

**SOLON PLANNING & ZONING COMMISSION**  
**June 28, 2016 – 7:05 P.M.**

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

Present: Commission Members Bentley, Mazur and Newberry, Councilman Pelunis, Mayor Drucker, Assistant Law Director/Prosecutor Stolarsky (meeting only), Planning Director Frankland, Acting Secretary Letourneau

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)

Chairman Bentley presided.

**PENDING:**

3. 33185 Bainbridge Road – Gable Investment Co. (Solon Freeway Lanes) – lot consolidation PP#'s 952-20-001 and 952-20-022, setback variance, building size and material variance, aisle width variance, parking setback variances, number of amusement devices variance and waiver to permit one access drive variance: Mr. Frankland said Mr. Stolarsky asked him to notify the Commission that if the number of amusement devices variance is approved, this is a final decision made by the Planning Commission. Therefore, a contingency should be added that if the amusement device variance is approved by the Planning Commission, it would only be valid if the rest of the plan is approved by the Council.

Mr. Frankland said the foot candle level at a residential property line variance will be withdrawn.

Mr. Glenn Gable was present.

Mr. Frankland asked Mr. Gable if lighting will be replaced on the south side of the building at this time. Mr. Gable said the lights will not be replaced at this time.

Mayor Drucker said the cross-access agreement is no longer necessary.

Mr. Bentley said some of the variances are no longer necessary with the submission of the revised plan. Mr. Gable can present the revised plan and the changes will be indicated.

NEW:

4. 33325 Bainbridge Road – Swirl Wine Bar – Richard Alaimo – accessory structure variance and site plan review for patio roof addition and outdoor fireplace: Mr. Bentley said the proposal is to add a patio roof and an outdoor fireplace. However, the Fire Department has concerns about the height of the fireplace.

Mayor Drucker asked if the height of the fireplace is only a concern if it is a wood burning fireplace.

Fire Inspector Eisenhuth said as the Building Code does not specify, a judgment call must be made. Fire Inspector Eisenhuth said his concern comes from past experience where wood is used in a gas fireplace. He said in order to approve the fireplace at the proposed height, the applicant would have to agree to the use of gas only.

Mr. Frankland said the approval could be made with the contingency that no wood will be used and only gas will be used in the fireplace.

Mayor Drucker recalled a past application where an outdoor fireplace was installed too close to the house and the same concerns were raised. She said the applicant committed to only using gas in the fireplace.

7. 32598 Haverhill Drive – Susan and William Snyder – accessory pavement variance and accessory pavement front setback variance: Mr. Bentley said an email was received from a neighbor.

Mrs. Susan Snyder was present and said she received a copy of the neighbor's email. She said the neighbor's concerns have been addressed and the trash cans and the bucket have been moved into the garage. Mrs. Snyder said the trailer is in the back yard and is not visible.

Mrs. Snyder said the additional driveway is necessary as her daughter is handicapped. She explained that only one vehicle can be maintained in the garage as space is necessary to accommodate her daughter's equipment and for maneuvering her exiting and entering the vehicle. Mrs. Snyder said the other two vehicles are parked on the driveway. Her daughter is unable to walk unassisted and still uses the wheel chair regularly. Mrs. Snyder walks her daughter to and from the bus or wheels her to the bus, however, there is not enough room to do this when two vehicles are parked in the driveway.

Mr. Bentley said according to the City's Zoning Code, the storage of trash receptacles cannot be visible from the street. He said based on the neighbor's email, there are no issues with the proposed additional pavement, the concern was with the trash cans and trailer on the driveway.

Mrs. Snyder said the items have been moved and she was unaware of the concerns as the neighbor never communicated them to her. She believes she has legitimate reasons for needing the additional driveway pavement.

Mr. Bentley said it is not an unreasonable request, especially since the neighbors located on either side have the additional driveway pavement.

Mayor Drucker said she spoke with Councilman Kraus who was contacted by the neighbor who asked if the item might be tabled tonight since the neighbor would be unable to attend. However, as the applicant has taken care of the concerns listed in the email, there is no reason to table the item. In addition, the neighbor can attend the Council meeting if there are additional concerns or objections. Mayor Drucker said based on the email, the neighbor had no issues with the additional driveway pavement providing concerns about items left in the driveway were addressed.

