

PLANNING & ZONING COMMISSION
August 9, 2011 – 7:00 P.M.

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

Present: Commission Members Bentley, Mazur, Newberry, Councilwoman Richmond, Mayor Drucker, Law Director Lobe, Planning Director Frankland, Secretary McConoughey

Absent: None

Also Present: Fire Lieutenant Benedict, City Engineer Busch

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
- E. 6585 Liberty Road – Alex and Julie Spirikaitis – Site plan and front yard setback variance for new home construction

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.

PENDING:

- 1. 29605 Aurora Road – 322 & 91 Properties, LLC – Jon Sines – site plan modification to previously approved landscape plan: Mr. Mazur said a meeting was held and it was determined the applicant will submit and present a new site plan.
- 3. 32975 Aspen Glen Drive – Brian and Tyra Bulson – fence height and setback variance and site plan modification for fence: Mr. Mazur said the applicants met with Mr. Lobe and a determination was made regarding the fence location in the greenbelt area. It is necessary to modify the previously approved variances.

NEW:

- 5. 31271 Arthur Road – Robert Foster – various variances for a pool building: Mr. Mazur said he viewed the site and does not believe the drawing was done to scale and the building will not be as large as indicated.

6. 39910 Aurora Road – Station 43 – various sign variances: Mr. Mazur said this application is to replace a temporary sign which has been on the premises for a very long time.

7. 33175/33245 Aurora Road – Colton Enterprises (Huntington Bank) – setback variance, various aisle variances, building color variance, number of wall signs variance, building material variance and site plan for new building: Mr. Mazur requested the Clerk provide past files for this address to review what variances were previously necessary, however, Mr. Newberry later provided his file.

There was further discussion regarding setback requirements and what is mandated based on the size of the lot and the Code requirements.

8. 33519 Solon Road – Price Family Partnership – side yard setback variance, parking space variance and site plan for building addition: Mr. Frankland said much correspondence has been received regarding this application and it is necessary to get the signature from the adjacent property owner indicating their support for the project. Mr. Mazur said the last email he read was from the owner of the adjacent property who indicated approval with four conditions. Mr. Mazur said all of the conditions have been met.

10. 34470 Pettibone Road – Scott Hedrick – maximum fence height variance and minimum uniform fence opening variance: Mr. Mazur viewed the property and suggested the applicant consider a different style fence be used; such as, board-on-board and reduce the height. The applicant was present and said he would be willing to consider board-on-board style fencing and is receptive to reducing the height of the fence.

11. Appeal to the decision of the Chief Building Official filed by S. Michael Lear on behalf of Mitchell Leventhal, 6630 Cummings Drive: Mr. Mazur said the applicant requested this item be tabled.

It was noted by the Clerk that a representative from Mid America Management expressed concern regarding Item 7.

Mr. Frankland said the representative from Mid America telephoned and said although they are not opposed to the plan, they are concerned that the access point on Melbury Drive where the apron flares might interfere with their loading docks and specifically requested this area be carefully reviewed.

Mr. Newberry and Mayor Drucker said Mid America's property is actually encroaching on the Huntington property.

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

CHANGES TO THE AGENDA:

There were no changes to the agenda.

COMMENTS FROM THE AUDIENCE:

There were no comments from the audience.

APPROVAL OF MINUTES:

Motion by Mr. Newberry, seconded by Mr. Bentley to approve the minutes of the July 26, 2011 meeting as presented.

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

Motion Carried

PENDING:

1. 29605 Aurora Road – 322 & 91 Properties, LLC – Jon Sines 037-2011
 - Site plan modification to previously approved landscape plan

Mayor Drucker said a meeting was held with the applicant and it was determined a new site plan will be submitted in regard to the landscape plan and access drives. She said it is hoped that an acceptable compromise can be reached at the next meeting.

At Mr. Mazur's request, Mr. Frankland said he will inform the applicant that it is necessary to enclose the trash receptacle to meet the City's Code requirements.

