

**PLANNING & ZONING COMMISSION**  
**March 10, 2015 – 7:00 P.M.**

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

Present: Commission Member Bentley, Mayor Drucker, Councilman Pelunis, Assistant Law Director/Prosecutor Stolarsky, Planning Director Frankland, Secretary McConoughey

Absent: Commission Members Mazur and Newberry

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 – ProBuilt Homes, Inc. – Woods of Solon: Councilman Pelunis said a revised site plan has been submitted and Mrs. Welch confirmed that the drainage calculations were submitted and reviewed.

Councilman Pelunis noted there are only three members of the Planning Commission present and asked if the applicant intended to move forward with the application.

Mr. Ken Fisher, attorney for ProBuilt Homes, asked Mr. Stolarsky if two of three affirmative votes will approve an item.

Mr. Stolarsky confirmed that two of three affirmative votes will approve an item. However, a decision can be reached at any time during the meeting if the applicant wishes to continue with only three members of the Commission present.

Mr. Fisher believes the applicant would like to proceed as this has been on the agenda for a long time. However, they will make that final determination as the meeting continues.

Mr. Frankland said there will be additional contingencies added to the motions that are not in the Planning Department memo. He said one contingency will be regarding the landscape architect's letter and a second contingency is for a cross-access agreement that will be necessary for the shared driveway.

Councilman Pelunis said as there will be only one driveway serving four of the homes off of SOM Center Road, he is concerned about 4 trash cans and 4 recycling carts at the bottom of the driveway. He feels the driveway is not wide enough to accommodate the carts and a vehicle entering or exiting.

Mr. Fisher said the current driveway plans are within the pavement setback and they would be willing to install a concrete pad at the end of the driveway to serve as a location for the trash carts.

Mr. George Davis, President of ProBuilt Homes, was present and agreed to add a concrete pad for the purpose of holding the trash carts and include this requirement in the condominium declarations.

Mr. Frankland said the pad would have to be located within the right-of-way and not on private property or additional variances would be required. It would also be subject to the approval of the Engineering Department.

Mayor Drucker asked if it was possible to eliminate the 5' accessory pavement setback variance for Parcel A if the house is moved back by 5'.

Mr. Davis said the 5' accessory pavement setback variance is for the turn-around and it can be moved back 5'.

Mayor Drucker understands the need for granting variances due to the difficulty the City's Code places on developments but would prefer to eliminate unnecessary variances. She also appreciates all of the changes that ProBuilt Homes has agreed to make.

Mr. Davis is concerned that reducing the amount of pavement will make it difficult for the homeowner to maneuver a vehicle, especially larger vehicles. The Commission and the applicant further discussed options for the paved turn-around area in an effort to eliminate the variance.

Mr. Frankland said the house could be moved back by 5' since the rear setback does not require a variance.

Mr. Davis would consider moving the house back by 5' as he believes changing the turn-around will make it difficult for the resident's turning radius.

Mayor Drucker said the developer can determine the best solution, whether it is better to move the house back by 5' or change the turn-around, providing it eliminates the need for the 5' accessory pavement setback variance.

Mr. Stolarsky said the Commission will make a motion to accept the withdrawal of the 5' accessory pavement setback variance for Parcel A.

Mrs. Welch said the Engineering Department still needs the sanitary capacity analysis information.

Mr. Dave Novak, Barrington Consulting Group, was present and said they have been communicating with the City about the sanitary capacity analysis information. The current pump station was originally designed to include the three lots with each lot containing a four bedroom home. Although the current plan will increase the number of bedrooms by 6, it is thought that this will increase the flow by approximately 7 percent. However, they are still waiting to receive all of the necessary information to determine the actual results. Mr. Novak said it is believed that an adjustment to the timing of the pump might be all that is necessary.

NEW:

2. 32345 Cannon Road/6800 SOM Center Road – Solon City Schools – site plan for façade alterations for Lewis Elementary School and Orchard Middle School: Mr. Frankland noted that the plans are for different schools, however, were submitted on the same application.

5. 5821 Harper Road – Ezov Development Group, LLC (Oliver Architecture): various setback variances, parking variances and site plan: Mr. Frankland said this item should be tabled as there are unanswered engineering issues and an issue with the landscaping plan and retention area.