Mr. Frankland said he has no minor alterations to present.

Mr. Bentley said as Assistant Law Director/Prosecutor Stolarsky is not present tonight, anyone wishing to table an item may do so.

The caucus ended at 7:20 P.M. and the meeting began at 7:30 P.M.

Mr. Bentley presided and said since Mr. Stolarsky has arrived in time for the meeting, the Commission will follow normal procedures.

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. Mazur to approve the minutes of the June 14, 2016 meeting as submitted.

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

Motion Carried

PENDING:

1. 7421 Geauga Street – Michael M. Talty – PP#'s 956-38-101, 041-2016 1  
956-38-102
  - Lot consolidation

A public hearing was scheduled and Mr. Bentley opened the public hearing and asked for comments. There were no comments, therefore, the public hearing was closed.

The applicant was not present.

Mayor Drucker said it is a requirement to consolidate non-conforming lots under common ownership.

Mr. Mazur said the applicant is to be contacted and informed that they should attend the next Council meeting.

Mr. Newberry said the applicant should also be advised they need a survey and a consolidation plat prepared within 12 months of the Council's approval of the lot consolidation.

Motion by Mayor Drucker, seconded by Mr. Mazur to approve a lot consolidation for PP#'s 956-38-101 and 956-38-102.

Roll Call: Aye: Bentley, Drucker, Mazur, Newberry, Pelunis

Nay: None

Motion Carried

2. 32900 Station Street – City of Solon property – Crown Castle for 042-2016 6  
T-Mobile - Ron Gainer (Sindyla Consulting Group)
- Site plan for collocation of new antennas

Mr. Ron Gainer, representing T-Mobile, was present. He explained that T-Mobile would like to increase their coverage capabilities in Solon by co-locating antennas on the existing cell tower at the 110' level located on the City of Solon's property at the Police Station. Mr. Gainer displayed a site plan and said there is an abandoned equipment shelter at the base of the tower that T-Mobile will utilize as it meets their communication needs.

A public hearing was scheduled and Mr. Bentley opened the public hearing and asked for comments. There were no comments, therefore, the public hearing was closed.

Motion by Mr. Mazur, seconded by Mr. Newberry to approve the collocation of new antennas for T-Mobile for Crown Castle at 32900 Station Street.

Roll Call: Aye: Bentley, Drucker, Mazur, Newberry, Pelunis

Nay: None

Motion Carried

3. 33185 Bainbridge Road – Gable Investment Co. (Solon Freeway 048-2016 6  
Lanes) - PP#'s 952-20-001 & 952-20-022 - 6/14 tabled and  
referred to Safety & Public Properties Committee – referral determined  
not necessary due to submittal of revised site plan on 6/22
- 5' side yard building setback variance
  - 3,372 sq ft building size variance
  - Building material variance
  - 4' parking lot aisle width variance
  - 15' side yard parking setback variance
  - 10' rear yard parking setback variance
  - 2' rear yard parking setback variance – north lot line
  - 53 space total onsite parking variance
  - 9.5' parking lot setback from building variance
  - Parking setback from building entrance variance

- Waiver to permit only one access drive
- Number of amusement devices variance
- ~~Foot candle level at a residential property line variance (withdrawn)~~
- Site plan - building addition
- Lot consolidation

Mr. Glenn Gable, Gable Investments, was present. He displayed a photometric plan and said the foot candles have been adjusted and variances are no longer necessary.

Mr. Gable displayed the site plan and said another revision to the plan is the access drive onto Solon Road will be eliminated at this time. He indicated the parking area adjacent to the access drive location and said this elimination will not change the parking. Mr. Gable said it is necessary to confer with the property owners on either side of the access drive and his legal counsel to analyze what the easement contains and create an agreement before he considers installation of the access drive.

Mr. Gable indicated the location of the 5' side yard building setback variance and said as this will not interfere with the curbing, the adjacent property owner has no concerns. He said the 3,372 sq ft building size variance is still necessary. Mr. Gable said the building materials will match the current building and will be made of brick and EFIS. He explained that a building material variance was previously approved in 2003 and it needs to be re-approved to match the existing building. Mr. Gable displayed a photo of the building as it currently exists and a rendering of the addition indicating the building materials will match.