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

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

Motion Carried

2. 7384 Liberty Road – Clarence Ramey 047-2011
 - 320 sq ft total amount of accessory pavement variance

Mr. Frankland displayed an aerial view of the property indicating the paved driveway and the location of the accessory pavement. He displayed a drawing of the area that was paved which was previously graveled. Mr. Frankland said 300 sq ft of accessory pavement is permitted and 620 sq ft has been paved.

Ms. Rhonda Fuldauer, representing her father Clarence Ramey, was present.

Mr. Mazur said this type of driveway turn around is typically granted for safety reasons. However, since the accessory pavement has already been installed without a permit, the Building Department will determine if any fines will be issued.

Motion by Mayor Drucker, seconded by Councilwoman Richmond to approve a 320 sq ft total amount of accessory pavement variance for 7384 Liberty Road.

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

Motion Carried

3. 32975 Aspen Glen Drive – Brian and Tyra Bulson 049-2011
7/26 tabled (scheduled to meet with Law Director 7/29)
- 0.5' fence height variance – 7/26 PC approved (8/1 Council referred back to PC)
 - 68' fence setback variance – 7/26 PC approved (8/1 Council referred back to PC)
- Consideration of revised variances:
- 10' fence setback from right-of-way variance
 - 74' fence setback from residence variance
 - Site plan modification for fence

Mr. Mazur said this item was previously before the Commission and two variances were approved. However, upon meeting with the Law Director, it was determined that a fence does not have the same definition as it did in 1985 when the greenbelt restriction was initiated.

Brian and Tyra Bulson were present. Mrs. Bulson displayed an aerial view of the property and indicated where the proposed fence will be installed and where the greenbelt area is located.

Mr. Mazur asked if the fence will be the only structure in the greenbelt area. Mrs. Bulson said yes.

Mr. Lobe explained the interpretation and review was based upon the expressed language on the plat, the minutes and other documentation and the Code that was in place at the time of the plat approval versus the definition of the current Code.

Mr. Lobe said, in addition, the plat contained unique language to prevent ingress and egress. Therefore, the fence promotes the ingress and egress aspects of the plat without modifying it. In addition, the definition of structure has changed since the plat was established. Mr. Lobe said considering all of the factors, he feels the best and most prudent interpretation would be to allow the fence for this limited purpose in this instance and based upon the totality of the specifics of the plat and the legal analysis.

Mr. Newberry asked if the purpose for the greenbelt was primarily to prevent access from SOM Center Road and Miles Road to the lots that were fronted on them.

Mr. Lobe said it is specifically noted on the plat that the purpose was for ingress and egress considerations and the fence does promote that part.

Mr. Frankland said, in addition, the minutes indicated the purpose of the greenbelt was to prohibit structures. Therefore, the fence will enhance the buffering requirement. Mr. Frankland said this does not imply that the City would approve a storage building or a garage, which is clearly considered a structure, within the greenbelt area.

Mr. Mazur asked if there are other lots along SOM Center Road with the same issues.

Mr. Lobe said consideration was not given to other lots in the interpretation, however, other similar lots do exist.

Mr. Mazur said it is necessary to rescind one of the variances previously approved for this item.

Motion by Mayor Drucker, seconded by Councilwoman Richmond to rescind the approval of the 68' fence setback variance.

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

Nay: None

Motion Carried

Mr. Mazur said the 0.5' fence height variance approved at the July 26th meeting will remain in effect.

Motion by Mayor Drucker, seconded by Councilwoman Richmond to approve a 10' fence setback from right-of-way variance.

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

Nay: None

Motion Carried

Motion by Councilwoman Richmond, seconded by Mr. Newberry to approve a 74' fence setback from residence variance.

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

Nay: None

Motion Carried

Motion by Mr. Newberry, seconded by Mr. Bentley to recommend approval of the site plan modification to allow the fence.

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

Nay: None

Motion Carried

NEW:

4. 34172 Russell Drive – PP#'s 956-13-003 and 956-13-004 - 055-2011

Mehri Varghai

- Lot consolidation (re-approval)

Mr. Mazur said this item was previously approved, however, it has been over a year and the applicant failed to record the consolidation with the county.

Motion by Mr. Mazur, seconded by Councilwoman Richmond to schedule a public hearing for a lot consolidation for PP#'s 956-13-003 and 956-13-004 for August 23rd.