6. 29495 F. A. Lennon Drive – Swagelok: parking lot material variance, variance to not install curbing and site plan: Mr. Frankland said this item will also be tabled as the Swagelok representative will be out of town.

The caucus ended at 7:15 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:

Ms. Molly Logan, 33150 Miles Road, was present to speak about Item 1, the Woods of Solon. She is concerned about her privacy and does not want to view the construction that will be taking place adjacent to her property. She asked that substantial, mature screening be installed. Ms. Logan is also concerned about the possibility of damage that might occur to her property during construction and asked that any necessary repairs be made by the developer, with no financial burden to her, if any damage occurs.

#### APPROVAL OF MINUTES:

Motion by Mr. Bentley, seconded by Mayor Drucker to table consideration of the February 24, 2015 minutes until the next meeting as two members are absent.

Roll Call: Aye: Bentley, Drucker, Pelunis

Nay: None

Motion Carried

PENDING:

1. Intersection of Route 91 and Miles Road – ProBuilt Homes, Inc. - 104-2014 4  
Woods of Solon - Parcel A: 952-40-006, Parcel B: 952-40-018 and  
Parcel C: 952-40-005 – a revised plan dated February 12, 2015, resulted in  
the following variances:
  - ~~5' accessory pavement setback variance (Parcel A) – withdrawn~~
  - 91.5' front yard dwelling setback variance (Parcel B)
  - 42' front yard dwelling setback variance (Parcel C)
  - 10' driveway side yard setback variance (Parcel B)
  - 10' driveway side yard setback variance (Parcel C)
  - Variance to not install sidewalks
  - Variance to not install curbing
  - Revised site plan for condominiums – (3) two-family dwellings

Mr. Ken Fisher, Attorney for ProBuilt Homes, Inc, Cleveland, Mr. George Edwin Davis, III, President of ProBuilt Homes and Mr. Dave Novak, President of Barrington Engineering were present.

Mr. Stolarsky said although two of the Commission members are absent, there are three members present which creates a quorum and the meeting can proceed. However, for any motion to be carried, it will require the affirmative vote of two of the three members. Therefore, any applicant has the option during the meeting to request their item be tabled and wait until a full Commission is present.

Mr. Stolarsky explained all participants will be sworn in and all documents will be marked as exhibits and made part of the record of this proceeding. Mr. Stolarsky requested the following items be marked as City exhibits:

- Planning Director Frankland's 2-page memorandum dated March 4, 2015 - marked as Exhibit 1
- The letter from Douglas Nemeckay, City Landscape Architect, dated February 25, 2015 – marked as Exhibit 2
- City Engineer Busch's revised memorandum dated March 3, 2015 – marked as Exhibit 3
- Project Engineer Lyndon's letter dated March 2, 2015 to Dave Novak of Barrington Consulting Group – marked Exhibit 4

All of the Commission members agreed to the items being admitted into the record.

Mr. Stolarsky said anyone who will be speaking for ProBuilt Homes, Planning Director Frankland and Assistant City Engineer Welch to stand and be sworn in.

Mr. Stolarsky swore in those individuals.

Mr. Fisher explained that the property is zoned R-2, Two-Family Residential. The R-2 Zoning permits one 2-family residence per each 20,000 square foot lot minimum

per Chapter 1269 of the City Code. Mr. Fisher said the three parcels are each in excess of 20,000 square feet.

Mr. Fisher said the current plan is the result of input from City officials and much effort was made to be consistent with the City's Zoning Code. He believes the factors for establishing practical difficulty or exceptional and undue hardship are present and have been considered.

Mr. Fisher said the applicant is requesting the first variance for a 5' accessory pavement setback variance for Parcel A be withdrawn. He explained that Parcel A faces Miles Road and Parcels B and C abut SOM Center Road. Mr. Fisher said it is the developer's intention to move the building back 5' which will no longer necessitate the variance.

Mr. Fisher said the next variance is based on Section 1287.02 where the required average front setback is 158.5' and the proposed setback of 67' for Parcel B requires a 91.5' variance.

Mr. Fisher said the variance for a 42' front yard dwelling setback variance for Parcel C is necessary because the required average front setback would be 162' and the proposal is for a 120' setback.

