

**SOLON PLANNING & ZONING COMMISSION**  
**AUGUST 13, 2019 – 7:00 P.M.**

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

Present: Commission Members Bentley, Mazur, Newberry, Councilman Pelunis, Mayor Kraus, Assistant Law Director Stolarsky, Planner I Parks, Secretary McConoughey

Absent: None

Also Present: Councilman Magill, Inspector Eisenhuth, Assistant City Engineer Lyndon

**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.

**NEW:**

8. 33655 & 33695 Bainbridge Road - Philip Bomeli, KMC Real Estate Holdings, LLC – building area and sign height variance, waiver to permit a single access to the site and site plan: Mr. Jim Orosz, an abutting property owner, was present and had concerns regarding drainage issues and the possibility of damage to an underground pipe, as there is an underground creek on the property. Mr. Sampat, LS Architects, explained any construction will be 30' away from the area due to the wetlands.

Mr. Orosz questioned if there would be any excavating in that area and Mr. Sampat said there will be no construction on the west side due to the wetlands restrictions.

Mr. Orosz questioned who would be responsible if any flooding occurred and Mr. Lyndon explained that area is considered part of their site and as it is on private property, the owner would be responsible, not the City. Mr. Lyndon said the drainage plan will remain the same. The runoff from the property will be underground and they will have to meet the storm water management requirements. No permits will be issued unless their design meets the City's requirements.

At Mr. Mazur's request, it was noted one of the contingencies is the consolidation of the lots.

Although minor applications will no longer be considered by the Planning Commission, Mr. Lyndon requested a minor Public Works issue be considered.

The caucus ended at 7:22 P.M. and the meeting began at 7:30 P.M.

CHANGES TO THE AGENDA:

There were no changes to the agenda.

COMMENTS FROM THE AUDIENCE:

There were no comments from the audience.

MINUTES:

Motion by Mr. Mazur, seconded by Mr. Newberry to approve the minutes of the June 25, 2019 meeting as presented.

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

Motion Carried

Motion by Mr. Newberry, seconded by Councilman Pelunis to approve the minutes of the July 9, 2019 meeting as presented.

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

Motion Carried

PENDING:

- |    |  |          |   |
|----|--|----------|---|
| 1. | 30865 Solon Road – Rose Bonsignore   | 062-2019 | 6 |
|    | <ul style="list-style-type: none"> <li>▪ Expansion of a non-conforming use variance</li> <li>▪ 77' front yard setback variance</li> <li>▪ 14' setback between structures variance</li> </ul> |          |   |

Ms. Bonsignore was present and explained although the proposed addition was previously approved, construction did not proceed and reapproval of the variances is necessary. She indicated the location of the proposed addition and new garage on the revised plan submitted.

Mr. Bentley asked if there were any pavement changes with the revised plan and Ms. Bonsignore said they remain the same.

Mr. Newberry advised it appears the revised plan shows interior changes and questioned if the dimensions and setbacks on the revised plan are the same and Ms. Bonsignore confirmed they were not changed.

Motion by Mr. Newberry, seconded by Mr. Mazur to approve the expansion of a non-conforming use variance.

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

Motion Carried

Motion by Councilman Pelunis, seconded by Mr. Mazur to approve the 77' front yard setback variance.

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

Motion Carried

Motion by Mr. Mazur, seconded by Mr. Newberry to approve the 14' setback between structures variance.

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

Motion Carried

NEW:

2. 7081 SOM Center Road – William and Tracey Tucker 068-2019 2  
▪ 473 sq ft accessory pavement area variance

Mr. Tucker was present and explained his mother will be moving in with him. As a result, Mr. Tucker is requesting an addition to the existing garage to provide additional parking. He is also requesting additional pavement for visitor parking as street parking is not available on SOM Center Road. He displayed the plan and indicated the area proposed for new pavement and noted the asphalt area of the driveway will be removed and replaced with concrete. He also indicated an area of additional pavement that will be used to access the garage.

Councilman Pelunis visited the site and said there are no objections from the neighbors, therefore, he supports the variance.

Mr. Bentley questioned the size of the garage doors and Mr. Tucker said one is 12' wide and the other is 16' wide.

Mr. Mazur asked if the residence is used as a home-based business. Mr. Tucker replied he is semi-retired and works occasionally for additional income.

