

PLANNING & ZONING COMMISSION
July 26, 2011 – 7:00 P.M.

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

Present: Commission Members Bentley, Mazur, Newberry (entered at 7:15 P.M.), Councilwoman Richmond, Mayor Drucker, Todd Cipollo - Law Department, Planning Director Frankland, Secretary McConoughey

Absent: Law Director Lobe

Also Present: Fire Lieutenant Benedict, Public Works Commissioner Stanek

The following items remained on the Inactive Agenda:

- A. Thornbury Subdivision – Forest City Land Group – Dedication Plat for phases 7 and 8
- B. 34050 Aurora Road – BP America – Number of signs variance (to permit 16)
- C. Hawthorne Estates Subdivision – TransCon Builders
- D. Requests from Wolf Family Trust and Larry Coven, for consideration of allowing medical and dental occupancy in the I-2 Zoning District

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 Mazur presided and said Mr. Newberry would arrive shortly.

PENDING:

- 1. 6585 Liberty Road – Alex and Julie Spirikaitis – front yard setback variance: Mr. Mazur said no new information has been received and he recommends the item be moved to the Inactive Agenda until the documentation from the Army Corp of Engineers is received.
- 2. 29605 Aurora Road – 322 & 91 Properties, LLC – Jon Sines – site plan modification to previously approved landscape plan: Mayor Drucker said a meeting between herself, the Planning Director, the Engineer and the applicant is scheduled for August 3rd. She said due to prior commitments, they were unable to schedule the meeting in advance of tonight's meeting and asked that the item be tabled.

NEW:

- 3. 6460 Liberty Road – Duane Hoffman – total amount of accessory pavement variance: Mr. Hoffman was present and explained the driveway is in terrible condition and the variance will enable him to repair the driveway and square it off.

4. 34085 Pettibone Road – Kelly Moran – total amount of accessory pavement variance and pavement side yard setback variance: Mr. Mazur said the property line for the installed fence is questionable. Ms. Moran explained where she believes the property line is located.

Mayor Drucker recalled the issues involved when Ms. Moran had the fence installed a few years ago. Ms. Moran said she was unaware the contractor for the fencing never received a permit from the Building Department and was very upset when she learned of this.

Mayor Drucker commended the applicant for the renovations made to the property thus far. She questioned since an addition has been added to the home, is the driveway variance still necessary.

Mr. Frankland said the amount of allowable pavement would only change if a garage was added and is not related to the size of the home.

Ms. Moran said she will seek another variance in the future to install a generator since oxygen and other electrical equipment is necessary in the care of her elderly parents.

Ms. Moran said her mother is bedridden and her father uses a walker or a wheelchair. She said transporting them is a difficult and lengthy process. Ms. Moran must leave her personal vehicle at another address and take the wheelchair accessible van to the Pettibone address, install the portable ramps that are stored in the garage and then 3 people are required to move her mother into the van.

6. 6180 Cochran Road – Carnegie Companies – site plan review for addition: In response to Mr. Mazur's question, Mr. Frankland said approval of the landscape plan was received from the City's landscape architect today.

7. 32975 Aspen Glen Drive – Brian and Tyra Bulson – fence height and setback variance and site plan modification for fence: Mr. Mazur said the location of the fence is being questioned by the Law Director. Mr. Bulson said they have a meeting scheduled for July 29th with the Law Director to discuss the fence location and he would like to present the two other variances during the meeting.

Mr. Frankland said the plat has an open-space requirement for the rear yard and Mr. Lobe believes the plat prohibits structures in the open-space. However, Mr. Lobe will meet with the applicants on July 29th to discuss the proposal further.

In response to Mayor Drucker's question about changing the plat, Mr. Frankland said approximately 50 signatures from residents within the development would be required. However, it is not within the function of the Planning Commission to grant a variance without the plat modification.

There was further discussion regarding interpretation of the Code.

Mr. Frankland clarified if Mr. Lobe determines the fence location can be approved, the applicant will have to return to the Planning Commission. However, he believes the application can still move forward tonight by considering installation of the fence along the property line.

8. 6465 SOM Center Road – 6465 SOM Center Road LLC (Sprint) – number of wall signs variance and wall sign location variance: The applicant was present and explained the reasons for the rear wall sign.

Mr. Newberry entered the caucus and Mr. Mazur explained what the Commission determined would be the appropriate action for Item 7.