Mr. Fisher said two variances are based on Section 1287.08(2)(C) where pavement may not be located closer than 10' from the side property line and the proposal is for a setback of a shared driveway located zero feet from the lot lines requiring a 10' variance for Parcel B and Parcel C.

Mr. Fisher said the variance to not install sidewalks is based on Section 1248.08-B-6 where installation of sidewalks is required in subdivisions. It is their belief that this section does not apply to this application. Mr. Fisher said the City is permitted to waive the sidewalk requirement when sidewalks neither exist in the vicinity nor are planned. It is believed this is applicable as there are no sidewalks on Miles Road in Solon and no sidewalks located on the east side of SOM Center Road preceding the intersection.

Mr. Fisher said the variance to not install curbing is based on Section 1240.02 as it applies to subdivisions. As there are no street curbs on Miles Road or SOM Center Road at or near the vicinity of the project, the variance to not install curbing is requested.

Mr. Fisher said it is believed that water quality and storm water management for the project fully complies with the Ohio EPA and municipal code requirements. He said they are in receipt of a letter from City Engineer Busch (Exhibit E) indicating that no wetlands exist on the site.

Mr. Fisher said with regard to landscaping requirements, correspondence was received from the City Landscape Architect, Douglas Nemeckay, who is in substantial agreement with the plan as submitted.

Councilman Pelunis said the first variance requires a motion to be withdrawn.

Motion by Mayor Drucker, seconded by Mr. Bentley to accept the withdrawal of the 5' accessory pavement setback variance for Parcel A.

Roll Call: Aye: Bentley, Drucker, Pelunis

Nay: None

Motion Carried

Mr. Davis addressed earlier comments by Ms. Logan concerning landscape buffering. He displayed a site plan and explained that much time and effort with the Planning Department and the City's Landscape Architect went into creating a landscape plan that provides screening for Ms. Logan's property. Mr. Davis said the plan has been changed to ranch-style units, no longer two-story units, and as it is situated downhill, it will be easier to adequately screen the property. He said there will be no reason for anyone to be on Ms. Logan's property. However, if for any reason, they are responsible for any damage to her property, they will restore the property. Mr. Davis said ProBuilt Homes has a reputation as a reputable builder and it is their intention to build upscale quality 3-bedroom ranch units of approximately 2,200 square feet with high-end finishes and pricing will be approximately \$350,000 per unit. He displayed a rendering of the front elevation of one of the units.

Mr. Davis said the property will be treated as condominiums with strict deed restrictions that the City will have the opportunity to review. He said they intend to be a good neighbor and will continue to work with the City as he feels the City and his staff have worked well together.

Mayor Drucker referred to the site plan and asked if the decks indicated on the site plan were included in the setbacks.

Mr. Frankland said the decks are included in the setbacks.

Mr. Bentley said the plan has a very elegant elevation and the floorplan seems to flow nicely. The applicant has agreed to move the building back 5' which enabled the withdrawal of the first variance.

Mayor Drucker asked Mr. Davis to display the site plan and review and explain the variances.

Mr. Davis displayed the site plan. He said the setback variances on Parcels B and C are required due to the hardship of the placement of the existing home south of the three parcels which is located very close to the rear property line. He explained, in order to meet the City requirements, the units would have to be built very close to Ms. Logan's property. Therefore, he believes it makes more sense to locate the units closer to the street to provide privacy to the neighbor.

Mr. Davis said the driveway setback variances are necessary for the common driveway between Parcels B and C and he indicated the location on the site plan.

He said since SOM Center Road is a busy street, it was believed that adding two additional driveways would not be prudent. Therefore, the two parcels will share one driveway which will assist with maintaining distance from the intersection and the detention basin. Mr. Davis believes this option will make it easier for residents especially when turning left.

Mayor Drucker referred to the 42' front yard dwelling setback variance for Parcel C. She understands the variance can be eliminated if the home is moved back. However, she believes the neighbor to the south is concerned about the loss of the wooded area adjacent to their property and would like the house as far away from their home as possible. Mayor Drucker asked Councilman Kotora to comment as she believes he spoke with the neighbor.

Councilman Kotora confirmed this to be correct as he spoke with Mr. Conklin. However, one concern of Mr. Conklin's is due to a section of his driveway being located on the project property and he would like the driveway to remain. Mr. Kotora said Mr. Conklin is aware that if the driveway is changed or redone in the future, that section will have to be removed.