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

Nay: None

Motion Carried

5. 31271 Arthur Road – Robert Foster 056-2011

- 357.5 sq ft pool building maximum area variance

- 7'-6" pool building maximum height variance
- 52.4 sq ft storage building maximum area variance

Mr. Robert Foster was present and displayed a site plan. He said this will complete the project which has been part of a 10-year plan for improvements to his home and property.

Mr. Foster reviewed the variances required and said it is a large piece of property with no close neighbors. A creek is located in the rear as well as the Water Reclamation Center which creates a buffer. He explained the project and displayed blueprints indicating the addition and elevations and said all of the building materials will match the house.

Mr. Foster said he also purchased the house next door and added 3 more acres to the property, which is now between 4 and 5 acres. He said his yard is not viewable from Arthur Road.

Mr. Mazur said he viewed the property and said the location for the pool house has a significant drop off which he would consider a valley. He said when he viewed the drawings he thought the structure looked massive, but after viewing the property and its perspective to the pool location and the footprint of the foundation, it is minimal.

Mr. Newberry requested clarification regarding the 52.4 sq ft storage building maximum area variance.

Mr. Foster said this is not part of the pool building and is for a storage building that was built on the property approximately 8 years ago. He displayed a site plan indicating the location of the 12' x 16' storage shed. Mr. Foster said it was built elsewhere, transported on a skid and assembled in the yard. He was just made aware that a permit was necessary for the shed installation.

Mr. Newberry requested the Building Department consider this an item for a permit violation.

Mr. Foster said he has applied for and received the necessary permits for every stage of the project and did not consider the shed a permanent structure and, therefore, did not believe a permit was necessary for the storage shed.

In response to Mr. Newberry and Councilwoman Richmond's questions, Mr. Foster said he does use the shed and would like to keep it on the property.

Mr. Mazur said when viewing the property, the shed is located beyond a hill where the children were playing. He feels it would be appropriate to utilize the shed for storage and it is very far from the house and can barely be seen. Mr. Mazur said if the variance for the shed is approved, Mr. Foster will likely be assessed a fine for building without a permit. Mr. Foster said he is aware a penalty might be assessed.

Motion by Mr. Mazur, seconded by Mayor Drucker to approve a 357.5 sq ft pool building maximum area variance.

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

Motion Carried

Motion by Mayor Drucker, seconded by Councilwoman Richmond to approve a 7'-6" pool building maximum height variance.

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

Motion Carried

Motion by Councilwoman Richmond, seconded by Mr. Bentley to approve a 52.4 sq ft storage building maximum area variance.

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

Motion Carried

6. 39910 Aurora Road – Station 43

057-2011

- 10' sign setback variance
- 10 sq ft area variance
- 1' sign height variance
- 1' sign width variance

Mr. David Glavin, Glavin Industries Sign Company, and Mr. Joe Randazzo, representing Station 43 were present. Mr. Glavin displayed an aerial view of the location and explained the setback requirements in conjunction with the right-of-way line. In addition, he said that ¼ mile down the road is a commercial area of Bainbridge which creates a competitive disadvantage for Station 43. Mr. Glavin said the signs for the Bainbridge businesses are significantly larger than what is being requested.

Mr. Mazur said this business is considered a non-conforming use in a residential area and if it were located in another area of the City, the sign request would not require variances. Mr. Frankland agreed and explained if this business was located in the C-3 retail area of the City, the requested sign would not require variances.

Councilwoman Richmond does not believe variances should be granted just to be competitive with businesses located on the same road and she does not feel the request meets the practical difficulty requirement. She referred to a driveway variance which was not approved by the Commission when the argument of consistency with the other driveways in the area was used. Councilwoman Richmond would prefer to have the sign meet the Code requirements for the area.

Mr. Glavin said the applicant prefers to seek the variances for the sign as proposed. Mr. Glavin said it is a significant competitive issue, as well as an economic development issue. He said if the business was located in a different zoning classification, it would be in compliance. Mr. Glavin said an alternative would be to keep the temporary changeable copy sign that is currently being used and continue to pursue this use within the Bedford Court. He said the application for the new sign is an effort on the part of Station 43 to work with the City and remove the current dispute over the temporary changeable copy sign.

