

PLANNING & ZONING COMMISSION
May 15, 2012 – 7:04 P.M.

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

Present: Commission Members Mazur, Bentley and Newberry, Councilwoman Richmond, Mayor Drucker, Prosecutor Stolarsky, Planning Director Frankland, Secretary McConoughey

Absent: None

Also Present: Fire Lieutenant Benedict, Assistant City Engineer Welch

The following items remained on the Inactive Agenda:

- A. Requests from Wolf Family Trust and Larry Coven, for consideration of allowing medical and dental occupancy in the I-2 Zoning District
- B. Willow Street – PP# 956-39-056 – Robert Kucinic – Front yard setback variance
- C. SW Corner of Miles Road and Neptune Drive – PP#'s 951-04-016, 951-05-001, 002, 003, 004 and 005 – Randy Kertesz – various setback variances and plan for subdivision

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. Thornbury Subdivision – Forest City Land Group – Phase 7 and 8 dedication plat: A representative from the Thornbury Home Owner's Association was present and said she was unaware of the situation and would like additional information.

Mr. Bill Sanderson, Forest City Land Group representing Granite Development, the joint venture partner for this project, was present. He explained that the last lot was transferred approximately 8 years ago. Since that time, the project has been under a series of bonds and permits that were required to ensure all storm water improvements were completed. The final improvements have been completed and the Army Corp of Engineers requested that the permit and deeds reflect the transfer of the common area containing wetlands to the Home Owner's Association and that no changes can be made without permission from the Army Corp of Engineers. Mr. Sanderson said this language is still under discussion.

2. Request from Davis Development Group, John Siragusa, Asset Management and Christine Burkholder, Kids Country, to modify the permitted uses in the C-5 Zoning District: Mr. Mazur said the changes will be reviewed during the meeting and input from interested parties will be heard at that time. A public hearing will be scheduled for the next meeting.

NEW:

5. Briar Lake Home Owner's Association – Adam Fair – side yard setback variance, building material variance and site plan for accessory use for a new dock: Mr. Mazur said correspondence from a concerned neighbor has been received.

Mr. Vereb was present and said he is concerned about what he will view from his home, how this might affect his privacy and noise issues.

Mr. Adam Fair, Representative for Briar Lake Home Owner's Association was present and said the variance for the building material is no longer necessary. He said wood siding will be used instead of vinyl siding.

6. 5228 Hemington Boulevard – Cory Lance - fence height variance: Mr. Mazur said this item will be removed from the agenda. The Commission determined that within the deed restrictions there is a blanket variance regarding the fence height for certain properties. Mr. Lance submitted a letter stating he will install the same fence that currently exists on the other properties.

7. 7476 Liberty Road – Alan Prietz - various variances regarding an accessory structure already built: Mr. Mazur said this application is a modification to a recent application for the accessory structure.

Mr. Frankland said another variance has been identified; the maximum size of a detached garage cannot exceed 50% of the square footage of the residence.

Mr. Stolarsky said the Commission will be required to make a motion to allow consideration of the application since the Code states that the same variances may not be heard for 6 months.

The Commission discussed whether or not this item should be considered this evening and it was the consensus of the Commission to consider the application.

Mr. Mazur said in regard to Inactive Agenda Item C, the Neptune Drive project, Mr. Kertesz has submitted a letter withdrawing the variances.

There was discussion regarding removing the item from the Inactive Agenda and placing it on the Active Agenda. However, Mr. Mazur does not believe it is appropriate to place this item on the Active Agenda until additional information is received from the Army Corp of Engineers and the Engineering Department and Planning Department have reviewed it.

Mr. Kertesz said the wetlands delineation has been submitted. The necessary information has been submitted to the Army Corp of Engineers and he said it is well known that it generally takes a long time to get a response from them. Mr. Kertesz said in order to receive preliminary approval, it was his understanding that only the delineation was necessary. He understood that although the Engineering Department cannot approve the working drawings until the permit is issued from the Army Corp of Engineers, preliminary approval could be given so the process could be started to prepare the final drawings.