Mr. Davis said he is aware of Mr. Conklin's concerns and it is their goal to retain the wooded area and the portion of the driveway that is on the project property, providing it does not become a drainage issue and there is no issue with the swale that must be added per the Engineering Department. He said a restriction will be added to the declaration about the driveway being removed if it is changed or replaced. However, they will work with the City and it is their intention to allow Mr. Conklin's driveway to remain.

Mayor Drucker asked Mr. Davis to indicate the location of the landscaping that will screen Mr. Conklin's property.

Mr. Davis displayed the landscape plan indicating where landscaping will be installed adjacent to Mr. Conklin's property. He noted the only break in the landscaping will be due to Mr. Conklin's driveway.

Mayor Drucker asked if Mr. Davis will agree to Parcels B and C having a cross-access agreement for the shared use of the driveway.

Mr. Davis said the cross-access agreement will be included in the condominium declaration regarding common area restrictions as the residents will only own the area located under each unit.

Mr. Stolarsky said all of the agreements will be reviewed by the City's Law Department.

Mr. Davis said in regard to the variance to not install sidewalks or curbing, as it was previously explained by Mr. Fisher and as it relates to the Code, there are no other sidewalks or curbing in that area.

Councilman Pelunis asked if the center parcel off of SOM Center Road with the shared driveway will be wide enough to accommodate all of the trash receptacles to allow trash disposal.

Mr. Davis referred to comments made by Councilman Pelunis during the Caucus about a location for trash receptacles at the end of the driveway considering only one driveway will access four homes which equates to 8 containers 4 rubbish and 4 recycling. He said a concrete pad will be added to the end of the driveway along the curb. Mr. Davis said the location for the trash and recycling carts will be added to the condominium declaration.

Mayor Drucker asked if it is necessary to add the concrete pad since most residents place their trash carts on the tree lawn.

Mr. Frankland said providing the lawn is graded properly, the trash carts can be placed on the lawn.

Mayor Drucker said the City did not have automated rubbish and recycling when most of the homes were built and residents have found locations to place the trash carts.

Mr. Davis said if the Commission prefers, he could address this issue as the units are completed.

Mayor Drucker and Councilman Pelunis would prefer a decision regarding where to place the trash carts is reached during this review process.

Councilman Pelunis prefers a small concrete pad area which can be plowed. He said the area he lives in does not have sidewalks and because of the winter weather, residents put their trash carts in the street. Councilman Pelunis believes this is a concern, especially since the homes will be located on SOM Center Road.

Mr. Davis said a concrete pad for the trash carts can be a stipulation.

Mr. Stolarsky said a designated area for the trash carts can be added as a provision to the Homeowners' Agreement.

In response to Mayor Drucker's question, Mrs. Welch said the additional concrete will have to be added to the storm water calculations but will only be a minor revision.

Mr. Davis asked Mr. Novak if adding an additional 10 square feet of pavement will have any substantial changes. Mr. Novak said it will not produce any substantial changes.

Mr. Davis said as the concrete pad will be in the tree lawn, there will be no accessory pavement variance.

Councilman Pelunis asked if there were any comments.

Mr. David Hutchinson, 34100 Miles Road, was present. He noted that Eastern White Pines are listed on the landscaping plan as one of the species for screening purposes. Mr. Hutchinson said Eastern White Pines become a maintenance problem when they get large as they shed bushels of needles. He said the Logan property is downwind from this line of trees and feels this will become a maintenance problem.

Mayor Drucker referred to the letter from the City Landscape Architect and noted Mr. Nemeckay recommended Norway Spruce in place of the Eastern White Pine as he feels the Eastern White Pine may be adversely affected by the harsh exposure of this site location.

Ms. Eileen Parmelee, 33885 Country View Lane, was present. She asked Mr. Frankland what the distance restriction from the intersection to the driveway is on SOM Center Road.

Mr. Frankland said it is 120' from center line to center line.

Ms. Parmelee disagreed based on her review of the map using the scale where one inch equals 20 feet.

Mr. Frankland said this was reviewed by the Planning Department and he asked the Planner to identify this, therefore, he is sure it meets the requirements.

Ms. Parmelee said she has read the information about the project and reviewed code and variance definitions. She referred to a court case in Cuyahoga County and read a section; hardship condition is not created by actions of the applicant and if the applicant purchases the property with the knowledge of the use restriction, he is not entitled to a variance.

