

OLON PLANNING & ZONING COMMISSION
November 15, 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 be tabled again as the City is still waiting for information from the applicant.
2. Portage Street – PP#'s 956-38-053 and 956-38-055 – Green Apple USA, LLC – lot split/consolidation and a lot size variance per lot: Mr. Newberry explained that he will be acting as Vice Chairman for this item as Councilman Bentley is representing the applicant and will have to recuse himself from consideration.

The caucus ended at 7:13 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:

There were no comments from the audience.

MINUTES:

Motion by Mr. Newberry, seconded by Ms. Sutton to approve the minutes of the October 25, 2022 meeting as presented.

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

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 10/31/22)

A public hearing was scheduled.

Councilman Bentley advised additional information is pending from the applicant.

Councilman Bentley opened the public hearing and asked for comments.

Ms. Carissa Masichko, 28260 Aurora Road, questioned how the Cleveland Metroparks will prevent park patrons from trespassing onto her property which abuts the former Hawthorne Valley Golf Course.

There were no further comments from the audience, however, the public hearing remained open.

Motion by Mr. Greenspan, seconded by Mr. Newberry to table consideration of Item 1.

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

Motion carried

2. Portage Street – PP#'s 956-38-053 and 956-38-055 – Green Apple USA, LLC
PCPC-2022-311 – Ward 1
 - Lot split/consolidation
 - 32,210 sq ft per lot size variance

Councilman Bentley recused himself from consideration of Item 2.

Mr. Newberry presided.

A public hearing was scheduled.

Mr. Macke Bentley, 7443 Worlington Drive, was present representing the applicant. Mr. Bentley displayed the plat and indicated the location of the parcels. He reviewed the request to split the two parcels of differing dimensions and to consolidate into two similar sized lots.

Mr. Bentley acknowledged the requirements of the Engineering Department memo for this item and advised the items will be addressed.

Mr. Newberry opened the public hearing and asked for comments from the audience.

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

Motion by Mayor Kraus, seconded by Ms. Sutton to approve a lot split/consolidation for Portage Street, PP#'s 956-38-053 and 956-38-055, contingent upon the requirements in the October 19, 2022 Engineering Department memo.

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

Nay: None

Motion carried

Motion by Ms. Sutton, seconded by Mr. Greenspan to approve a 32,210 sq ft per lot size variance.

Mr. Newberry explained these parcels are in a zoning district requiring one-acre lots. The revised lots will not be one acre, therefore, a variance per lot is required.

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

Nay: None

Motion carried

Councilman Bentley returned to the dais and presided.

NEW:

3. 6150 Penfield Lane - George Heathcote
PCPC-2022-313 - Ward 3

- 732 sq ft accessory structure size variance
- 12' accessory structure height variance

Mr. George Heathcote was present and displayed the plan. Mr. Heathcote explained the plan to add a pool house behind their pool that will provide shelter from the sun, a restroom, kitchen and storage. He said it will not be a rental property.

Mr. Stolarsky asked Mr. Heathcote if the pool house will contain a bedroom. Mr. Heathcote said no.

At Councilman Bentley's request, Mr. Heathcote displayed the floor plan and noted the front area will be open and covered.

Motion by Mr. Greenspan, seconded by Ms. Sutton to approve a 732 sq ft accessory structure size variance.

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

Nay: None

Motion carried

Motion by Mr. Newberry, seconded by Mayor Kraus to approve a 12' accessory structure height variance contingent upon requirements in the November 9, 2022 Engineering Department memo.

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

Nay: None

Motion carried

4. 6955 Navajo Trail - Ernest Welsch
PCPC-2022-314 - Ward 2

- Number of accessory structures variance (to permit one additional)

Mr. Christian Crock, Woodland Deck Company, was present representing the applicant and displayed the plan. Mr. Crock explained the request to build an 8' x 8' detached deck as a memorial to a family member. He said a variance is needed to allow the deck as a second accessory structure on the property.

It was noted the applicant will not be penalized for building the deck before the variance was approved as the City issued the building permit prematurely.

Councilman Bentley thanked Mr. Crock for pursuing the variance.

Motion by Ms. Sutton, seconded by Mr. Greenspan to approve a number of accessory structures variance (to permit one additional).

