height.

191 E. Point Blvd – fence has not been put up.

Bodee's – accessory building is gone. Double check. Need affidavit of combining of lots.

**Complaints/Observations:**

Temp structure at the Forge. Not in violation of anything. Did not cause problems.

Warming igloos are becoming a fad. Need a definition of temp structure.

**Legal**

Adjacent/Adjoining (discuss at next meeting)

10 day rule – all applicants must submit applications 10 days prior to a meeting or the application will not be on the agenda until the following months meeting.

Motion to adjourn by Market, 2<sup>nd</sup> by Dress.

Meeting adjourned at 12:00pm.

Village of Put-in-Bay Planning Commission  
P.O. Box 245, 435 Catawba Ave., Put-in-Bay, Ohio 43456 Ph: 419 341-0882

**Meeting Minutes November 3, 2020**

**11:02am**

**Roll Call:** Boyles-present, Flint-present, Market-absent, Dress-present.

Motion to recess meeting by Boyles, 2<sup>nd</sup> by Dress. Boyles-yes, Dress-yes, Flint-yes

Market was present to resume meeting at 11:48am.

Motion to resume meeting by Market 2<sup>nd</sup> by Boyles. Boyles-yes, Dress-yes, Flint-yes, Market-yes.

Motion to approve November regular meeting minutes by Dress, by Flint. Flint-yes, Market-yes, Boyles-yes, Dress-yes. Motion carried.

**New Business:**

**Old Business:**

App# 092720 – 259 Erie St., applicant, Tiffany Alexander, is applying for an additional rental space/storage/personal space permit.

Motion to untable by Market, 2<sup>nd</sup> by Boyles. Dress-yes, Flint-yes, Boyles-yes, Market-yes.

Have not heard from applicant. Motion to table Market, 2<sup>nd</sup> by Flint. Boyles-yes, Flint-yes, Dress-yes, Market-yes.

**Public Participation:**

None.

**Zoning Manual:**

Motion to send zoning manual revisions to council for public hearing by Boyles, 2<sup>nd</sup> by Market. Boyles-yes, Flint-yes, Dress-yes, Market-yes.

**Inspector's Report:**

Acorn property indicated they had removed the boat from the yard. Market confirmed.

Krueger property has not complied yet. Mr. Russ said last month all that was do was the cement. Bickley will follow up.

**Complaints/Observations:**

73 S. Toledo recreational vehicle for living/residential quarters.

New awning at Dairy Isle and the Keys. Letter will be sent.

50 Chapman has a new sign. Letter will be sent.



Sending letter to Sebring house regarding the height of columns.

Discussion took place on when zoning meetings should take place in 2021. Thoughts were at night or possibly a different day. Mr. Flint will be gone from January, February, and March meeting. Mrs. Market will be gone a short time in February.

**Legal**

Motion to adjourn by Market, 2<sup>nd</sup> by Dress. All in favor -yes.

Meeting adjourned at 12:17pm.

Village of Put-in-Bay Planning Commission  
P.O. Box 245, 435 Catawba Ave., Put-in-Bay, Ohio 43456 Ph: 419 341-0882

**Meeting Minutes December 1, 2020**

**11:20am**

**Roll Call:** Market-present, Boyles-present, Flint-present, Dress-present.

Motion to approve November meeting minutes by Boyles, 2<sup>nd</sup> by Flint. Market-yes, Dress-yes, Boyles-yes, Flint-yes.

**New Business: None**

**Old Business:**

App# 092720 – 259 Erie St., applicant, Tiffany Alexander, is applying for an additional rental space/storage/personal space permit.

Motion to untale by Boyles, 2<sup>nd</sup> by Flint. Boyles-yes, Dress-yes, Flint-yes, Market-yes.

Applicant has not contacted commission

Motion to deny application due to lack of information by Boyles, 2<sup>nd</sup> by Market. Boyles-yes, Dress-yes, Market-yes, Flint-yes.

Motion to continue Planning Commission meetings in 2021 on the 1<sup>st</sup> Tuesday of the month at 11am by Market, 2<sup>nd</sup> by Dress. Dress-yes, Market-yes, Flint-yes, Boyles-yes.

**Public Participation:**

None.

**Zoning Manual:**

Igloos as outside seating. Look at legislative for temporary structure. Definition of temporary, time frame, commercial.

**Inspector's Report:**

Received response from Eric Booker regarding awnings.

No response from Cody Clement

No response from Sebring.

Krueger property parking –There is concrete in the front yard. No driveway in the side or back for parking. Susan/Todd-should be cited.

Acorn 357 proposing a lot split. Would meet r-1 district requirements splitting it once. If splitting it twice, would need a variance or rezoned to r2. Would be for 2 separate single-family dwelling.

No response from 50 Chapman -Sign

**Complaints/Observations:**

**Legal**

Motion to adjourn by Market, 2<sup>nd</sup> by Dress. All in favor -yes.

Meeting adjourned at 11:45am.

Village of Put-in-Bay Planning Commission

P.O. Box 245, 435 Catawba Ave., Put-in-Bay, Ohio 43456 Ph: 419 341-0882

**Meeting Minutes January 5, 2021**

**11:05 am**

**Roll Call:** Market-present, Dress-present, Flint-present by phone

Motion to approve December meeting minutes by Market, 2<sup>nd</sup> by Flint. Dress-yes, Flint-yes, Market-yes.

**New Business:** Chairwoman Renee Market stated she had received a call that morning from applicant Marv Booker re: applications 121020-227 Bayview Ave. and 121020-213 Bayview Ave., regarding awning permits.

Mr. Booker had recently tested positive for the COVID-19 virus and as he wouldn't be attending the meeting, asked that both be tabled until the commission's February meeting.

Market made the motion to table application 121020-227 until February. 2<sup>nd</sup> by Flint. Market-yes, Dress-yes, Flint-yes.

Market made the motion to table application 121020-213 until February. 2<sup>nd</sup> by Flint. Flint-yes, Dress-yes, Market-yes.

**Old Business: None**

**Public Participation:** None.

**Zoning Manual:** Regarding previous discussion of drafting guidelines regulating temporary structures, Market agreed to start to put together rules to consider.

**Inspector's Report:** Market stated from her emails with the zoning inspector that he and village legal counsel continue to discuss issues with temporary rentals at Banyan Cove.

-Market also stated Bickley mailed a letter to previous applicant Tiffany Alexander, informing her application 092720 – 259 Erie St., was denied at December meeting due to lack of information; Bickley also sent a letter to owners of 50 Chapman Road regarding need for permit for new signage on the property.

**Complaints and observations:** Market noted the pillar at intersection of East Point Blvd and Bayview has been dismantled – if accidental, would like it to be replaced as soon as possible without zoning regulations as it was a historical marker. Dress stated from police department information, it had been knocked over by a car missing the turn.

**Legal:**

Regarding continued concerns with possible spread of COVID-19, Market made a motion to allow commission members to attend meeting view video chat and/or phone and be able to cast votes for the 2021 calendar year. 2<sup>nd</sup> by Dress. Dress-yes, Market-yes, Flint-yes.

Market then made the motion to adjourn the meeting. 2<sup>nd</sup> by Dress. No opposing votes.

Adjourned at 11:18 a.m.

(Minutes authored by Mayor Jessica C. Dress as zoning clerk was absent.)

**Village of Put-in-Bay Planning Commission**  
P.O. Box 245, 435 Catawba Ave., Put-in-Bay, Ohio 43456 Ph: 419 341-0882

**Public Hearing and Meeting Minutes**  
**January 11, 2022**  
**11:00am Village Town Hall**

Called to order at 11:32am

**Public Hearing**

App.#110121 – Main St., applicant, Bernard McCann, is applying for a special use permit.

**Roll Call**

Market-present, Flint-present by phone, Cox-present, Dress-present.

**Oath** – new board member Craig Cox

**Oath** – Hearing participants

1274.02 – Special Uses definitions were read by Chairwomen Market. This application doesn't fall under any special use definitions.

Ty Winchester spoke on behalf of the project. The property has been used to hold other staging events – including the Village dock project. There is a clear start and end date. Starting in May of 2022 and finishing in 2 years. There will be normal noise and traffic. Updated plans were shown.

Chris Hamilton general contractor of ES Wagner spoke about the discussion had with Poggemeyer reviews and suggestions. They will shift the side yard to the north due to electric. There will be a 70foot tower with a hopper where it will be loaded and mixed in a concrete truck. They are cylinder cement bins – need enough to have on site due to transportation. There will be one entry and exit point. The plant will be fenced (6ft chain link). There will be a clear view and road will stay there. The project will be behind the hill.

Motion to adjourn by Market, 2<sup>nd</sup> by Dress.

Hearing adjourned at 11:50am.

**Regular Meeting**

Called to order at 11:51am.

**Roll Call**

Dress-present, Cox-present, Flint-present by phone, Market-present

Motion to approve December meeting minutes by Market, 2<sup>nd</sup> by Dress. Dress-yes, Cox-yes, Market-yes.

**New Business:**

App.# 120821-191 S. Toledo Ave., applicant, Archon Intrepid Investments, is applying for a variance to allow for an aquatic hydromantic pool cover instead of a fence around their pool.

Motion to set for public hearing on Friday, February 11<sup>th</sup> at 11:00am by Market, 2<sup>nd</sup> by Dress. Dress-yes, Market-yes, Cox-yes.

App.#122931-439 Loraine Ave., applicant, Mark Mathys, is applying for a fence permit.

A brief discussion took place to inform new commission member of the fence permit application. Zoning requires a new fence permit be applied for when a fence is torn down and replaced. Mr. Mathys feels he doesn't need a new fence permit. The Planning Commission does require a new permit and the fence will need to meet the current fence requirements. Height of fence is 6 feet by 180 feet. Fences in a front yard can be no higher than 3 feet. This fence would require a variance. For a community pool, the fence height should be no less than 6 feet and with a gate and lock. The Commission does not see an issue with the height of the new fence being 6 feet fence, however, does need to be of a solid material or barrier since it is around a community pool. 1292.03B addresses the height and material of a community pool fence. If a barrier is not installed, a variance would be needed. Zoning Inspector is to notify Mr. Mathys of the specifications needed for the fence to comply. Chairwomen Market did note that the previous fence had signs on the inside facing the pool and that would be an option as a barrier for this new fence.

Motion to table by Dress, 2<sup>nd</sup> by Market. Dress-yes, Cox-yes, Market-yes.

App.#100821-424 Bayview Ave., applicant, Deborah Fuchs, is applying for a setback variance for side yard to go from 15ft to 5ft and rear yard from 25ft to 5ft.

Motion to set for public hearing on Friday, February 11<sup>th</sup> at 11:00am by Market, 2<sup>nd</sup> by Cox. Market-yes, Cox-yes, Dress-yes.

App#010522-451 Catawba Ave., applicant, Michael Goebel, is applying for a remodeling permit.

Mr. Goebel spoke on behalf of the project. The footprint of the building will not change. The remodel is above the kitchen. Poggemeyer and Chairwomen Market both have concerns about parking adding four bedrooms would require two parking spaces. Mr. Goebel currently doesn't have any parking proposed. He stated that he has a lease with the property owner on Erie St and that could be a potential for parking. Satellite parking is no longer in the regulations.

The Property owner has submitted signature for application purposes.

Original remodel downstairs was commercial, and upstairs was considered residential quarters. Changed from retail to restaurant downstairs.

All properties surrounding the applicant's property are commercial.

C2 -employee housing/dormitory. – definitions were read.

Not more than 4 people per room, shall not create noise or interference, one parking spot per every 3 sleeping spaces. Will require 2 additional parking spots.

Ingress and Egress appear to have a single point via the stairway. Mr. Goebel has not spoken to Ottawa County Building Department regarding any concerns. He did speak to Todd and Architect.

A special use permit and parking variance will be required.

Motion to set public hearing for Friday, February 11<sup>th</sup> at 11:00am pending applications are submitted to the zoning clerk by Market, 2<sup>nd</sup> by Cox. Cox-yes, Dress-yes, Market-yes.

**Old Business:**

App.#110121 – Main St., applicant, Bernard McCann, is applying for a special use permit.

Motion to approve by Market, 2<sup>nd</sup> by Dress. Dress-yes, Cox-yes, Market-yes.

Moving forward the contractor site regulations and restrictions are listed at 1288.04. Fence height is a minimum of 6 feet. No variance would be needed. A variance would be needed for the 70-foot height of the tower.

App.#100821-424 Bayview Ave., applicant, Deborah Fuchs, is applying for a special use permit for room rentals.

Motion to untable by Market, 2<sup>nd</sup> by Cox. Market-yes, Cox-yes, Dress-yes.

Discussion took place on changing use to a B&B – requirements in 1268.02 and 1280.04 of zoning manual.

Motion to set for public hearing on Friday, February 11<sup>th</sup> at 11:00am by Market, 2<sup>nd</sup> by Dress. Cox-yes, Market-yes, Dress-yes.

Motion to move February 7<sup>th</sup> regular meeting to February 11<sup>th</sup> by Market, 2<sup>nd</sup> by Dress. Market-yes, Dress-yes, Cox-yes.

**Public Participation:**

**Zoning Manual Revisions:**

**Inspector's Report:**

**Complaints/Observations:**

Mojito Bay – permanent construction/changing bar.

**Legal:**

Motion to adjourn at 1:11pm by Market, 2<sup>nd</sup> by Dress. All in favor-yes.



Village of Put-in-Bay Planning Commission  
P.O. Box 245, 435 Catawba Ave., Put-in-Bay, Ohio 43456 Ph: 419 341-0882

**Meeting Minutes February 2, 2021**

**11:33am**

**Roll Call:** Market -present, Flint-present, Berry -present, Dress-present

Motion to approve January meeting minutes by Boyles, 2<sup>nd</sup> by Flint. Dress-yes, Market-yes, Flint-yes, Berry-abstain.

**New Business:**

Motion for Renee Market to remain Chairman of the Board for 2021 by Dress, 2<sup>nd</sup> by Berry. Flint-yes, Dress-yes, Market-yes, Berry-yes.

Application# 123120-222 Toledo Ave., applicant, Robert Gatewood, is applying for a fence permit.

Chairman Market would like more time to review and speak with Mr. Gatewood regarding this application.

Motion to table until March by Market 2<sup>nd</sup> meeting by Dress, 2<sup>nd</sup> by Dress. Flint-yes, Berry-yes, Dress-yes, Market-yes.

Application# 121020-227 Bayview Ave., applicant, Marvin Booker, is applying for an awning permit.

Motion to untable by Market, 2<sup>nd</sup> by Dress. Flint-yes, Berry-yes, Dress-yes, Market-yes.

Poggemeyer review calls it a free-standing accessory structure not an awning. An area variance will be needed for setbacks.

Motion to set for public hearing on March 2, 2021 at 11am by Berry, 2<sup>nd</sup> by Market. Dress-yes, Flint-yes, Market-yes, Berry-yes.

Application# 121020-213 Bayview Ave., applicant, Marvin Booker, is applying for an awning permit.

Motion to untable by Market, 2<sup>nd</sup> by Berry. Market-yes, Berry-yes, Dress-yes, Flint-yes.

Poggemeyer review states that it meets all set back requirements. Decision was reached that it is considered an awning because it is attached to the building. No variance needed.

Motion to approve awning permit by Market, 2<sup>nd</sup> by Berry. Flint-yes, Dress-yes, Market-yes, Berry-yes.

**Old Business: None**

**Public Participation:**

Mr. Boyles – Post at the end of Shore Villas had been knocked down. State says it is on their property. Pesicka in his application uses that as his property. If so, the setbacks are incorrect and would need another variance. Possibly built closer to the west property line and in the right a way. Mr. Bickley will review the application, survey, and drawings.

Yacht Club has added a fence (permanent rope structure) around the patio and a lighthouse on top of the building. Mr. Bickley will send letter regarding needing a fence permit.

**Zoning Manual:**

Temporary structure: pop up igloos – they fall under temporary structure in the zoning manual. Used during a certain season (not specific). Site plan (permit) and certificate are required. Have Mrs. Anderson review as well for legal interpretation. 1292.08 Zoning Manual.

**Inspector's Report:**

Banyon Cove – Susan will be reaching out to the attorney representing Banyon Cove.

**Complaints/Observations:**

Thank you to Judy Berry for being on the board.

**Legal**

Motion to adjourn by Market, 2<sup>nd</sup> by Dress.

Meeting adjourned at 12:12pm

**Village of Put-in-Bay Planning Commission**  
P.O. Box 245, 435 Catawba Ave., Put-in-Bay, Ohio 43456 Ph: 419 341-0882

**Meeting Minutes**  
**March 2, 2021**  
**Village of Put-in-Bay Townhall**

**Public Hearing**

**Roll Call:**

Dress-present, Market-present, Berry-present, Flint-present

Application# 020121-227 Bayview Ave, applicant, Marvin Booker, is applying for a set back variance from 5 feet to less than 6 inches and back yard encroachment of 25 feet in the rear yard setback.

Oath – given

Eric Booker, 175 Booker Lane, Put-in-Bay, Ohio 43456 spoke on behalf of the project at the Keys.

Finding of Facts – please see attached.

Generally agree that answers make sense. Pergola is exhibit B – awning. Driveway would technical be frontage. Awning A – rear setback. Awning B – is in the middle of the property. Poggemeyer review made decisions based on zoning manual.

Motion to adjourn by Market, 2<sup>nd</sup> by Dress.

Hearing adjourned at 11:35am.

**Regular Meeting     11:36am**

**Roll Call:**

Dress-present, Flint-present, Market-present, Berry-present  
Todd Bickley and Susan Anderson -zoom

Motion to approve February meeting minutes by Market, 2<sup>nd</sup> by Dress. Dress-yes, Flint-yes, Market-yes, Berry-yes.

**New Business:**

Application# 020121-227 Bayview Ave, applicant, Marvin Booker, is applying for a set back variance from 5 feet to less than 6 inches and back yard encroachment of 25 feet in the rear yard setback.

Motion to approve set back variance by Market, 2<sup>nd</sup> by Berry. Market-yes, Dress-yes, Flint-yes, Berry-yes.

Application# 021921-432 Catawba Ave., applicant, Joshua Niese, is applying for a permit to remove and replace Firetruck bar.

Variance was not needed for the original Firetruck bar. The new structure will be larger.

Motion to table for Poggemeyer Review by Market, 2<sup>nd</sup> Dress. Dress-yes, Berry-yes, Flint-yes, Market-yes.

**Old Business:**

Application# 121020-227 Bayview Ave., applicant, Marvin Booker, is applying for an awning permit.

Motion to approve application by Berry-yes, Flint-yes, Market-yes, Dress-yes.

Application# 122920 – 222 Toledo Ave., applicant, Robert Gatewood, is applying for a fence permit.

Fence height will be 7 feet in the side yard. Sign boards are 2 3x3 feet.

If the applicant wishes to add new signage it must fit within the 300 sq footage requirement of the zoning regulations and will need to file a new application.

Motion to approve three gates, one fence, and two signs – gate/fence not to exceed 8 feet and signs are 3x3, any other signage must submit a new application by Market, 2<sup>nd</sup> by Dress.

Flint-yes, Berry-yes, Market-yes, Dress-yes.

**Public Participation: None**

**Zoning Manual: None**

**Inspector Report:**

PIB Yacht club has responded to Chairman Market and will have a fence permit application submitted by the April meeting.

Pesicka's property – will be looked at once Mr. Bickley is on the island.

**Legal:**

Banyon Cove – if the association board reaches out to the Planning Commission again steps will be taken to move forward with a warning letter.

Krueger Parking – Once Mr. Bickley looks at property a decision will be made on a violation letter.

Motion to adjourn by Market, 2<sup>nd</sup> by Dress.

Meeting adjourned at 12:37pm.

## Village of Put-in-Bay Planning Commission

P.O. Box 245, 435 Catawba Ave., Put-in-Bay, Ohio 43456 Ph: 419 341-0882

### **Meeting Minutes**

**April 6, 2021**

### **Village of Put-in-Bay Townhall**

#### **Roll Call:**

Flint- absent, Berry-present, Market-present, Dress-present  
Todd Bickley and Susan Anderson

Motion to approve March Regular meeting minutes by Berry, 2<sup>nd</sup> by Market. Dress-yes, Berry-yes, Market-yes.

Motion to approve March Public Hearing minutes by Market, 2<sup>nd</sup> by Dress. Market-yes, Dress-yes, Berry-yes.

#### **New Business:**

Application# 021921-432 Catawba Ave., applicant, Joshua Niese, is applying for a permit to remove and replace Firetruck bar.

Provided parking, green space, and right away. Provided parking drawings to Planning Commission. Planning Commission has not received Poggemeyer Review. Discussion took place on the board not receiving the Poggemeyer. Applicant was not aware of the rule and regulations of the zoning manual to submit review to Poggemeyer. Mayor Dressed explained it is the applicant who submits the application to Poggemeyer at their own cost. Tim Niese has initiated contact with Poggemeyer. A special meeting can be held once the board receives the review from Poggemeyer. Explanation was given regarding hearing a special meeting. Any date the special meeting is set will work for everyone if zoom is available.

Application# 032021- 536 Bayview Ave., applicant, the Yacht Club, is applying for a fence permit.

Fence is in the side yard and 39 inches. Fence is under 8 feet. Bickley will sign application with the approval of the board.

Motion to approve by Market, 2<sup>nd</sup> by Berry. Berry-yes, Dress-yes, Market-yes.

#### **Old Business:**

#### **Public Participation:**

Mark Mathys, 470 Delaware Ave., discussed the road is cut on Loraine in front of Resort. The concrete is 4 inches thick and trucks have hit it and it is being replaced with an 8 inch concrete so that trucks won't drive over it and crack it up again. The storm drain had heaved. Fremont fence

will be doing replacement fences on the east side of resort where fence has been hit several times. Replacing with same kind of fence. On north side of Resort, the two vacant lots will be fenced as well. Will extend fence to prevent from being passenger u-turn. Fence was there before and torn down and will be replaced with a six-foot fence. New fence will match old one. Mayor Dress explained since it was fully removed it would need a permit. Mark talked to Mr. Tracy at the Ottawa County Building Department. Todd informed Mark that he would need a fence permit application. Mayor Dress explained when replacing a fence, a new fence permit application is needed. Mark was given instructions by the clerk regarding where to find application and how to submit it. The property is zoned C2.

Replacement of signs at Edgewater on Delaware Ave. It will be the same sign just a name change. Mr. Bickley usually doesn't have an issue if the sign is just being replaced with a name, same location, same size. Mark stated it is a same sign with a new name and business and going into same location. Dimensions are the same.

Discussed plans for two empty lots on Loraine. Mark was asking the board for their opinion or direction of the board. One set is for 13 townhomes to be individually deeded and individually sold to be used as homes, not rental properties. Would require a rear yard set from 25 feet to 10 feet. Second set of plans do not require variances are compliant with zoning laws, this would be an extension of the Resort to add additional rooms. Both projects would plan to put five foot wide sidewalk to match the Resort. If the Village would participate would like to put same lighting on the sidewalk. If the board's consensus would be to have more of the residential feel, he would look at doing it. If residential homes, would list with local broker, would rent until all sold. Once all sold, the bylaws would be like Banyon cove with renting being limited to over 30 days.

