

**PLANNING COMMISSION  
MEETING**

**May 19, 2020**

The regular monthly meeting of the Oregon Planning Commission was called to order in the Oregon Municipal Building by Chairman Scott Winckowski. Members present included Mayor Seferian, Yusef Olive and Greg Vriezelaar. Member Rick Orovitz was absent. Also present were Public Service Director Paul Roman, Commissioner of Building & Zoning James P. Gilmore, Inspector Mark P. Kelly and Secretary Lee Scheanwald.

The meeting was called to order at 5:02 p.m.

Mr. Olive moved to approve the April 21, 2020 regular meeting minutes as submitted. Seconded by Chairman Winckowski. There were no objections.

The following item was on the agenda:

SUE-167-20 Special Use in an **R-2 Zoned District** for the purpose of a **personal storage building** on the property described as **Parcel Nos. 44-68001 and 44-68004**. The applicant is **Martin Zak**. The locations are **2030 Lakeview Avenue** and **2034 Lakeview Avenue**.

Mr. Gilmore stated the applicant is essentially wanting to put an accessory building/storage building across from his house that borders on the lake. The storage building is going to be 60 x 60 and is not going to be related to any house over there, it is going to be free standing and used for personal storage.

Martin Zak added that the house that he lives in is located on the water side of the street. Even though the garage is being described as a free standing garage he is taking the idea as like driving through Catawba or Port Clinton, areas like that, there are a lot of houses that are situated on the water and then they have allowed them to build a garage across the street. This garage would be built and look similar to the house as far as it would be a stick-built structure and the siding would match the house across the street. So, it would have some congruence there as far as aesthetics goes and would not just look an odd building sitting on the street with no connection to anything.

William Owsley stated he is one of the owners of the property next door to where he is wanting to put the garage. His concern is that it is a residential area and there are no commercial buildings in that area.

Mr. Zak interjected that this is not a commercial building, it is a garage for his own personal use.

Mr. Owsley is also concerned about possible depreciation of the value of property in the area. He knows that maybe as long as Mr. Zak owns the property he may take care of the storage

building; but, if it is sold down the road than his concern is all kinds of things being stored outside and depreciating the value of the property.

Mr. Zak stated that is a valid concern. However, with building the garage now it is doing the opposite of what his concern is. It is, in his opinion, helping clean up the street. It would put trailers, boats – anything of that nature that are utilized – it would put them inside of a new structure. He cannot answer as to what happens in the future, but for the immediate effect on the street, he believes it will enhance it.

Mayor Seferian said from an administrative standpoint when they were doing the review and were looking at this parcel, they viewed this as a stand alone building without a residence on it, which would not traditionally be permitted. But then they looked at all the property there on the non-lake side of the road and many of the buildings are older structures in need of a lot of repair. The belief that someone would actually build residential structures there to live in was probably not going to happen; so, they were looking at what would be the best use of the land there to clean up the area and if people were to build new structures that may be garages, even though they were not connected to residences, it would be more likely improvement to the area than if they did not allow it.

Mr. Zak stated in the last seven years they have torn down three structures on the street attempting to clean it up. If this garage were to be allowed over there, another one of the old and dilapidated houses is going to be cleaned out and torn down and the contents moved to that garage.

Chairman Winckowski asked what the difference was between this being a garage and it being classified as a house in the zoning rules.

Mr. Gilmore replied one is for storage of things for the main structure, which is an accessory building and the other is a dwelling unit where you live. That being said, if we are thinking about approving this, we should look at the size of it. If you were to build a house there, you would have to have a thirty-foot rear yard. Maybe that is not appropriate in this zone. He asked Mr. Zak how many feet he was from the back-property line.

Mr. Zak responded on the site drawing he put three feet.

Mr. Gilmore said what he was really trying to say is even if a house were located on the other side this structure is quite a bit larger than what would be allowed in a normal residential area.

Mayor Seferian stated if it were to be built without us permitting it, just a garage standing by itself without a residence it would not be permitted. For example, in a subdivision if someone bought a lot and built a garage there and they did not want to live there, they just liked the area, it would throw off the whole integrity of that neighborhood. That is our code for any residential property anywhere in the city; but, when you have property out there that is very unlikely to have a house erected on it and it is falling into ruins then you ask what would be the best use for that property. The most likely to get that property cleaned up would be to allow structures such as this. Our hope is that if this goes through and this is built others will do the same thing and we

might find all those somewhat falling apart structures being torn down and replaced with new garages.