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

Motion carried

5. 34530 Pettibone Road - Larry Jones II
PCPC-2022-315 - Ward 1

- Not parallel to the street variance
- 12' side yard setback variance (east side)
- 8.4' side yard setback variance (west side)
- ~~1' distance between principle structures variance~~ 2.1' front setback variance
- Accessory structure location variance
- 8' side yard accessory structure setback variance

Mr. Larry Jones, II was present and displayed the plan. Mr. Jones explained a variance was previously pursued by his father, who recently passed away, to build a home on the property and was approved by the City. Mr. Jones determined he would complete his father's vision of building a new home on the property and move his family to Solon.

Mr. Jones introduced Tony Lunardi from LDA Builders, Inc. to further explain the plans. Mr. Lunardi explained the proposed home is similar to the previous plan albeit narrower. He explained the requested variances and noted that the house will be positioned 2.1 feet closer to the road to maintain over 20' of distance between the house and the neighbor's house. He said a variance is necessary for the air conditioner which will be located on the side of the home but not visible from the street.

At Mr. Newberry's request, Mr. Lunardi displayed a plan and indicated the location of the air conditioner unit.

Councilman Bentley asked if Mr. Lunardi understood the requirements of the Engineering Department memo. Mr. Lunardi indicated he understood the requirements.

Councilman Bentley welcomed Mr. Jones and his family to Solon and offered his condolences for his father.

Motion by Mayor Kraus, seconded by Mr. Newberry to approve a not parallel to the street variance.

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

Motion by Mr. Newberry, seconded by Mr. Greenspan to approve a 12' side yard setback variance (east side).

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

Motion by Mr. Greenspan, seconded by Ms. Sutton to approve an 8.4' side yard setback variance (west side).

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

Councilman Bentley explained based on the repositioning of the house, the distance between principle structures variance was removed and a 2.1' front setback variance is now required.

Motion by Ms. Sutton, seconded by Mayor Kraus to approve a 2.1' front setback variance.

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

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

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

Motion by Mr. Newberry, seconded by Ms. Sutton to approve an 8' side yard accessory structure setback variance contingent upon the requirements in the November 9, 2022 Engineering Department memo.

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

6. 32731 N. Burr Oak Drive - Carrie L., Khaleef R. and Alia S. Graham
PCPC-2022-316 - Ward 1
 - 11' rear yard setback variance

Ms. Carolyn Graham, 4063 East 147th Street, Cleveland, was present representing the applicants. Ms. Graham explained the request for a variance to install a new deck and walkway. Ms. Graham explained in June 2020, the previous deck and walkway were removed in preparation for basement waterproofing services. The new deck and sidewalk will match the previous ones in size and will be a similar design. Ms. Graham said they will also be in the same character with surrounding homes in the neighborhood. Ms. Graham indicated the locations on the displayed site plan.

Councilman Bentley indicated the applicants requested the variance last year, however, they lost contact with their contractor. He said the variance expired and they are returning for a variance extension.

Motion by Ms. Sutton, seconded by Mr. Greenspan to approve an 11' rear yard setback variance contingent upon the requirements in the November 9, 2022 Engineering Department memo.

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

Motion carried

Ms. Graham questioned how the Engineering Department memo was delivered. Mr. Lyndon advised the memo was emailed to the email address on the application on November 10th. A copy of the memo was provided to Ms. Graham.

COMMENTS FROM THE AUDIENCE:

There were no comments from the audience.

COMMENTS FROM THE COMMISSION:

Ms. Sutton thanked Councilman Bentley and members of the Administration for their efforts in a presentation provided to children from the Cleveland Chapter of Jack and Jill.

Mr. Newberry wished everyone a safe and plentiful Thanksgiving.

Mr. Newberry expressed caution to drivers in winter weather.

Motion by Mr. Newberry, seconded by Ms. Sutton to cancel the December 27, 2022 Planning Commission meeting.

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

Motion carried

Councilman Bentley wished his wife a happy birthday.

Mayor Kraus thanked everyone who attended the Veterans' Day ceremony on November 11th.

Mayor Kraus announced the Holiday Lighting will take place on Wednesday, November 23rd at approximately 7:00 P.M.

Mayor Kraus wished everyone a blessed and enjoyable Thanksgiving.

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

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

Motion carried

Chairman

Secretary