

April 27, 2017

Lyndhurst, Ohio
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The Planning Commission of the City of Lyndhurst met in Regular session on Thursday, April 27, 2017 at 7:30 p.m., in the Conference Room of the Lyndhurst Municipal Center, 5301 Mayfield Road. Mayor Patrick A. Ward presiding.

Members Present: Commissioners: V F DeCrane, D J Sirk
T S Kravitz, P A Ward, L A Schlessel

Others Present: P T Murphy, Director of Law
J Maichle, Building Commissioner
C J White, Secretary

It was moved by Councilman Schlessel, seconded by Mr. Kravitz that the reading of the minutes of the Regular Meeting held Thursday, March 23, 2017, copies of which were mailed to all members, be dispensed with and said minutes stand approved as circulated.

The question was put to a voice vote and passed unanimously.

Motion carried.

Proposed Ordinance No. 2017-17

Review proposed ordinance enacting Chapter 1178 of the Codified Ordinances of the City of Lyndhurst, Ohio, titled “Bed and Breakfast Inns” and declaring an emergency.

In answer to Mr. DeCrane’s questions, Mayor Ward stated that recently there have been reports that there are homes in the city being marketed as bed and breakfasts. He explained that these particular homes are not classified as rentals, but rented out on multiple day basis.

After discussion, the following changes and additions were decided upon:

It was recommended that Page 2, (6) should read: There shall be an annual fire inspection.

It was decided to add a number 8, which will read, “In addition to these requirements, all applicable codes related to the Residential Code of Ohio shall be followed.”

On page 3, Mr. DeCrane recommended that (o) Exits. Read: A minimum of two exits from the bed and breakfast area shall be provided at the level of exit discharge. Rooms for let may not be on the third level.

Page 3, (6) shall read: person’s criminal background in connection with any application submitted pursuant to this Chapter.

April 27, 2017

It was moved by Mr. Sirk, seconded by Mr. Kravitz that recommendation be made to Council to pass proposed Ordinance No. 2017-17 as amended.

Roll Call: Yeas: DeCrane, Sirk, Kravitz, Ward, Schlessel
Nays: None

Motion carried.

Proposed Ordinance 2017-24

Review proposed ordinance amending Chapter 1160.04 of the Codified Ordinances of the City of Lyndhurst, Ohio, titled “Accessory uses, Buildings, and Structures,” and declaring an emergency.

Mr. Murphy explained that Council would like to require a home occupation to apply for a permit to be reviewed and approved by the Building Commissioner, and that it not become the equivalent of a store, where you would have retail goods not manufactured or fabricated on the premises being sold from the residence. He also stated that it is Council’s intent that when the property changes ownership, that permit becomes void.

It was recommended by Mr. Sirk that page 3, section (4) include the wording “Specifically excluded from this definition is the retail sales of goods and/or the home occupation shall not allow retail sales.

It was moved by Mr. Kravitz, seconded by Mr. Sirk that recommendation be made to Council to approve proposed Ordinance 2017-24 as amended.

Roll Call: Yeas: DeCrane, Sirk, Kravitz, Ward, Schlessel
Nays: None.

Motion carried.

Review regulations for construction dumpsters, portable, on-demand storage devices and “bagsters.”

Ordinances from surrounding cities were reviewed and discussed.

After discussion, the Commission recommended that the following be identified on dumpsters: capacity, dimensions, and that the device include the provider name (which will also be on the permit). It was further recommended that that a construction dumpster permit shall be valid for 30 days or the duration of a permitted construction project.

In regards to portable, on-demand storage devices, it was recommended that each device shall show provider and dimensions, and that each device be located in an approved location.

April 27, 2017

Mr. Maichle presented to the Commission information on bagsters, which are portable on-demand storage/refuse devices.

After review, it was recommended that the:

1. dumpster bag not be allowed to remain on any public or private property or right of way for more than seventy-two (72) hours; and
2. No more than two (2) allowed on any public or private property or right of way at any given time.

It was moved by Mr. Sirk, seconded by Mr. Kravitz that recommendation be made to Council that bagster restrictions be considered for inclusion in the codified ordinances of the City.

Roll Call: Yeas: DeCrane, Sirk, Kravitz, Ward, Schlessel.
Nays: None.

Motion carried.

It was moved by Mr. Sirk, seconded by Mr. Schlessel that the meeting be adjourned.

The question was put to a voice vote and passed unanimously.

Motion carried, meeting
adjourned at 8:30 p.m.

Chairman

Approved: _____

Attest: _____