

**PLANNING & ZONING COMMISSION**  
**February 24, 2015 – 7:00 P.M.**

The Planning Commission met at City Hall on the above date.

Present: Commission Members Bentley, Mazur and Newberry, Mayor Drucker, Councilman Pelunis, Assistant Law Director/Prosecutor Stolarsky, Planning Director Frankland, Secretary McConoughey

Absent: None

Also Present: Fire Inspector Eisenhuth, Assistant City Engineer Welch

**NOTES OF CAUCUS DISCUSSION:**

(Secretary's note: Agenda items not mentioned under Notes of Caucus Discussion are items that were not pertinently discussed during Caucus)

Councilman Pelunis presided.

**PENDING:**

1. Intersection of Route 91 and Miles Road – Pro-Built Homes, Inc. – Woods of Solon: Mr. Pelunis said a new plan was received and is currently under review. Mr. Stolarsky spoke with the applicant's legal representative and noted the applicant requested the item be tabled until the March 10<sup>th</sup> meeting.

**NEW:**

2. 36025 Pepper Drive – Eric Gordon – side yard setback variance, cumulative side yard setback variance, accessory structure location variance and garage apron side yard setback variance: Councilman Pelunis said a letter was received from the President of the Homeowners' Association and also an adjacent neighbor who had no objection to Mr. Gordon's plans for the detached garage.

Mr. Gordon explained it was not possible to attach the garage to the house.

3. 33760 Bainbridge Road – Sgro Development Enterprises: Number of wall signs variance and wall sign projection variance: In response to Mayor Drucker's inquiry, it was noted Berkshire Hathaway will occupy both floors of the building.

The caucus ended at 7:10 P.M. and the meeting began at 7:30 P.M.

**CHANGES TO THE AGENDA:**

There were no changes to the agenda.

COMMENTS FROM THE AUDIENCE:

There were no comments from the audience.

APPROVAL OF MINUTES:

Motion by Mr. Mazur, seconded by Mr. Bentley to approve the minutes of the February 10, 2015 meeting as presented.

Roll Call: Aye: Bentley, Drucker, Mazur, Newberry, Pelunis  
Nay: None

Motion Carried

PENDING:

1. Intersection of Route 91 and Miles Road – Pro-Built Homes, Inc. 104-2014 4  
Parcel A: 952-40-006, Parcel B: 952-40-018 and Parcel C: 952-40-005
  - 6' driveway width variance
  - 25' driveway rear yard setback variance (Parcel A)
  - 10' driveway side yard setback variance (Parcel B - north lot line)
  - 10' driveway side yard setback variance (Parcel B - south lot line)
  - 10' driveway side yard setback variance (Parcel C - north lot line)
  - 6' driveway rear yard setback variance (Parcel B)
  - Dwelling orientation variance (Parcel A)
  - Dwelling orientation variance (Parcel B)
  - Dwelling orientation variance (Parcel C)
  - 102.1' front yard setback variance (Parcel B)
  - 39.75' front yard setback variance (Parcel C)
  - Not parallel to street variance (Parcel A)
  - Revised site plan for condominiums - (3) two-family dwellings

Mr. Stolarsky said he attended a meeting with the applicant's attorney, Mr. Ken Fisher, who said they will attend the meeting of March 10<sup>th</sup>. He said a new plan was submitted to the Planning Department which is more compliant with the City's zoning requirements and requires fewer variances. The plan is currently being reviewed by the Planning Department and the Engineering Department.

Motion by Mayor Drucker, seconded by Mr. Newberry to table consideration of Item 1.

Roll Call: Aye: Bentley, Drucker, Mazur, Newberry, Pelunis  
Nay: None

Motion Carried

NEW:

2. 36025 Pepper Drive – Eric Gordon 017-2015 4
  - 9'-8" side yard setback variance
  - 9'-8" cumulative side yard setback variance
  - Accessory structure location variance (detached garage)
  - 4' garage apron side yard setback variance

Mr. Eric Gordon and Mr. James Evanko, contractor, were present. Mr. Gordon displayed an aerial view of his property indicating the location at the end of his driveway for the proposed 20' x 24' detached garage. He displayed a rendering of the garage and said the garage will match the same cedar siding and color as on the house.

Councilman Pelunis said a letter from the adjacent homeowner was submitted indicating they have no objections to the garage. In addition, a letter was received from the Homeowners' Association stating Mr. Gordon is required to comply with all of the City's standards, codes and regulations and it did not specifically state if they approved of the garage or if they were opposed to it.