Mayor Dress stated the board would not be able to vote or give a board opinion. Mayor Dress also stated he can have individual conversions with the community. Not appropriate for board to give their opinion. Ultimately Mark's decision of what to do. Mark stated it is ultimately the property owner's decision on what they want to do with their property, once he decided, the board would make a decision from there. Mark stated he wants individual opinions to not have to spend money on two set of plans to Poggemeyer. Explained his envisions would be like St. Simon street in Key West. Does not want to do two sets of prints. Mayor Dress stated, once submitted, the board would need to follow the zoning policy and procedures. Ms. Berry stated individual opinion has nothing to do with the board decision. She would need to see the plans to even given her individual opinion to him. Mayor Dress let Mark know if a variance were needed, he would need to follow the variance application procedure. Mark asked if he would be able to submit plan with needed variance and if it were not approved would he be able to submit another application. Mark can submit a site plan to Todd for a preliminary review. Todd could bring it to the board as a zoning inspector report. Attorney Anderson stated the Commission can't preemptable tell you what you can and can't do. Even with individual opinion, the board would need to follow the appropriate zoning rules and regulations. If Mark wants to submit preliminary drawings to Todd, he will look at it.

Mike Niese would like input from the board. Would like to put a patio in front of Tippers. Extend the sidewalk 4 or 5 feet out and the length of Tippers which is about 57 feet. Put tables

and wrap it with rod iron fence like the Forge and Mojito Bay. Would not lose parking anywhere. 34 feet out to the road. Feels he has more than ample space for parking. Mayor Dress stated to keep in mind if you expand seating the parking requirements could change. Also would bring it to grade and put in handicap accessibility to the patio which would give another space for handicap access to the sidewalk. Commercially zoned would need Poggemeyer review. Ms. Berry stated parking and setbacks would need to be taken into consideration. No drawings yet. Came to board first. Garden style, sit down with lights and planters. Todd asked to put together preliminary drawing for board to look at and prior to meeting to flag the property so that the board can visually see what it would look like once completed. Keep fence under 3 feet. Set back requirements would be 15 feet in the front yard. One parking space for each 400sq footage of space. Parking space is 9 x 20. 1/3 golf carts, 2/3 cars. Provide a drawing to see what is being proposed. Poggemeyer will need to review, and a fee will be required. Will not be a permanent structure. Take the inside to the outside for CDC guidelines.

### **Zoning Manual: None**

#### **Inspector Report:**

193 East Point Blvd – Pesika property, measured – did not have a corner pin. Will send pics to clerk. It appears to be lined up with the property line. Opinion is that house is where it is supposed to be located. Landscaping is on the State's property (does not need to fit Village requirements).

70 Chapman Road – Krueger Parking. Will forward pictures. Parking is cement. Based on variance, parking is ok.

191 S. Toledo Ave. - Sebring Property – nothing has been done with the pilers. Variance was not approved. Should be 3 feet. Will need to officially measure them.

Cody Clement – recreational vehicle has been removed.

Fouts – did not rent last year. Todd will keep his eye on it for this year.

Admiral Bodee's shed has been removed. Board still needs the affidavit regarding two parcels.

Tracey Shork – nothing done with property.

541 Catawba Ave. – garage has not been built.

Sybil – Mr. Cerny has not built.

Two applications submitted for Storage Units/ Accessory Building by Michael McCann – will need to go to Poggemeyer.

#### **Complaints/Observation**

Pool at 191 S Toledo Ave. – Sebring. No fence or pool permit. 1282.03B addresses the fence requirements for a pool.



Joshua/Tim will need to provide business license for Fire Truck bar. 1262.04 states property needs to be in compliance with all Planning Commission and Village ordinances. Letter will be sent.

Add a check box to site plan application that a current business license is needed before application can be submitted.

**Legal:**

Banyon Cove – wait and see, no contact from them recently

Motion to adjourn by Market, 2<sup>nd</sup> by Berry.

Meeting adjourned at 12:15pm.

## Village of Put-in-Bay Planning Commission

P.O. Box 245, 435 Catawba Ave., Put-in-Bay, Ohio 43456 Ph: 419 341-0882

### **Meeting Minutes**

**May 4, 2021**

### **Village of Put-in-Bay Townhall**

#### **Roll Call:**

Flint-present, Berry-present, Dress-present, Market-present

Motion to approve April meeting minutes with change of Fuchs last name spelling by Market, 2<sup>nd</sup> by Dress. Market-yes, Dress-yes, Flint-yes, Berry-yes.

#### **New Business:**

**Application# 040421-388 Loraine Ave., applicant Bernard McCann, is applying for an accessory building permit.**

Discussion of Zoning Map (last updated 2013) and property classification. The property is zoned Residential.

Accessory Structures are allowed on residential properties. Structure needs to be set back five feet off the side and rear yard. The structure will be 14x16.

Motion to approve contingent on setbacks by Market, 2<sup>nd</sup> by Berry. Dress-yes, Flint-yes, Berry-yes, Market-yes.

**Application#040621-0 Loraine Ave., applicant Bernard McCann, is applying for an accessory building permit.**

Property is zoned Commercial. Structure will be 14x16. 1272.06 setbacks require a commercial property side yard-15 foot and rear yard -25 foot.

Storage for lawn mowers, etc.

Variance needed to go from a 15-foot setback to a 5-foot setback. Public hearing will be set once variance application is received.

Motion to table Market, 2<sup>nd</sup> by Dress. Market-yes, Flint-yes, Berry-yes, Dress-yes.

**Application# 041621 – 234 Toledo Ave., applicant, James McMonagle, is applying for a remodeling permit, addition of two bedrooms upstairs.**

Footprint of the house does not change, nor the setbacks. The current house fits the requirements for setbacks.

Motion to approve by Market, 2<sup>nd</sup> by Flint. Dress-yes, Flint-yes, Market-yes, Berry-yes.

**Application# 041621 – 196 Hartford Ave., applicant, Mary McCann, is applying for sign permit.**

Current sign -party supplies is within signage limit.

Motion to approve by Berry, 2<sup>nd</sup> by Dress. Flint-yes, Berry-yes, Market-yes, Dress-yes.

**Application#042621 – 324 Delaware Ave, applicant, Michael Niese, is applying for an expanded patio permit.**

Mrs. Market was able to see the chalking and able to take measurements of the proposed patio. 8 feet to 14 feet and leave a 1-foot buffer space for parking and a space for a handicap ramp. 21 feet from patio to the end to sidewalk. Handicap spot will be directly off ramp. All parking requirements are met by using the car/golf cart split 1/3 2/3. Fence height will be a minimum (want to keep the view) just a buffer for cars. Planter box to keep cars back from patio.

Mrs. Anderson asked about backing up into the traffic. Not provided in the zoning manual. There will be space to back up. It is a courtesy walkway, not owned by the Village.

Motion to approve contingent upon fence height following the Zoning regulations and parking provides 4 car spots and 3 golf cart spots by Dress, 2<sup>nd</sup> by Flint. Market-yes, Flint-yes, Berry-yes, Dress-yes.

#### **Old Business:**

**Application# 021921-432 Catawba Ave., applicant, Joshua Niese, is applying for a permit to remove and replace Firetruck bar.**

Josh Niese was on zoom to discuss the project.

Started with the Poggemeyer review. Setback issues Erie St. encroaches 3.4 feet. Catawba Ave encroaches 7 feet. Please see 1274.05a. If there is an extension of awning/roof. It will occupy more green space. The proposed set back distance on Catawba Ave. appears to be further back than the Grand Islander.

It will have a roof that is the same width. Might be longer to cover the longer length of truck. It would extend back toward the building.

Discussion took place on needing a set-back variance. Mr. Niese shared his frustration in needing a variance and green space. Feels it is just one thing after another preventing him from opening my business and making changes. The businesses across the street have zero green space. Feels the Commission selectively enforces the rules. Mrs. Anderson spoke regarding the requirements are set forth in the zoning manual and is the property owners' responsibility to know the regulations.

Mr. Niese stated the existing corner was approved 4 years ago. The new deck is no closer to the road than it was 4 years ago.

Discussion took place on when a special meeting could be held. It would need a 10 day notification to neighboring properties and could take place in the next two weeks.

Question about the parking spots. The parking spots are located at 225 Erie St if extra parking should be needed. Mr. Niese shared his concern with other businesses not having enough parking and using his parking.

Mr. Josh Niese has not read the Poggemeyer review. The review was held from the Commission so Mr. Tim Niese could address issues with the review.

Discussion took place on parking. Poggemeyer review states 2 additional spaces are needed. Mr. Niese stated they own both the Islander and Grand Islander properties, and they connect. Mrs. Market's question for the board was what should be measured to calculate square footage of the structure. Mrs. Market believes it is misconstrued and green space would not be needed. Mrs. Market added all square footage and had a total of 1379 square feet would require 4 parking spaces for entire structure. Poggemeyer had it as a square structure and came up with 1500 square feet. The structure is oblong, and Mrs. Market recalculated. Parking spots were added when the original fire truck bar was built. Parking spots need to be marked. Indicated to submit with the Variance application. Stated for the record: once the parking spaces are marked, the parking spaces would comply, and no other parking would be needed.

Restrooms are in the hotel, piano bar, and splash. The customers are told where the restrooms are located, no signage is provided.

Discussion took place on lot. All corner lots have two front yards.

Mr. Niese was told he could go to the Village website to obtain the variance application and it can be submitted by email. Once submitted, the Commission can set a date for a variance hearing. A variance for setbacks is needed and painted lines for parking. Lines must be painted prior to inspection.

Continue to table.

Mrs. Anderson stated until the hearing is held, the planning commission can't be bound by anything said during the meeting.

### **Public Participation**

Debbie Fouts, 444 Bayview Ave., discussed tearing down the garage and building a new one. Stated she has an extremely limited back yard and knows she will need a variance. She feels the pins and the auditors are incorrect. Poggemeyer will look at the auditor website. Mrs. Fouts was given a copy of the residential zoning rules and regulations. Explained by Mrs. Market.

Suggestion to get a survey – only a suggestion. To start, an application must be submitted to the Planning Commission.

**Zoning Manual: None**

**Inspector Report:**

571 Catawba Ave., permit.

Calls regarding container homes. Village should consider adding to the Zoning manual. Looked at definition of dwelling and doesn't address it. City of Lancaster has information on it.

Spoke with Ken Russ from Legends. Stated when submitted plans the board said a fence would not be needed. Mr. Bickley doesn't remember a pool being submitted in the plans.

Send a letter to Mr. Mathys regarding new fences. Pictures to be included with letter. Fence has been completed. It is a black chain link fence. Would have to be non-see through. Different than old one, tore it down and put in a new one.

Mr. Mathys submitted pictures, as a complaint, of a structure that might be placed on Fitzgerald property next to Lovella. It has not been placed yet.

Mrs. Market discussed the structure. It will be a golf cart structure and it will just be to keep them out of the elements. Golf carts are already purchased. Golf carts are in spots at the back of the property. According to manager, it will not take up a parking space. Permanent and will have an electrically outlet. Leasing space from Lovella. Issue also a 20-foot egress and ingress.

What needs done: permanent structure, site plan approval, meet setbacks, not in parking, easement (not a Village easement).

Send letter to both Lovella and Tree bar owner as a courtesy.

**Complaints/Observation**

Get-away Inn parking overflow on the Fire Dept property. Public safety issue for the Fire Dept. The property is owned by the Township and located in the Village. Specifically marked Fire Dept and Sr. Center parking. Todd will put a letter together.

**Legal:**

Banyon Cove – voice mail tag with the Associations attorney.

Motion to adjourn by Market, 2<sup>nd</sup> by Dress. Adjourned at 1:20pm.

## Village of Put-in-Bay Planning Commission

P.O. Box 245, 435 Catawba Ave., Put-in-Bay, Ohio 43456 Ph: 419 341-0882

### **Hearing and Special Meeting Minutes**

**May 21, 2021**

### **Village of Put-in-Bay Townhall**

**12:00pm**

Public Hearing: Application# 050612-0 Loraine Ave.

#### **Roll Call**

Flint-present, Dress-absent, Market-present, Berry-present

Oath was given to Mr. Bernard McCann, 590 Bayview Ave.

Mayor Dress arrived at 12:02pm

Questions regarding the setbacks, 1272.06 states 5 feet for side feet and 25 feet for rear yard.

Rear yard set-back to go from 25 feet to 5 feet. Needs a 20-foot variance.

The property is surrounded by the same property owners. Finding of Facts were read. Please see attachment.

Motion to adjourn by Market, 2<sup>nd</sup> by Dress. Adjourned at 12:15pm

**12:15pm**

Special Meeting

#### **Roll Call**

Market-present, Berry-present, Dress-present, Flint-present

Motion to approved variance by Market, 2<sup>nd</sup> by Dress.

Market-yes, Berry-yes, Dress-yes, Flint-yes.

Motion to approve permit by Market, 2<sup>nd</sup> by Dress.

Dress-yes, Market-yes, Flint-yes, Berry-yes.

Mrs. Market noted a variance application for the Fire Truck Bar has not been submitted.

Motion to adjourn by Market, 2<sup>nd</sup> by Berry. Adjourned at 12:20pm.

## Village of Put-in-Bay Planning Commission

P.O. Box 245, 435 Catawba Ave., Put-in-Bay, Ohio 43456 Ph: 419 341-0882

### **Meeting Minutes**

**June 1, 2021**

### **Village of Put-in-Bay Townhall**

#### **Roll Call:**

Flint-present, Dress-present, Market-present, Berry-absent

Motion to approve Regular May meeting minutes by Market, 2<sup>nd</sup> by Dress with changing of last name spelling of Fuchs. Dress-yes, Flint-yes, Market-yes.

Motion to approve Public hearing minutes by Dress, 2<sup>nd</sup> by Market. Dress-yes, Flint-yes, Market-yes.

Motion to approve Special meeting minutes by Market, 2<sup>nd</sup> by Flint. Market-yes, Dress-yes, Flint-yes.

#### **New Business:**

Application# 052421-272 Delaware Ave., applicant, Edward Fitzgerald, is applying for a permit for a ticket booth on wheels.

Mr. Fitzgerald spoke on behalf of project. He is not sure what the booth would be identified as through the zoning manual. Explained where the property exists. 20-foot piece of land from beginning of building to the end. Both property owners on sides have use of it different than easement. In 2009, the drive was taken out. Talked to Todd and Poggemeyer about what it should be identified through the zoning manual. Filed the paperwork as an accessory structure. If Lovella would like to have the booth on their property, the owners would need to apply as they are the owner of the property. The board would need to see the property purchase agreement. The piece of property is a t-shape. Only Ed's employees, other workers, and customers have access to the driveway. Does not want to block the driveway. Extremely easy to move and has wheels on it. Lovella has asked Ed to park his golf carts in their parking spots. The parking spots are dedicated to Lovella's business. The booth will not take up any spots. A Poggemeyer review will be needed. Discussion took place on needing a variance. C2 property-no side yard. Front yard is Delaware Ave. Would be in line with all the other buildings. Variance within 15 feet of front yard. Average based on all other structure's setbacks refer to zoning manual 1292.01 A. Mr. Bickley thinks it could be considered principal structure. No size requirement needs side/rear yard side backs and average of front. Mr. Bickley has been relying on the definitions of structure. Mr. Fitzgerald said Poggemeyer is not sure if it is temporary or permanent structure. It will be attached to electric and can be detached and moved at any time. Mrs. Market is requiring a Poggemeyer review and definition can be used as temporary structure or accessory building.



Umbrella and table are okay, as long as it isn't in a parking spot. Next step is to submit to Poggemeyer for review.

Motion to table until a Poggemeyer review is completed by Market, 2<sup>nd</sup> by Dress. Dress-yes, Flint-yes, Market-yes.

Application# 052621-259 Erie Ave., applicant, Tiffany Alexander, is applying for a permit to remodel.

Revised site plan and Poggemeyer review were submitted. The bathroom is 6x8, not 8x8.

Motion to approve with revised application with 6x8 bathroom instead of 8x8 by Dress, 2<sup>nd</sup> by Flint. Market-yes, Flint-yes, Dress-yes.

### **Old Business:**

Application# 021921-432 Catawba Ave, applicant, Joshua Niese, is applying for a permit to remove existing fire truck, deck, and replace with larger truck and deck.

The site plan was incorrect which made the dimensions incorrect. Measurements were redone. New deck is shorter. 27 feet on Erie to corner of truck. The structure is compliant on Erie St. Mrs. Market did take measurements. The measurements from property line are 14 feet to deck and 10 feet to steps. Stay in line with building on Catawba. It does fit and complies with the zoning manual. Erie street will also stay in compliance.

\*\*\*Judy Berry arrived for meeting.

Mrs. Market did ask about the lights. No new lights will be installed. Will still comply.

Motion to approve with revised site plan by Dress, 2<sup>nd</sup> by Flint.

Amend the motion to add that 14 parking spots are needed.

Flint-yes, Market-yes, Berry-yes, Dress-yes

### **Public Participation**

Mark Mathys – 266 Delaware Ave., discussed bringing to the Zoning commission several times in the past regarding doing the same thing Mr. Fitzgerald is doing. Mr. Mathys discussed dates and times and rules and regulations at the time he asked for approval. Mr. Mathys said he isn't against Mr. Fitzgerald project. Mr. Mathys stated the board says you can call it this, this, and this and ignore the zoning manual. Mrs. Market let him know he can apply, and the board will look at this application like every other business. Mrs. Market said the health department would need to take a look at it. Mr. Mathys stated the health department said it was fine. Mrs. Market asked if the health department specially said he can have a table and umbrella. Mr. Mathys said yes. Mayor Dress wanted to put on the record that nothing was approved today. Mrs. Market cannot speak for old applications or the prior zoning board members. No one knows what Mr. Fitzgerald will be told once the Poggemeyer review is submitted to the zoning manual. Mrs.

Anderson spoke that they board cannot give advisory opinions and that nothing is binding until there is an application and it has been approved. The chairman is speaking on behalf of the board, not on behalf of the business regulations and Village Ordinances.

Er Fitzgerald – 272 Delaware

Talked to fire chief today. 20-foot easement converting into a fire lane. It would allow for fire and ems to be downtown. Fire Marshall was contacted with issues and possible changes.

\*\*\* Mrs. Market left meeting.

### **Zoning Manual**

Container homes – Mrs. Anderson sent out email. Zoned in an industrial area. Mrs. Berry is not opposed to container homes but should probably be in the Township. Lancaster uses it for affordable housing. They were not specific in their definitions.

Moratorium -temporary hold.

### **Inspector's Report**

Letter sent for Electronic Sign at 272 Delaware Ave. – Tree Bar retail area. Owner is Jim Helms. No business license has been issued. PO Box 314.

No letter to Getaway Inn – wants to talk to the Township.

Ken Russ- 191 Toledo Ave. – swimming pool. They did have a hearing and pool was approved. Pool was submitted on the original application in 2018.

Letter sent to Mathys regarding fence.

Motion to adjourn by Dress, 2<sup>nd</sup> by Flint. All in favor -yes.

Meeting adjourned at 12:31pm.

## Village of Put-in-Bay Planning Commission

P.O. Box 245, 435 Catawba Ave., Put-in-Bay, Ohio 43456 Ph: 419 341-0882

### **Meeting Minutes**

**July 6, 2021**

### **Village of Put-in-Bay Townhall**

#### **Roll Call:**

Market-present, Dress-present, Berry-present, Flint-present.

Motion to approve June meeting minutes by Dress, 2<sup>nd</sup> by Flint. Dress-yes, Market-yes, Berry-yes, Flint-yes.

#### **New Business:**

Application #063021 – 148 State Route 357, applicant, W. Chandler Stevens Jr., is applying for a Lot split.

Amend application to say 148 East Bayview Ave. All legal description are correct.

Creating two new lots, setbacks will need to be met for each new lot. Each lot will need a front yard. Park drive is not an actual road. It is for the Monument. Applicant does not have easement off the driveway.

Parcel B is 148 East Bayview has its own easement off Chapman Road. Parcel A is small rectangle at 0 (Zero) Chapman.

According to Auditor website the lots are already split. Chairman Market called the title company and left a voicemail.

Motion to amend address to 148 East Bayview Ave. by Market, 2<sup>nd</sup> by Berry. Dress-yes, Boyles-yes, Flint-yes, Market-yes.

Motion to table until the applicant clarifies lot split application by Dress, 2<sup>nd</sup> by Market. Dress-yes, Flint-yes, Market-yes, Boyles-yes.

Applicant's title company clarified that the Auditors requested the application be signed by the Village Planning Commission.

Motion to untable by Market, 2<sup>nd</sup> by Dress. Flint-yes, Market-yes, Dress-yes, Boyles-yes.

Motion to approve lot split by Market, 2<sup>nd</sup> by Dress. Dress-yes, Boyles-yes, Flint-yes, Market-yes.

**Old Business:**

Application# 052421-272 Delaware Ave., applicant, Edward Fitzgerald, is applying for a permit for a ticket booth on wheels.

Poggemeyer review and a handwritten lease from adjoining owner were provided.

Ed Fitzgerald at 111 Jackson Dr., Port Clinton, Ohio was present to speak on behalf of application.

Ms. Berry asked where on easement will be the carts be coming in and out of the property. Mr. Fitzgerald explained that he owns a 20-foot easement.

Mrs. Fitzgerald discussed with the fire department about having that easement be a fire lane for the Fire Department and EMS.

Poggemeyer review had a concern that EMS would need a 17-foot area to get in and out and half would be on Fitzgerald's property and half on Lovella.

Poggemeyer also had a concern with parking requirements for both Fitzgerald and Lovella property. Fitzgerald property needs 7 spots.

Chairmen Market's main concern is parking or any parking of Lovell's being blocked. Mr. Fitzgerald will provide parking off of his easement.

Discussion took place on what the classification of a booth should be under the Zoning Manual. It doesn't specifically identify ticket/golf cart booths.

The Village Zoning Solicitor suggested it be a temporary structure. Special use was discussed. Section 1288.04 specific conditions for special use. Also, not to exceed 14 days.

It is up to the commission on what a booth should fall under in the Zoning Manual. The Commission does not want mobile businesses to pop up everywhere. The booth should be anchored in the same spot.

The business now has sold out every weekend. Has a table, chair and umbrella currently. The t-shirt shop processes paperwork and payment. Would like the booth to keep the employee's out of the weather elements.

The Chairman's main concern is still parking. Does not want parking blocked on the easement. The booth would not be in a parking spot.

Mr. Bickley believes it is an accessory structure as part of the t-shirt shop. Records are kept in the retail business and is the primary place of business. Accessory to the use of the property. A variance will be needed for setbacks. The address of the business is 272 Delaware Ave.

