

PLANNING & ZONING COMMISSION
May 26, 2015 – 7:00 P.M.

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

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

Absent: Commission Member Mazur

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. SOM Center Road (on existing utility tower) – PP# 956-02-006 – CEI (land owner)/Verizon Wireless (applicant) – tower height variance, cell tower spacing variance, fence height variance, landscape buffer variance and plant height variance: Councilman Pelunis said this item will be tabled, however, the public hearing will be continued for anyone wishing to make comments.

NEW:

7. Proposed amendment to Fence Code requirements: Councilman Pelunis said a public hearing is scheduled for this item. He said if the Commission is comfortable with the amendment after the public hearing, it can be referred to the Council for their review.

The caucus ended at 7:06 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 Mayor Drucker, seconded by Mr. Newberry to approve the minutes of the May 12, 2015 meeting as presented.

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

Motion Carried

PENDING:

1. SOM Center Road (on existing utility tower) 044-2015 2
PP# 956-02-006 - CEI (land owner)/Verizon Wireless (applicant)
- 18' wireless cell tower height variance
 - Wireless cell tower spacing variance
 - 1' fence height variance
 - Minimum landscape buffer variance
 - 2' minimum evergreen plant height variance
 - Site plan – new wireless cell tower

A public hearing was scheduled and Councilman Pelunis opened the public hearing and asked for comments.

There were no public comments, therefore, the public hearing was closed, however, will be continued at the June 9th meeting.

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

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

Motion Carried

2. 34885 McAfee Drive – David Chambers – 9/9 tabled – 087-2014 4
9/23 tabled – applicant not in attendance – applicant notified to attend meeting) – 10/14/14 placed on Inactive – applicant contacted regarding application status – NO NEW INFORMATION OR RESPONSE
- 115' fence setback from dwelling variance – fence #1
 - 95' fence setback from dwelling variance – fence #2
 - 140' fence setback from dwelling variance – fence #3
 - 30' fence setback from street-right-of-way – fence #3

Motion by Mayor Drucker, seconded by Mr. Newberry to remove Item 2 from the agenda.

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

Motion Carried

3. 5022 Hidden Creek Circle – Govind Dixit and Neera Gupta – 080-2014 5
8/26 tabled – 9/9 tabled – 9/23 tabled – 10/14 tabled – 10/28 tabled - 11/11 tabled – 11/25 tabled – 12/09/14 placed on Inactive – applicant contacted regarding application status – NO NEW INFORMATION OR RESPONSE
- 30' fence setback from residence variance

- 19' fence setback from street right-of-way variance (Miles Road)
- 19' fence setback from street right-of-way variance (Hidden Creek Circle)
- Fence type variance
- 1.5' fence height variance

Motion by Mr. Newberry, seconded by Mr. Bentley to remove Item 3 from the agenda.

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

Motion Carried

NEW:

4. 5200 Harper Road – Cervino Properties, LLC 050-2015 5
- Lot split/consolidation – PP#'s 951-15-003 and 951-15-028
 - 288 sq ft accessory pavement variance

Motion by Mr. Bentley, seconded by Mayor Drucker to schedule a public hearing for a lot consolidation for PP#'s 951-15-003 and 951-15-028 on June 9, 2015.

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

Motion Carried

5. 39839 Alsace Court – Archana Nayar 051-2015 3
- Re-approval of 2.5' accessory pavement setback variance

Councilman Pelunis said this item was previously approved, however, the approval has expired.

Mrs. Archana Nayar was present but the overhead camera was inoperable and she was unable to display the site plan.

Mrs. Nayar explained that a variance is necessary in order to install a large enough area of accessory pavement to accommodate an average size vehicle.

Mr. Stolarsky noted as only four members of the Commission are present, an affirmative vote from three of the members is necessary for an item to be approved. Therefore, any applicant can request to be tabled until all Commission members are present.

Motion by Mr. Bentley, seconded by Mayor Drucker to re-approve a 2.5' accessory pavement setback variance.