9. 33840 Aurora Road – Jeffrey Barth/CVS – signage plan modification: Mayor Drucker will not support the additional signage since a comprehensive sign package was previously approved.

Mr. Mazur said Walgreens has basically the same signs on the windows of their store.

Mr. Frankland said there are already more signs on the CVS building than the Code permits. He said normally a window sign would not be considered by the Planning Commission, however, since there is already excessive signage on the building, a variance is required.

11. 33255 Coachman Lane – Scott Chesnik – driveway width variance: Mr. Mazur said he has concerns about the request and will require Mr. Chesnik to explain the need for an 18' driveway when a maximum 16' driveway is required by the Code.

12. 34200 Bainbridge Road/6315 SOM Center Road – City of Solon - site plan approval for landscape/sidewalk alterations: Mr. Stanek said there are additional items the City needs to install prior to the completion of the Bainbridge Road project and he will discuss them during the meeting.

Mr. Mazur said Mr. Stanek is scheduled to attend another meeting this evening and if there are no objections, Item 12 will be heard first.

The caucus ended at 7:21 P.M. and the meeting convened at 7:30 P.M.

CHANGES TO THE AGENDA:

Item 12 will be considered before Item 1.

COMMENTS FROM THE AUDIENCE:

There were no comments from the audience.

APPROVAL OF MINUTES:

Motion by Mr. Newberry, seconded by Councilwoman Richmond to approve the minutes of the July 12, 2011 meeting as presented.

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

Motion Carried

12. 34200 Bainbridge Road/6315 SOM Center Road – City of Solon 054-2011
▪ Site plan approval – landscape/sidewalk alterations

Mr. Stanek displayed an aerial view of the Solon Center for the Arts and indicated the area of the crosswalk. He explained the road was widened and lowered during the reconstruction project and the crosswalk located to an area that would serve the parking lot as well as provide enough space for cars to react to people in the crosswalk. However, a temporary ramp was installed which needs to be moved to the proper ADA compliant location. He indicated where the permanent ramp is required to be located in conjunction to the crosswalk for functionality.

Mr. Stanek displayed a photograph of the sidewalk near the Solon Center for the Arts indicating the row of overgrown shrubbery that encroach on half of the sidewalk, making it partially unusable. The proposal is to replace the vegetation with more appropriate and suitable landscaping. Mr. Stanek displayed a picture demonstrating the proposed landscaping.

Mr. Stanek displayed an aerial view of City Hall and the Solon Center for the Arts indicating the sidewalk area near the Arts Center. He noted the access to the sidewalk crosses a very busy traffic area and ends at a parking lot. The proposal is to continue the sidewalk adjacent to the parking lot, connect it to the sidewalk near City Hall and install another handicap ramp. Mr. Stanek feels this will make the area more pedestrian-friendly. He said some trees will need to be transplanted.

Mayor Drucker said many of the trees in that area are unhealthy and will not need to be transplanted or replaced. Mr. Stanek said this item is on the next Safety and Public Properties Committee agenda. However, he is hoping to have the approval of the Planning Commission prior to the meeting.

It was the consensus of the Commission that it is appropriate and sensible to continue the sidewalk for pedestrian use.

Motion by Mr. Mazur, seconded by Mayor Drucker to approve the site plan for the additional sidewalk and the ADA ramp adjacent to City Hall, the removal of the overgrown shrubbery and the relocation of the ADA ramp to meet compliancy adjacent to the Arts Center.

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

Motion Carried

PENDING:

1. 6585 Liberty Road – Alex and Julie Spirikaitis (additional site plan submitted) 024-2011
- 122.5' front yard setback variance

Mr. Frankland said there is no new information. Mr. Mazur recommended the item be moved to the Inactive Agenda until information is received from the Army Corp of Engineers.

Motion by Mr. Mazur, seconded by Mayor Drucker to place Item 1 on the Inactive Agenda.

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

2. 29605 Aurora Road – 322 & 91 Properties, LLC – Jon Sines 037-2011
- Site plan modification to previously approved landscape plan

Mayor Drucker said a meeting has been scheduled for August 3rd with the applicant. She said the driveway, landscaping and the easement will be discussed and the information will be presented at the next Planning Commission meeting with a recommendation from the Administration.

Motion by Mr. Newberry, seconded by Mr. Bentley to table consideration of Item 2.