Motion to process this application as an accessory structure to the principal use of the business and/or property by Market, 2<sup>nd</sup> by Dress. Dress-yes, Market-yes, Flint-yes, Boyles-yes. ‘

This motion sets a precedent for all other applications for a ticket booth to be considered an accessory structure. This can be modified by the Commission.

An accessory structure needs to have a set-back of 60 feet.

For the accessory structure to be inline with all other buildings, a variance will be needed.

Motion to approve as accessory structure ticket booth on wheels operating in one designated location by Dress, 2<sup>nd</sup> Flint. Dress-yes, Berr-yes, Market-yes, Flint-yes.

Variance will be held on Monday, July 19<sup>th</sup> at 12:15pm with a special meeting to follow.

### **Public Participation**

John Titchner, 300 East Point Blvd, Put-in-Bay, Ohio.

Concern of 299 East Point Blvd, owned by John Jenkins, being rented as a B&B on AirB&B. Is it in violation of parking and yard requirements? It is advertised as Harbor Vue.

It would be considered a dwelling rental, zoned R-1 would need a temporary use permit. The Commission would then address parking.

### **Zoning Manual**

#### **Inspector's Report**

Residential property at 206 Toledo Ave. - might just be doing the decks (not the living space-due to cost) the height will be less than 25 feet for the addition. Property zoned R-1 must comply with setbacks and 5 feet from property line.

Also, might be renting out the front of the house. A permit would be needed.

Sebring pool fence – Village Administrator received a complaint – an Ohio law that it needs fence. The Commission also requires a fence be around the pool.

Put-in-Bay Resort property still needs a fence permit for the fence that was taken down and replaced with a new one. A violation letter will be sent to Mr. Mathys.

Letter will be sent to Mrs. Fuchs regarding a rental on their property – Sleepy Fox. They are zoned R-1.

### **Legal**

Motion to adjourn by Dress, 2<sup>nd</sup> by Market. All in favor -yes. Meeting adjourned at 12:53pm.

**Village of Put-in-Bay Planning Commission**  
P.O. Box 245, 435 Catawba Ave., Put-in-Bay, Ohio 43456 Ph: 419 341-0882

**Public Hearing and Special Meeting Minutes**  
**July 19, 2021**  
**Village of Put-in-Bay Townhall**

**Public Hearing**

12:18pm

**Roll Call:**

Flint-yes, Berry-yes, Market-yes, Dress-yes.

Application# 070721-272 Delaware Ave., applicant, Edward Fitzgerald, is applying for a variance to change set back from 60 feet to be in line with buildings approximately 28 feet from the road.

No one present to represent application.

Booth is currently set back 60 feet. It is blocking Lovella parking. Discussion took place on Lovella parking and access to it. However, it is Lovella's parking problem. The easement is owned by Mr. Fitzgerald.

Finding of Facts were read.

Chairman Market spoke – the business is already yielding a profitable return as it has sold out every weekend as stated by Mr. Fitzgerald. Feels that 32 feet is substantial. Substantial on Lovella's parking. Government services – should the fire department weigh in on it being a fire lane. The property is always packed. The applicant is aware of zoning manual requirements and has access to the manual. It is completely feasible – again he has sold out every weekend. It is not of justice or need. A variance would not fall under the zoning requirements as justice in this application. Application is strictly for the structure.

Ms. Berry would like research done on the easement. A deed has not been shown to the Commission. Is it just considered a driveway? The Commission needs documentation of an easement agreement.

Meeting closed by Market at 12:44

## **Special Meeting**

### **Roll Call**

12:45

Dress-present, Flint-present, Market-present, Berry-present.

Application# 070721-272 Delaware Ave., applicant, Edward Fitzgerald, is applying for a variance to change set back from 60 feet to be in line with buildings approximately 28 feet from the road.

Mayor Dress read the definition of a variance from section 1260.06 (155).

Granting a variance would be a matter of convenience. Hardship would be created for Lovella.

Motion to deny variance as requested by Dress, 2<sup>nd</sup> by Market. Berry-yes, Market-yes, Dress-yes, Flint-no.

Mr. Fitzgerald is currently in compliance and has been able to sell out all weekends.

Commission would not be opposed to a 2<sup>nd</sup> variance application if all concerns were addressed.

Motion to adjourn by Market, 2<sup>nd</sup> by Dress.

Meeting adjourned at 12:50pm.

## Village of Put-in-Bay Planning Commission

P.O. Box 245, 435 Catawba Ave., Put-in-Bay, Ohio 43456 Ph: 419 341-0882

### **Meeting Minutes**

**August 3, 2021**

### **Village of Put-in-Bay Townhall**

#### **Roll Call:**

11:00am

Dress-present, Flint-present, Dress-absent, Berry-present

Motion to approve July meeting minutes by Berry, 2<sup>nd</sup> by Dress. Dress-yes, Berry-yes, Flint-yes.

Motion to approve July public hearing minutes by Berry, 2<sup>nd</sup> by Flint. Flint-yes, Dress-yes, Berry-yes.

Motion to approve July special meeting minutes by Berry, 2<sup>nd</sup> by Dress. Flint-yes, Dress-yes, Berry-yes.

#### **New Business:**

Application#072321 – 404 Bayview Ave., applicant, Melinda Myers, is applying for a zoning amendment to change from an R1 district to a C2 district.

Melinda Myers was present to represent to answer questions. The property is currently used to house employees and has done so for the past 3 or 4 years. The C2 setbacks requirements would be met. C2 setbacks are front yard- 15 feet. No side yard. Rear yard 25 feet. The proposed use of the property would be a boutique hotel with 8 rooms, all king size beds, parking would be included from the winery.

Motion to recommend to council to change from an R1 district to a C2 district at 404 Bayview Ave. by Dress, 2<sup>nd</sup> by Flint. Dress-yes, Flint-yes, Berry-yes.

#### **Old Business:**

#### **Public Participation**

Adam Rynearz of 241 Cincinnati – would like to add a concrete slab patio with a permanent extension of an awning – to be considered a porch. The property is zoned commercial. However, it's use is residential. Discussion took place on the board waiving the site plan and Poggemeyer review.

Motion to waive the requirements of a site plan and engineer review, as it would create undue hardship to the property owner as it is used as a one-dwelling family property, for the proposed porch at 241 Cincinnati Ave. by Dress, 2<sup>nd</sup> by Flint. Dress-yes, Flint-yes, Berry-yes.



## **Zoning Manual**

### **Inspector's Report**

Letters were sent to Jenkins, Fuchs, and Mathys.

### **Complaints/Observations**

Fred Cerny from Banyon Cove express that the owner at 493 Langram Road is still continuing to rent out the condo.

It was noted that Mr. Fitzgerald does have his golf cart stand at the correct set back.

### **Legal**

Violation and cease and desist letter for 493 Langram Road – Susan to coordinate with Todd.

Motion to adjourn by Flint, 2<sup>nd</sup> by Dress

Meeting adjourned at 11:30am.

## Village of Put-in-Bay Planning Commission

P.O. Box 245, 435 Catawba Ave., Put-in-Bay, Ohio 43456 Ph: 419 341-0882

### **Meeting Minutes**

**September 7, 2021**

### **Village of Put-in-Bay Townhall**

#### **Roll Call:**

11:00am

Market-present, Flint-present, Dress-present, Berry-present.

Motion to approve September meeting minutes with an amendment of Market being absent by Market, 2<sup>nd</sup> by Berry. Flint-yes, Dress-yes, Berry-yes, Market-yes.

Motion to approve amended September meeting minutes by Berry, 2<sup>nd</sup> by Flint. Boyles-yes, Flint-yes, Dress-yes, Market-yes.

#### **New Business:**

App# 081921-266 Delaware Ave., applicant, Mark Mathys, is applying for a fence permit.

Mr. Bickley is to review fence applications. It was also noted that the ordinance does require the fence to be impermeable to the eye. Mr. Bickley will notify Mr. Mathys that the application is incomplete.

Motion to table by Market, 2<sup>nd</sup> by Dress. Market-yes, Flint-yes, Berry-yes, Dress-yes.

App# 083021-299 East Point Blvd, applicants, Joey and Chris Jenkins, are applying for a special use permit.

Property is R-1. It is not a bed and breakfast. Is it considered rental rooms? Special use is for a one week minimum. Rental rooms are a minimum of one week at a time. Renting whole house is not considered a rental room. Temporary occupancy of a family dwelling is 90 day minimum rental. Vacation rental is included in the special use definitions, however; public hearing can still be held to discuss use. A 10-day notification is needed for positing and notifying neighbors. Add Titchners to the neighboring list.

Motion to table pending the hearing by Market, 2<sup>nd</sup> by Dress. Berry-yes, Market-yes, Dress-yes, Flint-yes.

Motion to set a public hearing for the next Planning Commission meeting on Tuesday, October 5<sup>th</sup> at 11am by Market, 2<sup>nd</sup> by Dress. Dress-yes, Berry-yes, Market-yes, Flint-yes.

App# 090121-248 Erie St., applicant, Village of Put-in-Bay, is applying for a lot split.

Application was not received by the Planning Commission. Legal definition is not completed yet.

Motion to amend the agenda to take out the Application for lot split by Market, 2<sup>nd</sup> by Berry. Market-yes, Berry-yes, Dress-yes, Flint-yes.

**Old Business:**

**Public Participation:**

None

**Zoning Manual:**

Letter to business owners for signage definitions.

**Inspector's Report:**

148 Bayview Ave – Wolf property has two front yards. Needs a variance or to move fence to allowable setbacks.

**Complaints/Observations:**

Fiddler/violin playing throughout the Village – Council has discussed the issue.

**Legal**

Needs to talk to Todd regarding violation letter for Delaware Ave. and Mathys fence.

Motion to adjourn meeting by Market, 2<sup>nd</sup> by Dress. Meeting adjourned at 11:26am.

## Village of Put-in-Bay Planning Commission

P.O. Box 245, 435 Catawba Ave., Put-in-Bay, Ohio 43456 Ph: 419 341-0882

### **Meeting Minutes**

**October 5, 2021**

### **Village of Put-in-Bay Townhall**

#### **Public Hearing**

App# 083021-299 East Point Blvd, applicants, Joey and Chris Jenkins, are applying for a special use permit for a vacation rental.

#### **Roll Call**

Barry-present, Flint-present, Market-present, Dress-absent

#### **Oath**

Oath was given to Joey Jenkins part owner of the property.

Mr. Jenkins was in attendance to represent that application.

Applying for a vacation rental – this is not accepted in the special use under the zoning manual for residential properties.

Discussion took place on letter submitted - in good standing with neighbor, has never been an issue, having ample parking, and limiting it to 10 people.

No neighbors or adjacent property owners were in attendance. Using air bnb for rental. Has registered with the county for the bed tax. Minimum stay is 2 days

Special use is minimum of one week and only one family.

The public notice didn't reflect to modify the special use conditions. A variance would be needed. The Commission can also put conditions on the special use permit.

Neighbors in the area did voice complaints with a Commission member.

Every year an application will be needed for a renewal of the special use permit.

Motion to adjourn at 11:16am by Market, 2<sup>nd</sup> by Berry.

**Regular Meeting**

Called to order at 11:16am

**Roll Call**

Market-present, Dress-absent, Flint-present, Berry-present.

Motion to approve September Meeting Minutes by Market, 2<sup>nd</sup> by Berry. Flint-yes, Berry-yes, Market-yes.

**New Business:**

App# 091421-706 Duff Road, applicant, Doug Fulton, is applying for a single-family dwelling permit.

Residential property. Todd Bickley has reviewed the applications. There are separate applications for barn/garage/acc. building,

App# 092321-460 Bayview Ave., applicant, Melinda Myers, is applying for an accessory building permit.

20x24 foot shed. Needs to be submitted to Poggemeyer for review.

Motion to table pending review by Market, 2<sup>nd</sup> by Berry. Flint-yes, Berry-yes, Market-yes.

**Old Business:**

App# 083021-299 East Point Blvd, applicants, Joey and Chris Jenkins, are applying for a special use permit for a vacation rental.

**Public Participation:**

Amy Huston – 560 Langram Road, spoke regarding wanting to use a room in her house for an art studio in 8% of the house space and has off street parking. Would need to file an application for a home occupation – consignment is permitted. See 1260.06 – definition 81 – speaks to a home occupation.

Mark (from ES Wagner) 575 County Road, Gillana, Ohio - spoke on behalf of the seawall project for the monument. Would like to set up a temporary concrete plant in the McCann field on Main St for 2 years. Portable plant. Will need about 4 acres. Concrete plant on the island can't do it and it's too long to use the Ferry. Will need to speak with Poggemeyer regarding a temporary use permit.

**Zoning Manual Revisions:****Inspector's Report:**

Wolf fence – is on two front yards. C2 has a 15 foot set back and can go to 5 feet. Todd is no longer the township zoning inspector. Personal cell number given.

Sebring pool-will be putting hard cover on pool – parts are not here yet. They don't want a fence that blocks the view.

Cincinnati Ave was vacated in 1983. Does not have a front yard.

### **Complaints/Observations:**

#### **Legal:**

Motion to adjourn meeting at 11:51am by Market, 2<sup>nd</sup> by Berry.

**Motion to reopen public hearing to allow neighbors to speak because of miscommunication of the hearing time (Hearing notice was posted correctly and neighbors were notified.) by Market, 2<sup>nd</sup> by Berry.**

#### **Roll Call**

Flint-present, Dress-absent, Berry-present, Market-present.

#### **Oath**

The Chairperson gave an update to the public on the discussion that took place in the prior hearing.

John Thitchner - 300 E Point Blvd spoke about that the house was operating as a rental house in June. Came to Council in July to discuss it. Believes the house has been occupied more than 100 days since June. The house has increased its price on Airbnb and is guessing they have made near \$40,000 on renting the property. Seems to be a major source of income. Concerns that there are up to 15 people staying at the property at time. Pictures were handed out to the Commission. First issue is noise. Second issue is the public garbage – only one garbage container. The nature of the business is renting to large groups -can be unruly. John does not feel it is the direct fault of the owners. However, the owners are not here to see or hear what goes on with the renters. Discussed the septic and sewer issues that are a ticking time bomb on the properties at Shore Villas. Not opposed to them renting it, if the intention of the special use permit is followed.

Louise Thitchner – 300 E. Point Blvd spoke on the pictures and how she was censored by aol and email about pornographic pictures. Has been woken up in the middle of the night by women who have needed help.

Steve Cooks – Shore Villas spoke that maybe in the contract on Airbnb there can be a clause about not having parties. Owner can also evaluate the renters on Airbnb. Sewage was discussed again.

Joey Jenkins – spoke to address the complaints. They have listed no bachelorette/bachelor parties on the Airbnb site and have also given the renters bad reviews and tried to be more

selective on renters. They are willing to make any adjustments needed to ensure problems are solved.

Discussion took place on having the health departments approval to have a rental. The issue is having a community septic on Shore Villas.

Motion to adjourn at 12:25pm by Market, 2<sup>nd</sup> by Berry.

**Motion to re-open regular meeting at 12:26pm.**

**Roll Call**

Market-present, Dress-absent, Flint-present, Berry-present.

Motion to deny application as it does not fall under the special use based on this application by Market, 2<sup>nd</sup> by Berry. Flint-yes, Berry-yes, Market-yes.

Motion to adjourn meeting at 12:33pm by Market, 2<sup>nd</sup> by Berry.

## Village of Put-in-Bay Planning Commission

P.O. Box 245, 435 Catawba Ave., Put-in-Bay, Ohio 43456 Ph: 419 341-0882

### **Meeting Minutes**

**November 2, 2021**

### **Village of Put-in-Bay Townhall**

#### **Regular Meeting**

##### **Roll Call**

Market-present, Dress-present, Berry-present, Flint-present.

Motion to approve October regular meeting minutes by Berry, 2<sup>nd</sup> by Market. Market-yes, Dress-yes, Flint-yes, Berry-yes.

Motion to approve October public hearing minutes by Flint, 2<sup>nd</sup> by Market. Market-yes, Flint-yes, Dress-yes, Berry-yes.

##### **New Business:**

App.# 100521-560 Langram Road, applicant, Amy Huston, is applying for a permit to add a studio to her existing residence.

1268.01 Permitted Uses in a Residential area– home occupation is permitted. It is her primary dwelling and does provide parking.

No building/construction will take place. No time limit on the permit.

Motion to approve permit to use a room in her house for home occupation by Market, 2<sup>nd</sup> by Dress. Market-yes, Flint-yes, Dress-yes, Flint-yes.

App.# 100821-424 Bayview Ave., applicant, Deborah Fuchs, is applying for a zoning variance to reduce side yard setback from 15ft to 5ft and rear yard from 25ft to 5ft

Would like to build in the future. Does not have architectural plans. Application is incomplete.

Motion to deny application until drawings are submitted by Market, 2<sup>nd</sup> by Berry. Market-yes, Flint-yes, Berry-yes, Dress-yes.

App.#100821-424 Bayview Ave., applicant, Deborah Fuchs, is applying for a special use permit for room rentals.

1268.02 Special Uses- permitted to have a B&B or rental rooms. 3 rooms are rented.

Discussion took place on the definition of rental rooms. Have to be one week minimum and only one room at time. Does not fall under rental room for special use. Finding of Facts for Special Use is not complete.



Market will communicate with applicant to let them know the application is incomplete.

Motion to table by Dress, 2<sup>nd</sup> by Berry. Market-yes, Dress-yes, Berry-yes, Flint-yes.

App.# 101221-404 Bayview Ave., applicant, Melinda Myers, is applying for a zoning amendment to rezone property from Residential to Commercial 1. (This property is Residential.)

Public hearing is needed. Location is between Koehler and Put-in-Bay Winery. Koehler's have spoken out with concerns.

Discussion took place on the definition falling under a hotel. Motel/Hotel are defined by number of rooms. Hotel limited size has up to 8 rooms. Application definition of hotel/motel can be changed at any time by the applicant. Applicant is only applying for an amendment to the zoning. Inspectors recommendation is to notify property owners of the application and table application to the next zoning meeting.

Motion to table until the December 7, 2021 meeting to notify adjacent property owners by Market, 2<sup>nd</sup> by Dress. Market-yes, Dress-yes, Flint-yes, Berry-yes.

App.# 110121 – Main St., applicant, Bernard McCann, is applying for a special use permit.

Motion to table until finding of facts are submitted by Market, 2<sup>nd</sup> by Dress. Market-yes, Flint-yes, Dress-yes, Berry-yes.

Mr. McCann owns the property and will be leasing to ES that will build a portable construction plant to help with the refinishing of the seawall for the U.S. Park. Plant will only be used during one shift, not run all night.

Mr. Ty Winchester, 240 Delaware Ave. spoke on behalf of Mack McCann.

Discussion took place on setbacks, parcels, and plant design. 1274.06 yard requirements. Discussed C2 set backs are front and side yard no less than 15 feet, rear yard is 25 feet. Commission doesn't see an issue since the size of the parcel is substantial.

Application will need a public hearing. Finding of Facts is needed to complete application.

Motion to table until finding of facts are submitted by Market, 2<sup>nd</sup> by Dress. Market-yes, Flint-yes, Dress-yes, Berry-yes.

Motion to add a public hearing for the next meeting contingent on materials being received by the Commission by Market, 2<sup>nd</sup> by Flint. Flint-yes, Berry-yes, Dress-yes, Market-yes.

#### **Old Business:**

Sebring fence- will discuss during Inspector Report.

**Public Participation:****Zoning Manual Revisions:**

Signs- Commission can vote to have a public hearing to discuss.

**Inspector's Report:**

Letter to Mathys – 439 Loraine Ave. specifically surrounding the pool bar, which was torn down and replaced– sent letter in July and had no response. Send a 2<sup>nd</sup> letter that he needs to comply by December 7<sup>th</sup>.

Fulton house/garage on Duff Road is now in compliance – residential property.

Wolf fence on Chapman is now in compliance.

Sebring pool on Toledo Ave. is required by State Law to have a fence. Ken Russ contacted the zoning inspector to let him know the hard cover has been put on the pool.

Banyon Cove Letter – immediately cease and desist to Banyon Cover owner/ airb&b rental regarding renting for less than 30 days. The commission needs to give them notification of violation.

**Complaints/Observations:****Legal:**

Letter to Mathys (compliance by December 7<sup>th</sup>.)

Motion to adjourn at 12:05 by Market, 2<sup>nd</sup> by Dress.

## Village of Put-in-Bay Planning Commission

P.O. Box 245, 435 Catawba Ave., Put-in-Bay, Ohio 43456 Ph: 419 341-0882

### **Meeting Minutes**

**December 7, 2021**

### **Village of Put-in-Bay Townhall**

#### **Regular Meeting**

##### **Roll Call**

Market-present, Dress-absent, Berry-present, Flint-present.

Motion to approve November regular meeting minutes by Market, 2<sup>nd</sup> by Berry with change of spelling for Koehler and to strike out the fence on another property.

##### **New Business:**

##### **Old Business:**

App.# 110121 – Main St., applicant, Bernard McCann, is applying for a special use permit.

Motion to set a public hearing for Tuesday, January 4<sup>th</sup> at 11 am by Market, 2<sup>nd</sup> by Berry. Flint-yes, Market-yes, Berry-yes.

App.# 101221-404 Bayview Ave., applicant, Melinda Myers, is applying for a zoning amendment to rezone property from Residential to Commercial 1. (This property is Residential.)

Motion to untable by Market, 2<sup>nd</sup> by Flint. Market-yes, Boyles-yes, Flint-yes.

Even if the property became C1, the applicant would still need to follow all set back regulations and any variance application that would be needed to build a boutique hotel.

Discussion took place in public participation

Jeff Koehler, 414 Bayview Ave – presented the board with a letter with objections, thoughts, and concerns from himself – his wife, Kendra, and neighbors, Sheryl, Marsha, and Anna Patry and John and Debbie Fuchs. See letter attached. Feel there is an overabundance of commercial property in the Village. Do we need anymore? Doesn't feel it's an appropriate use of land. A map was shown of a peripheral view – concern is the view would be hindered once boutique hotel was built. Chairman explained that the application for new construction would need to meet all the setbacks and would be even more constricted.

Kelly Faris, 606 Catawba Ave.,

Concerns of Bayview Ave. becoming the new Loraine Ave., Loraine Ave. used to be all residential and is now commercial and the neighborhood has been destroyed. When is enough,

enough? He asked that the board do what's right for the community. He and his wife, Marty, are opposed to the amendment.

Chairman Market stated the Fuchs and Patry's are both opposed to the amendment as well.

Julene Market - 2070 S. Passage Dr.

Family home is on Bayview Ave. She agrees with the emotional appeal of it being the last residential area and family area in the Village. She is opposed to the amendment.

Chairman Market explained that after speaking with legal counsel she can vote on this application as she is not an owner of the property and has no business ties to the McCann Family either.