Mr. Gordon explained this is the only feasible location for the garage as he has drainage issues with his yard and there is no room to attach a garage to the house. In addition, the current garage has a bedroom located above it which makes it impossible to expand.

Mayor Drucker asked if the proposed garage will be located where the concrete ends or will additional concrete be added.

Mr. Evanko replied it will be located approximately 4' further back from the concrete which will allow for the change in slope for the existing pad and to allow room to back out of the garage.

Motion by Mayor Drucker, seconded by Mr. Mazur to approve a 9'-8" side yard setback variance.

Councilman Kotora said although the Homeowners' Association letter was neutral, it is a very active Association. He spoke with the Association president, who said she had received no negative feedback from any of the members regarding the requested variances and another member who feels it would be an improvement to the property. Councilman Kotora is familiar with the neighborhood and is aware of flooding issues and, therefore, would be concerned about drainage issues as indicated by Mr. Gordon if the garage was constructed in another location.

Roll Call: Aye: Bentley, Drucker, Mazur, Newberry, Pelunis  
Nay: None

Motion Carried

Motion by Mr. Mazur, seconded by Mr. Newberry to approve a 9'-8" cumulative side yard setback variance.

Roll Call: Aye: Bentley, Drucker, Mazur, Newberry, Pelunis  
Nay: None

Motion Carried

Motion by Mr. Newberry, seconded by Mr. Bentley to approve an accessory structure location variance for the detached garage.

Roll Call: Aye: Bentley, Drucker, Mazur, Newberry, Pelunis  
Nay: None

Motion Carried

Motion by Mr. Bentley, seconded by Mayor Drucker to approve a 4' garage apron side yard setback variance.

Roll Call: Aye: Bentley, Drucker, Mazur, Newberry, Pelunis  
Nay: None

Motion Carried

3. 33760 Bainbridge Road – Sgro Development Enterprises 018-2015 6
- Number of wall signs variance (to permit 2 additional)
  - 10" wall sign projection variance

Mr. Greg Kitzmiller, Bigham Services, and Mr. Michael Smith, Berkshire Hathaway, were present representing the applicant. Mr. Kitzmiller displayed a photograph of the building and said the proposal is to use the current brackets on the building for the projecting front sign. In addition, the proposal is to have sand blasted wall signs on the sides of the building.

In response to Councilman Pelunis' question, Mr. Kitzmiller said the banner sign will be removed if the variances are approved for the requested signs.

Mr. Newberry asked for clarification of the size of the signs on the sides of the building. Mr. Kitzmiller said they will be approximately the same size as the current signs and the projecting sign will be the same size as the current sign.

Motion by Mayor Drucker, seconded by Mr. Mazur to approve a number of wall signs variance (to permit 2 additional signs) for 33760 Bainbridge Road.

Roll Call: Aye: Bentley, Drucker, Mazur, Newberry, Pelunis  
Nay: None

Motion Carried

Motion by Mr. Mazur, seconded by Mr. Newberry to approve a 10" wall sign projection variance.

Roll Call: Aye: Bentley, Drucker, Mazur, Newberry, Pelunis  
Nay: None

Motion Carried

MINOR ALTERATIONS FROM THE PLANNING DEPARTMENT:

1. 30625 Solon Road – Kenmore Label and Tag

Mr. Frankland displayed an aerial view of the property and indicated where a glass man door is located. The proposal is to remove the door and have only a glass window in the location.

The Commission agreed no further review of this item is necessary.

2. 33160 Solon Road – SSSS, Inc.

Mr. Frankland displayed a site plan indicating where the addition of a sidewalk is proposed along Solon Road adjacent to the driveway. He noted that the plan also displays the handicapped parking layout which is in compliance with Federal law,

however, does not meet the City's requirements. Therefore, the approval tonight is only for the sidewalk.

The Commission agreed no further review of this item is necessary.

COMMENTS FROM THE COMMISSION:

There were no comments from the Commission.

COMMENTS FROM THE AUDIENCE:

There were no comments from the audience.

Motion by Mayor Drucker, seconded Mr. Bentley to adjourn the meeting at 7:45 P.M.

Roll Call: Aye: Bentley, Drucker, Mazur, Newberry, Pelunis  
Nay: None

Motion Carried

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Chairman

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Secretary