Mr. Gable said onsite parking is difficult to calculate for this type of business since the laser tag facility will be two stories high and can only accommodate 24 people at a time. Therefore, it is a low occupancy of a large space. He said the same will apply for the Ninja warrior course, which is over 1,500 sq ft and only accommodates one person at a time.

Mr. Gable said the waiver to permit only one access drive is because of the elimination of the access drive onto Solon Road.

Mr. Frankland said the main access drive will be the existing one off of Bainbridge Road.

Mr. Gable said currently there are 35 amusement devices on site and they are expanding to 65 games, therefore, a number of amusement devices variance is necessary. He said a new card reader system is being installed to expand the video games section.

Mr. Stolarsky said with the submission of the revised plan, there is no longer a need for a cross-access agreement as previously discussed at the meeting of June 14<sup>th</sup>.

Mayor Drucker said with the submission of the revised plan, there is no longer a need for the Safety and Public Properties Committee to hold a special meeting to discuss the access road driveway accessibility to Solon Road.

Mr. Gable said, at this time, he will not pursue the access driveway but may pursue the possibility in the future.

Mr. Stolarsky said the number of amusement devices variance is one of the unusual provisions of the Code where the decision of the Planning Commission is final and is not referred to the City Council.

A public hearing was scheduled for the lot consolidation and Mr. Bentley opened the public hearing and asked for comments. There were no comments, therefore, the public hearing was closed.

Motion by Mr. Newberry, seconded by Mr. Mazur to approve the lot consolidation for PP#'s 952-20-001 and 952-20-022.

Roll Call: Aye: Bentley, Drucker, Mazur, Newberry, Pelunis

Nay: None

Motion Carried

Mrs. Welch said the storm water calculations have been reviewed by the Engineering Department and preliminary comments were given to the applicant. However, the Engineering Department feels the issues are minor and adjustments can be made before the final design plan and permits are issued.

Mayor Drucker said as Mr. Gable previously said he wanted to start the project on August 1<sup>st</sup>, permits cannot be issued until all of the necessary documents are reviewed and approved.

Mr. Gable understands the procedure and realizes that August 1<sup>st</sup> was an aggressive schedule that will not likely be realized.

Mrs. Welch said in addition, a post-construction and inspection and maintenance agreement for storm water management should be a contingency for site plan approval.

Mr. Mazur asked about the dumpster and enclosure as the plan does not contain elevation information.

Mr. Frankland said the plan contains the location for the dumpster but the materials for the enclosure have not yet been specified. He feels the applicant can submit the materials to the Planning Department and he can present them as a minor alteration in the future.

In response to Mr. Mazur's question, Mr. Frankland said there is no signage being added at this time.

Mr. Gable confirmed that the current plan does not contain additional signage.

Mr. Mazur asked the status of the landscape plan.

Mr. Frankland said the landscape plan has been submitted to the City's landscape architect and a contingency can be added to the site plan approval that it must be approved by him.

Mr. Mazur asked for clarification of the 4' parking lot aisle width variance.

Mr. Gable indicated the location on the site plan and said a normal two-way street requires 20' width for emergency vehicles. However, the Fire Department recommended a one-way street at 16' which is ample space for emergency vehicles.

Fire Inspector Eisenhuth confirmed 16' is more than adequate space for emergency vehicles.

Motion by Mayor Drucker, seconded by Mr. Mazur to approve a 5' side yard building setback variance.

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

Motion by Mr. Mazur, seconded by Mr. Newberry to approve a 3,372 sq ft building size variance.

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

Motion by Mr. Newberry, seconded Councilman Pelunis to approve a building material variance to permit EFIS with the contingency that it be the same color and tone as the existing building.

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

Motion by Councilman Pelunis, seconded by Mayor Drucker to approve a 4' parking lot aisle width variance.

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

Motion by Mayor Drucker, seconded by Mr. Mazur to approve a 15' side yard parking setback variance.

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

Motion by Mr. Mazur, seconded by Mr. Newberry to approve a 10' rear yard parking setback variance.