Motion to recommend the denial of the application to council based on the public necessity, public convenience, general welfare and good zoning practices by Market, 2<sup>nd</sup> by Dress.

No one spoke on behalf of the application. Such notification will be given to the fiscal officer in writing.

Market-yes, Flint-yes, Berry-yes, Dress-yes.

App.#100821-424 Bayview Ave., applicant, Deborah Fuchs, is applying for a special use permit for room rentals.

The definition of room rentals doesn't apply to what was stated on the application. Waiting on Finding of Facts. Continued to be tabled until January meeting.

### **Public Participation:**

Jeff Koehler, 414 Bayview Ave – presented the board with a letter with objections, thoughts, and concerns from himself – his wife, Kendra, and neighbors, Sheryl, Marsha, and Anna Patry and John and Debbie Fuchs. See letter attached. Feel there is an overabundance of commercial property in the Village. Do we need anymore? Doesn't feel it's an appropriate use of land. A map was shown of a peripheral view – concern is the view would be hindered once boutique hotel was built. Chairman explained that the application for new construction would need to meet all the set backs and would be even more constricted.

Kelly Faris, 606 Catawba Ave.,

Concerns of Bayview Ave. becoming the new Loraine Ave., Loraine Ave. used to be all residential and is now commercial and the neighborhood has been destroyed. When is enough, enough? He asked that the board do what's right for the community. He and his wife, Marty, are opposed to the amendment.

Chairman Market stated the Fuchs and Patry's are both opposed to the amendment as well.

Mayor Dress entered the meeting at 11:45am.

Julene Market - 2070 S. Passage Dr.

Family home is on Bayview Ave. She agrees with the emotional appeal of it being the last residential area and family area in the Village. She is opposed to the amendment.

Ty Winchester – spoke on behalf of temp concrete plant and what needs to be done to move forward with the special use permit hearing.

Mark Mathys – regarding a fence permit for 439 Loraine Ave – PIB Resort. Discussion took place regarding each fence being put in at 3 different establishments – Edgewater, PIB Resort, and the vacant lot next to PIB Resort. Sent a letter to Mr. Bickley in May regarding the fence and never heard back from Todd. He stated the fence was not torn down and just replaced it. Same length and location. It is different material – the other material was not available – fence itself had already been permitted in 2004. Yes, the height has changed and it's a different material. Mayor Dress stated it's a new fence and a new fence application is needed. There is a disagreement on definitions of new, repair, and replace.

Board members are going to look at the fence at Edgewater to see if it needs a new fence permit as well.

Clerk to send a fence permit application to Mark via email.

### **Zoning Manual Revisions:**

### **Inspector's Report:**

### **Complaints/Observations:**

Dumpster in front of the Forge on Catawba Ave. – fine for now  
Check on new fence at Edgewater.

### **Legal:**

Letter to Banyon Cove owner - Airbnb

Motion to adjourn at 12:10 by Market, 2<sup>nd</sup> by Berry.

**Village of Put-in-Bay Planning Commission**  
P.O. Box 245, 435 Catawba Ave., Put-in-Bay, Ohio 43456 Ph: 419 341-0882

**Public Hearing and Meeting Minutes**  
**January 11, 2022**  
**11:00am Village Town Hall**

Called to order at 11:32am

**Public Hearing**

App.#110121 – Main St., applicant, Bernard McCann, is applying for a special use permit.

**Roll Call**

Market-present, Flint-present by phone, Cox-present, Dress-present.

**Oath** – new board member Craig Cox

**Oath** – Hearing participants

1274.02 – Special Uses definitions were read by Chairwomen Market. This application doesn't fall under any special use definitions.

Ty Winchester spoke on behalf of the project. The property has been used to hold other staging events – including the Village dock project. There is a clear start and end date. Starting in May of 2022 and finishing in 2 years. There will be normal noise and traffic. Updated plans were shown.

Chris Hamilton general contractor of ES Wagner spoke about the discussion had with Poggemeyer reviews and suggestions. They will shift the side yard to the north due to electric. There will be a 70foot tower with a hopper where it will be loaded and mixed in a concrete truck. They are cylinder cement bins – need enough to have on site due to transportation. There will be one entry and exit point. The plant will be fenced (6ft chain link). There will be a clear view and road will stay there. The project will be behind the hill.

Motion to adjourn by Market, 2<sup>nd</sup> by Dress.

Hearing adjourned at 11:50am.

**Regular Meeting**

Called to order at 11:51am.

**Roll Call**

Dress-present, Cox-present, Flint-present by phone, Market-present

Motion to approve December meeting minutes by Market, 2<sup>nd</sup> by Dress. Dress-yes, Cox-yes, Market-yes.

**New Business:**

App.# 120821-191 S. Toledo Ave., applicant, Archon Intrepid Investments, is applying for a variance to allow for an aquatic hydromantic pool cover instead of a fence around their pool.

Motion to set for public hearing on Friday, February 11<sup>th</sup> at 11:00am by Market, 2<sup>nd</sup> by Dress. Dress-yes, Market-yes, Cox-yes.

App.#122931-439 Loraine Ave., applicant, Mark Mathys, is applying for a fence permit.

A brief discussion took place to inform new commission member of the fence permit application. Zoning requires a new fence permit be applied for when a fence is torn down and replaced. Mr. Mathys feels he doesn't need a new fence permit. The Planning Commission does require a new permit and the fence will need to meet the current fence requirements. Height of fence is 6 feet by 180 feet. Fences in a front yard can be no higher than 3 feet. This fence would require a variance. For a community pool, the fence height should be no less than 6 feet and with a gate and lock. The Commission does not see an issue with the height of the new fence being 6 feet fence, however, does need to be of a solid material or barrier since it is around a community pool. 1292.03B addresses the height and material of a community pool fence. If a barrier is not installed, a variance would be needed. Zoning Inspector is to notify Mr. Mathys of the specifications needed for the fence to comply. Chairwomen Market did note that the previous fence had signs on the inside facing the pool and that would be an option as a barrier for this new fence.

Motion to table by Dress, 2<sup>nd</sup> by Market. Dress-yes, Cox-yes, Market-yes.

App.#100821-424 Bayview Ave., applicant, Deborah Fuchs, is applying for a setback variance for side yard to go from 15ft to 5ft and rear yard from 25ft to 5ft.

Motion to set for public hearing on Friday, February 11<sup>th</sup> at 11:00am by Market, 2<sup>nd</sup> by Cox. Market-yes, Cox-yes, Dress-yes.

App#010522-451 Catawba Ave., applicant, Michael Goebel, is applying for a remodeling permit.

Mr. Goebel spoke on behalf of the project. The footprint of the building will not change. The remodel is above the kitchen. Poggemeyer and Chairwomen Market both have concerns about parking adding four bedrooms would require two parking spaces. Mr. Goebel currently doesn't have any parking proposed. He stated that he has a lease with the property owner on Erie St and that could be a potential for parking. Satellite parking is no longer in the regulations.

The Property owner has submitted signature for application purposes.

Original remodel downstairs was commercial, and upstairs was considered residential quarters. Changed from retail to restaurant downstairs.

All properties surrounding the applicant's property are commercial.

C2 -employee housing/dormitory. – definitions were read.

Not more than 4 people per room, shall not create noise or interference, one parking spot per every 3 sleeping spaces. Will require 2 additional parking spots.

Ingress and Egress appear to have a single point via the stairway. Mr. Goebel has not spoken to Ottawa County Building Department regarding any concerns. He did speak to Todd and Architect.

A special use permit and parking variance will be required.

Motion to set public hearing for Friday, February 11<sup>th</sup> at 11:00am pending applications are submitted to the zoning clerk by Market, 2<sup>nd</sup> by Cox. Cox-yes, Dress-yes, Market-yes.

**Old Business:**

App.#110121 – Main St., applicant, Bernard McCann, is applying for a special use permit for a temporary concrete plant for the construction of the Perry's Monument sea wall.

Motion to approve by Market, 2<sup>nd</sup> by Dress. Dress-yes, Cox-yes, Market-yes.

Moving forward the contractor site regulations and restrictions are listed at 1288.04. Fence height is a minimum of 6 feet. No variance would be needed. A variance would be needed for the 70-foot height of the vertical cement silo.

Chairman Market noted to ES Wager the site can now be used for temp. concrete plant.

App.#100821-424 Bayview Ave., applicant, Deborah Fuchs, is applying for a special use permit for room rentals.

Motion to untable by Market, 2<sup>nd</sup> by Cox. Market-yes, Cox-yes, Dress-yes.

Discussion took place on changing use to a B&B – requirements in 1268.02 and 1280.04 of zoning manual.

Motion to set for public hearing on Friday, February 11<sup>th</sup> at 11:00am by Market, 2<sup>nd</sup> by Dress. Cox-yes, Market-yes, Dress-yes.

Motion to move February 7<sup>th</sup> regular meeting to February 11<sup>th</sup> by Market, 2<sup>nd</sup> by Dress. Market-yes, Dress-yes, Cox-yes.

**Public Participation:**

**Zoning Manual Revisions:**

**Inspector's Report:**

**Complaints/Observations:**

Mojito Bay – permanent construction/changing bar.

**Legal:**

Motion to adjourn at 1:11pm by Market, 2<sup>nd</sup> by Dress. All in favor-yes.



Village of Put-in-Bay Planning Commission  
P.O. Box 245, 435 Catawba Ave., Put-in-Bay, Ohio 43456 Ph: 419 341-0882

**Public Hearing**  
**February 11, 2022**  
**11:00am Village Town Hall**

Roll Call        11:03am

Market-present, Dress-present, Berry-present, Winchester-present. Cox and Flint – absent.

**App.#V012822-0 Main St., applicant, Bernard McCann, is applying for a variance to allow for a height increase to 70 feet for a portable water tower.**

Mr. Winchester sat in the public, not as a board member.

Oath was given to:     Jane McCallister at 402 Loraine Ave.  
                                 Jamie Scher at 410 Loraine Ave.  
                                 Larry Knaser at  
                                 Ty Winchester at 240 Delaware Ave.

Mrs. McCallister and Mr. Scher expressed their concern with not receiving notification for the public hearing in time. Thought it should be mailed certified mail. Asked that all documents regarding the applicant be sent to them via email. Email was sent after meeting.

They also expressed concern of the view and noise, along with the dust and destruction that could take place in their backyard.

The structure is a vertical cement silo and there is no other alternative available. Must be sized for adequate space for the cement to be loaded into the cement mixer truck. The dimensions are narrow. ES Mrs. Market explained to the public the design and site of the silo and that ES Wager puts up and takes down these plants in multiple areas and is aware of the properties surrounding being commercial and residential area and will be respectful of area.

Mr. Knaser expressed that it is excessive in height. Mrs. Market considered it to be substantial.

Mr. Winchester gave other requirements from 1260.02B that states the height can be 45 feet vs 35 feet. This would mean they would be asking for a 25-foot variance.

Motion to adjourn by Market, 2<sup>nd</sup> by Dress.

Roll call        11:30am

Winchester-present, Market-present, Dress-present. Cox and Flint – absent.

Oath given:  
                                 Deborah Fuchs – 424 Bayview Ave.

**App.#S100821-424 Bayview Ave., applicant, Deborah Fuchs, is applying for a special use permit for room rentals.**

Discussion took place that room rentals are permitted as a special use in the R1 district. Application was very thought out and thorough.

Business license is current, and applicant has stated all state and county tax application have been filed.

Motion to adjourn by Market, 2<sup>nd</sup> by Dress.

Roll Call 11:37am

Dress-present, Winchester-present, Market-yes. Cox and Flint – absent.

**App.#V100821-424 Bayview Ave., applicant, Deborah Fuchs, is applying for a setback variance for side yard to go from 15ft to 5ft and rear yard from 25ft to 5ft.**

Oath given to:

Deborah Fuchs – 424 Bayview Ave.

Patry are in opposition of the variance on their side of the property. There is a lot line discrepancy on that side of the property.

Mrs. Fuchs discussed the driveway and the stone/gravel has migrated to the neighbors property. Mr. Winchester asked if a full size vehicle would be able to access the garage. Mrs. Fuchs stated only a golf cart would be used. The neighbor expressed to Mrs. Market they would put up for fence to deter driving on their property. Mr. Winchester asked if all the other residents are at that setback. They are – and would all need setbacks – but are grandfathered in.

Discussion on parking took place. There is no required width of driveway per zoning manual.

Survey will be needed to show property lines.

Motion to adjourn by Market, 2<sup>nd</sup> by Dress.

Roll Call 11:53am

Market-yes, Dress-yes, Winchester-yes. Cox and Flint – absent.

**App.#V120821-191 S. Toledo Ave., applicant, Archon Intrepid Investments, is applying for a variance to allow for an aquatic hydromantic pool cover instead of a fence around their pool.**

Oath given to:

Cindy Skelton-Becker – 192 Toledo Ave.

Ken Russ – Legends – 37 St. Marys, Norwalk, Ohio 44857

Mrs. Market read finding of facts. Mrs. Skelton-Becker is not opposed, thinks that if it were a fence it would hinder the view. She asked if all other issues with the property have been resolved. Mr. Bickley has not had a chance to verify measurements for the height of house and height of pillars. When the house was submitted to the county it was in compliance.

The variance is for not having a fence.

Mrs. Market wanted to know how the pool cover will work. Mr. Russ stated you would need to push in a code or could be done by phone. Permanent cover, solar cover, and can be walked on. The safety of the property falls on the owner.

Mr. McKenna from 146 Toledo Ave, submitted a letter with no objection.

Motion to adjourn by Market, 2<sup>nd</sup> by Dress.

Roll Call 12:15pm

Market-present, Dress-present, Winchester-present. Cox and Flint – absent.

**App.#S012422-451 Catawba., applicant, Michael Goebel, is applying for a special use permit for employee housing/dormitory.**

Oath given to:

Marc Wright – 72 Chapman Road  
Meg Stanford – 447 Langram Road

A letter was submitted regarding Marc and Meg speaking on behalf of Mike Goebel.

In the C2 district employee housing is considered a special use. The square footage will not change and footprint of the building are not changing.

Expanding employee housing and the board takes note that lack of employee housing is an issue on the island.

The finding of facts was read.

Adding 4 bedrooms and adding a bath and a half, common area and a kitchenette.

Mr. Krueger submitted a letter in favor of the special use and changed his address to 451 Catawba Ave. on the letter.

Motion to adjourn by Market, 2<sup>nd</sup> by Dress.

Roll Call 12:24pm

Market-present, Dress-present, Winchester-present. Cox and Flint – absent.

**App.#V012422-451 Catawba, applicant Michael Goebel, is applying for a variance to allow for the proposed employee housing project without parking restrictions being met.**

Oath was given:

Marc Wright – 72 Chapman Road  
Meg Stanford – 447 Langram Road

Per the Poggemeyer review one parking spot is needed when adding 4 new bedrooms. Mrs. Market expressed that parking is a super-hot item with Council and the Planning Commission.

The finding of facts was read.

Mrs. Market feels one parking spot is not substantial in this instance as employee housing.

Discussion took place on parking. Mr. Wright stated employees are not able to use the parking spaces provided to patrons and it is in their contract for employment.

Mr. Winchester is concerned that parking spots are going to keep being taken away. 8 rooms are a lot of people.

Mr. Wright spoke that housing is needed to be able to grow their business. Doesn't have the funds to build housing.

The board does look at all the neighboring properties.

Discussion took place on the option to change the spots into golf cart spots, as that is the main concern of the Village. Two golf cart, and one car parking spot would be in accordance with the Planning Commission.

Motion to adjourn by Market, 2<sup>nd</sup> by Dress.

Roll Call 12:40pm

Dress-present, Winchester-present, Market-present. Cox and Flint – absent.

**App.#S012522-299 E. Point Blvd., applicants, Joey and Chris Jenkins, are applying for a special use variance to allow for a family vacation home/dwelling, one family temporary use.**

Oath was given:

Joey Jenkins - 299 E. Point Blvd.

John Titchner – 300 E. Point Blvd.

Mr. Jenkins stated rental would be for one family (same family) and weekly. Mr. Jenkins feels sewer would be addressed with less renters. Parking will be in the driveway, only one family will be allowed to rent, cans have been ordered for trash, and hoping a property manager will be hired.

Special Use conditions were read – 1268.02.

The finding of facts was read.

Mr. Titchner thanks Mr. Jenkins for expanding his parking. Problems are number of people there and the duration of stay. Pleased that the new application is for one family and a minimum of one week. Discussed the finding of facts. If the changes were made, he would approve of the permit.

Motion to adjourn by Market, 2<sup>nd</sup> by Dress

Village of Put-in-Bay Planning Commission  
P.O. Box 245, 435 Catawba Ave., Put-in-Bay, Ohio 43456 Ph: 419 341-0882

**Agenda**  
**February 11, 2022**  
**11:00am Village Town Hall**

**Roll Call      1:07pm**

**Regular Meeting**

Approval of January Public Hearing Minutes by Market, 2<sup>nd</sup> by Dress. Dress-yes, Winchester-yes, Market-yes.

Approval of January Meeting Minutes by Market, 2<sup>nd</sup> by Dress. Winchester-yes, Market-yes, Dress-yes. Amend the minutes to reflect the special use permit previously approved allows for ES Wager to start the project.

**New Business:**

**App.#S100821-424 Bayview Ave., applicant, Deborah Fuchs, is applying for a special use permit for room rentals.**

B&B and rental rooms are permitted. Not a substantial amount.

Discussion took place on parking. Parking is not allowed in front lawn.

Motion to approve in accordance with all Village requirements by Market, 2<sup>nd</sup> by Dress. Winchester-yes, Market-yes, Dress-yes.

**App.#V100821-424 Bayview Ave., applicant, Deborah Fuchs, is applying for a setback variance for side yard to go from 15ft to 5ft and rear yard from 25ft to 5ft.**

Application has a discrepancy with neighbor property line. Will need to either have a survey or bring approval of neighbor to be on their property.

Motion to take until a survey or line from both property owners is agreed upon by Market, 2<sup>nd</sup> by Dress. Dress-yes, Market-yes, Winchester-yes.

**App.# V120821-191 S. Toledo Ave., applicant, Archon Intrepid Investments, is applying for a variance to allow for an aquatic hydromantic pool cover instead of a fence around their pool.**

Neighbors did not have an objection and the safety issues were addressed. Property owners are responsible for all safety.

Motion to approve by Market, 2<sup>nd</sup> by Dress. Market-yes, Winchester-yes, Dress-yes.

**App.#S012422-451 Catawba., applicant, Michael Goebel, is applying for a special use permit for employee housing/dormitory.**

Employee housing is a hardship on the island.

Motion to approve Special Use by Market, 2<sup>nd</sup> by Dress. Market-yes, Winchester-yes, Dress-yes.

**App.#V012422-451 Catawba, applicant Michael Goebel, is applying for a variance to allow for the proposed employee housing project without parking restrictions being met.**

One parking spot is not substantial with this application and applicant only. Discussion took place on 2 golf cart spaces and 1 car space.

Motion to deny variance by Market, 2<sup>nd</sup> by Dress. Dress-yes, Market-yes, Winchester-yes.

**App.#010522-451 Catawba Ave., applicant, Michael Goebel, is applying for a remodeling permit.**

Motion to approve permit with the requirement of marking off 3 parking spaces – 2 golf cart spaces, and 1 car space by Market, 2<sup>nd</sup> by Dress. Dress-yes, Winchester-yes, Market-yes.

**App.#S012522-299 E. Point Blvd., applicants, Joey and Chris Jenkins, are applying for a special use variance to allow for a family vacation home/dwelling, one family temporary use.**

Motion to approve based on the restrictions of one family, minimum one week, and must reapply each year for special use permit and business license by Market, 2<sup>nd</sup> by Dress. Market-yes, Dress-yes. Winchester-yes.

**App.#V012822-0 Main St., applicant, Bernard McCann, is applying for a variance to allow for a height increase to 70 feet for a portable water tower.  
(unable to vote)**

**App.#012822-0 Main St., applicant, Bernard McCann, is applying for a manufacturing permit for a temporary concrete plant.  
(unable to vote)**

**App.# F012822-0 Main St. applicant, Bernard McCann, is applying for a fence permit.  
(unable to vote)**

**App.#031022- 248 Erie St., applicant, Village of Put-in-Bay, is applying for a lot split.**

Motion to approve by Market, 2<sup>nd</sup> by Dress. Dress-yes, Winchester-yes, Market-yes.

#### **Old Business:**

**App.#122931-439 Loraine Ave., applicant, Mark Mathys, is applying for a fence permit.  
(tabled)**

#### **Public Participation:**

Village Administrator, ES Wager, and Ty Winchester had a discussion about the Village and the sea wall project.

#### **Zoning Manual Revisions:**

**Inspector's Report:**

**Complaints/Observations:**

**Legal:**

Motion to adjourn at 2:13pm by Market, 2<sup>nd</sup> by Dress.

**Village of Put-in-Bay Planning Commission**  
P.O. Box 245, 435 Catawba Ave., Put-in-Bay, Ohio 43456 Ph: 419 341-0882

**Meeting Minutes**  
**March 8, 2022**  
**11:00am Village Town Hall**

**Roll Call** Flint-present, Cox-present, Market-present, Dress-present.

Motion to approve February public hearing minutes by Market, 2<sup>nd</sup> by Dress. Market-yes, Dress-yes, Flint-yes, Cox-yes.

Motion to approve February meeting minutes with amendment of take to table under application#100821 – 424 Bayview Ave by Market, 2<sup>nd</sup> by Dress. Flint-yes, Cox-yes, Market-yes, Dress-yes.

**New Business**

**Old Business**

App.#V012822-0 Main St., applicant, Bernard McCann, is applying for a variance to allow for a height increase to 70 feet for a portable water tower.

No objection or further discussion took place.

Motion to approve by Market, 2<sup>nd</sup> by Dress. Flint-yes, Cox-yes, Market-yes, Dress-yes.

App.#012822-0 Main St., applicant, Bernard McCann, is applying for a manufacturing permit for a temporary concrete plant.

Discussion took place on hours of operation. 7am to 5pm. Pour concrete, one – possibly two days a week.

Motion to approve by Market, 2<sup>nd</sup> by Dress. Market-yes, Dress-yes, Flint-yes, Cox-yes.

App.# F012822-0 Main St. applicant, Bernard McCann, is applying for a fence permit.

Fence will be 6 feet and screened. Is a temporary structure.

Motion to approve temporary fence with the condition that the fence will be removed once the concrete plant is finished on property by Market, 2<sup>nd</sup> by Dress. Cox-yes, Market-yes, Dress-yes, Flint-yes.

App.#V100821-424 Bayview Ave., applicant, Deborah Fuchs, is applying for a setback variance for side yard to go from 15ft to 5ft and rear yard from 25ft to 5ft.

**(tabled)**

App.#122931-439 Loraine Ave., applicant, Mark Mathys, is applying for a fence permit.

**(tabled)**

Letter has been sent. Waiting for a response.



