

PLANNING COMMISSION MINUTES OF November 8, 2017
6:00 P.M. Council Chambers
745 Center Street, Milford, OH 45150

The Planning Commission of the City of Milford met in regular session on the evening of Wednesday, November 8, 2017, at Council Chambers, 745 Center Street, Milford, OH 45150.

Roll Call:

Chair, Lois McKnight called the Planning Commission meeting to order at 6:00 p.m. Other members present at tonight's meeting are Dino Pelle, and Laurie Howland.

Staff: Pam Holbrook, Asst. City Manager

Visitors: Cynthia Belcher, 405 Garfield Ave; Cole Carothers, 22 High Street; Ken Waeber, 431 Garfield Avenue

Ms. Howland made a motion to excuse Mr. Roe and Mr. Huseman; seconded by Mr. Pelle. The ayes carried.

Minutes Approval:

Minutes from the September 13, 2017 Planning Commission meeting were carried over to the next meeting.

Ms. Holbrook read the Staff Report for case SITE 17-12 into the record:

Project: Belcher Bed & Breakfast Conditional Use
Location: 405 Garfield Avenue
Property Owner: Christopher & Cynthia Belcher
405 Garfield Avenue
Milford OH 45150
Acreage: 2.5 Acres
Tax Parcel Id: 210731A016P
Zoning: R3, Single Family Residential District
Existing Use: Single Family Dwelling
Proposed Use: Bed & Breakfast

ADJACENT LAND USE AND ZONING

*North: R3, Single Family Residential and R1, Large Lot Single Family
West: B2 OMO, Downtown Mixed Use
East: R3, Single Family Residential
South: R3, Single Family Residential*

PROPOSAL

Cynthia and Christopher Belcher, applicants, are seeking approval to use their single family dwelling as a Bed & Breakfast. The property is zoned R-3 Single Family Residential District and Bed & Breakfast is a conditional use which shall be permitted only if expressly authorized by the Planning Commission in accordance with Chapter 1195, Conditional Uses.

ANALYSIS

The Milford Zoning Ordinance defines a Bed & Breakfast as “an owner occupied, single family detached structure, wherein lodging and breakfast are provided to transient guests for compensation. The bed & breakfast lodging is subordinate to the principal use of a single family dwelling.”

Chapter 1147 Single Family Residential District identifies Bed & Breakfast as a conditional use which may be permitted upon approval by Planning Commission.

In review of a conditional use application, the Planning Commission shall consider whether there is adequate evidence that the proposed conditionally permitted use is consistent with the following standards:

- A. The conditional use is consistent with the spirit, purpose and intent of the Comprehensive Plan, will not substantially and permanently injure the appropriate use of neighboring property and will serve the public convenience and welfare.
- B. The proposed conditional use is to be located in a district wherein such use may be permitted, subject to the requirements of Chapter 1195, Conditional Uses.
- C. The requirements set forth for each specific conditional use will be met;
- D. Minimum standards for parking and loading areas shall be as required in Chapter 1187, Off-Street Parking and Loading Requirements;
- E. Minimum Standards for landscaping shall be as required in Chapter 1189, Landscaping and Bufferyard Requirements; and
- F. The proposed use shall be adequately served by essential public facilities and services such as, but not limited to, roads, public safety forces, stormwater facilities, water, sewer, and schools.

The specific requirements for Bed & Breakfast are listed in 1195.05.G. and include:

1. The owner of the premises used for a bed and breakfast shall reside in the dwelling full-time.
2. No more than three bedrooms in any dwelling may be used for bed and breakfast lodging. A guest room shall contain no less than 100 square feet of living space, not including closets. A maximum of two guests is permitted per room.
3. A minimum of one full bath, including shower, toilet, and sink shall be available for the exclusive use of bed and breakfast paying guests.
4. Only one meal shall be served to each guest of the bed and breakfast and that meal shall be breakfast. No cooking facilities shall be permitted in individual guest quarters.

5. One off-street parking space shall be provided for each bedroom offered for bed and breakfast lodging and one off-street space shall be retained for the dwelling unit. Such off-street spaces may be provided in an existing driveway.
6. Parking areas shall not encroach upon any bufferyard required in Chapter 1189, Landscaping and Bufferyard Requirements.
7. Each paying guest shall stay at the bed and breakfast for not more than seven consecutive nights in a single year, nor more than a total of twenty-one nights in any given calendar year.
8. The resident owner shall keep a current guest register including names, addresses, and dates of occupancy of all guests.
9. Only one on premise sign shall be permitted for each bed and breakfast and shall not exceed four square feet per side,
10. Bed and Breakfast Lodging Establishments shall acquire and maintain any necessary State and County licenses and shall comply with all pertinent legislation.

STAFF RECOMMENDATION

The applicant indicates on page 2 of her application that she is willing and able to satisfy each conditional use requirement and the conditional use standards. The location appears to be appropriate for a Bed and Breakfast and it does not appear to negatively impact adjacent property owners. Staff recommends approval.

Ms. Holbrook added that 127 adjacent property owner letters were sent out; staff did not receive any questions or comments. She noted that the addition of a Bed and breakfast is in keeping with objective outlined by the Comprehensive Plan Update Steering Committee to make Milford a destination. The City received several requests for lodging close to the bike trail last summer.

Ms. Belcher stated that they would have 1 bedroom with a private bathroom and 2 bedrooms that would share a bathroom. She stated that she had contacted the Clermont County Health Department and they had explained that an owner occupied home not exceeding six rooms and sixteen guests is exempt from licensing requirements. Ms. Belcher stated that it is difficult to turn a profit with only 3 rooms and is hopeful that the City will revise the zoning to accommodate additional bedrooms. She stated that their hope is to retain the historical significance of the building.

Mr. Carothers stated that he is not opposed to the idea as it is, but would not like to see an increase in activity. He expressed concern about lighting and noise, but did not feel that the use as presented would be a problem.

Mr. Waeber stated that he was in support of the request. He questioned whether the conditional use would be transferrable. Ms. Holbrook stated no, a new property owner would need to receive a conditional use approval from Planning Commission.

Ms. Howland made a motion to approve the Conditional Use application for the Belcher Bed and Breakfast, seconded by Mr. Pelle. The motion carried 3-0.

There being no further business or comments to come before the Planning Commission, Ms. Howland made a motion to adjourn the meeting at 7:30 pm; seconded by Mr. Pelle. Following a unanimous decision, the ayes carried.

Gene Hollroot

Assistant City Manager

Lois McKnight

Lois McKnight, Chair