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

Motion by Mr. Newberry, seconded by Mr. Bentley to approve a 2' rear yard parking setback variance for the north lot line.

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

Motion by Councilman Pelunis, seconded by Mayor Drucker to approve a 53 space total onsite parking variance.

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

Motion by Mayor Drucker, seconded by Mr. Mazur to approve a 9.5' parking lot setback from building variance.

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

Motion by Mr. Mazur, seconded by Mr. Newberry to approve a parking setback from building entrance variance.

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

Motion by Mr. Newberry, seconded by Mr. Mazur to approve a waiver to permit only one access drive variance.

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

Motion by Councilman Pelunis, seconded by Mr. Bentley to approve a number of amusement devices variance contingent upon City Council approving the plan in its entirety.

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

Motion by Mr. Bentley, seconded by Mayor Drucker to accept the applicant's withdrawal of the foot candle level at a residential property line variance.

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

Motion by Mr. Newberry, seconded by Mr. Mazur to approve the site plan for the building addition with the following contingencies:

- A post construction maintenance agreement for storm water management be submitted to the Engineering Department for approval prior to occupancy
- The landscape plan be approved by the City's landscape architect
- The site plan approval does not include signage or the dumpster/enclosure

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



NEW:

4. 33325 Bainbridge Road – Swirl Wine Bar – Richard Alaimo 049-2016 6
- Building material variance
  - Accessory structure location variance
  - Site plan - patio roof addition and outdoor fireplace

Mr. Neil Safran, Architect, and Mr. Richard Alaimo, Swirl Wine Bar, were present. Mr. Alaimo said Mr. Tom Steinbauer, his business partner is in the audience. Mr. Safran displayed a site plan indicating the patio and said the proposal is to add a roof to the patio to have the ability to enclose it for a portion of the year. He indicated where an outdoor non-wood burning, gas-vented fireplace is also proposed.

Mr. Safran displayed a rendering of the front street elevation indicating the portion of the new roof which will be painted white wood with a board and batten on the gable end with asphalt shingle roof materials to match the existing roof. He noted the outline of the fence which depicts its visibility from the street and the back of the fireplace on the patio which will also be visible.

Mr. Safran displayed a rendering of the patio side elevation indicating the boxed-out column with wooden corner-cove cap and base trims painted white. He said during winter and inclement weather, a vinyl zip-down curtain will be used to enclose the patio. Mr. Safran said he believes a seasonal variance is necessary and the fireplace location requires a variance.

Mr. Frankland confirmed a seasonal variance will be necessary and a fireplace location variance is also necessary.

Mr. Safran displayed a rendering of the rear elevation indicating the kitchen area and the porch roof and said the proposed roof over the patio will mimic this style.

Mr. Safran displayed a rendering of the proposed fireplace and said the base will be the same paving material as the existing patio with a stone base course and the majority of the fireplace base will be white masonry/brick with a clay chimney pot over a sandstone cap. He explained that the hope is to make the fireplace almost invisible but will provide a focal point for the patrons on the patio.

Mayor Drucker recalled viewing the property when the building was gutted and the original Swirl Wine Bar project was just beginning. She is impressed with the business this has become and the popularity of Swirl. Mayor Drucker said everything that has been accomplished there has been top notch and she will support the proposal. She feels it is a great place for members of the community to patronize and she wishes Mr. Alaimo and Mr. Steinbauer continued success.

Mr. Bentley asked for confirmation that the board and batten will match the existing building.

Mr. Safran confirmed it will match the existing building.

Mrs. Welch said during discussion with the applicants, it was determined that there will be no additional seating and the existing seating is approved for 49. They were informed that if seating is expanded in the future, a tap-in fee might be required.

Mr. Alaimo confirmed that the number of seats will not be changed.

Fire Inspector Eisenhuth said the Fire Department has no concerns with the fireplace as it was presented providing it is gas only and no wood will be used. He said the applicant assured him that the fireplace will contain ceramic logs and no wood will be used. Fire Inspector Eisenhuth said the vinyl proposed for the sides is fine providing it is a gas-fueled fireplace only.

Mr. Newberry asked where the vinyl curtains will be located.