**Public Participation:****Zoning Manual Revisions:****Inspector's Report:**

Reviewing letter regarding 191 Toledo Ave being compliant with all zoning regulations regarding height of fence.

104 Chapman Road – 4 rooms, residential, 4 parking spaces are provided.

Letter sent to Mathys regarding fence.

**Complaints/Observations:**

Raised bed at 191 Toledo Ave.

PIB Winery – wine shack (Pepsi cooler, etc.) was noted during the summer months and appears to be a temporary structure. Should it return this summer, a permit will be required.

Islander Inn has changed owners.

Fence behind T&J's needs updated – Todd will send letter.

**Legal:**

HB 563 Airbnb – will limit control of zoning regulations. Mayor Dress will draft a letter stating opposition to the bill.

Motion to adjourn at 1:12pm by Market, 2<sup>nd</sup> by Cox.

**Village of Put-in-Bay Planning Commission**  
P.O. Box 245, 435 Catawba Ave., Put-in-Bay, Ohio 43456 Ph: 419 341-0882

**Meeting Minutes**  
**April 5, 2022**  
**11:00am Village Town Hall**

**Roll Call at 11:05am**

Flint-present, Market-present, Cox-present, Dress-absent

Approval of March Meeting Minutes by Market, 2<sup>nd</sup> by Flint. Flint-yes, Market-yes, Cox-yes

**New Business:**

**App#030822 – 70 Chapman Road, applicant, William Kehoe, is applying for an accessory building permit.**

Motion to approve with the contingency to stay 5 feet from property line by Market, 2<sup>nd</sup> by Flint.

Cox-yes, Flint-yes, Market-yes.

**Old Business:**

**App.#V100821-424 Bayview Ave., applicant, Deborah Fuchs, is applying for a setback variance for side yard to go from 15ft to 5ft and rear yard from 25ft to 5ft.**

Continue to table

**App.#122931-439 Loraine Ave., applicant, Mark Mathys, is applying for a fence permit.**

Motion to untangle by Market, 2<sup>nd</sup> by Flint. Market-yes, Flint-yes, Cox-yes.

There was no response from Mr. Mathys in response to the letter sent by the zoning inspector.

Motion to approve the permit for replacement fence on the one-time, non-precedential basis based up on the face that this is a replacement fence that was in the process of being installed during a time period that the applicable zoning code provisions were amended. Applicant must comply with all zoning code provisions applicable to any other current or future applications by Market, 2<sup>nd</sup> by Cox. Market-yes, Cox-yes, Flint-yes.

Chairwomen Market will notify Mr. Mathys.

**App#081921 – 266 Delaware Ave., applicant, Mark Mathys, is applying for a fence permit.**

Zoning Inspector to send letter regarding application not being complete. It will need a site plan, locations of existing properties, and design. If in the front yard, it may need a variance.

No Poggemeyer review is needed for a fence.

**Public Participation:**

**Zoning Manual Revisions:**

Fences and signs do not require site plan reviews.

Discussion took place on Poggemeyer reviews and how to facilitate them.

**Inspector's Report:**

104 Chapman Road – meets setbacks – reviewing parking.

**Complaints/Observations:**

Dumpster is a public safety issue not a zoning matter.

Mr. Krueger's construction at Mojito Bay will not change the shape, size, or seating capacity.

**Legal:**

None

Motion to adjourn by Market, 2<sup>nd</sup> by Flint.

Meeting adjourned at 11:55am

**Village of Put-in-Bay Planning Commission**  
P.O. Box 245, 435 Catawba Ave., Put-in-Bay, Ohio 43456 Ph: 419 341-0882

**Meeting Minutes**  
**May 3, 2022**  
**11:00am Village Town Hall**

**Roll Call at 11:00am**

Cox-present, Dress-present, Flint-present, Market-present.

Approval of April Meeting Minutes with a wording change of fact to fact by Market, 2<sup>nd</sup> by Cox.  
Market-yes, Cox-yes, Dress-yes, Flint-yes.

**New Business:**

**App#042622 – 196 Hartford Ave., applicant, Kevin Dailey, is applying for a fence permit.**

Fence will be around the picnic basket and biergarten and line up with the Boathouse.

Motion to approve by Market, 2<sup>nd</sup> by Flint. Cox-yes, Dress-yes, Flint-yes, Market-yes.

**App#042822 – 403 Lorain Ave., applicant, Mark Mathys, is applying for a fence permit.**

The fence will encompass entire property and be six feet high. It will be made of black chain link. Would like it to be six feet instead of three feet to deter people from climbing over it. Discussion took place with Mr. Mathys explaining how he would like to give a 5 foot easement to the Village to allow them to put in a side walk and a lift station. How to facilitate easement and sidewalk would be something Mr. Mathys would need to discuss with Council. The Planning Commission is only looking at the application in front of them for a fence permit. The west and north side of property do not need a variance for height, east side will need a variance.

Motion to approve west and north side with east side pending consideration of a variance by Market, 2<sup>nd</sup> by Dress. Dress-yes, Market-yes, Cox-yes, Flint-yes.

Motion for a variance hearing on Monday, May 16<sup>th</sup> at 12:15, contingent upon completion of an application by Market, 2<sup>nd</sup> by Dress. Cox-yes, Dress-yes, Market-yes, Flint-yes.

Motion to amend the agenda to include consideration of the application for 403 Loraine temporary structure and 399/403 new construction and variance, and also 570 Langram Road sign permit by Market, 2<sup>nd</sup> by Dress. Dress-yes, Market-yes, Flint-yes, Cox-yes.

**App#042922 – 392 Bayview Ave., applicant, Melinda Myers, is applying for a sign permit.**  
**(Application not complete.)**

Discussion took place on property already having two signs on the property. Even with new sign it would fall under the sq footage allowed in zoning code.

Chairwomen Market will be recusing herself.

Plans were not attached – nor size, color, wording, sign location.

Motion to table until application is complete by Dress, 2<sup>nd</sup> by Cox. Dress-yes, Market-abstain, Dress-yes, Flint-yes.

**App#042922 – 548 Catawba Ave., applicant, Put-in-Bay School, is applying for a fence permit.**

There are no issues with height or property line. Hoping to expand the playground.

Motion to approve fence by Market, 2<sup>nd</sup> by Cox. Dress-yes, Flint-yes, Market-yes, Cox-yes.

**App#050222-403 Loraine Ave, applicant, Mark Mathys, is applying for a temporary structure permit.**

Motion to set a variance hearing on Monday, May 16<sup>th</sup> at 12:15pm by Market, 2<sup>nd</sup> by Dress. Cox-yes, Dress-yes, Flint-yes, Market-yes.

Motion to table temporary structure until the special meeting which will follow for the public hearing on Monday, May 16<sup>th</sup> by Market, 2<sup>nd</sup> by Dress. Dress-yes, Flint-yes, Cox-yes, Market-yes.

Motion to add a special meeting on Monday, May 16<sup>th</sup> to immediately follow the public hearings by Market, 2<sup>nd</sup> by Dress. Cox-yes, Flint-yes, Market-yes, Dress-yes.

**App#050222 – 399/403 Loraine Ave., applicant, Mark Mathys, is applying for a new construction permit**

Motion to table new construction application to June meeting by Market, 2<sup>nd</sup> by Dress. Dress-yes, Flint-yes, Cox-yes, Market-yes.

**App#050322 – 570 Langram Road, applicant, Amy Huston, is applying for a fence permit.**

Free standing fence with directional sign for the driveway. This is a residential property which will go to Todd to look over and approve.

#### **Old Business:**

**App.#V100821-424 Bayview Ave., applicant, Deborah Fuchs, is applying for a setback variance for side yard to go from 15ft to 5ft and rear yard from 25ft to 5ft.**

Continue to table

#### **Public Participation:**

#### **Zoning Manual Revisions:**

#### **Inspector's Report:**

104 Chapman Road, James Shikner, attached via a breezeway which is now considered an addition and is approved. It was approved by the Ottawa County Building Commission. He also identified parking.

Discussion took place on 191 S Toledo Ave. fence – it does not appear to be obstructing view. Planning Commission would entertain reconsidering the application if needed.

**Complaints/Observations:**

New awning at Anchor Inn. Attached to the building. It is considered an addition. Would it need a site review? (refer to the Lovella or Keys awning) Todd will follow up with property owner.

**Legal:**

None

Motion to adjourn at 11:59am by Market, 2<sup>nd</sup> by Dress.

Meeting adjourned

## Village of Put-in-Bay Planning Commission

P.O. Box 245, 435 Catawba Ave., Put-in-Bay, Ohio 43456 Ph: 419 341-0882

### **Public Hearing May 16, 2022 12:15pm Village Town Hall**

Roll Call 12:27pm

Dress-present, Market-present, Flint-present, Cox-present.

Oath Given

App#050322 -399/403 applicant, Mark Mathys, is applying for a fence height variance from 3ft to 6ft.

Kendra Mathys – 1509 Jeris Lane, Put-in-Bay, Ohio 43456

Discussion regarding easement is something that needs to take place between Council and Mr. Mathys.

This public hearing is specially for the fence height. No further discussion.

Motion to close by Market, 2<sup>nd</sup> by Dress. Flint-yes, Dress-yes, Market-yes, Cox-yes.

Roll Call 12:34pm

Dress-present, Market-present, Cox-present, Flint-present.

Oath Given

App#050222V – 399/403 Loraine Ave., applicant, Mark Mathys, is applying for setback variance for the rear yard to go from 25ft to 5ft.

Mr. Tim Niese has an objection to the variance – provided in a letter. Mr. Niese is not a neighboring property owner but does own property in the Village.

Summary of letter:

Applicant was aware of setbacks was aware and knowledgeable about the set backs when he purchased the property, it should not be entertained that there would be an impact of economic hardship, if the variance is granted the density of people on the weekend will also slow traffic of government services and will not allow for any type of fighting fire should any structure catch fire , bad practice habits have already been shown by the applicant, parking requirements should still be maintained, circumstances have been created by the applicant, not necessary to grant this variance and will merely serve as a convenience to the applicant and will greatly effect neighboring properties.

Kendra Mathys – 1509 Jeris Lane, Put-in-Bay, Ohio 43456

The size of building does not change. It would just be where the building is placed. Changing the position would allow for a possible sidewalk. Parking would be the same. Neighbors have been spoken to and it is assumed they would be at the meeting if they had a concern.

Mark Mathys – 439 Loraine Ave., Put-in-Bay, Ohio 43456

Agrees there is not substantial hardship, no gain in size of building, simply trying to do this to help fix a couple problems within the Village – wastewater, spoke with fire chief – no significant hazard, doesn't enhance the value of the property. Understands that what happens today only gives them permission to

Tim Niese -

If it is only a 5-foot sidewalk, doesn't agree with needing 25 feet.

Anne Auger – Village of Put-in-Bay Administrator

Discussion took place that the conversation is in the early stages with Mr. Mathys regarding fixing long-term problems with long term solutions for wastewater flow. Mr. Mathys has offered part of his property to possibly put a new lift station in. Village Council is not ready to proceed with anything. It is a solution if the variance was approved would be positive for the village with the sidewalks with two conduits underneath and the sidewalk wouldn't have to be broken up again. Village Council is nowhere near approving anything.

Ms. Mathys showed in drawings where allotted 15 feet would be the proposed possible lift station.

Mr. Mathys spoke to Mike Mewhorter about project it would be flush with the ground. Doesn't matter if it takes 10 or 12 feet of frontage, they can't build on that frontage.

Mr. Niese doesn't feel the telephone lines might in the right away.

Ms. Mathys there is no right away on that side of the street. The Planning Commission is aware of that there is not a right away on that side of the street

Mayor Dress wants to state for the record, she is uncomfortable with how this is being presented. The Planning Commission is specifically looking at considering whether a five-foot setback is appropriate with the zoning guidelines. No decisions are being made about a sidewalk (this is strictly a Village Council issue)– talk of the sidewalk clouds the purpose of the zoning board.

Mr. Mathys just wants to make best use of the property.

Mr. Cox agrees with Mayor but does appreciate seeing the big picture. Chairwomen Market likes to set precedent looking at all future issues.

Discussed parking – plenty of parking is provided. Has at least the minimum parking required.

Finding of Facts Read

Chairwomen Market in her opinion agrees doesn't change size or scope, would be in line with other properties, would improve long term issues of government services, had knowledge of zoning requirements, attempting to improve Loraine Ave. by submitting two separate plans, improvements to the community will be realized by the community.

Motion to adjourn at 1:07pm by Market, 2<sup>nd</sup> by Cox

Dress-yes, Market-yes, Cox-yes, Flint-yes.



**Village of Put-in-Bay Planning Commission**  
P.O. Box 245, 435 Catawba Ave., Put-in-Bay, Ohio 43456 Ph: 419 341-0882

**Meeting Minutes**  
**June 7, 2022**  
**11:00am Village Town Hall**

**Roll Call at 11:24am**

Dress-present, Market-present, Cox-present, Flint-present

Approval of May regular meeting minutes by Market, 2<sup>nd</sup> by Dress. Dress-yes, Market-yes, Cox-yes, Flint-yes.

Approval of May public hearing minutes by Dress, 2<sup>nd</sup> by Market. Cox-yes, Flint-yes, Dress-yes, Market-yes.

Approval of May special meeting minutes by Cox, 2<sup>nd</sup> by Dress. Flint-yes, Dress-yes, Market-yes, Cox-yes.

Motion for clerk to send approval of meeting minutes to Mr. Mathys with the applications as approved by the Commission by Market, 2<sup>nd</sup> by Flint. Flint-yes, Dress-yes, Market-yes, Cox-yes.

**New Business:**

App# 06122 – 248 Erie St., applicant, Village of Put-in-Bay, is applying for a zoning amendment.

Current property is a R1 and would like to amend to institutional. Amend application to read for use by DeRivera Park.

Application is only for remainder of property. Discussion took place on description of the lot split that was previously approved. The piece that would be institutional is .66630 acres and would be used by DeRivera Park.

Motion to recommend the approval to council for R1 to Institutional for 0.66630 lot split at 248 Erie St. by Market, 2<sup>nd</sup> by 2<sup>nd</sup> Dress. Market-yes, Cox-yes, Flint-yes, Dress-yes.

The property is consistent with adjoining properties to limit commercial expansion.

**Old Business:**

App#050322 – 399/403 Loraine Ave, applicant, Mark Mathys, is applying for a new construction permit.  
**(Continue to table)**

App#042922 – 392 Bayview Ave., applicant, Melinda Myers, is applying for a sign permit.  
Motion to untable by Market, 2<sup>nd</sup> by Dress. Market-yes, Flint-yes, Dress-yes, Cox-yes.

Market abstained from conversation. Mayor Dress presented and explained application.

Motion to approve sign by Dress, 2<sup>nd</sup> by Cox. Flint-yes, Dress-yes, Cox-yes, Market-abstain.

App.#V100821-424 Bayview Ave., applicant, Deborah Fuchs, is applying for a setback variance for side yard to go from 15ft to 5ft and rear yard from 25ft to 5ft.

**Continue to table – have not received survey.**

**Public Participation:**

**Zoning Manual Revisions:**

**Inspector's Report:**

148 St Rt accessory building asked for a larger size and still conforms to zoning regulations.

Contacted regarding T&J's – all setbacks would need to follow zoning regulations if the structure was demolished. They have been made aware prior to the purchase of the property.

Anchor Inn Awning – Todd will give Joey a call.

**Complaints/Observations:**

Grand Islander has replaced the stairs that were broken this winter – they are the same stairs.

RV at T&J's has been removed.

**Legal:**

None

Motion to adjourn at 11:55am by Market, 2<sup>nd</sup> by Dress.

Meeting adjourned

**Village of Put-in-Bay Planning Commission**  
P.O. Box 245, 435 Catawba Ave., Put-in-Bay, Ohio 43456 Ph: 419 341-0882

**Meeting Minutes**  
**July 5, 2022**  
**11:00am Village Town Hall**

**Roll Call at 11:01am**

Flint-present, Dress-present, Cox-present, Market-present.

**New Business:**

App#061022 - 399/403 Loraina Ave, applicant, Mark Mathys, is applying for a special use permit.

New application. Special use for golf cart rental – use trailer that is currently being used as a construction trailer.

Motion for a public hearing on Monday, July 18<sup>th</sup> at 12:15pm by Market, 2<sup>nd</sup> by Dress. Market-yes, Cox-yes, Cox-yes, Flint-yes.

Motion for special meeting to follow public hearing on Monday, July 18<sup>th</sup> by Market, 2<sup>nd</sup> by Dress. Flint-yes, Market-yes, Cox-yes, Dress-yes.

Inform Mr. Mathys of hearing and special meeting.

**Old Business:**

App#050322 – 399/403 Loraine Ave, applicant, Mark Mathys, is applying for a new construction permit.

**Continue to table**

Needs Poggemeyer review. Will be added to July 18<sup>th</sup> special meeting agenda.

App.#V100821-424 Bayview Ave., applicant, Deborah Fuchs, is applying for a setback variance for side yard to go from 15ft to 5ft and rear yard from 25ft to 5ft.

Motion to untable by Market, 2<sup>nd</sup> by Dress. Flint-yes, Market-yes, Cox-yes, Dress-yes.

The neighbor is fine with the building and 7.2 setbacks. When she puts up fence with a 5ft set back is concerned that it will collide with her fence when trying to move items to the back. It is the Fuchs driveway. Concerns from neighbor were expressed to the applicant.

Survey had been received and was explained by applicant. Property is R-1.

Motion to amend the application to reflect correct setbacks: side yard from 10ft to 5ft on the east side, side yard from 10ft to 7.2ft on the west side, and rear yard from 35ft to 5 ft. Motion to approve amended application by Market, 2<sup>nd</sup> by Dress. Dress-yes, Cox-yes, Market-yes, Flint-yes.

Explained that everything must be put in the setbacks that are given.

**Public Participation:**

**Zoning Manual Revisions:**

**Inspector's Report:**

Will be sending letter to Anchor Inn.

Communication with the possibly new owners (DeRivera Park) of the property at 248 Erie St., once the lot split is approved.

**Complaints/Observations:**

Sign on fence at 266 Delaware Ave. – letter sent to Mathys.

New fence and pavilion at the Round House Bar in front of Misty Bay.

Front yard of the Put-in-Bay Winery had a new patio and water feature – has been there since at least June 9<sup>th</sup>.

Container bar is open – previously approved.

New Sign- Lake Effects. Send application to owners.

**Legal:**

None

Motion to adjourn at 11:36am by Market, 2<sup>nd</sup> by Dress.

Meeting adjourned

Village of Put-in-Bay Planning Commission  
P.O. Box 245, 435 Catawba Ave., Put-in-Bay, Ohio 43456 Ph: 419 341-0882

**Meeting Minutes**  
**Special Meeting Minutes May 16, 2022**  
**12:15pm Village Town Hall**

**Roll Call at 1:07pm**

Dress-present, Market-present, Cox-present, Flint-yes

**App#050222V – 399/403 Loraine Ave., applicant, Mark Mathys, is applying for setback variance for the rear yard to go from 25ft to 5ft.**

Taking into consideration of all comments in the public hearing.

No further discussion.

Motion to approve set back from 25 feet to 5 feet with plans submitted as option 1 with sidewalk and future lift station approval submitted by contractor by Market, 2<sup>nd</sup> by Cox. Cox-yes, Flint-yes, Dress-yes, Market-yes.

**App#050322 -399/403 Loraine Ave, applicant, Mark Mathys, is applying for a fence height variance to increase height from 3ft to 6ft.**

Discussion took place on how far the fence will be setback from property line. Sidewalk would be 5 feet.

Motion to approve 6 foot fence height in front yard with no less than a 5 foot setback by Market, 2<sup>nd</sup> by Dress. Cox-yes, Flint-yes, Dress-yes, Market-yes.

Chairwomen Market thanked the Mathys family for wanting to help with future issues.

**App#050222-403 Loraine Ave, applicant, Mark Mathys, is applying for a temporary structure permit.**

1292.08 Temporary Structure. – read aloud.

It is not an accessory building as there isn't a building on the property.

Using the structure as a golf cart rental booth is not the use of the temporary structure in the zoning code. It can't be used as a rental booth.

A special use permit application would need to be submitted and approved for a rental booth.

Motion to approve as the temporary structure as an office for construction only that is 10x10 structure, 15 feet from road right of way, 5 feet from side yard, 200 feet from other yard, and 50-foot rear yard by Market, 2<sup>nd</sup> by Cox. Market-yes, Cox-yes, Flint-yes, Dress-yes.

**App#050222 – 399/403 Loraine Ave., applicant, Mark Mathys, is applying for a new construction permit**

Motion to table new construction application until the receipt of the site plan review by Market, 2<sup>nd</sup> by Cox. Cox-yes, Flint-yes, Dress-yes, Market-yes.

\*\*\*\*Mayor Dress excused herself from meeting at 1:35pm.

**App#042822 – 403 Lorain Ave., applicant, Mark Mathys, is applying for a fence permit.**

Motion to untable by Market, 2<sup>nd</sup> by Cox. Market-yes, Cox-yes, Flint-yes.

Motion to approve fence permit by Market, 2<sup>nd</sup> by Cox. Market-yes, Cox-yes, Flint-yes.

**Public Participation:**

**Zoning Manual Revisions:**

Motion to recommend to Council to revise CO 1278.01 permitted uses to include “parks or playgrounds, including facilities and operations in furtherance thereof” for public necessity, public convenience, general welfare, and good zoning practices by Market, 2<sup>nd</sup> by Cox. Market-yes, Cox-yes, Flint-yes.

**Inspector’s Report:**

Fence in front of Misty Bay needs letter

**Complaints/Observations:**

Temp travel trailer behind T&J’s for employee housing – Chairwomen has informed the owner, Mr. Niese, that zoning does not allow businesses on wheels – including rental rooms. As of Monday, May 16<sup>th</sup> he will start incurring fines until it is removed. Chairwomen will talk to Inspector regarding a letter.

**Legal:**

Send revisions to Council

Variances granted should be in writing to Mr. Mathys

Motion to adjourn meeting at 1:45pm by Market, 2<sup>nd</sup> by Cox.

Meeting adjourned at 1:45pm.

## Village of Put-in-Bay Planning Commission

P.O. Box 245, 435 Catawba Ave., Put-in-Bay, Ohio 43456 Ph: 419 341-0882

### **Meeting Minutes July 18, 2022 12:15pm Village Town Hall**

#### **Public Hearing**

App# 060122- 399/403 Lorain Ave, applicant Mark Mathys, is applying for a special use permit to allow the existing temporary structure to also be used as a golf cart rental booth.

#### **Roll Call**

Dress-present, Cox-present, Market-present, Flint-present.

#### **Oath**

Mark Mathys – 439 Loraine Ave  
Kendra Mathys – 1509 Jeris Lane  
(unknown first name) Price – 323 Chapman Road  
David Schaffer – 557 Catawba Ave.

Mr. Cox asked that the board not vote on this item during the special meeting today as a resident has a question that needs to be addressed by legal counsel.