Mr. Newberry agreed with Mr. Kertesz. He said in the past, providing the wetlands delineation has been completed and the environmental impact study is complete indicating that wetlands exist on the property and the necessary permits are in the process of being applied for, the Planning Commission would review it.

Mr. Mazur said there appears to be many items that are undetermined, for example, the size of the culvert. He prefers this item remain on the Inactive Agenda until the necessary information is received from the Army Corp of Engineers.

Mr. Newberry believes it is the job of this Commission to review proposals as they apply to the Zoning Code in terms of areas and setbacks. He feels the size of the culvert is not relevant to the responsibilities of the Planning Commission.

Mr. Mazur believes it is premature to move this item to the Active Agenda.

Mr. Kertesz said if the Engineering Department has questions, they can contact his engineer and wetlands consultant since he would like to have the Engineering Department's approval for the Planning Commission to review the plans. He understands no permits can be issued to start construction until the wetlands permit from the Army Corp of Engineers is issued. Mr. Kertesz feels if he is required to wait for the Planning Commission's review until the wetlands permit is issued, it will be another six months before it will be heard. He was hoping to have the final drawings completed prior to that time.

Mr. Frankland said the Commission has 180 days to review the application. He feels the Engineering Department and the Planning Department should review the application and determine if there is adequate information to remove it from the Inactive Agenda for review by the Commission.

Mr. Mazur agreed that more input is needed from the Engineering Department and the Planning Department.

Mr. Frankland said he will review 2 minor alterations during the meeting and reviewed each one briefly.

The caucus ended at 7:25 P.M. and the meeting convened at 7:30 P.M.

Chairman Mazur presided.

CHANGES TO THE AGENDA:

There were no changes to the agenda.

COMMENTS FROM THE AUDIENCE:

Mr. Franklin Zamcheck, 7460 Liberty Road, was present to discuss Item 7. Mr. Zamcheck said he is opposed to any buildings or structures being located on his property. He is also opposed to any use of the property for staging areas or parking of landscaping vehicles, such as; tractors, grading equipment, trailers, trucks or materials and the use of the property for access drives or turnarounds.

APPROVAL OF MINUTES:

Motion by Mr. Newberry, seconded by Mr. Bentley to approve the minutes of the April 24, 2012 meeting as presented.

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

Nay: None

Abstain: Richmond

Motion Carried

PENDING:

1. Thornbury Subdivision – Forest City Land Group
 - Phase 7 – Dedication plat
 - Phase 8 – Dedication plat

Mr. Bill Sanderson, Forest City Land Group, and Kate Russell, President of the Thornbury Home Owner's Association, were present.

Mr. Sanderson said his purpose is to release the bonds that were required to secure improvements for the Thornbury sub-division which were made quite a while ago. The final release requires completion of minor items and coming to agreeable terms with the Home Owner's Association.

Mr. Sanderson said upon speaking with Mrs. Russell, they have agreed in principle to resolve some minor items that are outstanding between the developer and the Association. He explained a reserve study will have to be created for a rock check dam that is located on property currently deeded to the Association as a common area. Mr. Sanderson said he has agreed to contribute whatever amount is required for maintenance. Additionally, the Association has agreed to make changes to the deed for that property as requested by the Army Corp of Engineers.

Mr. Sanderson requested the Engineering Department confirm completion of any listed outstanding issues which are secured by the bonds and submit the appropriate approval.

Mr. Mazur asked what the time schedule is for completion of the rock dam.

Mr. Sanderson said as soon as the appropriate consultant can review the location, the study itself is not that complicated.

Mrs. Welch said she believes the Director of Engineering would not wish to release the bonds until all items are completed and finalized.

In response to Mr. Newberry's question, Mr. Sanderson said providing everything can be arranged within the next two weeks, he believes it will be possible to return for the May 29th meeting.

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

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

Nay: None

Motion Carried

2. Request from Davis Development Group, John Siragusa, Asset Management and Christine Burkholder, Kids Country, to modify the permitted uses in the C-5 Zoning District.

Mr. Frankland said the C-5 zoning was implemented in the 1990's to serve the Industrial Service District area. The current zoning states that any use has to serve the industrial community. Therefore, any time a use is proposed, it requires meeting with the Law Director to determine if the use meets the guidelines and serves the industrial community. He said some uses are obvious, such as, a conference center, however, a wine shop or a barber might not be as obvious.

