

SOLON PLANNING & ZONING COMMISSION
August 23, 2022 – 7:30 P.M.

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

Present: Commission Members Greenspan, Newberry, Sutton, Councilman Bentley, Mayor Kraus, Assistant Law Director Stolarsky, Secretary Letourneau, Planner Consultant Kasimov

Absent: None

Also Present: Fire 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. Agenda topics may not have been discussed in order; however, they have been placed in order for the convenience of this record.)

Councilman Bentley presided.

Councilman Bentley explained to the applicants the procedures that take place during the meeting when they present their applications. He also explained that if their application includes a memo from the Engineering Department, they will be asked to agree to the requirements of that memo prior to the Commission voting and before a permit is issued. Councilman Bentley also explained there are two times during the meeting where comments from the audience can be heard.

PENDING:

1. Aurora Road – PP#'s 953-02-001, 951-17-012, 953-06-001 – Hawthorne Golf Estates LLC - Subdivision plat approval: Councilman Bentley said this item will need to be tabled tonight. The City is still waiting for the final site plan and information requested by the Engineering Department from the applicant. He said the public hearing can proceed and be left open for the next meeting.

2. 34182 Aurora Road – Echo Realty (Starbucks) – site plan review: Councilman Bentley said this plan is for a re-design of the Starbucks' drive thru which is supposed to assist with some of the back-up that has been experienced at that location. However, he said the applicant was not able to attend the meeting, therefore, this item will be tabled until the next meeting so the applicant can respond to any questions the Commission may have.

NEW:

5. 35625 Spicebush Lane – David and Donna Biggers – re-approval of an accessory structure location variance (storage pod) and a front yard setback variance: Councilman Bentley said Mr. and Mrs. Biggers are re-applying for an extension of a previously granted variance to allow a storage pod to remain in their

driveway. The request is due to a substantial structure fire the applicants experienced in their home a couple of years ago and the difficulty due to the pandemic to obtain the necessary supplies and contractors to complete the renovations. Councilman Bentley said the Commission has received numerous emails from neighbors opposing the request to maintain the pod in the driveway.

Councilman Bentley said one email was anonymous and he does not feel it should be considered.

Mr. Stolarsky said it is a public record and is required to be maintained with the records.

The caucus ended at 7:23 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 REGARDING AGENDA ITEMS:

Mr. Saever Thordarson, 35532 Nightshade Lane, President of the Preserve Homeowners Association, was present. Mr. Thordarson said he was contacted by many residents of the Preserve Subdivision who have requested the pod not be approved to remain in the Biggers' driveway at 35625 Spicebush Lane for another year.

Mrs. Kristine Martin, 6839 Teasel Court, was present and said she submitted an email indicating they do not want the pod extension approved. She said it is an eyesore and also is not permitted by the rules and regulations of the homeowners' association

MINUTES:

Motion by Mr. Newberry, seconded by Mr. Greenspan to approve the minutes of the August 9, 2022 meeting as presented.

Roll Call: Aye: Bentley, Greenspan, Newberry, Sutton

Nay: None

Abstain: Kraus

Motion Carried

PENDING:

1. Aurora Road - PP#'s 953-02-001, 951-17-012, 953-06-001 - Hawthorne Golf Estates LLC
PCPC-2021-171 - Ward 5
 - Subdivision plat (submitted 5/27/22)

A public hearing was scheduled. Councilman Bentley opened the public hearing and asked for comments. There were no comments from the audience. Councilman Bentley said the public hearing will remain open.

Mr. Larry Apple, Hawthorne Golf Estates, was present. He explained that their engineering company is working on a 30 item list from the City's Engineering Department. He believes most of the issues have been resolved. He said a meeting is scheduled for tomorrow and it is thought that most of the remaining issues will be resolved and they will be able to submit the formal plan to the City by next week.

Motion by Ms. Sutton, seconded by Mr. Greenspan to table consideration of Item 1.
Roll Call: Aye: Bentley, Greenspan, Kraus, Newberry, Sutton
Nay: None Motion carried

2. 34182 Aurora Road – Echo Realty (Starbucks) – 7/26 revised site plan and access agreement received, tabled and referred to Safety and Public Properties Committee – 8/9 tabled – 8/11 recommendation received from Safety and Public Properties Committee – PCPC-2022-278 – Ward 6
 - Site plan

Councilman Bentley said this plan should alleviate some of the issues with the drive-thru and parking area at Starbucks. The applicant was unable to be present tonight, therefore, this item will be tabled until the next meeting as there are some items associated with this application that need to be discussed with the applicant.