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

NEW:

3. 6460 Liberty Road – Duane Hoffman 045-2011
- 410 sq ft total amount of accessory pavement variance

Mr. Duane Hoffman was present and displayed a drawing indicating the area where additional pavement is proposed to create an area for a turnaround rather than attempting to back out onto Liberty Road. He believes this is a safety issue, especially in the winter.

In response to Councilwoman Richmond's question, Mr. Hoffman said he is replacing the entire driveway, which is in disrepair, and is requesting approval to add pavement to square off the driveway and create the turnaround.

Motion by Mayor Drucker, seconded by Councilwoman Richmond to approve a 410 sq ft total amount of accessory pavement variance.

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

4. 34085 Pettibone Road – Kelly Moran 046-2011
- 170 sq ft total amount of accessory pavement
 - 3' accessory pavement side yard

Attorney William Carlin, 33059 Allenbury Drive and Ms. Kelly Moran were present. Mr. Carlin displayed a drawing indicating the applicant's garage and the location of the additional pavement. He explained that Ms. Moran is dedicated to caring for her ailing, elderly parents. Mr. Carlin explained the pavement has already been installed due to problems with the contractor. He said the additional pavement eases the demands of caring for her parents by allowing better access to the garage and their transportation requirements.

Ms. Moran indicated the existing driveway and noted where the new driveway was installed and where the setbacks are necessary. She was unaware that the contractor did not apply for a permit to install the new pavement and is now asking for the approval of the Commission. Ms. Moran explained the necessity of the additional pavement to accommodate the wheel chair accessible van and displayed photographs demonstrating its use. She displayed a photograph of the cement and a tape measure to indicate its width is 4" thick.

Mr. Mazur viewed the site and said the installation was finished appropriately and the yard looks very good. It is his understanding that Ms. Moran was unaware that the contractor did not receive the appropriate permits and this will be addressed by the Building Department. Mr. Mazur said Ms. Moran's request for the accessory pavement is for valid reasons and he will support the application.

Mr. Bentley also viewed the site and agreed with Mr. Mazur.

Ms. Moran explained further that she was unaware the contractor she hired had sub-contracted the installation to another contractor. She was only made aware of this after the installation was completed.

Mr. Mazur requested Ms. Moran provide the names of the contractors to the City so they can be contacted by the appropriate personnel to inform them of the rules and regulations for contractors to work in the City.

Mr. Newberry said although it is not his practice to approve applications where work is already performed, he will consider this an exception and will look upon it favorably.

Motion by Mr. Bentley, seconded by Mr. Mazur to approve a 170 sq ft total amount of accessory pavement variance for 34085 Pettibone Road.

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

Motion Carried

Motion by Mr. Mazur, seconded by Mr. Newberry to approve a 3' accessory pavement side yard setback variance for 34085 Pettibone Road.

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

Motion Carried

5. 7384 Liberty Road – Clarence Ramey

047-2011

- 320 sq ft total amount of accessory pavement variance

Mr. Newberry said correspondence was received from the applicant's representative indicating they would be unable to attend the meeting due to a family medical emergency.

Mr. Mazur requested the Clerk send a letter to the applicant requesting someone attend the next Planning Commission meeting to review the application.

Motion by Mr. Mazur, seconded by Mr. Newberry to table consideration of Item 5.

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

Nay: None

Motion Carried

6. 6180 Cochran Road – Carnegie Companies

048-2011

- Site plan review for addition

Mr. Brian Fabo, Architect, was present and displayed a site plan. He said the building is not visible from the street and can only be accessed from a long driveway. Mr. Fabo said the building is comprised of manufacturing on the first floor and offices on the second floor.

Mr. Fabo indicated the parking areas and said there is an uncovered free-standing exterior stairway that accesses a bridge which has to be crossed over to enter the second floor of the building. In addition, there is exterior elevator access as well. Mr. Fabo said the elements have severely weathered the stairs and they are in poor condition. The proposal is to remove the free standing stairs and the bridge but maintain the elevator and construct an addition to the building with an interior enclosed stairway that will not be subjected to the elements and will provide interior access to the offices. Mr. Fabo said this proposal will increase the green space, decrease impervious area and will not change the parking count.

Mr. Fabo displayed photographs demonstrating the view of the building from different directions. He indicated the entrance and said the construction materials will be similar to material currently on the building. He said the goal is to mirror the construction elements that already exist; which includes, the window tint, aluminum colors, bricks and a small canopy over the entrance doors.