Mr. Frankland said the change would create more of a conventional zoning district similar to the other commercial zoning districts located in the City and establish an expanded list of both permitted and prohibited uses. The amendment would incorporate the concept that any use that is substantially similar to the permitted uses would likely be in compliance. Mr. Frankland said it is often assumed that when there is a prohibited use section in an ordinance and a particular use is not listed as prohibited, that it is permitted. However, he clarified the prohibited use section is only supplemental.

Mr. Mazur suggested that the term "banquet centers" be added under Permitted Uses to allow for events such as wedding receptions, etc.

Mr. Frankland said he will add this to the legislation as well as a definition of a banquet center.

Mr. Al Wangenheim, Design and Construction, and Don Woodard, Development Manager, Davis Development Group, 32000 Solon Road, were present representing Jeff Davis who submitted a letter stating he would be unable to attend. Mr. Wangenheim said they support the proposed changes to the C-5 zoning district which they believe will enable them to lease some of the vacant properties in the district along the Enterprise Parkway corridor. He said this zoning was originated 22 years ago and times have changed. Therefore, they are hoping for an expanded definition of the zone.

Mr. Woodard said he has met with the Planning Director many times over the years to review uses that are determined to be prohibited for that district and he feels the zoning change will include a broader spectrum of businesses to help fill the vacancies in that area.

Mayor Drucker said this is one of the many issues the City is examining with regard to dated zoning. The review of the zoning code will continue and ultimately changes will go to the electorate where residents will make the final determination about the outcome. She anticipates additional potential changes in the future.

Mr. Mazur said it is necessary to hold a public hearing prior to forwarding this item to the Council. The Council must make a recommendation in July to meet the Board of Elections deadline for placement on the November ballot.

Motion by Mr. Mazur, seconded by Councilwoman Richmond to schedule a public hearing for May 29, 2012.

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

Motion Carried

NEW:

3. 7010 Arlington Boulevard – PP's 955-33-190 & 955-33-191 041-2012
Tim & Carolyn Galish
▪ Lot consolidation

Mr. Mazur said this application was previously approved by the Planning Commission but never recorded and the allotted time has expired.

Motion by Mr. Mazur, seconded by Mayor Drucker to schedule a public hearing on May 29, 2012.

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

Motion Carried

4. 33800 Miles Road – Aaron Salomon 042-2012
▪ 20.83' front yard setback variance

Mr. Joe Calderwood, CM Consulting Group, Architect, and Mr. Aaron Salomon were present. Mr. Calderwood displayed photographs of the current 2-car side-entry garage and said the proposal is to add a third car garage. He explained that although it is a 2-car garage, only one car fits comfortably because the garage door is located so close to the front door of the house. Mr. Calderwood said the proposal is to add onto the existing garage to gain enough room to park 3 cars.

Motion by Mr. Mazur, seconded by Mayor Drucker to approve a 20.83' front yard setback variance.

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

Motion Carried

5. Briar Lake Home Owner's Association – Adam Fair 043-2012
- 35' side yard setback variance
 - Building material variance
 - Site plan for accessory use (new dock)

Mr. Larry Powers, 5887 Briarhill Drive and Adam Fair, 5846 Briarhill Drive, were present representing the Briar Lake Home Owner's Association. Mr. Powers explained the building material variance is unnecessary because wooden siding will be installed, not vinyl siding.

Mr. Powers displayed an aerial of the lake indicating the dock location. Mr. Powers said it has been determined that the current dock is unsafe and would require costly repairs. The determination was made to remove the current dock and construct a new larger dock and cover a portion of it.

Mr. Powers said he understands Mr. Vereb, the closest neighbor, has concerns about the location of the dock and how it will affect him. He indicated the location of Mr. Vereb's home. Mr. Powers said during negotiations leading up to the dam reconstruction project with the City, Mr. Vereb voiced his concerns. His primary concern was screening which the City has addressed.