Councilwoman Richmond said the other businesses are located in Bainbridge, not in Solon.

Mr. Glavin said a business located ¼ mile away from a Solon business is still competition. Furthermore, the most competitive Solon businesses are located 2 miles away from Station 43.

Councilwoman Richmond said she has no issues with the setback variance, however, she does have concerns about the height and width variances.

Mr. Glavin said he understands that it is sometimes difficult to determine what is considered an appropriate standard to meet as a practical difficulty. However, since the subject has been broached, he will also make a comparison. Mr. Glavin said the Commission recently approved two additional signs for CVS which is located in the center of the City where they have already been granted approval for excessive signage. Mr. Glavin questioned the practical difficulty in that situation.

Mr. Mazur said he has no issues with the Station 43 sign request and, in fact, considers himself pro-business. However, he does not believe other businesses and decisions made by the Commission should be compared to when requesting a variance.

Mr. Glavin said he did not initiate the comparison issue, only offered an additional comparison viewpoint.

Mayor Drucker said there is no dispute with the City regarding the temporary changeable copy sign. In fact, there have been several cordial meetings held with the owners of Station 43 to resolve the issue. Mayor Drucker said she appreciates the willingness of Station 43 to install a permanent sign. In addition, she agreed that the size of the sign should be comparable to other commercial Solon businesses. She said although it is in a residential area and an odd location, the improvement from its previous state is tremendous and is a neighborhood-friendly establishment. Mayor Drucker will support the variances.

Councilwoman Richmond said some of the neighbors still have concerns regarding the lack of screenage they were told would be installed by Station 43. She would like that to be completed.

Mayor Drucker said during meetings with Station 43, the screening issues have been discussed as well as the sign issue. She said Station 43 has been working with the City to resolve the outstanding issues. Mayor Drucker said previously there were issues with parking, however, there have been changes made and there are no longer problems with patrons parking on Portage Street.

In response to Mr. Bentley's question, Mr. Frankland said in order for the sign to meet the requirements for the residential district, it is required to be the same as the office district, which is a 30 sq ft sign, 5' height and 7' width.

Mr. Mazur agreed with the Mayor's opinion and will support the variances. He feels the improvements to the building are attractive. Although the business is in a residentially zoned area, it appears as though it is in a commercial area because it is surrounded by commercial properties. Mr. Mazur does not believe the extra square footage on the sign is an issue.

Motion by Mr. Bentley, seconded by Mr. Mazur to approve a 10' sign setback variance.

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

Motion by Mr. Mazur, seconded by Mayor Drucker to approve a 10 sq ft area variance.

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

Motion by Mayor Drucker, seconded by Mr. Newberry to approve a 1' sign height variance.

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

Motion by Mr. Newberry, seconded by Mr. Bentley to approve a 1' sign width variance.

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

7. 33175/33245 Aurora Road – Colton Enterprises - 058-2011
(Huntington Bank)
- 27.9' front yard building setback variance
 - 8' drive aisle width variance – south elevation
 - 8' drive aisle width variance – west elevation
 - 8' drive aisle width variance – north elevation
 - 10' parking lot/drive aisle setback from building variance
 - 25' drive aisle/street access drive setback variance from rear property line
 - Building color variance
 - Number of wall signs variance (to permit four (4) signs)
 - Building material variance
 - Site plan for new building

Mr. Mazur said this item will be forwarded to the Safety and Public Properties Committee, however, the applicant will provide a preliminary presentation.

Mr. Brad Schneider, Architect, Professional Design Group and Mr. Michael Kendall, Consulting Engineer, GBC Design were present. Mr. Schneider displayed a blueprint of the proposed one-story, 3,000 sq ft branch for Huntington Bank with a drive-thru facility. He indicated the proposed location for the drive-thru on the side of the building and explained parking will be on the opposite side of the building where the front door will be located. The bank will be accessible from the shopping center, Solon Boulevard, Melbury Avenue and Aurora Road.

