

June 27, 2019

Lyndhurst, Ohio
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The Planning Commission of the City of Lyndhurst met in Regular Session on Thursday, June 27, 2019 at 7:30 p.m., in the Conference Room of the Lyndhurst Municipal Center, 5301 Mayfield Road. Mayor Patrick Ward, presiding.

Members Present: Commissioners: D J Sirk, B. Golsky,
P A Ward, C. LoPresti, B. Herberth

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

It was moved by Mr. Sirk, seconded by Mr. Golsky that the minutes of the Special Meeting held May 16, 2019, 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 with Mr. Herberth abstaining.

Motion carried.

1075 Clearview Road

Review request of Richard T. Coyne, for a Conditional Use Permit, to allow a group home, under Section 1160.03 and Section 1156 of the Planning and Zoning Code.

The Planning Commission, at its previous meeting held May 16, 2019, recommended to Council to grant a “temporary” Conditional Use Permit due to lack of all required documents. It has been confirmed that Mr. Coyne has now submitted all the required and necessary applications and documents for a Conditional Use Permit in compliance with Chapter 1156.02.

Mr. Coyne again explained that this home would be for three (3) special needs people residing in the home, with one care giver per shift, who will not live in the home.

In answer to Mayor Ward’s question regarding modifications to the house as required by the county, Mr. Coyne stated that those items are complete, and the house is in full compliance with the county regulations.

In answer to Mr. Sirk’s question regarding a house at 4967 Fairlawn possibly being a group home, Mr. Murphy stated that a letter was sent to the property owner indicating that he had renters there and a rental application must be submitted. The property owner called Mr. Murphy back stating that it is a rental property and that he would submit the required documents by July 1. Mr. Murphy stated that the property owner indicated that it is a rental property and not a group home, but if for some reason it does come up as a group home, the group home at

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1075 Clearview Road will have top priority as it pertains to distance between two (2) group homes.

It was moved by Mr. Sirk, seconded by Councilman LoPresti that recommendation be made to Council to grant a permanent Conditional Use Permit to Mr. Richard T. Coyne to allow a group home located at 1075 Clearview Road, under Section 1160.03 and Sections 1156 of the Planning and Zoning Code.

Roll Call: Yeas: Sirk, Golsky, Ward, LoPresti, Herberth
Nays: None.

Motion carried.

Review proposed legislation enacting Chapter 779 titled Tattoo and Body Piercing Businesses.

Mr. Murphy stated that he had sent a memo to the commissioners stating the recommended changes made to the proposed legislation regarding tattoo and body piercing businesses.

Discussion continued on a conditional use permit fee. The proposed legislation shows a three hundred (300) dollar fee over and above the one hundred (100) dollar annual business fee.

It was recommended that Section 779.03, line 7 read “. . .CONTINUES TO OWN OR OPERATE THE BUSINESS, AND THE ANNUAL PERMIT IS EXTENDED.” 779.04 (b) should read: Said permit shall expire December 31 of each calendar year unless extended by the Building Department. Any change of business ownership shall require a new conditional use application. Mayor Ward suggested that a reissue of the conditional use permit or the building department extend the reissue, provided all conditions are still being met.

It was moved by Mr. Golsky, seconded by Councilman LoPresti that recommendation be made to Council to approve the proposed legislation enacting Chapter 779 of the Codified Ordinances of the City of Lyndhurst, Ohio, titled “Tattoo and Body Piercing Businesses,” with the following modifications: Section 779.03 are as follows, remove the language “. . . and the annual permit fee is paid.” and replaced with “. . . and the annual permit is extended.” Additionally, the subsequent sentence be stricken. In Section 779.04 (b) shall read: Any change of business ownership shall require a new application, with payment of fees thereof. Said permit shall expire on December 31 of each calendar year unless extended by the Building Department.

Roll Call: Yeas: Sirk, Golsky, Ward, LoPresti, Herberth
Nays: None

Motion carried.

Mayor Ward indicated the members of the Planning Commission had been polled by email as to whether or not the regular meets should be held at 7:00 p.m. instead of 7:30 pm.

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Since there were no objections, he indicated the proposed change would be presented to Council. All concurred.

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

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

Motion carried, meeting
adjourned at 8:20 p.m.

Chairman

Approved: _____

Attest: _____