Ms. Parmelee said although she appreciates the work that the City has put into the project, any hardship involved has been to Solon. She also feels this will set a precedent and is aware that the majority of residents did not want this property rezoned. Ms. Parmelee finds it discouraging that the vote of the people in the current court system is meaningless. She does not understand how so many variances can be granted when residents with existing homes do not always get a simple variance granted. Ms. Parmelee also believes there are potential safety issues for the residents when attempting to exit onto Miles Road or SOM Center Road.

Mrs. Welch said the Engineering Department is waiting for a sanitary capacity analysis and she would like it added as a contingency that the Engineering Department must review it.

Mayor Drucker asked what the sanitary capacity analysis results will determine.

Mrs. Welch said this is in regard to the sanitary pump station that services that area. The analysis will determine if the capacity of this pump station is adequate to handle the sanitary capacity for the additional homes.

In response to Mayor Drucker's question regarding the City's level of responsibility if it is necessary to improve the capacity of the pump station, Mrs. Welch said the cost of any improvements is the total responsibility of the developer.

Mr. Stolarsky asked Mrs. Welch what type of agreement is needed for the Engineering Department.

Mrs. Welch said an inspection and maintenance agreement is needed per the City's storm water code requirements which are typical for all new developments with a basin. In response to Mr. Stolarsky's question, Mrs. Welch said the applicant is aware that there is a tap-in fee.

Mr. Bentley is pleased that the applicant has considered the concerns of the neighbors.

Mayor Drucker asked if the changes Mr. Nemeckay recommended for the landscape plan will be added as a contingency.

Mr. Frankland said the recommendations in the letter from Mr. Nemeckay would be added as a contingency to approving the site plan. In addition, the letter also contained recommendations regarding the retention ponds.

Mayor Drucker reviewed the contingencies for approving the variances.

The Commission discussed the withdrawal of the 5' accessory pavement setback variance for Parcel A. It was determined that a contingency would be unnecessary and it will be at the discretion of the developer to either move the house back or reduce the driveway as the variance has been withdrawn and is no longer part of the site plan.

Councilman Kotora said this potential development was the primary issue discussed during his campaign for the Ward 4 Council position. He made a commitment to the Ward 4 residents that he would voice their opinions regarding this matter. Councilman Kotora said the parcels involved are part of the Chagrin Valley Homeowners' Association which has a very active association that communicates with him frequently. It is their belief that the developer is capable of submitting a plan that does not require any variances.

Councilman Kotora said it is also the belief of the Association that the developer's current plan with its requested variances is to allow them to place more units on the property than what the property can accommodate. It is the Association's belief that the ability to build more units does not pose a true practical difficulty.

Motion by Mayor Drucker, seconded by Mr. Bentley to approve the 91.5' front yard dwelling setback variance for parcel B.

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

Motion Carried

Motion by Mr. Bentley, seconded by Mayor Drucker to approve a 42' front yard dwelling setback variance for Parcel C.

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

Motion Carried

Motion by Mayor Drucker, seconded by Mr. Bentley to approve a 10' driveway side yard setback variance for Parcel B.

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

Motion Carried

Motion by Mr. Bentley, seconded by Mayor Drucker to approve a 10' driveway side yard setback variance for Parcel C.

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

Motion Carried

Motion by Mayor Drucker, seconded by Mr. Bentley to approve a variance to not install sidewalks.

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

Motion Carried

Motion by Mr. Bentley, seconded by Mayor Drucker to approve a variance to not install curbing.

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

Motion Carried

Motion by Mayor Drucker, seconded by Mr. Bentley to approve the revised site plan for three 2-family condominiums with the following contingencies:

1. Submission of a sanitary capacity analysis and compliance with Engineering Department requirements
2. A perpetual maintenance agreement with the City for storm water management
3. Homeowners agreement must include a condition for cross access for shared driveways
4. Homeowners agreement must include a dedicated area for trash containers
5. Compliance with the landscape architect's requirements noted in his memo of February 25, 2015

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

Motion Carried

NEW:

2. 32345 Cannon Road/6800 SOM Center Road – Solon City Schools 019-2015 4
- Site plan - façade alterations – (Lewis Elementary School)
  - Site plan – façade alterations - (Orchard Middle School)

Mr. Bud Griffith, President, Construction Resources, and Mr. Fred Bolden, Director of Business and Personnel for Solon City Schools, was present. Mr. Griffith displayed an aerial view of the Lewis Elementary School on Cannon Road. He said the proposal is to replace windows and exterior doors and complete other exterior restoration. This will include intruder-proof windows and pre-cast siding covered with vertical commercial grade finished stucco-embossed siding. Mr. Griffith said this work is being done on the east wing of the building and is a continuation of the project which began last summer on the south wing of the building.