Mr. Safran said the vinyl curtains will be located on three sides, wherever there are spaces between the columns. The curtains will be clear vinyl that can be zipped down during cooler months and inclement weather and infrared heating will be provided.

Motion by Mayor Drucker, seconded by Mr. Mazur to approve a building material variance for 33325 Bainbridge Road.

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

Motion Carried

Motion by Mr. Mazur, seconded by Mr. Newberry to approve an accessory structure location variance.

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

Motion Carried

Motion by Mr. Newberry, seconded by Mayor Drucker to approve the site plan for the patio roof addition and outdoor fireplace with the contingency that the fireplace will be used to consume only ceramic materials, not wood.

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

Motion Carried

5. 33102 Springside Lane – Josue and Tanya Perez 050-2016 6
- 5.5' side yard setback variance for accessory structure
  - 3.5' cumulative side yard setback variance for accessory structure
  - Accessory structure location variance

Mr. Josue Perez was present and said the proposal is for a shed. He displayed an aerial view of his property indicating where pine trees have been removed. He asked that the variance be approved to install the shed closer to the house rather than the far end of the property, giving his children more room to play in the yard. In addition, electricity might be added to the shed in the future and Mr. Perez feels it will be safer if the shed is located closer to the house.

Mr. Perez displayed a photograph of his home indicating where pine trees have been removed and where the 9' 7" height shed will be located, with 10' arborvitae in front of it. Mr. Perez displayed a photograph of the proposed shed which will be painted to match his home. He also displayed a site plan indicating his home, his deck and the distance from the deck to where he proposes installing the shed.

Mayor Drucker said Mr. Perez spoke with his neighbor who has no objections to the proposed location for the shed as it is believed it will be less visible than if located in the rear yard.

Mr. Bentley said he is always concerned about the opinion of the surrounding neighbors if there are objections to a variance and since the neighbor prefers the shed in the proposed location, he has no issues with the variances.

Motion by Mr. Mazur, seconded by Mr. Newberry to approve a 5.5' side yard setback variance for accessory structure for 33102 Springside Lane.

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

Motion Carried

Motion by Mr. Newberry, seconded by Councilman Pelunis to approve a 3.5' cumulative side yard setback variance for accessory structure for 33102 Springside Lane.

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

Motion Carried

Motion by Councilman Pelunis, seconded by Mr. Mazur to approve an accessory structure location variance for 33102 Springside Lane.

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

Motion Carried

6. 29125 Solon Road – ERPEL Enterprises, LLC 051-2016 5
- 6' access drive width variance
  - Variance to not install curbing
  - Site plan – addition of designated right turn lane

Mr. Matthew Weber, Weber Engineering Services, was present representing the applicant. The proposal is to add an exit lane to the existing driveway. He explained that at times, 300 vehicles are attempting to exit the facility. He displayed a photograph of the back-up that is occurring because of the inability of vehicles to turn left onto Solon Road. The addition of another exit lane will permit drivers the ability to turn right onto Solon Road rather than having to wait behind those vehicles trying to turn left. However, in order to install another lane, a variance to not install curbing is necessary.

Mr. Frankland said a contingency for approval is that the circulation signage should be referred to the traffic engineer.

Motion by Mayor Drucker, seconded by Mr. Mazur to approve a 6' access drive width variance for 29125 Solon Road.

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

Motion Carried

Motion by Mr. Mazur, seconded by Mr. Newberry to approve a variance to not install curbing at 29125 Solon Road.

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

Motion Carried

Motion by Mr. Newberry, seconded by Councilman Pelunis to approve the site plan for the addition of a designated right turn lane with the contingency that the circulation signage be reviewed and accepted by the traffic engineer.

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

Motion Carried

Mrs. Welch said the Engineering Department is in receipt of the applicant's storm water management letter.

7. 32598 Haverhill Drive – Susan and William Snyder 052-2016 6
- 75 sq ft accessory pavement variance
  - 19' accessory pavement front setback variance

Mrs. Susan Snyder was present. She displayed a photograph of her existing driveway and said they would like to add pavement to be able to park another vehicle. Mrs. Snyder indicated on the photograph where the additional pavement is proposed. She displayed a site plan indicating the additional square footage.

