

CITY OF KIRTLAND
PLANNING AND ZONING COMMISSION

MINUTES OF THE MEETING
WORK SESSION
DECEMBER 13, 2021

The meeting commenced at 6:35 p.m. Present were Commission members Richard Blum, Richard DeMarco, Michael Denk and Daniel Laux. Joseph Vinciguerra was present by teleconference.

Also present were Law Director Matthew Lallo, City Engineer Douglas Courtney, Zoning Inspector Rick Loconti and Councilman Joseph Smolic.

Mr. Loconti asked the Commission for their thoughts on whether the City should continue allowing a non-conforming use to continue after the property is sold. He noted that an amendment to the Ordinances would be needed for a non-conforming use to discontinue when property is sold. Mr. Loconti said there are a lot of existing non-conforming uses, and the non-conforming use continues when the property sells. In discussion, it was noted that the mobile home park property and the Kirtland Grange are both non-conforming uses that pre-date the zoning code. Mr. Blum noted that a property owner of a non-conforming use would not be able to sell their property if the non-conforming use could not continue. Mr. Loconti noted that according to the current zoning, if a non-conforming use is abandoned for one year, then the non-conforming use is no longer allowed.

Discussion ensued regarding the conceptual review on tonight's agenda for the proposed indoor golf facility at the former Kirtland Grange. Mr. Loconti noted that the proposed use fits into the assembly group. Mr. Lallo stated that a conditional use should not be required, as long as the applicant is not changing the structure or the grandfathered use.

With regard to the Church of Latter-day Saints, Mr. Courtney stated they resubmitted plans on November 23, addressing his comments and the Commission's comments from the last meeting. Mr. Courtney advised that variances are needed from the Board of Zoning Appeals for the landscaping regulations. Mr. Courtney stated he is recommending approval of the preliminary and final development plan for the Smith Home at 8980 Chillicothe Road, conditional upon the Board of Zoning Appeals granting a variance to Sections 1288.11(b) and 1284.04(f), (g) and (h) relating to landscaping regulations. He stated that the Commission can waive the requirement in Section 1284.02(d) for a sidewalk, noting there are currently not sidewalks in that area and the slope is too steep. He noted the Church also needs approval from the Lake County Department of Utilities for the sanitary sewer connection. Mr. Courtney noted the plans have been approved by Lake County Soil & Water and are exempt from Lake County Stormwater requirements.

With regard to the Smith Store at 8983 Chillicothe Road, Mr. Courtney stated he is recommending approval of the final development plan, noting that a variance from the Board of Zoning Appeals is needed for landscape regulations in Section 1284.04(h). Mr. Courtney noted that the store will not be open to the public for tours

Upon completion of discussion, the meeting adjourned upon unanimous consent of the Commission members at 7:05 p.m.

CHAIRMAN

SECRETARY