This is not a new business; this will help to alleviate the backup on Delaware Ave when carts are returned. Currently have 409 golf carts at multiple locations. Will reapply for accessory building once construction has taken place on the rest of the property. This is just a temporary structure.

Motion to adjourn at 12:32pm by Market, 2<sup>nd</sup> by Dress. Hearing adjourned.

#### **Special Meeting at 12:32 pm**

#### **Roll Call**

Dress-present, Cox-present, Market-present, Flint-present.

#### **New Business:**

App#071322 – 154 Delaware Ave., applicant, Meredith Klun, is applying of a sign permit.

Signs fit all regulations.

Motion to approved by Market, 2<sup>nd</sup> by Flint. Dress-yes, Cox-yes, Market-yes, Flint-yes.

#### **Old Business:**

App#061022 - 399/403 Loraina Ave, applicant, Mark Mathys, is applying for a special use permit.

Continue to table due to Mr. Cox needing legal counsel to review a concern from a resident.

App#050322 – 399/403 Loraine Ave, applicant, Mark Mathys, is applying for a new construction permit.

Continue to table.

**Public Participation:**

Mr. Mathy spoke on behalf of the sign permit requested from the commission for 266 Delaware Ave. – sign has existed since 1998. It was repaired due to an accident.

**Zoning Manual Revisions:**

**Inspector's Report:**

**Complaints/Observations:**

**Legal:**

Motion to adjourn at 12:40 by Market, 2<sup>nd</sup> by Cox. Meeting adjourned.



## **September 19 Public Hearing and Special Meeting Minutes**

Public Hearing Meeting Start 12:15pm

Call to order: Roll Call Market Y Flint N Dress Y Cox Y

Review of Application

No Questions brought by zoning commission.

Public Participation:

Miyo Hritovski

380 Main Street

PIB OH 43456

Miyo states that parking is a real problem and he is worried that if Bayshore has more "public areas" people will be parking all over his property to get to the business. Miyo has no objections to the three foot variance needed for patio design but wants to make sure they follow the parking code.

Mac McCann

360 Bayview Ave

PIB OH 43456

Mac asked what our parking standards are. Mrs. Market stated current parking regulations. Mr. McCann wanted to make sure we were holding them to the parking regulations and wanted to know specifically if we counted pool square footage in the square footage of parking standards. Mrs. Market \stated that we counted all square footage including pools, patios, and storage areas.

Motion to adjourn meeting Market 1 Dress 2.

Market Y Dress Y Cox Y

Adjourn Public Hearing 12:35PM

Special Meeting Call to Order 12:35 PM

Roll Call Market Y Cox Y Dress Y

Motion to Approve Variance Market 1 Dress 2

Dress Y Market Y Cox Y

Motion to Untable Bayshore App. Market 1 Dress 2

Cox Y Dress Y Market Y

Motion to Approve Bayshore App contingent upon the painting of 7 new golf cart spaces with 49 total parking spaces on the previously established blacktop Market 1 Dress 2

Cox Y Dress Y Market Y

Motion to Adjourn 12:52 PM Market 1 Dress 2

All in Favor.

Renee N. Market

Planning Commission Chairwoman

Village of Put-in-Bay

## Village of Put-in-Bay Planning Commission

P.O. Box 245, 435 Catawba Ave., Put-in-Bay, Ohio 43456 Ph: 419 341-0882

### **Meeting Minutes November 8, 2022 11:00am Village Town Hall**

#### **Roll Call at 11:30am**

Flint-present, Dress-present, Cox-present, Market-present.

Motion to approve September public hearing minutes by Market, 2<sup>nd</sup> by Dress. Market-yes, Dress-yes, Flint-yes, Cox-yes.

Motion to approve September special meeting minutes by Dress, 2<sup>nd</sup> by Market. Cox-yes, Dress-yes, Flint-yes, Market-yes.

#### **New Business:**

App#101222 – 500 Catawba Ave., applicant, Joanne Wolf, is apply for an awning permit.

Poggemeyer review needed. Motion to table by Market, 2<sup>nd</sup> by Dress. Dress-yes, Cox-yes, Flint-yes, Market-yes.

#### **Old Business:**

App#080122 –392 Bayview Ave., applicant, Melinda Myers, is applying for a Pergola permit.  
**(Tabled - variance needed)**

Letter sent. Continue to table.

#### **Public Participation:**

#### **Zoning Manual Revisions:**

Discuss Poggemeyer reviews:

Onetime fee for commercial of \$1000.00. \$500 will be used as an engineering fee and go directly to Poggemeyer. \$500 for the Village-will include site plan application fee and certificate of completion fee. Commercial property being used as residential will need to pay this fee as well – property benefits from being commercial.

#### **Inspector's Report:**

PIB Resort Fence – Letter to be sent. Owner is aware of the zoning regulations and requirements.

#### **Complaints/Observations:**

Demolition permit is not needed for properties in the Village. Discussion took place on the need for a historic district – state agencies would need to be involved.

#### **Legal:**

None

Motion to adjourn at 12:17pm by Market, 2<sup>nd</sup> by Dress.

Meeting adjourned

**Village of Put-in-Bay Planning Commission**  
P.O. Box 245, 435 Catawba Ave., Put-in-Bay, Ohio 43456 Ph: 419 341-0882

**Meeting Minutes**  
**January 10, 2023**  
**11:00am Village Town Hall**

**Roll Call at 11:00am**

Flint-absent, Dress-present, Cox-present, Market-present.

Motion to approve November meeting minutes by Cox, 2<sup>nd</sup> by Market. Market-yes, Dress-yes, Cox-yes.

**New Business:**

App#120522-234 Delaware Ave., applicant, Bernard McCann (Michael), is applying for an employee housing permit.

Phase 2 on the drawing will not be put into place. This will just be dormitory/employee housing, rooms, storage, bathroom, kitchen, and laundry rooms. The bathrooms in the back of the housing will be used for the back patio of the business. Delaware Ave. is considered the front yard. Loraine Ave. is considered the side yard. The zoning manual calls this building an accessory structure. It will need a special use variance. The height of accessory structure will be 28Ft. A variance is needed to allow the height to go from 25ft to 28ft. There will be 4 sleeping rooms which will require 2 parking spots for housing. Parking has been provided.

The administrator spoke regarding the piping for the utilities. The applicant has spoken with the administrator and is doing what the Village Utilities has requested of them. The applicant will also need to contact the fire dept regarding safety.

Motion to table until special use and variance application are submitted by Cox, 2<sup>nd</sup> by Market. Market-yes, Dress-yes, Cox-yes.

Motion for a public hearing with a special meeting to follow on January 20<sup>th</sup> at 12:15pm by Market, 2<sup>nd</sup> by Cox. Cox-yes, Market-yes, Cox-yes.

**Old Business:**

App#080122 –392 Bayview Ave., applicant, Melinda Myers, is applying for a Pergola permit.  
(Variance Needed)

The applicant has not responded to correspondence sent by Zoning Inspector. The structure is still up and not temporary.

App#101222 – 500 Catawba Ave., applicant, Joanne Wolf, is applying for an awning permit.  
(Poggemeyer needed more information from applicant.)

The applicant has not responded to correspondence sent by Zoning Inspector.

**Public Participation:****Zoning Manual Revisions:**

The council has approved an ordinance putting a limitation on marijuana dispensaries and no mobile vending. Attorney to send Chairwomen Market a copy of the ordinance.

**Inspector's Report:**

PIB Resort Fence – Letter will be sent, remind the applicant that the fence needs to be covered not opaque.  
500 Catawba Ave. -

**Complaints/Observations:****Legal:**

None

Motion to adjourn at 11:50am by Market, 2<sup>nd</sup> by Dress.  
Meeting adjourned

## Village of Put-in-Bay Planning Commission

P.O. Box 245, 435 Catawba Ave., Put-in-Bay, Ohio 43456 Ph: 419 341-0882

### **Public Hearing and Special Meeting Minutes**

**January 20, 2023**

**12:15pm Village Town Hall**

#### **Public Hearing:**

App# S-0101023 – 234 Delaware Ave., applicant, Bernard McCann, is applying for a special use permit for an employee dormitory.

#### **Roll Call 12:20pm**

Dress-present, Flint-absent, Cox-present, Market-present

No one was present to represent the application. Finding of facts was read. Discussion took place that the previous building was used as a dormitory. Chairwomen Market agrees that safe housing is needed for employees.

Motion to adjourn by Market, 2<sup>nd</sup> by Dress. Hearing adjourned at 12:25pm

#### **Public Hearing:**

App# V-011023 – 234 Delaware Ave., applicant, Bernard McCann, is applying for a variance to increase height by 3 ft.

#### **Roll Call 12:25pm**

Market-present, Dress-present, Flint-absent, Cox-present.

No one was present to represent the application. Finding of facts was read. The height is needed for the kitchen. This is a minor alteration. It will maintain a historical look.

Motion to adjourn by Market, 2<sup>nd</sup> by Dress. Hearing adjourned at 12:29pm

#### **Special Meeting**

#### **Roll Call 12:29**

Dress-present, Market-present, Flint-absent, Cox-present

#### **New Business:**

App# S-0101023 – 234 Delaware Ave., applicant, Bernard McCann, is applying for a special use permit for an employee dormitory.

Motion to approve special use permit contingent upon all the water/sewer requirements are met by Market, 2<sup>nd</sup> by Cox. Cox-yes, Dress-yes, Market-yes.

App# V-011023 – 234 Delaware Ave, applicant, Bernard McCann, is applying for a variance to increase height by 3 ft.

Motion to approve height variance from 25ft to 28ft by Market, 2<sup>nd</sup> by Cox. Dress-yes, Market-yes, Cox-yes.

**Old Business:**

App#120522-234 Delaware Ave., applicant, Bernard McCann (Michael), is applying for an employee housing permit.

Motion to approve contingent upon all other zoning regulations and rules are met by Market, 2<sup>nd</sup> by Dress. Cox=yes, Dress=yes, Market=yes.

App#080122 –392 Bayview Ave., applicant, Melinda Myers, is applying for a Pergola permit.

**(Tabled - variance needed)**

App#101222 – 500 Catawba Ave., applicant, Joanne Wolf, is apply for an awning permit.

**(Poggemeyer needed more information from applicant.)**

**Public Participation:****Zoning Manual Revisions:****Inspector's Report:**

A new letter was sent to another address for Melinda Myers regarding 392 Bayview Ave.

**Complaints/Observations:****Legal:**

Motion to adjourn by Market, 2<sup>nd</sup> by Cox. Meeting adjourned at 12:37pm

**Village of Put-in-Bay Planning Commission**  
P.O. Box 245, 435 Catawba Ave., Put-in-Bay, Ohio 43456 Ph: 419 341-0882

**Meeting Minutes**  
**April 11, 2023**  
**11:00am Village Town Hall**

**Roll Call**

Flint-present, Cox-present, Market-present, Berry-present

**Approval of minutes:**

January regular meeting by Cox, 2<sup>nd</sup> by Flint. Cox-yes, Market-yes, Berry-abstain, Flint-yes  
January public hearing by Market, 2<sup>nd</sup> by Flint. Cox-yes, Market-yes, Berry-abstain, Flint-yes  
January special meeting by Market, 2<sup>nd</sup> by Cox. Market-yes, Flint-yes, Berry-abstain, Cox-yes  
March regular meeting by Market, 2<sup>nd</sup> by Cox. Berry-yes, Market-yes, Flint-yes, Cox-yes  
March public hearing by Cox 2<sup>nd</sup> by Market. Flint-yes, Cox-yes, Berry-yes, Market-yes

**New Business:**

App# 032423 – 360 Bayview Ave., applicant, Melinda Meyers, is applying for a variance to reduce the setback by 30ft.

Motion to set setback variance public hearing for Monday, April 24, 2023, at 1:00pm by Market, 2<sup>nd</sup> by Cox. Berry-yes, Flint-yes, Cox-yes, Market-yes.

App# 032823-328 Toledo Ave., applicant, Brent Zimmerman, is applying for an accessory structure.

A golf cart drive thru. It is considered an accessory structure. It will be open seasonally from May to November. Open from lunch through late night. No alcohol. Small menu and milkshakes. It will be a permanent structure and will sit in a resting place.

Discussion took place on traffic flow and safety. The applicant representative stated the golf cart back up would be in the parking lot. How will the golf carts come in and out of the property. Traffic is already an issue on Toledo.

The placement of the structure will require a setback variance. The setback required is 60ft. The applicant will be asking for a reduction to 15ft.

Motion to table until after public hearing by Market 2<sup>nd</sup> by Berry. Flint-yes, Cox-yes, Berry-yes, Market-yes. A public hearing will take place on Monday, April 24, 2023, at 1:00pm.

App#041123-399 Lorain Ave., - applicant, Mark Mathys, is applying for a new construction permit.  
**(New application has a smaller footprint.)**

Mr. Mathys discussed the application. The application has a smaller footprint. 5 feet smaller in width. Entry and exit for golf carts, Trash enclosure. Added cart entry and exit. The sewer station has been removed. Setbacks will remain the same. Old building had a basement. Took one dorm room out. The lower level is housing, no commercial activity. Wants to get digging done before season. Mr. Nusser said he can proceed at his own risk. Mr. Bickley summed up that it is permitted use and the previous

variance applies. Each unit will have two stacked parking spots. Only unit occupants will be parked in the stacked parking spots. There will also be 5 commercial spaces and additional parking. Mr. Bickley discussed that the zoning manual does not address stacked parking. No commercial activity in the building. The commercial activity is already in another building on the property.

Motion to table until Kleinfelder review by Berry, 2<sup>nd</sup> by Cox. Flint-yes, Market-yes, Cox-yes, Berry-yes.

Mrs. Market commented that Mr. Mathy can start project in accordance with the previous application that was approved.

App# 032923-218 Hartford Ave., applicant, Mary McCann, is applying for a patio area with pavilion.  
**(Kleinfelder needed more information)**

Motion to table by Market, 2<sup>nd</sup> by Berry. Flint-yes, Market-yes, Cox-yes, Berry-yes.

App# 033123-198 Delaware Ave., applicant “Ken Russ” Vixen, is applying for a new construction permit for a bar, pool, and food trucks.  
**(Kleinfelder review in process.)**

Motion to table for Commission members to look over the Kleinfelder review by Market, 2<sup>nd</sup> by Cox. Berry-yes, Market-yes, Flint-yes, Cox-yes.

#### **Old Business:**

App#080122 –392 Bayview Ave., applicant, Melinda Myers, is applying for a Pergola permit.  
**(Tabled - variance needed)**

Continue to table.

App#101222 – 500 Catawba Ave., applicant, Joanne Wolf, is applying for an awning permit.  
**(Kleinfelder needed more information from applicant, also this property has been sold – Todd to reach out to Joey.)**

Continue to table.

#### **Public Participation:**

#### **Zoning Manual Revisions:**

#### **Inspector’s Report:**

Kevin Daily inquired if a permit is needed to replace an interior wall. – a permit is not required.

Islander Inn - trailer that has wheels, 50 ft long, for a bar/TV room/sauna for commercial use. Commission agreed this is an accessory structure. They need to submit for review.

#### **Complaints/Observations:**

Public concerns of a new structure at 198 Delaware Ave being called Vixen’s. This name is established elsewhere as a gentlemen’s club -adult entertainment.

#### **Legal:**

Food Trucks – mobile business  
Established name.



## Village of Put-in-Bay Planning Commission

P.O. Box 245, 435 Catawba Ave., Put-in-Bay, Ohio 43456 Ph: 419 341-0882

### **Public Hearing and Special Meeting Minutes**

**April 24, 2023, 1:00pm**

**Village Town Hall**

#### **Public Hearing**

App# 032423 – 360 Bayview Ave., applicant, Melinda Meyers, is applying for a variance to reduce the setback by 30ft.

#### **Roll Call 1:06pm**

Berry-present, Cox-present, Market-present, Flint-absent

All pergolas are considered accessory structures. Set back required is 60 feet.

Mrs. Market summarized the finding of facts. All properties surrounding 360 Bayview Ave the applicant owns.

No public participation and no questions from the Planning Commission members.

**Motion to adjourn at 1:12pm by Market, 2<sup>nd</sup> by Cox.**

#### **Public Hearing**

App# 041423 – 328 Toledo Ave., applicant, Brent Zimmerman, is applying for an accessory structure setback variance for a reduction from 60ft to 15ft.

#### **Roll Call – 1:12pm**

Flint-absent, Berry-here, Cox-here, Market-here.

#### **Oath**

David Mason

328 Toledo Ave

Put-in-Bay, Ohio 43456

Structure would be a drive thru food building and is considered an accessory structure. A 60ft set back is required. The front line is considered from the right of way from the road. Recommendation from Kleinfelder that the north egress and ingress drive be redesigned as egress only with payment marking to designate with arrows for left and right turn lanes, additional signage with exit only should be on north drive approach off Toledo Ave. Currently there is a potential for 3 lanes of vehicles to in place at the north drive of exiting property. Recommended that drive thru lane be reconfigured with a taper to merge to the existing south lane of the north lane to reduce the lanes exiting to Toledo Ave. This alone could result in the need to increase the structures setback to allow for a reasonable lane merge transition distance. May need additional site signage.

Mrs. Market agrees with Kleinfelder review and would like to see a plan for traffic. Discussion of signage. Signage can be addressed by applicant at

Discussion took place on parking. Needs proof of lines spots. 38 full to 49 with 22 full 27 golf cart. The proposed would be 55 spots. There isn't a definition for a golf cart spot. Six-foot width is what the applicant used. Parking would be to code if repaved and painted with the structure.

Maintaining golf cart only for drive thru by using posts – amend application to say 3-foot posts. Mr. Market asked that it be noted that the signage in the plan will not encroach on the 15-foot set back. Signage will be addressed at another time.

Mr. Cox stated that neighbors in the Village asked him to speak on their behalf that they are opposed to the 15-foot set back.

Motion to adjourn at 1:25pm by Market, 2<sup>nd</sup> by Cox.

## **Special Meeting**

### **Roll Call – 1:25pm**

Flint-absent, Berry-present, Market-present, Cox-present

### **New Business:**

**App# 041823 – 225 Erie St., applicant, Andy Genzman, is applying for an accessory structure permit for a hot tub trailer.**

Brandon Johnson owner of the hot tub trailer and Andy Genzman the property owner were both present.

Mr. Johnson explained the amenities of the trailer. Hot tub, fire pit, tv, restroom, etc. It would be on wheels and moved at the end of the season.

This structure is considered an accessory structure. Can't be a temporary structure. Also, the Village does not allow for mobile businesses. The precedent that has been set is that the structure's wheels would need to be removed and permanent hooks up would be needed for water/sewer.

Attorney Anderson spoke regarding Village ordinance 802.03D that states the business must be conducted in a fixed location and show a rental lease. A Kleinfelder review is needed, and applicant must show that it will be at a fixed location.

Motion to table until a fixed location and Kleinfelder review by Market, 2<sup>nd</sup> Cox. Cox-yes, Market-yes, Berry-yes.

Applicant was informed of time deadlines for next meeting and Kleinfelder review.

### **Old Business:**

**App# 032423 – 360 Bayview Ave., applicant, Melinda Meyers, is applying for a variance to reduce the setback by 30ft.**

Motion to approve set back variance by Cox, 2<sup>nd</sup> by Berry. Cox-yes, Market-yes, Berry-yes.

**App#080122 –392 Bayview Ave., applicant, Melinda Myers, is applying for a Pergola permit.**

Motion to approve Pergola permit by Cox, 2<sup>nd</sup> by Market. Market-yes, Cox-yes, Berry-yes.

**App# 041423 – 328 Toledo Ave., applicant, Brent Zimmerman, is applying for an accessory structure setback variance for a reduction from 60ft to 15ft.**

Signage will not be included in the 15-foot setback. 60ft to 15ft is a significant variance.

Motion to deny accessory structure reduction from 60ft to 15ft variance by Market, 2<sup>nd</sup> by Cox. Market-yes, Cox-yes, Berry-yes.

**App# 032823-328 Toledo Ave., applicant, Brent Zimmerman, is applying for a permit for accessory structure.**

Have had other property owners concerned about the 15ft set back. It would be the closest structure to the road on that road. Kleinfelder's opinion is that the traffic flow will be an issue. The board would like to see plans that adhere to Kleinfelder's suggestion for traffic flow – traffic exiting the accessory structure onto the property vs. Toledo Ave. Merge will most likely be further back than 15ft.

Motion to table by Market, 2<sup>nd</sup> by Berry. Market-yes, Cox-yes, Berry-yes.

**App# 032923-218 Hartford Ave., applicant, Mary McCann, is applying for a patio area with pavilion.**

Continue to table – Kleinfelder still needs information from applicant.

Mrs. Melinda Meyers was given a copy of the application and noted where the information is missing on the application. She would be helping coordinate with the owner to get this information to the Commission and Kleinfelder.

**App# 033123-198 Delaware Ave., applicant "Ken Russ" Vixen, is applying for a new construction permit for a bar, pool, and food trucks.**

Tabled until May 2<sup>nd</sup> meeting. Kleinfelder review received 4/23/23. Planning Commission needs time to look over

**App#041123-399 Lorain Ave., - applicant, Mark Mathys, is applying for a new construction permit.**

Motion to untable by Market, 2<sup>nd</sup> by Cox. Market-yes, Cox-yes, Berry-yes.

Kleinfelder was calling the proposed structure a condominium. After discussion between applicant and the Commission the use is for an apartment/hotel not a condominium.

Motion to amend proposed use as apartment/hotel per zoning code by Market, 2<sup>nd</sup> by Cox. Market-yes, Cox-yes, Berry-yes.

Previous variance was for 5ft in rear yard. Side yard is 5.1ft. Mrs. Market questioned the windows for basement apartments that would have holes into the ground as an egress, but they encroach on the 5ft set back. They are considered window wells. The structure itself stops at the 5t.

Discussion took place on the dimensions set back from the side of road right of way. According to drawing it is 26.2ft. There is no road right of way on the west side of Loraine.

Motion to amend item 5b on application to change from 35ft to 26.2ft as stated on the review by Market, 2<sup>nd</sup> by Berry. Market-yes, Berry-yes, Cox-yes.

Slight changes have been made from previous application. Rear yard setback the same. Front yard setback is 26ft. New dimensions are 107x66. Parking spaces are configured differently. Will have 14 car and 7 golf cart spaces. Will still meet parking requirements. The spaces are in a garage and each unit has assigned parking. Even if stacked parking was taken away there would still be enough parking.

Mr. Cox is concerned that it is going to become a great big parking lot.

Utility concerns from Kleinfelder. The applicant will need to address water/sewer, drainage, etc. These issues must be addressed with utilities department. Portion of property has developed standing water – site grading plan will be needed. Mrs. Auger commented that all this must be addressed on paper and has spoken with Mr. Russ. They do have a plan – needs to see it on paper still.