Motion by Mr. Greenspan, seconded by Mr. Newberry to table consideration of Item 2.
Roll Call: Aye: Bentley, Greenspan, Kraus, Newberry, Sutton
Nay: None Motion carried

NEW:

3. 32420 Burlwood Drive – Jason and Meredith Hillman
PCPC-2022-288 - Ward 4
 - Accessory structure location variance

Mr. Jason Hillman was present and displayed an aerial view of his property. He explained that he lives in a heavily wooded area and has had numerous power outages when storms occur. He is asking to install a generator in the side yard of his property which requires a variance. He indicated the practical location to the west of his property where the generator would be located more than five feet from a window. Mr. Hillman said he has the support of his neighbors for this request.

Councilman Bentley said this request occurs fairly often and the Planning Department is in the process of changing the Zoning Code where this request can be approved administratively.

Motion by Ms. Sutton, seconded by Mayor Kraus to approve an accessory structure location variance contingent upon compliance with the requirements of the Engineering Department memo dated August 15, 2022.
Roll Call: Aye: Bentley, Greenspan, Kraus, Newberry, Sutton
Nay: None Motion carried

4. 6695 Duneden Avenue – Naudia Sharp
PCPC-2022-289 - Ward 7
 - 4.4 ft driveway width variance
 - 9 ft setback from street right-of-way variance

Mrs. Naudia Sharp and Mr. Steven Sharp were present. A site plan was displayed and Mrs. Sharp explained the request to widen their driveway and to add a turn-around. She explained that widening the driveway will assist in getting their four children in and out of their vehicle and the turn-around will provide a safer and easier exit from their driveway. In addition, they have a teenager who will soon be driving.

Motion by Mr. Newberry, seconded by Ms. Sutton to approve a 4.4 foot driveway width variance contingent upon compliance with the requirements of the Engineering Department memo dated August 15, 2022.

Roll Call: Aye: Bentley, Greenspan, Kraus, Newberry, Sutton
Nay: None

Motion carried

Motion by Mayor Kraus, seconded by Mr. Newberry to approve a 9 foot setback from street right-of-way variance contingent upon compliance with the requirements of the Engineering Department memo dated August 15, 2022.

Roll Call: Aye: Bentley, Greenspan, Kraus, Newberry, Sutton
Nay: None

Motion carried

5. 35625 Spicebush Lane – David and Donna Biggers
PCPC-2022-290 - Ward 6
 - Re-approval of accessory structure location variance
 - 32 ft front yard setback variance

Mr. and Mrs. Biggers were present and explained the request for approval to allow a storage pod to remain in their driveway. Mr. Biggers explained they experienced a fire in their home. Mr. Biggers explained issues such as extensive time to obtain estimates for repairs to provide to their insurance company, contractor shut-downs during the COVID-19 pandemic, subsequent supply chain issues and installation issues with the contractor. In addition, he explained his issues with securing storage space based on the amount of area in the home to be restored and lack of storage facilities in the area. He said the pod is vital to their needs and is requesting an extension to the variance to allow the storage pod to remain in the driveway to move the project along.

Mr. Biggers understands the pod is an eyesore, however, he is asking the Commission to understand the issues.

Councilman Bentley advised many letters were received in opposition of the variance, including an anonymous letter which he believes is not respectful and is unacceptable because the sender is unknown.

Mr. Stolarsky advised the Commission members may individually consider the merit of the information before them.

Councilman Bentley sympathizes with the applicant and noted a timeline for the extension was discussed in caucus.

The Commission further discussed a timeline and agreed a six-month extension for the variance would be appropriate. Mr. Newberry suggested the applicants press the contractors for completion.

Motion by Ms. Sutton, seconded by Mr. Greenspan to approve an accessory structure location variance until February 21, 2023.

Roll Call: Aye: Bentley, Greenspan, Kraus, Newberry, Sutton

Nay: None

Motion carried

Motion by Mr. Greenspan, seconded by Mr. Newberry to approve a 32 foot front yard setback variance until February 21, 2023.

Roll Call: Aye: Bentley, Greenspan, Kraus, Newberry, Sutton

Nay: None

Motion carried

COMMENTS FROM THE AUDIENCE:

There were no comments from the audience.

COMMENTS FROM THE COMMISSION:

Mr. Newberry urged everyone to exercise caution with the start of the new school year.

Councilman Bentley agreed and encouraged everyone to provide enough time to reach their destination.

Mayor Kraus said the Pop-Up-In-The-Park event is on Saturday August 27th at the Community Park from 10:00 A.M. to 4:00 P.M. Two more Farmers Markets are also scheduled. He noted the Arthur Road pool hours are Tuesdays and Thursdays from 4:00 P.M. to 7:00 P.M. and on weekends from 12:00 P.M. to 4:30 P.M. on Saturday and 1:00 P.M. to 4:30 P.M. on Sunday through the month of September.

Motion by Mr. Newberry, seconded by Mr. Greenspan to adjourn the meeting at 8:02 P.M.

Roll Call: Aye: Bentley, Greenspan, Kraus, Newberry, Sutton

Nay: None

Motion carried

Chairman

Secretary