Motion by Mr. Newberry, seconded by Mr. Mazur to approve the 473 sq ft accessory pavement area variance.

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

Motion Carried

3. 6545 SOM Center Road – Solon City Schools 073-2019 6  
▪ Number of ground signs variance to permit one additional  
▪ 6" sign height variance  
▪ 2' 8" sign width variance

Mr. Jordan Lewis, SoL Harris/Day Architecture, was present representing the applicant. Mr. Lewis explained the Solon Preschool will be locating to the former Hebrew School building. The request is to install a sign consistent with signs at other school buildings. Mr. Lewis explained the variances and per the Fire Department's request, street numbers will be added to the sign. He said the stone material for the sign will match the building.

Motion by Mr. Mazur, seconded by Mr. Newberry to approve the number of ground signs variance to permit one additional.

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

Motion Carried

Motion by Mayor Kraus, seconded by Mr. Mazur to approve the 6" sign height variance.

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

Nay: None

Motion Carried

Motion by Mr. Mazur, seconded by Mr. Newberry to approve the 2' 8" sign width variance.

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

Nay: None

Motion Carried

4. 35100 Solon Road – Pioneer Memorial Presbyterian Church 074-2019 4
- 10' side yard setback variance
  - 14' setback between structures variance
  - Site plan

Mr. Jack Erkkila, Building Engineer for the applicant, was present. Mr. Erkkila explained the proposed 24' x 24' structure will provide an additional storage area for the church and space to accommodate a Scout Troop sponsorship recently assumed by the church.

Mr. Stolarsky clarified the garage requires a 20' setback and it is proposed at 10', therefore, a 10' side yard setback variance is required.

Mr. Newberry said the three parcels were not required to be combined when the church or hall were built, therefore, the setback is determined by the property line of one of the three parcels. Mr. Newberry explained variances are adjudicated by a practical difficulty which in this case would be the lack of requiring a lot consolidation when the church was built, which was not required at that time.

Mr. Stolarsky advised the church always has the option to consolidate the lots.

Mr. Newberry said the setback between structures variance is necessary as 25' is required.

Motion by Mayor Kraus, seconded by Mr. Mazur to approve the 10' side yard setback variance.

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

Nay: None

Motion Carried

Motion by Mr. Mazur, seconded by Mr. Newberry to approve the 14' setback between structures variance.

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

Nay: None

Motion Carried

Motion by Mr. Newberry, seconded by Councilman Pelunis to recommend approval of the revised site plan.

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

Nay: None

Motion Carried

5. 7357 Shelford Drive – Brian Ducovna 075-2019 1
- 3' fireplace width variance
  - 7' outdoor recreational fireplace width variance
  - Number of accessory structure variance to permit 2

Mr. Sean Biega, Stone FX Construction, designer and contractor, was present representing the applicant. Mr. Biega explained the request to renovate a patio area to include a fireplace and gas firepit. He explained the fireplace exceeds the height and width requirements, requiring variances. The fireplace and gas fire pit table are considered accessories which also requires a variance as the Code only allows one.

Mr. Biega displayed a picture of the house and said the fireplace stone will match the house. He displayed a picture of the proposed fireplace and advised the rear of the property is wooded and will not be developed since it is a wetland or preserved natural area. He explained the applicant prefers that the patio be closer to the wooded area at 47' from the house and it will be centered in the yard. The fireplace will be buffered from the neighbors' view with evergreens on each side and in the rear yard.

Mr. Biega acknowledged he received information from the Fire Department and noted the fire pit table will be 16' from the house.

Motion by Mr. Mazur, seconded by Mr. Newberry to approve the 3' fireplace width variance.

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

Motion Carried

Motion by Mayor Kraus, seconded by Mr. Mazur to approve the 7' outdoor recreational fireplace width variance.

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

Motion Carried

Motion by Mr. Newberry, seconded by Mr. Mazur to approve the number of accessory structure variance to permit two.

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

Motion Carried

6. 37575 Delamere Court (SL6) – Jared Gulling 077-2019 3
- 35' front yard setback variance

Mr. Pat Perrino, Perrino Builders, was present representing the applicant. Mr. Perrino displayed a drawing of the proposed home. The homeowner requested the house be placed more in-line with the house next door to avoid viewing the side of the neighbor's house from the backyard. Mr. Perrino noted the lot is odd-shaped and indicated the house and driveway on the plan.