Mr. Owsley asked if Martin was to sell his house would he be obligated to sell the property across the street as an attachment or then could somebody buy that property separately and then we would have a building standing where the person doesn't live in the area.

Mayor Seferian answered that the way it has been presented that is possible.

Pauline Wallace said she and her husband are concerned with the large size of the structure. It is out of proportion with what is in that neighborhood and is just too big a building for that size of lot.

Chairman Winckowski asked how large his house was.

Mr. Zak replied that he did not know.

Mr. Owsley stated it is probably somewhere in the neighborhood of 2,400 to 3,000 square feet.

Chairman Winckowski asked Mr. Zak and the neighbors if they would be in support of the Board approving this with two stipulations: 1) The garage can be no larger than Mr. Zak's residence and 2) The garage must be used for personal storage for that home only.

Mr. Owsley responded that we would personally feel better if the building were attached to the existing property to where it had to be sold as one entity.

Mayor Seferian said that it is a little odd to put that into stipulations or conditions and asked how fast Mr. Zak is looking for an answer. Is it pertinent that it is voted on today or could it be voted on at next month's meeting? He would like to go over some language with some possible connection to the other lot and tie it to the house in some way.

Mr. Zak reiterated that the garage is only going to be used for his personal use; so, he is in no rush to get it done tonight. He just wants to do it properly.

Mr. Roman stated in terms of developing anything over there he thinks being across the street from the main home is also kind of odd. In terms of utilities and drainage and connecting things if it were possible to at least be on the same side of the street adjacent to the home it would be the best. Drainage would probably have to go across the road just to get to the lake to drain the property, which would be an expense.

Mayor Seferian stated it is not possible.

Chairman Winckowski asked the Mayor if it was his recommendation that we continue to next month and see if we can work it out.

Mayor Seferian answered it appears that the applicant is okay with that and he will talk with Law

Director Melissa Purpura and City Administrator Mike Beazley to see if there is language, or a tool, that exists to connect the house to that lot across the street.

Mr. Owsley asked if this hearing is postponed until next month via Zoom will the same access numbers be used.

Mayor Seferian responded no, there will be new numbers.

Mr. Owsley asked if they would be notified by mail again.

Mayor Seferian answered yes.

Mr. Olive asked Martin why the garage is not centered on the lot.

Mr. Zak replied that it would leave a small yard for the rental property next to it.

Mr. Olive stated that would leave approximately 19 feet on right side between the rental property and the garage and asked how much space there would be on the left side.

Mr. Zak responded there would be four feet.

Mr. Olive said he was concerned that with the space on the right side it could be used for RV or boat parking outside.

Mr. Zak stated that with the structure size and the doors he is requesting to be put on there is for the RV to go inside so it is not sitting in the yard. The whole concept is for the RV, boat and other amenities to go inside so it looks neat and orderly. So, nothing would be sitting outside or stored alongside it.

Mr. Olive asked if he made the stipulation that no outside storage would be allowed would he be acceptable with it.

Mr. Zak responded yes.

Mr. Owsley stated that with the buildings only being four feet apart on the left side he is concerned if there would be a fire.

Anthony Wallace asked if the height of the side walls of the building was going to be 14 feet.

Mr. Zak replied he believes that what the contractor told him.

Mrs. Wallace stated she is concerned about under this type of meeting "Zoom", which is very new, a lot of people that may have gotten notices have not been able to attend this meeting because they are not savvy with getting on Zoom. She thinks this is a detriment to really getting a good feel of what the neighbors might have to say. It is their responsibility to try to get connected and be at this meeting but she agrees that another month or more would be a good idea

so that maybe other people would get up to speed on the new technology and getting on a Zoom meeting. She added that she and her husband are not in favor of the size of the building. They think that size of a building in that neighborhood is totally out of proportion to the other homes there.

The neighbor directly behind where Mr. Zak is going to be building, on Verdun Street, spoke stating he has a problem with the size of the building and how close it is going to be to his fence line. He is the one who owns the six-foot privacy fence that is going to be on the back of this garage. He thinks it is going to be an eyesore in the size of it as when he walks out his back door that is all he is going to see is the back of this big garage.

Chairman Winckowski moved to continue the public hearing thirty days from now at the next scheduled meeting. Mayor Seferian seconded. There were no objections.

\*\*\*\*\* With no other business, the meeting adjourned at 5:53 p.m.

Lee Scheanwald,  
Secretary