Mr. Griffith displayed an aerial view of Orchard Middle School on SOM Center Road. He said the proposal is to replace doors on the east and west ends of the southern wing of the building and replace doors along the north-facing west end of the southern wing with similar doors that currently exist but with intruder-proof glass to increase the security.

Mr. Bolden said two additional doors will be added onto each of the east and west wings to accommodate the interior project that is next on the agenda. Therefore, part of this project is also connected to the next agenda item. Mr. Bolden said as changes are being made to re-configure the building to make it more secure, additional egress opportunities are necessary on both sides of the building.

Motion by Mayor Drucker, seconded by Mr. Bentley to approve the site plan for façade alterations for Lewis Elementary School, 32345 Cannon Road.

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

Motion Carried

Motion by Mr. Bentley, seconded by Mayor Drucker to approve the site plan for façade alterations for Orchard Middle School, 6800 SOM Center Road.

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

Motion Carried

3. 6800 SOM Center Road – Solon City Schools (Orchard Middle School) 020-2015 7
- Variance to not screen rooftop mechanical equipment

Mr. Fred Bolden, Solon City Schools, and Ms. Anne Hartman, Moody Nolan, was present. Ms. Hartman displayed an aerial view of the property and said Moody Nolan is the contractor involved in the renovation of Orchard Middle School which includes mechanical improvements. Ms. Hartman indicated the rooftop of the west wing and said one large mechanical unit will be removed and two smaller units will be added. The proposal is to not screen the units.

Councilman Pelunis said the current units are not screened.

Motion by Mr. Bentley, seconded by Mayor Drucker to approve the variance to not screen rooftop mechanical equipment at Orchard Middle School, 6800 SOM Center Road.

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

Motion Carried

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|----|--|----------|---|
| 4. | 7515 Worlington Drive – Dale and Lina Wollschleger   | 021-2015 | 1 |
|    | <ul style="list-style-type: none"> <li>▪ 9' side yard street setback variance</li> <li>▪ 14' rear yard street setback variance</li> <li>▪ Pool location variance</li> <li>▪ 290 sq ft total accessory pavement variance</li> </ul> |          |   |

Mr. Ted Otero, Otero Signature Homes, and Mr. Kevin Cieszykowski, Architect, were present.

Councilman Pelunis said the applicants are also in attendance.

Mr. Otero displayed a site plan of the property. He said the Wollschlegers approached him previously about the possibility of an addition to their home and, after consideration, it was determined it would not match their needs or design requirements. Mr. Otero said the Wollschlegers looked in other communities for a home that would meet their needs. However, they determined that Solon is where they want to continue to live and raise their children who attend St. Rita's School.

Mr. Otero said the Wollschlegers approached him to develop a plan that would encompass all of their needs and design ideas. He said different options were explored and the submitted proposal was determined to be the best one for the Wollschlegers as well as the neighbors. Mr. Otero said the proposal includes the addition of a 4-car garage, a guest suite, a walk-out basement and an outdoor living area which requires the requested four variances.

Mr. Otero indicated the location of the first variance for a 9' side yard setback variance on the site plan. He said the setback will extend 9' into the cul-de-sac arc. Mr. Otero said the variance for a 14' rear yard street setback is regarding the pool location. Mr. Otero referred to the site plan indicating the proposed location for the pool and said this is the natural fit for the pool based on the location of the great room, the current patio and their natural backyard. He said the third variance is for the covered portion of the deck which will also house the pool equipment. Mr. Otero said the last variance is for the additional pavement necessary for the additional 4-car garage.