Mr. Schneider displayed renderings of the proposed building from various elevations and said it will be made of brick with stone around the base with stucco accents. He then displayed the proposed landscaping plan indicating the screening from Aurora Road.

In response to Mr. Mazur's question, Mr. Frankland said the City landscape architect has reviewed the plan and due to the substantial amount of pavement in the plan, spent considerable time carefully reviewing it.

Mr. Schneider, responded to Mr. Mazur's question, and said a service yard is a screened wall area where the air conditioning units will be located as well as a small secure trash enclosure where a separate company will remove the trash and shred it. Mr. Schneider said there will be no dumpster on the site.

Mr. Mazur requested clarification regarding some of the exit signs located on the site plan and expressed his concerns about whether or not they will be viewable to patrons. Mr. Frankland suggested this concern also be referred to the Safety and Public Properties Committee.

Mr. Mazur said after a review of plans previously submitted in 2005 for this site, it was determined there were less variances requested at that time. He is concerned about more variances being requested for what will be a larger site once the consolidation is completed.

Mayor Drucker explained the requested variances.

Mr. Newberry said in 2005, the consolidation was not a requirement and the building code has since changed.

Mr. Mazur said the Safety and Public Properties Committee will meet tomorrow night, August 10th, however, the Committee will be unable to review the information prior to the meeting. It was determined this item will be reviewed at the next Safety and Public Properties Committee meeting on September 14th.

Motion by Mr. Newberry, seconded by Mayor Drucker to submit the item to the Safety and Public Properties Committee for their review.

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

Motion Carried

- | | | |
|----|--|----------|
| 8. | 33519 Solon Road – Price Family Partnership | 059-2011 |
| | <ul style="list-style-type: none"> ▪ 5' side yard setback variance ▪ (1) space total parking space variance ▪ Site plan for building addition | |

Mr. Dale Kaskey was present, representing the Price Family Partnership. He displayed a site plan and explained the property is a century home that is being modified as an office building. He indicated the stairs which come right to the property line with the addition of a vestibule and explained this is the area where

the variances are necessary. Mr. Kaskey displayed renderings of the different elevations indicating the covered entry with handicap access.

Mr. Mazur requested clarification regarding the location for handicap parking. He believes this should be located on the other side of the stairs, closer to the ramp access.

Mr. Kaskey agreed and said he was unable to reach the architect to address this issue. However, he will follow-up with the architect.

Mr. Mazur said he believes the applicant sent correspondence to Dr. Silverman indicating this change will be made. He said this was discussed during a meeting with himself and Mr. Frankland.

Mr. Frankland explained there is a cross-access agreement for this property, which states that MP Start Financial has access to 12 parking spaces on an adjacent property. He said the terms of the easement state the adjacent property owner has sole authority as to where the parking spaces are located. Mr. Frankland said with the addition of the vestibule to the front of the property, some of the parking spaces had to be moved. The adjacent property owner, Dr. Silverman is not in opposition to the handicap parking spaces being moved provided nothing interferes with accessing the vacant property he owns located behind this property since he intends to develop it in the future. Mr. Frankland said there should be no issues since the change for the parking will not interfere with access to Mr. Silverman's property.

Mr. Frankland said the Commission can move forward with the application tonight since typically the handicapped parking is determined during the building permit review process.

Mr. Kaskey said he will meet with the architect to have the change made prior to the Council meeting.

Mr. Bentley commended the applicant and said it is challenging when working with a century home. He said it is a well thought-out design.

In response to Mr. Mazur's question about the color choices, Mr. Kaskey displayed the color samples for the outside of the building.

Motion by Mr. Mazur, seconded by Councilwoman Richmond to approve a 5' side yard setback variance.

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

Motion Carried

Motion by Mayor Drucker, seconded by Councilwoman Richmond to approve a (1) space total parking space variance.

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

Motion Carried

Motion by Councilwoman Richmond, seconded by Mr. Newberry to approve the site plan for a building addition.

