

REGULAR MEETING

PLANNING COMMISSION  
STATE OF OHIO  
COUNTY OF CUYAHOGA

DATE: August 7, 2018

AGENDA

TIME: 6:00 P.M.

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**WORK SESSION – 5:30 P.M.**

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **APPROVAL OF MINUTES**
  - a. Approval of Minutes of the Regular Work Session of June 19, 2018 (roll call)
  - b. Approval of Minutes of the Regular Meeting of June 19, 2018 (roll call)
4. **NEW BUSINESS** (Swear- in applicants)  
*The Chairman shall inform those present that according to a ruling by the Law Department, anyone wishing to speak at a public hearing is to rise, raise their right hand and the following oath administered. "Do you solemnly swear or affirm that the statements you are about to make are the truth." - Please give your name and address for the record.*
  - a. Jessica Boyd, 113 Union Street, tenant of Barnes Rentals, LLC is seeking Conditional Use approval for a Type "A" Day Care for children six weeks to twelve years of age, 7 days a week / 24 hours a day / 3 shifts (roll call)
5. **MISCELLANEOUS**
6. **ADJOURNMENT**  
(roll call)

**PLEASE TURN OFF ALL CELL PHONES BEFORE PLANNING COMMISSION MEETING**  
**(Planning Commission Minutes and Agendas posted at [www.bedfordoh.gov](http://www.bedfordoh.gov))**

(Please contact the Building Department at 440-735-6530 and/or Building Commissioner Calvin Beverly at 440-735-6531 for questions)

Bedford, Ohio

August 7, 2018

Planning Commission met in a Work Session at Bedford City Hall on Tuesday, August 7, 2018 at 5:30 p.m.

Present: Powers, Dzomba, Dickard, Briggs, Mallis. Absent: None.

Also Present: Secretary Lorree Villers and Building Commissioner Calvin Beverly. Absent: Law Director John Montello.

**Jessica Boyd, 113 Union Street, tenant of Barnes Rentals, LLC is seeking Conditional Use approval for a Type "A" Day Care for children six weeks to twelve years of age, 7 days a week / 24 hours a day / 3 shifts (§1931.02 (k) R-4)**

Mr. Beverly passed out a floor plan drawing which showed: room sizes, ages and location of where the child/children would be placed for care. He explained a day-care home, "Type A" means a permanent residence of the provider in which child day-care was provided for four (4) to twelve (12) children at one time and in which no more than four (4) children were under two (2) years of age at one time. In counting children, any children under six (6) years of age who were related to the provider and who were on the premises of the "Type A" home shall be counted. He explained Codified Section 1931.02 Conditional Uses (k) was a Day Care home, Type A, Kindergartens, day nurseries, or nursery schools provided that any play lot used in connection therewith was suitably fenced and screened in accordance with requirements of the Board. He explained the applicant would have to reside in the home and per the State of Ohio and would have to install a fence if there was not one already. He understood the applicant would reside in the home with her husband and two young boys. The applicant currently had a smaller Type "B" day care in the home and was wishing to expand.

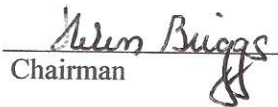
Mr. Beverly explained the licensing and fencing and playground area were at the State's level; not Bedford's. The Commission was not sure if there was going to be food delivered or if the parents provided their own food. It was determined the first floor had 962 square feet and the second floor had 270 square feet totaling 1,232 square feet which was ample space.

The Commission's concerns were: 1) the home's location was on the curve, 2) traffic safety for those traveling and/or if there was parking on Union Street, 3) possible limited parking spaces in the drive for the family, parents and worker(s), and 4) noise associated with running a day care seven (7) days a week / 24 hours a day / 365 days a year.

Discussion was held referring to the December 5, 2017 request of Sher'ri-Marie Harris who was seeking a Day Care & Learning Center located at 776 Broadway Avenue (§1937.03 (c)) Mr. Beverly explained these were two different situations; one was a Type A "Home" Day Care and the other was a Day Care "Center"; apples and oranges.

Meeting adjourned at 5:56 P.M.

  
Secretary

  
Chairman



Planning Commission met in Regular Session at Bedford City Hall on Tuesday, August 7, 2018 at 6:01 p.m. The roll was called. Present: Powers, Dzomba, Dickard, Briggs, Mallis. Absent: None. Also in attendance: Building Commissioner Calvin Beverly. [Absent: Law Director John Montello]

Motion made by Dickard seconded by Dzomba to approve the minutes of the Work Session of June 19, 2018. The roll was called. Vote – Yeas: Powers, Dzomba, Dickard, Briggs. Abstain: Mallis. Nays: None. Motion carried.

Motion made by Dickard seconded by Powers to approve the minutes of the Regular Meeting of June 19, 2018. The roll was called. Vote – Yeas: Powers, Dzomba, Dickard, Briggs. Abstain: Mallis. Nays: None. Motion carried.