Mr. Mathys does agree that grading is needed. Multiple sewer connections were needed only if they were condominiums. These will not be condominiums and will only have one meter.

Motion to approve new construction with the condition that all the utility's standards in Kleinfelder review A through E are met by Market, 2<sup>nd</sup> by Cox. Berry-yes, Cox-yes, Market-yes.

The administrator is responsible for making sure that utilities issues are met. The zoning inspector is responsible for the structure and following zoning codes.

**App#101222 – 500 Catawba Ave., applicant, Joanne Wolf, is applying for an awning permit.**

Mr. Bickley will send a letter to new owner explaining they must submit the information needed by Kleinfelder for them to complete the review.

Continue to table.

**Public Participation:**

None

**Zoning Manual Revisions:**

Need to address sign ordinance. Market

Add to zoning manual dimensions for a golf cart parking spot. Market/Anderson

Accessory structure section needs new wording. Bickley/Anderson

**Inspector's Report:**

PIB Resort send a letter to owner and give a 30-day deadline to correct. The fence needs to be opaque.

**Complaints/Observations:**

Fence at PIB Resort – fence needs to be opaque.

Nuisance (criminal code) – junk/unsightly yard.

**Legal:**

Zoning code for parking dimensions of an 8-seater golf cart.

Accessory structure wording.

Motion to adjourn at 3:00pm by Berry, 2<sup>nd</sup> by Cox.

**Public Hearing and Meeting Minutes**  
**July 11, 2023 – Village Townhall**

**Public Hearing**

**Roll Call at 11:35am**

Berry-present, Market-present, Cox-present, Flint-present

App#062123 – 208 East Point Blvd., applicant, Mary Smith, is applying for a variance for a garage to be converted to a guest house that is not located on the principal dwelling.

**Oath given:**

Daniel Smith 208 East Point Blvd, PIB, Ohio 43456

Mary Smith 217 and 208 East Point Blvd, PIB, Ohio 43456

Steve Cooks 237 East Point Blvd, PIB, Ohio 43456

A letter opposing the variance from Jeff and Jane Baumgardner (neighbors) due to previous loud and inappropriate behavior and does not want the property to become a rental or used for large groups.

Mr. Cooks asked what the variance request was for and why there is a public hearing. A discussion took place on the variance – converting their garage into a guest house. Guest house must be on the property with a principal structure. There is no principal structure on the property. Mr. Cooks stated he is not opposed to construction or building. Discussion also took place regarding what would be needed to become a rental. They would need to apply for a special use permit. It would require a separate hearing.

Ms. Smith spoke on behalf of the variance. Renovate the whole garage. Guest house for friends and family. Currently waiting for sewer work to be done. It is 1 bedroom with 5 parking spaces, and 1400 sq ft.

Mr. Smith spoke on behalf of the variance: it is a free-standing lot (existing building) and does not feel there is adequate return without the variance.

**Motion to close hearing at 11:42am by Market, 2<sup>nd</sup> by Cox**

**Public Hearing**

**Roll call at 11:42am**

Market-present, Cox-present, Flint-present, Berry-present

App#063023 – 249 Cincinnati Ave., applicant Brent Zimmerman, is applying for a variance for front yard parking.

**Oath given:**

David Mason  
32110 Deerfield  
Avon, Ohio

Added 2 extra gravel spots in the front yard. There were 3 spots previously.

**Motion to close the hearing at 11:45 by Market, 2<sup>nd</sup> by Cox.**

**Regular Meeting**

**Roll Call at 11:45am**

Market-present, Berry-present, Flint-present, Cox-present.

Motion to approve May regular meeting minutes by Market, 2<sup>nd</sup> by Cox. Berry-yes, Flint-yes, Market-yes, Cox-yes.

Motion to approve May public hearing minutes by Market, 2<sup>nd</sup> by Berry. Flint-yes, Market-yes, Berry-yes, Cox-yes.

Motion to approve May special meeting minutes by Market, 2<sup>nd</sup> by Berry. Berry-yes, Flint-yes, Market-yes, Cox-yes.

Motion to approve June regular meeting minutes by Market, 2<sup>nd</sup> by Berry. Flint-yes, Market-yes, Berry-yes, Cox-yes.

**New Business:**

**App#062123 – 208 East Point Blvd., applicant, Mary Smith, is applying for a variance to for a garage to be converted to a guest house that is not located on the principal dwelling.**

Discussion took place on why it isn't considered a single-family dwelling. Mr. Bickley explained the applicant has chosen to call it a garage and guest house. It will have 1 bedroom, ½ bath upstairs, full bath and kitchen and living area downstairs. Total of 1462sq ft. The previous owner used it as a garage. It could be converted to a single-family dwelling and would be required to meet all the setbacks requirements.

Mr. Smith pointed out that the guest house is not secondary use, they want to consider it as a single-family dwelling on a free-standing lot.

The Commission biggest concern is the septic and sewer, since there will be two separate lots.

Discussion took place on how each lot would need to meet the required setbacks for a single-family dwelling. Non-conforming lots can still be used if all setbacks are met.

Susan discussed that the definition of single family dwelling does not fit what the applicant plans to do with the garage. It is a guest house.

Motion to approve as a guest house by Cox, 2<sup>nd</sup> by Berry. Flint-yes, Market-no, Berry-no, Cox-yes.

Market – lack of sewer and septic. Not large enough to build upon previously.

Discussion took place on both lot size and septic/sewer. The lot size is a building size. It is 67ft by 111ft. Mr. Smith stated they would not use the guest house until the septic/sewer was taken care of on the street. Chairwomen let Mr. Smith know that the application once approved would need to be completed within 18 months and septic/sewer can't be guaranteed by that time.

Motion to rescind previous motion by Cox, 2<sup>nd</sup> by Market. Berry-yes, Flint-yes, Market-yes, Cox-yes.

Motion to table by Cox 2<sup>nd</sup> by Berry. Berry-yes, Flint-yes, Market-yes, Cox-yes.

The applicant will need to provide adequate drawings information on the tie in for septic/sewer, plans for renovations and each parking space – 9ft and 20ft per space.

Once the information is submitted, the Commission will reconsider the application. Information must be submitted 10 days prior to the meeting.

**App#063023 – 249 Cincinnati Ave., applicant Brent Zimmerman, is applying for a variance for front yard parking.**

Motion to approve by Market, 2<sup>nd</sup> by Cox. Cox-yes, Flint-yes, Market-yes, Berry-yes.

**App#063023 (new) – 328 Toledo Ave., applicant, Brent Zimmerman, is applying for an accessory structure – drive thru container.  
(Kleinfelder review in process.)**

Motion to table by Market, 2<sup>nd</sup> by Cox. Cox-yes, Flint-yes, Market-yes, Berry-yes.

**App#063023-328 Toledo Ave., applicant, Brent Zimmerman, is applying for an accessory structure to add a storage room.  
(Kleinfelder review in process)**

Motion to amend application to remove the word accessory building and replace with remodel by Market, 2<sup>nd</sup> by Cox. Cox-yes, Flint-yes, Market-yes, Berry-yes.

Motion to table by Market, 2<sup>nd</sup> by Berry. Market-yes, Berry-yes, Cox-yes, Flint-yes.

### **Old Business:**

**App# 033123-198 Delaware Ave., applicant “Ken Russ” Vixen, is applying for a new construction permit for a bar, pool, and food trucks.  
(Tabled)**

The Commission biggest concern with this project is parking. The Commission is requesting that a new site plan be provided showing parking, the widening of the back emergency exit, and green space.

The pool will need to have a fence around it and it must be opaque.

The accessory structure at the entrance will need a set back variance.

Parking will need a variance – site plan must show exactly what parking is needed of golf cart vs. cars.

Motion for a parking and set back variance hearing on Tuesday, August 1<sup>st</sup> at 11am by Berry, 2<sup>nd</sup> by Market. Cox-yes, Flint-yes, Market-yes, Berry-yes.

**App#042823 - 234 Delaware Ave., applicant, Bernard McCann, is applying for patio bar permit. (Tabled)**

The Commission would like to see a site plan with parking.

Continue to table.

**App# 041823 – 225 Erie St., applicant, Andy Genzman, is applying for an accessory building permit for a hot tub trailer. (Tabled - Applicant has not submitted information for a Kleinfelder review.)**

Continue to table.

**App#101222 – 500 Catawba Ave., applicant, Joanne Wolf, is applying for an awning permit. (Letter sent.)**

Motion to untable by Market, 2<sup>nd</sup> by Berry. Cox-yes, Flint-yes, Market-yes, Berry-yes.

Motion to deny based on the lack of information provided in the application submitted in October of 2022 by Market, 2<sup>nd</sup> by Cox. Cox-yes, Flint-yes, Berry-yes, Market-yes.

#### **Public Participation:**

#### **Zoning Manual Revisions:**

Golf cart parking space dimensions

#### **Inspector's Report:**

Susan needs to look over the letter to be sent to 185 Toledo Ave. – Margaritta's.

#### **Complaints/Observations:**

Put-in-Bay Resort has advertisements on the fence facing the roadway. Letter from Susan

#### **Legal:**

Motion to adjourn at 1:05pm by Market, 2<sup>nd</sup> by Cox.



## Village of Put-in-Bay Planning Commission

P.O. Box 245, 435 Catawba Ave., Put-in-Bay, Ohio 43456 Ph: 419 341-0882

### **Regular Meeting Minutes August 1, 2023**

#### **Regular meeting**

#### **Roll Call**

Market-present, Berry-present, Flint-present, Cox-present.

#### **Approval of:**

Motion to approve July public hearing minutes by Cox, 2<sup>nd</sup> by Berry. Flint-yes, Market-yes, Cox-yes, Berry.

Motion to approve July regular meeting minutes by Market, 2<sup>nd</sup> by Cox. Berry-yes, Market-yes, Cox-yes, Flint-yes.

#### **New business:**

App# 072023 PV - 198 Delaware Ave., applicant, RJN Holdings – Ken Russ, is applying for a reduction in parking of 24 spaces, 133 to 109 spaces.

Discussion took place regarding parking. There is an easement to Toledo Ave. Traffic flow should not be affected as carts won't all be leaving at the same time. There will be two ways in and out. Car will be able to enter and exit as well.

Motion to approve by Market, 2<sup>nd</sup> by Flint. Flint-yes, Berry-no, Market-yes, Cox-yes.

App# 072023 V - 198 Delaware Ave., applicant, RJN Holdings – Ken Russ, at 198 Delaware Ave, is applying for a setback reduction of 52 ft, from 60ft to 8ft for an accessory structure.

Mr. Russ spoke regarding how this structure will prevent people from waiting on the sidewalk and will push them onto the property. The structure itself is 20 ft back, the shaded portion is 8 ft back. This leaves a 20 to 25 foot area to check in. 8 feet of greenspace for people to wait inside the business. The variance stays with the property.

24 foot easement is for parking and delivery. The easement closest to the Shirt Shack will be for deliveries.

Motion to approve 52-foot setback reduction from 60ft to 8ft with conditional provisions that the plans with updated loading berth of 12 feet around structure and spot for delivery area at the back of the building by Berry, 2<sup>nd</sup> by Market. Flint-yes, Berry-yes, Market-yes, Cox-yes.

**Old Business:**

App#062123 – 208 East Point Blvd., applicant, Mary Smith, is applying for a variance to for a garage to be converted to a guest house that is not located on the principal dwelling.

**(Tabled until October)**

App#063023 (new) – 328 Toledo Ave., applicant, Brent Zimmerman, is applying for an accessory structure – drive thru container.

Kleinfelder questions need to be addressed, along with water/sewer.

**Continue to table.**

App#063023-328 Toledo Ave., applicant, Brent Zimmerman, is applying for a remodeling permit.

Kleinfelder questions need to be addressed, along with water/sewer.

**Continue to table.**

App# 033123-198 Delaware Ave., applicant “Ken Russ” Vixen, is applying for a new construction permit for a bar, pool, and food trucks.

**(Tabled)**

App#042823 - 234 Delaware Ave., applicant, Bernard McCann, is applying for patio bar permit.

Motion to untable by Market, 2<sup>nd</sup> by Berry. Flint-yes, Berry-yes, Market-yes, Cox-yes.

Motion to approve 3 painted parking spots by Market, 2<sup>nd</sup> by Berry. Market-yes, Flint-yes, Berry-yes, Cox-yes.

App# 041823 – 225 Erie St., applicant, Andy Genzman, is applying for an accessory building permit for a hot tub trailer.

Motion to untable by Market, 2<sup>nd</sup> by Cox. Market-yes, Cox-yes, Flint-yes, Berry-yes.

Motion to deny based on lack of communication and lack of review by Market, 2<sup>nd</sup> by Cox. Market-yes, Cox-yes, Flint-yes, Berry-yes.

App#101222 – 500 Catawba Ave., applicant, Joanne Wolf, is applying for an awning permit.

Motion to rescind denied motion by Market, 2<sup>nd</sup> by Cox. Market-yes, Cox-yes, Flint-yes, Berry-yes.

Motion to table for updated Kleinfelder review by Market, 2<sup>nd</sup> by Cox. Flint-yes, Market-yes, Cox-yes, Berry-yes.

**Public Participation:**

Melinda Myers spoke regarding accessory structure and that 60ft setback seems extreme. Should be needed for residential maybe, but not commercial.

Frank

Questioned if there was a plan for traffic flow from the Candy Bar and 198 Delaware Ave. easement.

Judy Berry wants to know what properties are using their original approved parking spaces for the building as golf cart rental parking. Suggests forming a committee, issues citations, parking has to be marked.

Sara Booker – agreed with Berry regarding parking on a property should be marked.

Rick Price – agrees with Myers that the setback requirements on accessory structures should be changed.

**Zoning Manual Revisions:**

**Inspector's Report:**

Fence at Dodge House – have applied for a fence permit,

Pool at Getaway Inn – variance for pool cover.

**Complaints/Observations:**

Fence at Put-in-Bay resort has advertisements on fence facing the roadway. Susan needs to send a letter.

**Legal:**

Motion to adjourn at 1:09pm by Market, 2<sup>nd</sup> by Cox.

**Village of Put-in-Bay Planning Commission**  
P.O. Box 245, 435 Catawba Ave., Put-in-Bay, Ohio 43456 Ph: 419 341-0882

**Regular Meeting Minutes  
September 5, 2023**

**Roll Call**

Market-present, Flint-absent, Cox-present, Berry-present.

**Public Hearing**

App#081423 – 210 Catawba Ave., Daniel Drake, is applying for a variance to allow for a power safety barrier in lieu of a fence for a swimming pool.

**Oath**

Dan Drake -

**Regular meeting**

**Roll Call**

**Approval of:**

Approval of August meeting minutes

**New business:**

App# 080223-500 SR 357/500 Bayview Ave. - applicant, Michele Heineman, is applying for a fence permit.

Discussion took place on the fence needing a height variance.

Motion to table by Berry, 2<sup>nd</sup> by Market. Berry-yes, Market-yes, Cox-yes.

App# 081423-210 Concord Ave. – applicant, Daniel Drake, is applying for a variance to allow for a power safety barrier in lieu of a fence for a swimming pool.

Motion to table to October meeting by Market, 2<sup>nd</sup> by Cox. Cox-yes, Berry-yes, Market-yes.

App# 081923-460 Bayview Ave. – applicant, Melinda Myers, is applying for a fence permit.

Surrounding property owners are for it. 6ft tall and 142 inches wide. It will keep the backyard quiet. Fence is located behind all properties.

Motion to approve by Market, 2<sup>nd</sup> by Cox. Market-yes, Berry-yes, Flint-yes.

App# 082123 – 185 Toledo Ave. – applicant, Miyo Hristovski, is applying for a sidewalk and extension of fence.

Kleinfelder's review has questions.

Motion to table to October meeting by Market, 2<sup>nd</sup> by Berry. Cox-yes, Market-yes, Berry-yes.

App# 083123 – 404 Bayview Ave., - applicant, Melinda Myers, is applying for a zoning amendment to rezone from residential (R) to commercial 2 (C2).

Motion to set a public hearing for Tuesday, October 3, 2023, at 11am by Market, 2<sup>nd</sup> by Berry. Cox-yes, Market-yes, Berry-yes.

### **Old Business:**

App#062123 – 208 East Point Blvd., applicant, Mary Smith, is applying for a variance to for a garage to be converted to a guest house that is not located on the principal dwelling.

**(Tabled until October meeting)**

App#063023 (new) – 328 Toledo Ave., applicant, Brent Zimmerman, is applying for an accessory structure – drive thru container.

(Kleinfelder review in process.)

**Tabled**

App#063023-328 Toledo Ave., applicant, Brent Zimmerman, is applying for a remodeling permit.

(Kleinfelder review in process)

**Tabled**

App# 033123-198 Delaware Ave., applicant “Ken Russ” Vixen, is applying for a new construction permit for a bar, pool, and food trucks.

**Tabled**

### **Public Participation:**

Ed Fitzgerald spoke on behalf of the application he submitted in 2017 for a dormitory at 495 Catawba application. Variance approval is only valid for 18 months. He will need to resubmit for a Kleinfelder review.

John Titchner spoke regarding 299 E Point Blvd. Says the rental property next door has been great until last week. He would like to know who enforces the b&b regulations. It was suggested by the board to contact the police department and take pictures. Renters can be removed. He also was concerned that the property is being rented for a weekend vs. weekly.

### **Zoning Manual Revisions:**

Motion to approve a golf cart parking space dimension definition to be added to the zoning regulations with the dimensions of 6ft by 12ft by Market, 2<sup>nd</sup> by Berry. Cox-yes, Market-yes, Berry-yes.

Market wanted to state for the record that she feels the parking in the village should be the business owner’s problem not the Village. Suggests no parking on Delaware at all.

### **Inspector’s Report:**

#### **Complaints/Observations**

Berry would like research to be done to find out how many parking spaces were allotted for each hotel when originally built. Would like to see spaces marked at each hotel.

### **Legal:**

Golf cart parking space dimensions.

Accessory Structure definition.

Fence at Put-in-Bay resort has advertisements on fence facing the roadway.

**Village of Put-in-Bay Planning Commission**  
P.O. Box 245, 435 Catawba Ave., Put-in-Bay, Ohio 43456 Ph: 419 341-0882

**Public Hearing/Regular Meeting Minutes  
September 5, 2023**

**Roll Call**

Flint-absent, Market-present, Cox-present, Berry-present.

**Public Hearing**

App#081423 – 210 Concord Ave., Daniel Drake, is applying for a variance to allow for a power safety barrier in lieu of a fence for a swimming pool.

Motion to amend agenda to read 210 Concord Ave by Market, 2<sup>nd</sup> by Berry. Market-yes, Cox-yes, Berry-yes.

Oath was given.

Dan Drake -210 Concord.

Mr. Drake spoke regarding the barrier. It has a keypad and a maximum support of 480 pounds. The pool itself would be used from May to October from 10am to 4pm for guests only. The backyard will have two separate areas with a natural barrier.

The village attorney's main concern was Village liability. Attorney will do research. Does state law require a fence.

Motion to close hearing at 11:32 by Market, 2<sup>nd</sup> by Berry.

Motion to close at 11:32 by Market, 2<sup>nd</sup> by Berry.

**Regular meeting**

**Roll Call at 11:32am**

Cox present, Flint-absent, Market-present, Berry-present.

**Approval of:**

Motion to approve the August meeting minutes by Berry, 2<sup>nd</sup> by Market. Cox-yes, Market-yes, Berry-yes.

**New business:**

App# 080223-500 SR 357/500 Bayview Ave. - applicant, Michele Heineman, is applying for a fence permit.

Discussion took place on the fence needing a height variance. Motion to set for a variance hearing for October 3, 2023 at 11am by Berry, 2<sup>nd</sup> by Market. Berry-yes, Market-yes, Cox-yes.

Motion to table by Berry, 2<sup>nd</sup> by Market. Berry-yes, Market-yes, Cox-yes.

App# 081423-210 Concord Ave. – applicant, Daniel Drake, is applying for a variance to allow for a power safety barrier in lieu of a fence for a swimming pool.

Village attorney to do research on Ohio law regarding liability. Just available for guests. Mr. Drake provided plans. There will be a 5ft natural barrier.

Discussion took place on the placement of the fence that already exists around the property. A fence is already along both sides of the property and one has a gate.

Motion to table to October meeting by Market, 2<sup>nd</sup> by Cox. Cox-yes, Berry-yes, Market-yes.

App# 081923-460 Bayview Ave. – applicant, Melinda Myers, is applying for a fence permit.

Surrounding property owners are for it. 6ft tall and 142 inches wide. It will keep the backyard quiet. Fence is located behind all properties.

Motion to approve by Market, 2<sup>nd</sup> by Cox. Market-yes, Berry-yes, Flint-yes.

App# 082123 – 185 Toledo Ave. – applicant, Miyo Hristovski, is applying for a sidewalk and extension of fence.

Kleinfelder's review had questions.

Motion to table to October meeting by Market, 2<sup>nd</sup> by Berry. Cox-yes, Market-yes, Berry-yes.

App# 083123 – 404 Bayview Ave., - applicant, Melinda Myers, is applying for a zoning amendment to rezone from residential (R) to commercial 2 (C2).

Motion to set a public hearing for Tuesday, October 3, 2023, at 11am by Market, 2<sup>nd</sup> by Berry. Cox-yes, Market-yes, Berry-yes.

### **Old Business:**

App#062123 – 208 East Point Blvd., applicant, Mary Smith, is applying for a variance to for a garage to be converted to a guest house that is not located on the principal dwelling.  
Continue to table until October.

App#063023 (new) – 328 Toledo Ave., applicant, Brent Zimmerman, is applying for an accessory structure – drive thru container.

Cox asked where the applications stood. Still waiting on approval from the utilities department. Market will reach out to applicant and village administrator.

Continue to table.

App#063023-328 Toledo Ave., applicant, Brent Zimmerman, is applying for a remodeling permit.

Continue to table.

App# 033123-198 Delaware Ave., applicant “Ken Russ” Vixen, is applying for a new construction permit for a bar, pool, and food trucks.



Continue to table.

**Public Participation:**

Ed Fitzgerald spoke on behalf of the application he submitted in 2017 for a dormitory at 495 Catawba application. Variance approval is only valid for 18 months. He will need to resubmit for a Kleinfelder review.

John Titchner spoke regarding 299 E Point Blvd. Says the rental property next door has been great until last week. He would like to know who enforces the b&b regulations. It was suggested by the board to contact the police department and take pictures. Renters can be removed. He also was concerned that the property is being rented for a weekend vs. weekly.

**Zoning Manual Revisions:**

Motion to approve a golf cart parking space dimension definition to be added to the zoning regulations with the dimensions of 6ft by 12ft by Market, 2<sup>nd</sup> by Berry. Cox-yes, Market-yes, Berry-yes.

Market wanted to state for the record that she feels parking in the village should be the business owner's problem not the Village. Suggests no parking on Delaware at all.

**Inspector's Report:****Complaints/Observations**

Berry would like research to be done to find out how many parking spaces were allotted for each hotel when originally built. Would like to see spaces marked at each hotel.