In response to Mr. Mazur's question, Mr. Fabo said an existing ADA ramp will remain and will not be affected by the new construction.

Mr. Fabo said Carnegie Companies is the landlord and the tenant of the building is a company called Carlisle.

Ms. Deidre Salois, Carnegie Companies, said Carlisle Brake and Friction has a Research and Development facility located on the first floor and their world corporate headquarters are on the second floor.

Mayor Drucker viewed the site and believes the proposed construction will make a tremendous improvement to the building.

Ms. Salois said the condition of the stairs creates a safety issue.

Councilwoman Richmond agreed that the plan will improve the building.

Mr. Bentley agreed and said it is commendable that Carnegie Companies is willing to make improvements to the building considering it is not seen by the general public.

Mr. Mazur said the landscape plan was approved by the City architect this afternoon.

Motion by Mr. Mazur, seconded by Councilwoman Richmond to approve the site plan for the addition for Carnegie Companies.

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

Nay: None

Motion Carried

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| 7. | 32975 Aspen Glen Drive – Brian and Tyra Bulson | 049-2011 |
| | <ul style="list-style-type: none"> ▪ 0.5 fence height variance ▪ 68' fence setback variance ▪ Site plan modification for fence | |

Brian and Tyra Bulson were present. Using a power point demonstration, Mrs. Bulson indicated the rear yard of the property and the location for the proposed fence. There are three variances associated with the proposal. She said one variance is a height variance and displayed a picture of a scalloped style cedar fence, which she designed to mimic the appearance of the existing deck.

Mrs. Bulson said the setback variance is requested so the backyard is not divided in half, making it less usable. She said the main reason for the fence is because their yard is adjacent to two busy roads; Miles Road and SOM Center Road. Mrs. Bulson said they have a young child and two dogs and feel the fence will protect them.

Mr. Bulson said a meeting is scheduled with Mr. Lobe on Friday to discuss the legal details involving the fence location proposal. However, he would like the Commission's review of the first two variances this evening. Mr. Bulson said he has received written approval from the neighbors. In addition, a professional survey was completed to ensure there would be no encroachment to neighboring properties and measurements were accurate.

Mr. Bulson said the fence location issue is regarding a 40' restriction in the rear of their property. If the variance is not granted, the fence location will block a significant portion of what could be usable property and will cause the fence to be more visible than it would be if installed using the plan they submitted for review, which shows the fence installed through the tree line. Mr. Bulson said the legal issues regard a "greenbelt" clause in the plat, which is to be discussed with Mr. Lobe.

Mr. Bulson believes that the proposed fence is consistent with a "greenbelt" definition with the natural wood color. It is not a privacy fence so it is shorter and installing it through the tree line will make it less visible.

Mr. Bulson said if legal aspects of the proposed fence location are unable to be determined, they would be receptive to installing the fence in accordance with City code. However, they would like the first two variances acted upon and will install the fence based on those variances if the third item cannot be achieved.

Mr. Mazur believes it is a good plan, however, the Commission does not have the ability to act upon "greenbelt" issues until the legal review has been completed. He agreed the Commission should act on the first two variances.

Councilwoman Richmond asked if the entire application should be tabled until the legal decision is made should neighbors' signatures be required for the "greenbelt" issue.

Mr. Bulson said although they are hoping to get approval to install the fence based upon the proposal presented tonight, they do not want to be delayed if it is determined they will not be able to proceed with that plan. He believed it would be advantageous to obtain the first two variances, however, if it is better to wait and proceed later, he will defer to whatever the Commission requires.

Mr. Mazur is willing to act upon the original plan, since there may be no other options after meeting with Mr. Lobe on Friday. If Mr. Lobe says there are no other options, then the applicant can proceed with the approval of the first two variances.

Mr. Newberry is concerned about granting partial approval since the Council must act on the variances within a certain period of time and, currently, the location of the fence is unknown.

Mayor Drucker said the other option, if determined by Mr. Lobe, would be to modify the plat, which would be through petition.

Mr. Frankland said this is an usual circumstance. The area where the fence is proposed doesn't have any opposition, however, the plat indicates that it cannot be done. Mr. Frankland believes this is unfair to the property owner. Therefore, the Planning Department suggested the application be considered with the variances located outside of the easement area. Mr. Frankland did not want the applicant to be additionally delayed after consideration of Mr. Lobe's review. He said the Council has three meetings to act on an application so even if there is a revised plan, there is time for the Planning Commission to review it prior to the Council having to take action on it.