*Chairperson Briggs informed those present that according to a ruling by the Law Department, anyone wishing to speak at a public hearing is to rise, raise their right hand and the following oath administered. "Do you solemnly swear or affirm that the statements you are about to make are the truth." Then give your name and address for the record.*

**Jessica Boyd, 113 Union Street, tenant of Barnes Rentals, LLC is seeking Conditional Use approval for a Type "A" Day Care for children six weeks to twelve years of age, 7 days a week / 24 hours a day / 3 shifts (§1931.02 (k) R-4)**

Present: Jessica Boyd, 113 Union Street, tenant of Barnes Rentals, LLC Bedford, Ohio 44146.

Mrs. Boyd, having previously been sworn in, stated she's been in the day care arena since she graduated from high school, she's personally worked at three day cares facilities and attended Youngstown State University. She felt her calling was to give back to the Bedford community assisting with the less fortunate children where both parents work and possibly on different shifts. She knew how it felt as a parent because she had two young boys. She felt home day cares were a better atmosphere for the children instead of a center type atmosphere for little children with the one on one care.

Mr. Mallis asked for clarification that there could be up to 12 children including her two young boys and she would be residing on the second floor. Ms. Boyd explained she split joint custody of her two boys who stay at their father's home. The first floor would be furnished with her furniture. Mr. Mallis asked how she scheduled the drop off and pick up times. Ms. Boyd said she set the schedule according to the parent(s) work schedules but normally it was around 9:30 a.m./10:00 a.m. Plus she did not think it was right for parents to drop off their child for an extended amount of time and her goal was only to watch the child for eight hours. The weekend care had varied times and more flexible for those who had to work the weekends. Mr. Mallis referred to the previous day care center where the Commission felt the traffic was a safety concern. [Ref: December 5, 2017 request of Sher'ri-Marie Harris who was seeking a Day Care & Learning Center located at 776 Broadway Avenue.] Ms. Boyd figured the traffic could be a concern; however, her drive was double wide, the neighbor of the vacant home next door allowed her to use that drive plus Mr. Barnes owned the house next to her and there were no issues with the use of the other drive.

Mr. Powers asked how many parents pick up at one time. Ms. Boyd replied the majority of the time it was two. Currently the schedule was: one baby was dropped off at 8:30 a.m. and picked up at 2:00 p.m. and there were two children that were dropped off at 8:15 a.m. and picked up around 3:30 p.m./4:00 p.m. She did not allow the parents to linger because sometimes that was not good for the child. She hasn't had any issues with parents being courteous waiting for their spot in line.

Mr. Dzomba asked if there was enough room in the back for a playground. Ms. Boyd explained she had to go through the proper process before having the fence installed. She had already selected a company but was waiting for City approvals. She explained the State of Ohio knew she was currently transporting the children to Ellenwood or another park to play because she was not comfortable with placing the children outside to play without a fence.

Chairman Briggs understood the applicant's drive was double width but was curious what the other home drive was. Ms. Boyd replied single width but longer with an additional concrete area.

Mr. Mallis asked what the square footage was for the playground area. Ms. Boyd had not had the yard measured as of yet because she was going through the City's process with the Commission and final consideration of Council. She knew the Planning Commission was the first step in the process.

Motion made by Mallis seconded by Dickard to approve the application of Jessica Boyd, 113 Union Street, tenant of Barnes Rentals, LLC who is seeking Conditional Use approval for a Type "A" Day Care for children six weeks to twelve years of age, 7 days a week / 24 hours a day / 3 shifts §1931.02 (k) and subject to Building Department approval and compliance with all city codes and ordinances.

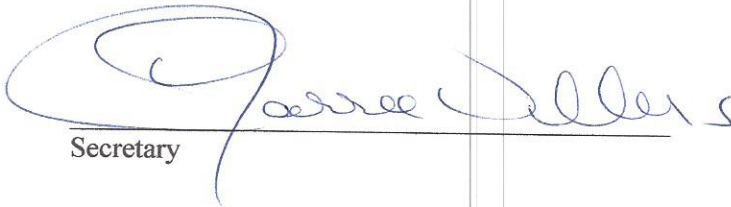
The roll was called. Vote – Yeas: Powers, Dzomba, Dickard, Briggs. Nays: Mallis. Motion carried.

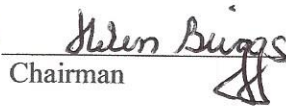
Chairperson Briggs stated the recommendation of the Planning Commission would be before City Council for final approval on Tuesday, September 4, 2018 at 8:00 p.m.

ADJOURNMENT

There being no further business to come before the Board, it was moved by Dzomba and seconded by Dickard to adjourn. The roll was called. Vote – Yeas: Powers, Dzomba, Dickard, Briggs, Mallis. Nays: None. Motion carried unanimously.

Meeting adjourned at 6:16 P.M.

  
Secretary

  
Chairman