Mr. Bentley said the site plan indicates an angled section of pavement adjacent to the existing driveway. He said an email was received from a neighbor expressing concerns about items left in the driveway, however, had no issues with the additional pavement. Mr. Bentley believes those issues have been resolved and asked Mrs. Snyder to give more details.

Mrs. Snyder said at issue were the trash cans in the driveway and they have been moved into the garage.

Mayor Drucker asked for confirmation that only automobiles and trucks will be parked in the driveway.

Mrs. Snyder confirmed that only automobiles and trucks will be parked in the driveway.

Mr. Newberry said passenger vehicles only and no trailers should be maintained in the driveway.

Mrs. Snyder agreed to passenger vehicles only and no trailers parked in the driveway.

Mayor Drucker said Councilman Kraus called at the request of the neighbor to table the item tonight since the neighbor would be unable to attend. However, the

neighbor's email indicated that if the issues listed in the email were resolved, they had no opposition to the additional pavement. Therefore, since all of the issues have been resolved, it is unnecessary to table the item. In addition, the neighbor has the opportunity to attend the July 5<sup>th</sup> Council meeting if there is an issue that has not been addressed.

Motion by Mr. Mazur, seconded by Mr. Newberry to approve a 75 sq ft accessory pavement variance.

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

Motion Carried

Motion by Mr. Newberry, seconded by Mayor Drucker to approve a 19' accessory pavement front setback variance.

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

Motion Carried

8. 32771 N. Burr Oak Drive – William G. Schwarber 053-2016 1
- 1.5' side yard setback variance
  - 18.5' cumulative side yard setback variance

Mr. Bill Schwarber was present. He displayed a site plan of his property and said previously he was granted variances for a porch and a ramp addition on the east side of his property. Mr. Schwarber explained that because of the location and elevation on the west side of his property, water from neighboring properties collects in his yard, which is always wet. He said sod was on the ground when he bought the property but, unfortunately, the sod did not withstand lawn mowing. He has since tried numerous solutions, including, seed, stone, absorbent materials, etc., but nothing alleviates the wet ground.

Mr. Schwarber said the pathways and beds existed when he purchased the property and he enjoys gardening. He is proposing the installation of pavers so he can safely navigate the property. Mr. Schwarber said a friend gave him a substantial amount of very good quality pavers that he would like to utilize.

Mayor Drucker viewed the property and said this area is behind a fence and is not visible from the street.

Mr. Schwarber said he currently has to wear calf-high boots to garden in this area of his property as it is always wet. He has MS (Multiple Sclerosis) which makes maneuverability challenging.

Motion by Mayor Drucker, seconded by Mr. Mazur to approve a 1.5' side yard setback variance.

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

Motion Carried

Motion by Mr. Mazur, seconded by Mr. Newberry to approve an 18.5' cumulative side yard setback variance.

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

Motion Carried

MINOR ALTERATIONS FROM THE PLANNING DEPARTMENT:

There were no minor alterations to present.

COMMENTS FROM THE COMMISSION:

Mayor Drucker announced that the regularly scheduled Council meeting for Monday, July 4<sup>th</sup> has been rescheduled to Tuesday, July 5<sup>th</sup> in observance of the 4<sup>th</sup> of July Holiday. On Monday, July 4<sup>th</sup>, the City will host its annual fireworks display at dusk at the Solon Community Park. Food trucks will be available and the Solon Community Band will perform.

Mayor Drucker said on Monday, July 18<sup>th</sup>, Brainard Road will be closed north of Cannon Road to begin replacement of the culvert. A detour will be posted to facilitate the construction. Mayor Drucker said the signs will be moved to this site after the 4<sup>th</sup> of July festivities to give advance warning of the detour location.

Mayor Drucker wished everyone a Happy 4<sup>th</sup> of July.

In turn, Commission members wished everyone a safe and happy 4<sup>th</sup> of July.

COMMENTS FROM THE AUDIENCE:

There were no comments from the audience.

Motion by Mr. Mazur, seconded by Mr. Newberry to adjourn the meeting at 8:30 P.M.

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

Motion Carried

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Chairman

\_\_\_\_\_  
Secretary