Mr. Mazur is concerned about the timing involved if a petition is required. He believes getting signatures could be time consuming.

Mr. Bulson said if getting signatures and submitting a petition is determined to be the manner in which they can install the fence as proposed, they are willing to take the extra time involved. If it is determined there is no chance to have the fence installed along the tree line, then it is their goal to have the fence installed as soon as possible.

Mayor Drucker said Councilman Mooney has indicated his approval for the fence.

Mr. Bulson thanked Councilman Mooney and Mr. Frankland for all of their assistance.

Councilwoman Richmond said she hopes there is a way to resolve the legal technicality so the Bulsons can install the fence in the preferred location.

The Commission further discussed whether or not to table the application or proceed with motions for the variances other than the "greenbelt" issue. It was determined the first two variances would be acted upon and the last item would be tabled.

Motion by Mayor Drucker, seconded by Councilwoman Richmond to approve a 0.5' fence height variance.

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

Motion by Councilwoman Richmond, seconded by Mr. Newberry to approve a 68' fence setback variance.

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

Motion by Mr. Newberry, seconded by Mr. Bentley to table consideration of the site plan modification for the fence pending review by the Law Director.

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

8. 6465 SOM Center Road – 6465 SOM Center Road LLC (Sprint) 050-2011
- Number of all signs variance to permit 2
 - Wall sign location variance

Mr. Richard Stump, Agnew Signs, representing Sprint was present. He displayed a rendering of the Sprint building recently leased and said the signs have been installed on the front of the building. He explained that the applicant would like to add a sign in the rear of the building since it is an outlot in a plaza for patrons who are in the plaza to be able to identify the building as a Sprint store.

Mr. Stump indicated the area for the sign on the rendering and the location of an awning to be added over a new window. The applicant is requesting the same size signage as installed on the front of the building. Mr. Stump said the applicant also has a smaller version of the sign if the Commission does not deem the one presented appropriate.

Mr. Mazur said since this is an outlot, he believes the requested sign is appropriate.

Mr. Newberry said it makes sense and believes many of the customers will be coming to the building from the plaza and viewing the rear of the building.

Mr. Bentley agreed it makes sense to add signage to recognize the building from the plaza.

Motion by Mr. Bentley, seconded by Mr. Mazur to approve the number of wall signs variance to permit 2.

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

Motion Carried

Motion by Mr. Mazur, seconded by Mayor Drucker to approve a wall sign location variance.

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

Motion Carried

9. 33840 Aurora Road – Jeffrey Barth/CVS 051-2011
▪ Signage plan modification

Ms. Iliana Kazandjieff, Agile Sign, representing CVS was present. She displayed an aerial view and photos of the building indicating the location of the proposed interior illuminated window signs; one on the west side and one on the south side. She said there would be no additional signage to the front of the building and the signs indicating the "MinuteClinic" will provide a service to the Solon community.

Mayor Drucker said she is concerned about any additional signs to the CVS building. She said when the building was refurbished, CVS was granted a comprehensive sign package that was greater than would normally be allowed. She will not support the request for additional signage.

Ms. Kazandjieff was unaware of the sign package and said Agile was not the sign company at that time.

Mr. Mazur will support the request because he believes the business climate has changed since the sign package was approved and clinics have become an integral part of the pharmaceutical business and the signs will only face the parking lot. In addition, the signs will not be visible from Aurora Road or SOM Center Road.

Councilwoman Richmond asked for clarification of the proposed sign locations. Ms. Kazandjieff displayed the photograph and indicated the locations.

Mayor Drucker asked if the MinuteClinic flags which are located on SOM Center Road will be removed if the signs are approved.

Ms. Nicole Ashman, CVS, was present and said she was unaware of the MinuteClinic flags that are located on SOM Center Road and will have them removed. She said the signs they are proposing are non-projecting fluorescent lighting which will be turned off when the store closes.

Since the signs will be primarily in the rear of the building, Mr. Bentley is not concerned. He said there are not many signs in the rear of the building and he

feels the signs will not be obtrusive by being recessed beneath an overhang. Mr. Bentley would be more concerned if the signs were being added to the front of the building since he feels the front of the building has more than enough signage. He will support the variance.