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

Motion Carried

6. 30100 Wedgewood Drive – Scott Smith 052-2015 5
- Not parallel to the street variance

Mr. Stolarsky recused himself from this item.

Mr. Scott Smith was present and explained it is not permissible to remove trees from property that is being developed until a building permit is issued. Once he received the building permit and started to clear the property, he realized more trees in the front of the property would have to be cleared in order to meet the Code requirements and the house would end up in the ravine. He feels the clearing of additional trees will greatly alter the landscape of the lot.

Mr. Smith displayed the site plan previously approved with the setbacks meeting the Code requirements and another site plan with the proposed new setbacks. He indicated the area where the property becomes steep as it gets closer to the ravine.

In response to Councilman Pelunis' question, Mr. Frankland said although most of the other houses in the neighborhood do meet the parallel to the street requirement, there are some homes that do not.

Mr. Smith said because the property is located on a cul-de-sac, it is challenging to meet the parallel to the street requirement for the house.

Motion by Mayor Drucker, seconded by Mr. Newberry to approve a not parallel to the street variance.

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

Motion Carried

7. Proposed amendment to Fence Code requirements

Councilman Pelunis said the proposed amendment was discussed at the last Commission meeting and was placed on the City's website for residents to review.

A public hearing was scheduled and Councilman Pelunis opened the public hearing and asked for comments from the audience.

There were no comments, therefore the public hearing was closed.

Motion by Mr. Bentley, seconded by Mayor Drucker to forward the amendment to the Council for their review.

Mayor Drucker requested the Commission consider waiving the permit fee for temporary salt-screen fences. She feels it is important for residents and business owners to install the fences properly and safely but since the fences will be erected yearly on a temporary basis, the permit fee could become an unnecessary hardship. Mayor Drucker said in an effort to encourage people to apply for a permit to ensure the fences are installed properly, she feels the permit fee should be waived. She said the temporary salt-screen fences should be treated differently than permanent fences.

The Commission members unanimously agreed.

Mr. Bentley amended the motion to include waiving the permit fee for temporary salt-screen fences, seconded by Mayor Drucker.

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

Motion Carried

Mr. Frankland said he will make the change to the proposed amendment before it is forwarded to the City Council.

COUNCIL REFERRAL:

8. Proposed amendment to the Building and Housing Code regarding a plan revision fee

A public hearing was scheduled and Councilman Pelunis opened the public hearing and asked for comments.

There were no comments, therefore, the public hearing was closed.

Mr. Newberry said he researched plan revision fees and he found one in the Cleveland area that required approximately \$3,000 for a plan revision review.

Motion by Mr. Newberry, seconded by Mr. Bentley to forward to the Council the proposed amendment to the Building and Housing Code regarding plan revision fees.

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

Motion Carried

MINOR ALTERATIONS FROM THE PLANNING DEPARTMENT:

1. 34600 Solon Road – Erico

Mr. Frankland displayed an aerial view of the property and indicated a green space area where a generator measuring 3.25' wide, 9' long and 3' high is proposed. It will be surrounded by a 6' high fence and will not be visible from the road.

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

COMMENTS FROM THE COMMISSION:

Mayor Drucker thanked everyone who participated in the Memorial Day Ceremony held on Monday. She said all of the Council members attended as well as many City employees. Mayor Drucker said it is always a pleasure to see those in attendance to memorialize veterans who made the ultimate sacrifice for our country.

Mr. Bentley commended the Solon High School Lacrosse Team and encouraged them in their upcoming state championship competition.

Mr. Newberry thanked veterans for their sacrifices for the security of the country.

Councilman Pelunis also felt the Memorial Day Ceremony was exceptional and meaningful. It was well attended and the weather was beautiful. He thanked everyone who participated.

COMMENTS FROM THE AUDIENCE:

There were no comments from the audience.

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

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

Motion Carried

Chairman

Secretary