**Legal:**

Golf cart parking space dimensions.

Accessory Structure definition.

Fence at Put-in-Bay resort has advertisements on fence facing the roadway.

Motion to adjourn by Market, 2<sup>nd</sup> by Cox. Meeting adjourned at 12:25pm.

**Village of Put-in-Bay Planning Commission**  
P.O. Box 245, 435 Catawba Ave., Put-in-Bay, Ohio 43456 Ph: 419 341-0882

**Public Hearing and Regular Meeting Minutes  
November 7, 2023  
Village Townhall**

**Public Hearing**

App# - 102723 – 410 Main St., applicant, Bernard McCann, is applying for a special use permit to continue the current use as a temporary staging site for the NPS seawall project until the completion of the project no later than July 31, 2024.

**Roll Call 12:12pm**

Flint-present, Cox-present, Berry-present, Market-present

**Oath Given:**

Ty Winchester 240 Delaware Ave. Put-in-Bay, Ohio 43456  
Mark Ryder 575 County Road 65 Helena, Ohio

No neighbors were present.

Discussion took place on where the project currently stood.

Mr. Winchester spoke on behalf of the project stating that the wall is finished. In 2024, the road will be put back to where it was originally, and the sidewalks will be put in at the Monument. Clean up will take place on the plant site as well.

Mr. Ryder spoke on behalf of the project as well stating the heavy construction has been finished, the concrete should be finished by the middle of May. Sidewalk to be put in and then black top to finish the road. Followed by a week to break down the site and return to its original state.

Discussion took place on having a plan in place by the company to reduce the dust, noise, fumes, etc. for the continuation of the project. The board would like to see this plan in writing.

Motion to close the hearing at 12:30pm by Market, 2<sup>nd</sup> by Cox.

**Regular Meeting**

**Roll Call 12:30pm**

Cox-present, Berry-present, Market-present, Flint-present.

**New Business**

App# - 102723 – 410 Main St., applicant, Bernard McCann, is applying for a special use permit to continue the current use as a temporary staging site for the NPS seawall project until the completion of the project no later than July 31, 2024.

The Planning Commission has asked the applicant to provide in writing a solution to containing the dust, noise, fumes, etc.

Motion to table by Cox, 2<sup>nd</sup> by Berry. Cox-yes, Berry-yes, Market-yes, Flint-yes.

App#- 101223 – 495 Catawba Ave., is applying for a side yard setback variance from 15ft to 10ft.

No one was in attendance for the public hearing. The property next to this property is the same owner.

Motion to approve the setback by Market, 2<sup>nd</sup> by Cox. Berry-yes, Market-yes, Cox-yes, Flint-yes.

### **Old Business**

App# - 092723 – 196 Hartford, applicant, Mary McCann, is applying for an accessory building permit.

Motion to untable by Market, 2<sup>nd</sup> by Cox. Berry-yes, Cox-yes, Market-yes, Flint-yes.

Parking will need to be marked.

Motion to approve by Market, 2<sup>nd</sup> by Cox. Berry-yes, Market-yes, Cox-yes, Flint-yes.

App# 091823 – 495 Catawba Ave., is applying for a new construction permit to be used as a dormitory.

Motion to untable by Market, 2<sup>nd</sup> by Cox. Berry-yes, Market-yes, Cox-yes, Flint-yes.

Parking is to be marked at the end of construction.

Motion to approve the new construction by Market, 2<sup>nd</sup> by Cox. Berry-yes, Market-yes, Cox-yes, Flint-yes.

091823App# 080223-500 SR 357/500 Bayview Ave. - applicant, Michele Heineman, is applying for a fence permit.

### **Tabled**

App# 033123-198 Delaware Ave., applicant “Ken Russ” Vixen, is applying for a new construction permit for a bar and pool.

### **Tabled**

Village Administrator sent an email to the Chairwomen regarding a solution brought to them from the contractor, Ken Russ, regarding strictly storm water and drainage. The inspector stated anything the contractor did on the project would be at their own risk. The structure has not been approved.

### **Public Participation:**

### **Zoning Manual Revisions:**

### **Inspector’s Report:**

The process of how to send violations. Inspector will send 1<sup>st</sup> and 2<sup>nd</sup> notice, then referred to legal.

### **Complaints/Observations:**

PIB Resort is still in violation.

Need to advertise for another member to join the Planning Commission.

Discussion took place on changing the date and time of 2024 meetings. The second Tuesday of the month at 11:30am.

**Legal:**

Golf cart parking space dimensions. Has not been given to the council yet.

Accessory Structure definition. – Todd

Land Use Map Changes – no changes, goes to council next.

Motion to adjourn at 1:09pm by Market, 2<sup>nd</sup> by Berry.

**Village of Put-in-Bay Planning Commission**  
P.O. Box 245, 435 Catawba Ave., Put-in-Bay, Ohio 43456 Ph: 419 341-0882

**Meeting Minutes  
December 12, 2023  
Village Townhall**

**Regular Meeting**

**Roll Call - 11:05**

Berr-present, Flint-absent, Cox-present, Market-present.

**Approval of Minutes:**

Motion to approve the November public hearing minutes by Berry, 2<sup>nd</sup> by Market. Cox-yes, Market-yes, Berry-yes.

Motion to approve the November regular meeting minutes by Market, 2<sup>nd</sup> by Market. Cox-yes, Market-yes, Berry-yes.

**New Business:**

Bill Sulesky Jr. is interested in being on the board. He will be sworn in at the January meeting.

Motion to set 2024 meeting dates by Cox, 2<sup>nd</sup> by Market. Cox-yes, Berry-yes, Market-yes.

Second Tuesdays of the Month at 11:30am.

January 16<sup>th</sup>, February 13<sup>th</sup>, March 12<sup>th</sup>, April 9<sup>th</sup>, May 14<sup>th</sup>, June 11<sup>th</sup>, July 9<sup>th</sup>, August 13<sup>th</sup>, September 10<sup>th</sup>, October 8<sup>th</sup>, November 12<sup>th</sup> and December 10<sup>th</sup>.

**Old Business:**

App# - 102723 – 410 Main St., applicant, Bernard McCann, is applying for special use permit to continue the current use as a temporary staging site for the NPS seawall project until the completion of project no later than July 31, 2024.

Motion to untangle by Market, 2<sup>nd</sup> by Cox. Cox-yes, Berry-yes, Market-yes.

Market did note that the time to discuss this application was at the public hearing which took place in November. Market stated she would allow Bob Gatewood to speak today.

Gatewood, whose business is on Toledo Avenue, has concerns about dust, debris, and drainage.

Cox asked for an explanation regarding the traffic code that addresses issues with dust, etc being on the road. This is a traffic village ordinance that the police department would need to cite; it is not a Planning Commission ordinance. The driver would be cited, not the company. The goal is to figure out how to keep the neighborhood dust and debris free.

Discussion took place of the Dust control plan submitted by ES Wagner. Cox didn't feel it was adequate information and that item 4 needed more details. Cox wants the problems to be addressed. Market did think it had adequate information EPA is addressing it. Berry would like to know the recourse if ES

Wagner does not follow the dust control plan. The permit can be revoked and given a cease and desist. Conditions can be put on the new special use permit.

Discussion took place on the EPA requirements. Market placed a call to Kris Hamilton from ES Wagner who explained and answered questions via speaker phone. All inspections are done by the company's employees and requires they are trained for the service. Envirocert – certification for storm water and erosion control. The EPA can request the records at any time. Items that are inspected are state compliance of stormwater, erosion, sediment control, soil being contaminated dust control, inlet protection, etc. This is a performance-based specification. The time frame to fix issues is 48 hours. The Commission would like to see these records.

Discussion took place regarding item 4 on the dust control plan. Hamilton stated that some equipment is owned by the company. The unit is self-contained sweeper, similar to a vacuum at home and has a water spray feature. Cox was concerned about why the equipment was not there now. Hamilton noted that the complaints did not reach his level in the company until this past fall.

Gatewood asked have they made any provisions for liability to protect the village if someone falls down on the asphalt. The Planning Commission did not have the answer. Where are they going to wash off the trucks, is there a catch basin. This was answered by the dust control plan that rinse water will not run off to adjacent properties.

Market asked Gatewood what make him happy. Gatewood wants the neighborhood to be whole again. Gatewood wants to know who are going to clean up people's yards and driveways. Who is liable for the streets. Neighbors should not have to clean their driveways. ES Wagner should do much more than a once a day cleaning. Market asked Gatewood what would make him happy. Don't let them continue until they make whole the citizens that they have damaged. Feels the dust plan has lots of holes in it. They need to prove they will not continue not to make a mess.

Winchester spoke on behalf of the McCann family who owns the property in which the concrete cement plant is located. When the original special use permit was approved, ES Wagner made adjustments that the Planning Commission had asked. The property itself is still doing exactly what they were asked to do.

Motion to table by Berry, 2<sup>nd</sup> by Box. Cox-yes, Berry-yes, Market-yes.

The commission needs more information on the dust control plan and the EPA records.

Motion for 2<sup>nd</sup> public hearing on Tuesday, March 12<sup>th</sup> at 11:30am by Cox, 2<sup>nd</sup> by Market. Cox-yes, Market-yes, Berry-yes.

091823App# 080223-500 SR 357/500 Bayview Ave. - applicant, Michele Heineman, is applying for a fence permit.

**Continue to table.**

App# 033123-198 Delaware Ave., applicant "Ken Russ" Vixen, is applying for a new construction permit for a bar and pool.

**Continue to table.**

### **Public Participation:**

Discussion took place on Gatewood's property having a discrepancy on the land use map. Berry wants to see the land use plan updated. A committee needs to be formed.

Gatewood discussed the monument project in public participation. EPA guys are paid by ES Wagner. 48 hours is too long of a turnaround time. Suggested that the company post a fund. 30-million-dollar project should be able to have workers cleaning up the driveways.

**Zoning Manual Revisions:**

Golf cart dimensions should be 6x12. Parking spots 1/3 cars, 2/3 golf carts (6x12). Remove the definition of golf carts. Small or large parking spaces.

Land use map- needs to be updated. The Village can't handle any new commercial. They are overburdened – can't give services they need. A committee needs to be formed with community members, zoning commission, and council. January 16<sup>th</sup> first meeting in 2024 will discuss updating the land use and zoning map. Community members are needed. Small time commitment.

**Inspector's Report:**

Has a letter been sent to PIB Resort?

**Complaints/Observations:**

**Legal:**

Motion to adjourn by Market, 2<sup>nd</sup> by Cox. Meeting adjourned at 1:44pm.

Planning Commission Meeting Minutes - 2024  
to be approved at the May-2024 meeting  
per Karen Goaziou, Clerk, Village of Put-in-Bay



## Village of Put-in-Bay Planning Commission

P.O. Box 245, 435 Catawba Ave., Put-in-Bay, Ohio 43456 Ph: 419 341-0882

### **Meeting Minutes**

**January 16, 2023**

**Village Townhall**

#### **Roll Call: 11:35**

Berry-present, Flint-absent, Cox-absent, Market-present.

Oath given to new member Bill Sulesky. Market remains Chairperson. Flint removed from board.

2024 Board members: Renee Market, Bill Sulesky, Judy Berry, Craig Cox, alternate – Ty Winchester.

#### **Approval of December meeting minutes**

By Market, 2<sup>nd</sup> by Berry. Market-yes, Sulesky-yes, Berry-yes.

#### **New Business:**

##### **Old Business:**

App# - 102723 – 410 Main St., applicant, Bernard McCann, is applying for special use permit to continue the current use as a temporary staging site for the NPS seawall project until the completion of project no later than July 31, 2024.

**Continue to table.**

091823App# 080223-500 SR 357/500 Bayview Ave. - applicant, Michele Heineman, is applying for a fence permit.

**Continue to table.**

App# 033123-198 Delaware Ave., applicant “Ken Russ” Vixen, is applying for a new construction permit for a bar and pool.

An update was given: hold up is sewer line. Continue to table.

#### **Public Participation:**

##### **Zoning Manual Revisions:**

Dimensions of golf cart space sent to council.

##### **Inspector’s Report:**

Letter sent to PIB Resort regarding fence with a deadline of March to reply.

##### **Complaints/Observations:**

Beer Barrel for sale. Any project with changed to the Beer Barrel building will require new parking.

##### **Legal:**

Motion to adjourn at 12:10 by Market, 2<sup>nd</sup> by Berry.

**Village of Put-in-Bay Planning Commission**  
P.O. Box 245, 435 Catawba Ave., Put-in-Bay, Ohio 43456 Ph: 419 341-0882

**Public Hearing/ Meeting Minutes**  
**March 12, 2024**  
**Village Townhall**

**Roll Call – 11:50am**

Market-present, Berry-present, Cox-present, Sulesky-absent

**Public Hearing**

App# - 102723 – 410 Main St., applicant, Bernard McCann, is applying for special use permit to continue the current use as a temporary staging site for the NPS seawall project until the completion of project no later than July 31, 2024.

Market discussed that the biggest issue has been dust and debris, she had a meeting with ES Wagner and discussed this issue, ES Wagner sent in new dust and debris clean up plan. The sweeper would be self-contained to limit dust.

Letters in support from several neighbors. Recognize the hardship, project is important and needs completed.

Berry also spoke with ES Wagner re: dust and debris clean up plan and ES Wagner will do more.

Market gave letter to Mr. Gatewood re: ES Wagner's new dust and debris clean up plan.

Ty Winchester  
240 Delaware Ave.  
Put-in-Bay, Ohio 43456

Winchester discussed the letters from neighbors. 9 were in support and 2 opposed. McCann's do own the neighboring properties as well. Discussion took place on an 8 week extension to July 1, 2024 and that the project must be finished by July 1, 2024 or sooner, if possible.

Bob Gatewood  
222 N. Toledo Ave.  
Put-in-Bay, Ohio 43456

Gatewood read the letter and feels this is a great improvement and hopes that ES Wagner will stick to their word and clean up. Winchester would like to speak with Gatewood at a later date regarding the logistic of his property. The property is not a neighboring property to the project site.

Kris Hamilton  
ES Wagner  
840 Pathcen Road  
Oregon, Ohio 43616

Discussion took place on dust and debris plan. The intent is to keep the road dryer and contain the dust with a self-containing sweeper.

Motion to adjourn hearing at 12:00pm by Market, 2<sup>nd</sup> by Cox.

## **Regular Meeting**

### **Roll Call at 12:02pm**

Berry-present, Market-present, Cox-present, Sulesky-absent

### **New Business:**

### **Old Business:**

App# - 102723 – 410 Main St., applicant, Bernard McCann, is applying for special use permit to continue the current use as a temporary staging site for the NPS seawall project until the completion of project no later than July 31, 2024.

Motion to untable by Market, 2<sup>nd</sup> by Berry. Berry-yes, Market-yes, Cox-yes.

Discussion took place:

Gatewood would like to know if anyone is going to unclog the drain in front of his neighbor's house. This discussion is not for the board to wade in on and needs to be addressed by the owner and the project manager. Hamilton stated he has only heard from Gatewood and not his neighbor. Cox stated he is disappointed that this wasn't taken care of immediately. Winchester stated once Gatewood had a conversation with him last year that ES Wagner stepped right up.

Motion to approve special use for project to be completed by July 1, 2024, contingent upon compliance with all points made in the dust and debris plan and debris plan becomes effective immediately by Market, 2<sup>nd</sup> by Cox. Berry-yes, Market-yes, Cox-yes.

091823App# 080223-500 SR 357/500 Bayview Ave. - applicant, Michele Heineman, is applying for a fence permit.

**Continue to table.**

App# 033123-198 Delaware Ave., applicant "Ken Russ" Vixen, is applying for a new construction permit for a bar and pool.

Ken Russ from Legends discussed the project – there are several moving parts, would like to begin the foundation for building #1, and break the project out into phases. The application can be amended to specify phases. New plans will need to be submitted for building #1 - phase 1. Legal noted any approval of phase 1 does not apply to the other phases.

Market stated variances on the entire project had been previously approved.

Discussion also took place on the fence around the building site. There are concerns for public safety. Russ stated a new fence has been ordered.

Continue to table

### **Public Participation:**

None

**Zoning Manual Revisions:**

Zoning maps – will need to form a committee.

Accessory structure definition – zoning inspector to email to zoning secretary.

**Inspector's Report:**

PIB Resort Fence – spoke with owner.

Same as last year's approval with open top and bottom for airflow, no signage on the outside, completed by May 17, 2024, at 12pm.

**Complaints/Observations:**

Sweet Siblings on Toledo Ave. has a new playground. Is this considered an accessory structure – zoning manual does not address regulations on playgrounds.

**Legal:**

None

Motion to adjourn meeting at 12:30pm by Market, 2<sup>nd</sup> by Cox.

**Village of Put-in-Bay Planning Commission**  
P.O. Box 245, 435 Catawba Ave., Put-in-Bay, Ohio 43456 Ph: 419 341-0882

**Meeting Minutes**  
**April 9, 2024**  
**Village Townhall**

**Roll Call – 11:34am**

Berry-present, Market-present, Cox-present, Sulesky-present

**New Business:**

040124 – 349 Doller Ave., applicant, Joe Field, is applying for a new construction permit.

Property is zoned commercial. Needs a Kleinfelder review even though being used as a residential property. Kleinfelder needs to be provided with the exact building plans and missing parts of the application.

Motion to table by Market, 2<sup>nd</sup> by Berry. Market-yes, Berry-yes, Cox-yes, Sulesky-yes.

**Old Business:**

091823App# 080223-500 SR 357/500 Bayview Ave. - applicant, Michele Heineman, is applying for a fence permit.

Motion to remove application by Market, 2<sup>nd</sup> by Berry. Berry-yes, Sulesky-yes, Cox-yes, Market-yes.

App# 033123-198 Delaware Ave., applicant “Ken Russ” Vixen, is applying for a new construction permit for a bar and pool.

Motion to untable by Market, 2<sup>nd</sup> by Cox. Market-yes, Sulesky-yes, Cox-yes, Berry-yes.

George Wilber sent a letter to the commission on behalf of the McCann family regarding encroachment on the easement of the east side of the project. Does not want this encroachment to obstruct access to Delaware. This would be a dispute between property owners.

Mr. Russ spoke with Kirsch’s in December regarding easement. Kirsch is concerned of not being able to access property from the back due to McCann property. Only conversation they have had so far.

Michael McCann was called into meeting by Chairwomen Market. The letter addresses the easement on Kirsch’s property. This letter is just a note to the Commission.

Discussion took place on deliveries. It will be a one way – drive in.

Discussion took place on building #1 being in compliance with the Kleinfelder review. All variances have been approved and did not affect building #1.

Russ hopes by November the accessory building and basement of the pool are completed. Nothing will be open during the 2024 season, construction only.

The utility department has given approval, the property owner has notified the neighbors of plans, and the variances have been approved.

Motion to approve phase 1 building #1 site plan revision from March 13, 2024, by Market, 2<sup>nd</sup> by Cox. Sulesky-yes, Berry-yes, Cox-yes, Market-yes.

**Public Participation:**

Dave Shaffer asked questions pertaining to food trucks. Needs to be a permanent structure with water/sewer/electric attached to it.

**Zoning Manual Revisions:**

Accessory Structure definitions

Signage definitions

**Inspector's Report:**

Letter to be sent to 185 Toledo Ave. regarding the cement in green space.

**Complaints/Observations:**

**Legal:**

Discussion took place on posting for a new committee to be formed for parking compliance audit. 5 members. Open to all property and business owners in the Village. Needs to go through council.

Zoning inspector, Mayor, and Chairperson will discuss and plan audit.

Motion to adjourn meeting at 12:24pm by Market, 2<sup>nd</sup> by Cox.

**Village of Put-in-Bay Planning Commission**  
P.O. Box 245, 435 Catawba Ave., Put-in-Bay, Ohio 43456 Ph: 419 341-0882

**Meeting Minutes**  
**May 14, 2024**  
**Village Townhall**

**Roll Call – 11:30am**

Berry-absent, Cox-present, Market-present, Sulesky- present.

Motion to approve January meeting minutes by Market, 2<sup>nd</sup> by Sulesky. Cox-yes, Market-yes, Sulesky-yes.

Motion to approve March regular meeting minutes by Cox, 2<sup>nd</sup> by Market. Cox-yes, Market-yes, Sulesky-yes.

Motion to approve March public hearing minutes by Market, 2<sup>nd</sup> by Cox. Cox-yes, Market-yes, Sulesky-yes.

Motion to approve April regular meeting minutes by Cox, 2<sup>nd</sup> by Market. Market-yes, Sulesky-yes, Cox-yes.

**New Business:**

App# 050724 – 392 Bayview Ave., applicant, Melinda McCann Myers, is applying for a permanent food trailer permit.

**(Sent to Kleinfelder.)**

Mr. Morrow spoke on behalf of the trailer. He would like to serve breakfast sandwiches – mainly on the weekends, increase foot traffic to businesses. If the trailer does not work at this business would move it to the Crew's Nest.

Motion to table until Kleinfelder review is completed by Market, 2<sup>nd</sup> by Cox. Market-yes, Sulesky-yes, Cox-yes.

**Old Business:**

App# 040124 – 349 Doller Ave., applicant, Joe Field, is applying for a new construction permit.

The applicant will be shifting the structure and parking to not have to apply for a variance. The owner does own the property next to this property. Parking will be at the back of the structure, driveway will be on the left side of the property.

Motion to untable by Cox, 2<sup>nd</sup> by Sulesky. Sulesky-yes, Cox-yes, Market-yes.

Motion to approve with the condition that a new set of plans are submitted and reviewed by the zoning inspector Market, 2<sup>nd</sup> by Cox. Coy-yes, Sulesky-yes, Market-yes.

App# 033123-198 Delaware Ave., applicant “Ken Russ” Vixen, is applying for a new construction permit for a bar and pool.

Continue to table.

Foundation has begun on the property.

The Village Administrator has had complaints regarding the fence during the construction. This is not a planning commission issue.

**Public Participation:**

**Zoning Manual Revisions:**

Ordinance for demolition/new construction sites.

Ordinance for food trailer/container bars

**Inspector’s Report:**

Accessory Structure definition

Motion to recommend to council: ordinance 1292.02 by Market, 2<sup>nd</sup> by Cox. Cox-yes, Sulesky-yes, Market-yes.

Susan/Todd will coordinate.

182 Concord Ave – approved porch addition

76 Toledo Ave – approve accessory building

**Complaints/Observations:**

Signs that do not have permits. Hardware Store, Bayshore (painting on accessory building), Sweet Siblings, Topsy Turvey’s (mural), Lester’s Tacos. Zoning Inspector will send letters. Bayshore was specifically given instructions when the accessory building was approved that they would need to obtain a sign permit prior to putting a sign up.

**Legal:**

Motion to adjourn meeting by Market, 2<sup>nd</sup> by Cox.

Meeting adjourned at 12:07pm.