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

Nay: None

Motion Carried

9. 6200 Cochran Road – Bada Properties 060-2011
- 10' street access drive width variance

Mr. Sunil Daga was present and displayed an aerial view of the driveway indicating where trucks turning into the property drive over the grass because the driveway is not wide enough. This has caused a depression in the grass 6" to 8" deep and he is concerned that during the winter when the area is covered with snow, the trucks will get stuck. Mr. Daga believes this could be a safety hazard.

Mr. Daga displayed photographs of the ditch indicating its depth. He displayed a hand drawn rendering of the driveway with the proposed additional pavement that would help alleviate future problems.

In response to Mayor Drucker's question, Mr. Daga said he would prefer to use concrete for the driveway addition.

Mr. Bentley asked to see the picture with the curb and Mr. Daga displayed the photo indicating the curb is almost non-existent from the trucks driving over it. Mr. Daga said there is no basin located at the curb.

Motion by Mr. Mazur, seconded by Mr. Newberry to approve a 10' street access drive width variance.

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

Nay: None

Motion Carried

10. 34470 Pettibone Road – Scott Hedrick 061-2011
- 2' maximum fence height variance
 - 25% minimum uniform fence opening variance

Mr. Scott Hedrick was present and said his original submission was to install 138' of fencing, however, it has since been determined that there is 180' of fencing to be installed. He explained the reason he now wants to install a fence is because the property next to him, which used to be heavily wooded, recently sold and the woods have been cleared. Mr. Hedrick said the fence will assist with security and privacy for his property.

Mr. Hedrick said the original submission was for an 8' fence but upon further discussion, it has been determined that a 7' 6" fence would be more appropriate in a shadowbox style. Mr. Hedrick's original submission included a solid fence.

Mr. Mazur said changing the fence to a shadowbox style will eliminate the 25% minimum uniform fence opening variance.

Mr. Mazur asked Mr. Busch for clarification regarding the amount of soil that remains on the property after the trees were removed from the adjacent lot.

Mr. Busch said the site is under construction and this is typical. He believes it will be used for back fill around the house. Currently, the foundation is being poured.

Mr. Mazur said he is concerned about the soil being spread out and raising the topography of the property.

Mr. Newberry said during the approval process for the adjacent property, it was determined that the property owner raise the grade on the two house pads, or they would be in the stream.

Mr. Hedrick said this will cause the water to enter his property and another neighbor's property.

Mr. Newberry said the approval was not to raise it above the grade of Mr. Hedrick's property but to just raise the pads of the houses so that water will go around the house.

Motion by Mr. Mazur, seconded by Mayor Drucker to approve a 1' 6" maximum fence height variance.

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

Motion Carried

Motion by Mr. Mazur, seconded by Councilwoman Richmond to remove the request for the 25% minimum uniform fence opening variance at the request of the applicant since the applicant has agreed to install a board-on-board shadowbox-style fence.

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

Motion Carried

11. Appeal to the decision of the Chief Building Official filed by S. Michael Lear on behalf of Mitchell Leventhal, 6630 Cummings Drive

Mr. Mazur said a request was received from the applicant's attorney to table this item.

Motion by Mr. Mazur, seconded by Mr. Newberry to table consideration of Item 10.

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

Motion Carried

Mr. Mazur said Mr. Peter Rzepka and his attorney contacted him in regard to Inactive Agenda Item C, Hawthorne Estates Subdivision and agreed to remove the item from the Inactive Agenda.

Motion by Mr. Mazur, seconded by Mr. Newberry to remove Inactive Agenda Item C from the Tabled Agenda items.

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

Motion Carried

MINOR ALTERATIONS FROM THE PLANNING DEPARTMENT:

There were no items to review.

COMMENTS FROM THE COMMISSION:

Mr. Newberry said he enjoyed Home Days.

Mr. Bentley said sports have begun in Solon for the new school year and he urged drivers to be especially careful. He also wished his son a Happy 13th Birthday.

Mr. Mazur wished to thank everyone who bought tickets for the Home Days raffle.

COMMENTS FROM THE AUDIENCE:

There were no comments from the audience.

Motion by Mayor Drucker, seconded by Councilwoman Richmond to adjourn the meeting at 8:32 P.M.

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

Motion Carried

Chairman

Secretary