Motion by Mr. Mazur, seconded by Mr. Newberry to approve a signage plan modification for CVS to allow two MinuteClinic signs on the building facing the parking lot.

Roll Call: Aye: Bentley, Mazur, Newberry, Richmond
Nay: Drucker

Motion Carried

10. 33043 Pettibone Road – Samy Tanious 052-2011
 ▪ 15' accessory pavement setback variance

Mr. Samy Tanious was present and displayed a diagram of the driveway and indicated where he proposes additional concrete. He said backing out onto Pettibone Road is a safety issue, especially now that his daughter is learning how to drive. Mr. Tanious indicated where he would like to extend the driveway and add a pad for turning around enabling them to pull out of the driveway. He said many of his neighbors had the same safety issues and installed the additional pavement.

Mr. Mazur said the Commission has supported other similar applications for busy streets where there is difficulty backing onto the street which creates safety issues. In addition, the ward Councilman also supports the request.

Councilwoman Richmond said she will support the request.

Mr. Bentley asked about a tree that was viewed in the aerial photo. Mr. Tanious said he has already relocated the tree elsewhere in his yard so it will not be impacted.

Motion by Mr. Mazur, seconded by Mayor Drucker to approve a 15' accessory pavement setback variance for 33043 Pettibone Road.

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

Motion Carried

11. 33255 Coachman Lane – Scott Chesnik 053-2011
 ▪ 2' driveway width variance

Mr. Scott Chesnik displayed a diagram outlining the driveway of his 43-year old house. He said the driveway is in great disrepair and he believes the original design was not very appropriate. He said the driveway is at a 45° angle which makes it very difficult to maneuver, especially with four drivers.

Mr. Chesnik said he plans to replace the driveway and is proposing a modification to the original design which he believes will be more suitable. He explained there are two garage doors which measure 18' across. It was his intention to have an 18' wide driveway, however, he was notified by the City that the driveway can only be 16' to the top of the sidewalk.

Mr. Chesnik said Councilman Kraus supports his proposal and has no objection. Mr. Chesnik said out of 14 of his closest neighbors, 11 have driveways wider than 16' at the top of the sidewalk. In addition, five of them are 18' or wider, five are 17' or wider and one is 16 1/2'. Mr. Chesnik believes having the driveway uniform from top to bottom is in character with the other driveways in the neighborhood.

Mr. Chesnik said his driveway is sloped and is treacherous in the winter and he believes the additional 2' will help to prevent them from sliding off the drive. He believes if it remains the same, vehicles will slide off and ruts will need to be repaired every spring.

Mayor Drucker feels his proposal is appropriate for the neighborhood. She said the 11' width looks extremely difficult to maneuver, especially with multiple vehicles. Mayor Drucker said from looking at the map received from the Planning Department, it does appear that many of the surrounding driveways have a driveway width wider than 16'. She will support the proposal.

Councilwoman Richmond agreed with Mayor Drucker. She said from looking at the map, Mr. Chesnik's proposal is consistent with the other driveways on the street and she will also support the request.

Mr. Mazur disagreed with Mayor Drucker and Councilwoman Richmond. He said there is a reason for a 16' driveway requirement and the City wants to maintain this for water runoff, etc. Mr. Mazur said his driveway is 16' from top to bottom and is also at an angle. Mr. Mazur said the neighbors who have wider driveways must have had them installed before the change in the Code; which now requires 16' maximum, and if they were to replace a driveway, it would have to be a maximum of 16'. He does not believe there is a practical difficulty which requires an additional 2' wide driveway. Mr. Mazur said other people who have installed driveways wider than the Code allows have been told to remove the excess pavement. He feels in order to be consistent, he cannot support the proposal.

Mr. Newberry agreed with Mr. Mazur and said his driveway is also 16' wide and has a slope. He said he manages to park several vehicles and maneuver around them. Mr. Newberry does not agree with the argument that other people have wide driveways, so Mr. Chesnik should be allowed to as well, even if granted by the Commission. He said each variance is granted on an individual basis and they do not carry from one property to another. Mr. Newberry believes most of the driveways were installed before the current ordinance and if any of those driveways were to be replaced, they would have to be at 16'.

Mr. Newberry sees no reason for the variance other than convenience for Mr. Chesnik and his family. Although he has sympathy for Mr. Chesnik, he believes there is ample pavement in front of the garage with the 23' width and the 26 1/2' depth.