Mr. Bentley was concerned with the location as shown in the aerial map, however, the engineer's drawing shows the houses will be parallel to each other, therefore, he supports the variance.

Motion by Mr. Mazur, seconded by Mr. Newberry to approve the 35' front yard setback variance.

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

Motion Carried

7. 31585 Crabtree Lane – Nicholas Sefcik

078-2019 5

- 25' accessory pavement front yard setback variance
- 60 sq ft accessory pavement area variance
- 10' accessory structure side yard setback variance
- 72 sq ft accessory structure area variance

Mr. Sefcik was present and explained his request to replace the existing shed with a larger shed in the back yard and to expand the driveway for more area to enter and exit vehicles.

Motion by Mr. Mazur, seconded by Mr. Newberry to approve the 25' accessory pavement front yard setback variance.

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

Motion Carried

Motion by Mr. Newberry, seconded by Mayor Kraus to approve the 60 sq ft accessory pavement area variance.

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

Motion Carried

Motion by Councilman Pelunis, seconded by Mr. Mazur to approve the 10' accessory structure side yard setback variance.

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

Motion Carried

Motion by Mayor Kraus, seconded by Mr. Mazur to approve the 72 sq ft accessory structure area variance.

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

Motion Carried

8. 33655 and 33695 Bainbridge Road – Philip D. Bomeli, KMC Real Estate Holdings, LLC

079-2019 6

- 1,390 sq ft building area variance
- Waiver to permit a single access point to the site
- 1' sign height variance
- Site plan

Mr. Leon Sampat, LS Architects, was present representing the applicant. Mr. Sampat displayed the plan and explained the proposal for a one-story, 8,393 square foot structure. The applicant will occupy the north side of the structure and a rental space is proposed at the south side of the structure. Mr. Sampat advised there is a prospective tenant.

Mr. Sampat further explained 59 parking spaces will be included as required by the Code. He indicated on the plan where wetlands are located, which is the reason that only a single access point is possible. An access easement is proposed for the future to allow a second access point, however, based on the lot conditions, the design only allows for one access.

Mr. Sampat said the building will be one-story, all brick with beige brick below and red brick above and an efface cornice at the top. The sign will be part of the architecture of the building and will match the building, however, will require a 1' sign height variance.

Mr. Stolarsky advised the Fire Department approved the single access drive.

Mr. Newberry asked Mr. Sampat if he received a copy of the memo from the Engineering Department with their requirements. Mr. Sampat said yes and that he has no issues with the requirements.

Mr. Mazur noted the requirements include submission of a lot consolidation, a tap-in fee and a wetlands delineation. Mr. Sampat agreed to the requirements and noted the wetlands delineation was completed and is the reason for the proposed design.

Mr. Newberry asked if curbing will be installed in the parking lot as it was not clear on the site plan and Mr. Sampat believes curbing will be installed.

Mr. Sampat added that the detention will be underground because of the limitations of the site and noted it also was not included on the site plan.

Mr. Sampat displayed samples of the brick to be used. It was clarified the dumpster material will match the sample material.

Mr. Mazur inquired if the address will be on the monument sign and Mr. Sampat said it will be on both sides of the monument sign.

Mr. Bentley thanked Mr. Sampat for respecting the area containing underground piping. He appreciates the proposed design.

Mayor Kraus indicated he appreciates the building design which is consistent with the vision of the Historic District and he welcomes the development of the site. He hopes the building will spur re-development along the Historic District corridor and commended Mr. Sampat.

Councilman Pelunis commended Mr. Sampat for the design. He said plans have been submitted in the past and he is pleased a plan will finally proceed.

Motion by Councilman Pelunis, seconded by Mr. Newberry to approve the 1,390 sq ft building area variance.

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

Nay: None

Motion Carried

Motion by Mr. Mazur, seconded by Mayor Kraus to approve the waiver to permit a single access point to the site.

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

Motion Carried

Motion by Mayor Kraus, seconded by Mr. Mazur to approve the 1' sign height variance.

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

Motion Carried

Motion by Mr. Newberry, seconded by Councilman Pelunis to recommend approval of the site plan contingent upon submission of a consolidation plat within 90 days of site plan approval, final approval of building materials by the Planning Department prior to issuing a building permit and compliance with the requirements noted in the August 8<sup>th</sup> memo from the Assistant City Engineer.