Mr. Otero said they have a letter from the management company on behalf of the Signature of Solon Homeowners' Association Design Review Committee supporting the concept of the plan and the approval of the variances. In addition, there is a letter supporting the proposal from the Drasniers, the immediate neighbor to the

right of the property. Mr. Otero said the other adjacent property is conservation land which is vacant.

Motion by Mr. Bentley, seconded by Mayor Drucker to approve a 9' side yard street setback variance and/or as indicated on the site plan as presented to the Planning Department.

Roll Call: Aye: Bentley, Drucker, Pelunis  
Nay: None  
Motion Carried

Motion by Mayor Drucker, seconded by Mr. Bentley to approve a 14' rear yard street setback variance.

Roll Call: Aye: Bentley, Drucker, Pelunis  
Nay: None  
Motion Carried

Motion by Mr. Bentley, seconded by Mayor Drucker to approve a pool location variance.

Roll Call: Aye: Bentley, Drucker, Pelunis  
Nay: None  
Motion Carried

Motion by Mayor Drucker, seconded by Mr. Bentley to approve a 290' total accessory pavement variance.

Roll Call: Aye: Bentley, Drucker, Pelunis  
Nay: None  
Motion Carried

5. 5821 Harper Road – Ezov Development Group, LLC (Oliver Architecture) 022-2015 6
- 5' front yard building setback variance
  - 26' front yard parking setback variance
  - 90% front yard parking screening variance
  - 1' – 9" mound height variance
  - 2' parking setback from building variance
  - 3% interior parking lot greenspace variance
  - 1' parking space width variance
  - 4' access drive width variance
  - 1.5' parking aisle width variance – (northwest corner)
  - 2' parking aisle width variance – (south of building)
  - 17.6' parking aisle width variance – (multiple locations)
  - Minimum loading area variance
  - Site plan

Motion by Mr. Bentley, seconded by Mayor Drucker to table consideration of Item 5.

Roll Call: Aye: Bentley, Drucker, Pelunis  
Nay: None  
Motion Carried

6. 29495 F. A. Lennon Drive – Swagelok (Ben DiSante) 023-2015 7
- Parking lot material variance
  - Variance to not install curbing
  - Site plan

Motion by Mr. Bentley, seconded by Mayor Drucker to table consideration of Item 6.

Roll Call: Aye: Bentley, Drucker, Pelunis

Nay: None

Motion Carried

MINOR ALTERATIONS FROM THE PLANNING DEPARTMENT:

1. 6250 Camp Industrial Road – Schwebel Baking Company

Mr. Frankland displayed an aerial view of the property. He said previously, fuel storage tanks were approved for installation and he indicated the location. The proposal is to add an accessory power panel that is also required with the new storage tanks. Mr. Frankland displayed a rendering of the structure which a person stands in front of to regulate the tanks. He said if the Planning Commission approves this item, it will be contingent upon the Fire Department's review and their approval of the bollard layout.

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

COMMENTS FROM THE COMMISSION:

Mayor Drucker said the annual Fun Fest was held over the weekend. She commended the Kalk family and Linda Creviston, who runs the Blue Ribbon program for Solon. Mayor Drucker said it was a record-breaking year with 439 attendees. She also thanked all of the volunteers and everyone who attended the event for their support.

Mr. Stolarsky commented on the events that led to the approval of Item 1 for ProBuilt Homes. Although he understands that the preference of the local residents was that nothing be built on this property, this was not to be. He said based on the various plans presented, through the efforts of the Mayor, Councilman Kotora and other City representatives, the plan presented tonight is as normal as possible with regard to variances. The proposed location of the homes will prevent them from being built too close to existing property lines of neighbors and even though it necessitated a variance, it is believed to be a better option. He said the City asked for the shared driveway because of safety concerns with SOM Center Road which created the need for a variance. Mr. Stolarsky said although the sidewalk and curbing issues are variances, it is considered as more of a waiver under an engineering standard.

Councilman Kotora thanked Mayor Drucker, the law department and Mr. Frankland for the amount of effort given to arrive at the plan which is closer to what Ward 4 residents were requesting. He appreciated the manner in which concerns of the residents of Ward 4 were addressed.

COMMENTS FROM THE AUDIENCE:

There were no comments from the audience.

Motion by Mayor Drucker, seconded Mr. Bentley to adjourn the meeting at  
8:37 P.M.

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

Motion Carried

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Chairman

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Secretary