Mr. Chesnik said with all due respect, he never said that his neighbors have it so he believes he should have it too. He said he felt it would match the other driveways

in the neighborhood and look more uniform. Mr. Chesnik said it is not his intention to maintain the 23' width and believes the 18' width will look more residential. He said the driveway is extremely steep and his vehicle slides off of it in the winter. Furthermore, he would never consider parking a car at the bottom and attempt to get around it. He does not think this is a matter of convenience; but one of necessity.

Mr. Bentley said the Code is there for a reason and it needs to be enforced. He believes the 16' will suffice and he will not support the request.

Mr. Chesnik said he is very disappointed as his driveway is in great disrepair. He is trying to make an improvement to his property which is going to cost a substantial amount of money. Mr. Chesnik believes many of the driveways were replaced within the last 3 to 5 years and does not know if the applicable permits were issued. However, he is attempting to go through the appropriate procedures.

Mr. Mazur said the pad could be tapered back to 16' and it is the responsibility of the Planning and Building Departments to enforce the Code. He said the Code needs to be enforced because the next resident that requests an 18' driveway will expect to get the variance and it will set a precedent.

Mr. Chesnik said none of his neighbors have voiced any objections to the variance and they received the notification. He said he may decide not to do anything and just save the money.

Mayor Drucker said based on the aerial view of the other driveways in the area, the reduction from 23' to 18' will look better. She informed Mr. Chesnik that if he does not receive the Planning Commission's approval, he will have the right to appeal to the Council. Mayor Drucker feels the Commission has been approving wider driveways on a regular basis and all of the applications that were heard today regarding accessory pavement indicate people have more cars in their household. Although she does not want to set a precedent, she believes Mr. Chesnik's proposal would be a great improvement to the property.

Mr. Chesnik said he is quite surprised by the denial of his variance. Especially since three pavement variances were just approved, with minimal discussion and humor.

Mr. Mazur said the other applications were approved because they were located on busy streets where making a turnaround was for safety reasons.

Motion by Mayor Drucker, seconded by Councilwoman Richmond to approve the 2' driveway width variance for 33255 Coachman Lane.

Roll Call: Aye: Drucker, Richmond

Nay: Bentley, Mazur, Newberry

Motion Failed

COMMENTS FROM THE AUDIENCE:

There were no comments from the audience.

MINOR ALTERATIONS FROM THE PLANNING DEPARTMENT:

There were no items to review.

COMMENTS FROM THE COMMISSION:

Mayor Drucker encouraged everyone to attend the Home Days festivities starting Thursday, July 28th with the pasta dinner to be held at the Community Center from 4:30 P.M. to 7:00 P.M. In addition, local bands will be playing music during the festivities from July 28th to August 1st. Mayor Drucker said the latest addition to Home Days will be the car cruise which will take place on Saturday, July 30th from 2:00 P.M. to 8:00 P.M. at the Community Center. She advised the Community Center will be closed on Saturday to accommodate the cars. Mayor Drucker said the annual parade will take place on Sunday, July 31st.

Mayor Drucker referred to an article which appeared in The Plain Dealer regarding the decrease in home sales in Solon since 2007. She wished to make everyone aware that there are many factors involved when determining these statistics and does not want residents to be misled. Mayor Drucker said the economy has changed since 2007 and average house prices have drastically decreased. She said some of the homes that sold in Solon during this time period were between \$500,000 and \$1,000,000 and this increased the average single home price statistic. The sale of the higher priced homes were for new construction during this time which is based on the fact that 49 building permits were issued in 2006 compared to 9 building permits issued in 2010. Mayor Drucker said there are many other local communities whose home sales have greatly decreased.

Councilwoman Richmond said foreclosures have also contributed to the statistics regarding home sales. She is looking forward to seeing everyone at Home Days.

Mr. Newberry said a guest of his recently commented on how well the City streets are maintained and he is pleased that the City's infrastructure efforts are noticeable to visitors.

Mr. Bentley also encouraged attendance at the Home Days celebration and said it appears the weather is going to be accommodating.

Mr. Mazur said the Solon Benevolent Fund still has tickets available for the Home Days raffle. He also congratulated his daughter and her husband on the birth of their son.

COMMENTS FROM THE AUDIENCE:

There were no comments from the audience.

Motion by Mr. Newberry, seconded by Mr. Bentley to adjourn the meeting at 8:45 P.M.

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

Motion Carried

Chairman

Secretary