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

Motion Carried

9. 6221 SOM Center Road – Wolis, Inc. - (ALDI/Hobby Lobby) 080-2019 4  
PP#'s 952-21-009, 048, 050 & 052
- Lot consolidation/split
  - 15' side yard parking lot variance – (ALDI/Hobby Lobby & US Bank)
  - 25' rear yard parking lot variance – (US Bank)

A public hearing was scheduled. Mr. Bentley opened the public hearing and asked for comments from the audience.

Mr. Greg Schunck, Civil Engineer Land Surveyor with The Mannik Smith Group, Inc., was present representing the applicant. Mr. Schunck said the lot consolidation/split is a contingency to the previous site plan approval. He referred to the bank parcel and said the legal description and the deed for the larger parcel has an exception parcel for the bank. He explained although they are consolidating the parcels, they will split off a parcel for the bank.

Mr. Stolarsky said prior concerns of the Engineering and Legal Departments were addressed. He clarified Wolis, Inc. owns the property and the two directors have signed an agreement for the lot consolidation. Mr. Stolarsky asked if the cross access agreement will become part of the plat. Mr. Schunck confirmed it will be noted on the plat.

Mr. Stolarsky said there was some discrepancy regarding parcel numbers. He clarified the Marc's parcels are not included in this consolidation, therefore, he is comfortable moving forward.

Mr. Bentley said as a result of the lot consolidation/split, the need for variances has resulted.

There were no comments from the audience, therefore, Mr. Bentley closed the public hearing.



Motion by Mr. Newberry, seconded by Mr. Mazur to recommend approval of the lot consolidation/split for PP#'s 952-21-009, 952-21-048, 952-21-050 and 952-21-052 contingent upon Engineering and Planning Departments' requirements regarding multi-purpose trail easements.

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

Motion Carried

Motion by Mr. Mazur, seconded by Mayor Kraus to approve the 15' side yard parking lot variance (ALDI/Hobby Lobby and U.S. Bank).

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

Motion Carried

Motion by Mayor Kraus, seconded by Mr. Mazur to approve the 25' rear yard parking lot variance (U.S. Bank).

Mr. Lyndon advised the Planning Department memo requested a contingency for future consideration of multi-purpose trail easements. He said it was discussed in the past, however, an exact location has not been defined. (Clerk's note: The contingency was added to the previous motion for lot consolidation/split approval.)

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

Motion Carried

10. 6221 SOM Center Road – Solon Retail, LLC  
▪ Wall sign area variance

076-2019 4

Mr. Stolarsky explained correspondence was received from the applicant indicating the proposed wall sign was modified and they are now in compliance with the Code.

Motion by Mr. Newberry, seconded by Mr. Mazur to accept the applicant's request to withdraw a wall sign area variance.

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

Motion Carried

Service Department Salt Barn: Mr. Lyndon explained as a continuation to the Service Department Salt Barn project, it was requested to extend the lean-to on each side to align them with the rear of the salt barn. The siding and roofing will be replaced with the same material as the salt barn. Part of the lean-to roofing will replace the old asphalt roofing with the same metal as the salt barn. He noted one side of each lean-to will be opened up for additional storage.

The Commission agreed no further review of the item was necessary.

#### COMMENTS FROM THE AUDIENCE

There were no comments from the audience.

COMMENTS FROM THE COMMISSION

Motion by Mr. Mazur, seconded by Mayor Kraus to cancel the August 27, 2019 Planning Commission meeting.

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

Motion Carried

Mr. Mazur explained the Council meeting of September 2<sup>nd</sup> was cancelled, therefore, the Commission determined to cancel the August 27<sup>th</sup> Planning Commission meeting because any approved applications would not be heard until the Council's September 16<sup>th</sup> meeting. Therefore, there would not be any additional delay to applicants if the August 27<sup>th</sup> meeting was cancelled.

The Commission and Mayor Kraus welcomed Mr. Parks to the meeting.

Mayor Kraus announced Pop-Up in the Park will be held on August 24<sup>th</sup> at Community Park from 10:00 A.M. to 3:00 P.M.

Motion by Mayor Kraus, seconded by Mr. Mazur to adjourn the meeting at 8:22 P.M.

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

Motion Carried

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Secretary