Mr. Fair displayed a site plan with an overview of the entire project. He indicated the area where the extensive landscape screening is to be installed. Mr. Fair displayed various photographs indicating the current views from Mr. Vereb's home. He explained that Mr. Vereb was active during the reconstruction project negotiations and agreed to the landscape screening plan. Mr. Fair indicated the location where various types of trees are to be planted and the expected heights and widths they will reach when mature. He indicated the sight lines from Mr. Vereb's second floor and the area to be screened by trees and shrubs as well as the wooded area which currently exists. He said the area to be screened will be 200' to 350' wide at its maximum and 160' wide at its minimum. Therefore, there will be very substantial screening in front of the dock.

In response to Councilwoman Richmond's question, Mr. Fair said the height of the tallest trees in front will be 50' to 80' in height and then smaller ones in between and behind will add to the screening.

Mayor Drucker asked if the current dock is covered and Mr. Fair indicated it was not.

Mr. Powers said the proposed dock will be larger and only a portion of it will be covered. He said it gets extremely hot on the dock and since it was decided to build a new one, they determined it would be an upgrade to add a covered portion with benches so more people would be able to sit and enjoy viewing the lake. This was determined to be the best location for the dock because constructing it elsewhere would prevent other residents from viewing the lake from their homes. Mr. Vereb specified that he did not wish to view the back side of the dam from his home and requested the substantial screening.

In response to Mayor Drucker's question, Mr. Fair said the height of the roof on the dock will be 12' and this will not affect what Mr. Vereb will view. He displayed a photograph indicating the sight line.

Mr. Fair said the purpose of the dock is as an entrance to the lake. Mr. Powers said the dock is also where the lifeguard chair is located. He explained there are usually floating docks in the lake and the lifeguard chair needs to be located on the dock for better visibility.

Mr. Mazur asked what the purpose is for the lights on top of the dam.

Mr. Powers said they are replacing lights that previously existed before the reconstruction. The previous lights were four 50' telephone pole-style lights with very large flood lights that created a very bright spillover in a large area. He said the new lights are 11' in height and only shine straight down. Mr. Powers said there will be no electricity on the new dock and, therefore, no lighting.

Mr. Powers said there were past comments made regarding the location for the electrical panel. He clarified the Electric Company determined the location for the electrical panel.

Mr. Fair said the Association has plans to screen the electrical panel with a shed roof and shrubbery to make it more attractive.

Mrs. Welch verified the location of the electrical panel was dictated by First Energy and the City and Engineering Department had no say in the decision.

Mayor Drucker asked Mr. Frankland what the zoning code criteria would be for screening the electrical panel.

Mr. Frankland said this area would be labeled as office zoning under the City's zoning code and mechanical equipment is required to be screened.

Mr. Newberry asked to see the photograph depicting the existing dock elevations and the sight line views. He said since the proposed dock will be approximately 2' lower even with the addition of the roof, the total height will be 8' to 10' high.

Mr. Bentley requested clarification regarding life guards.

Mr. Powers indicated where there are usually two lifeguards located, one on the dock and the other is located on the beach.

Mr. Mazur asked Mr. Vereb if he would like to make additional comments. He said from what has been presented, it appears Mr. Vereb's home will be very well screened.

Mr. Vereb said he is also concerned about potential noise.

Mr. Powers said the new dock will not create any additional noise and in the event there is excessive noise, the remedy would be to call the police.

Mr. Fair said on average there are 3 to 4 organized neighborhood events held per year which the entire neighborhood, including the Verebs, are invited to.

Mr. Powers said the events usually begin in the afternoon and end fairly early in the evening, most recently around 8:30 PM.

Mayor Drucker stated this is a project that is being taken on by the Home Owner's Association and is not involved with the current dam reconstruction project. She stated that the City is not responsible financially for any of the dock removal or reconstruction.

Mr. Powers and Mr. Fair both confirmed this as correct.

Mayor Drucker said it is her understanding that the contractor involved with the dam reconstruction project will not be able to complete the sidewalk portion of the project until the new dock has been constructed. The contractor has also said that if it goes beyond May 31st, he is waiving the liquidated damages to complete the dock and rest of the sidewalk. Mayor Drucker reiterated that the City will have no additional costs for the project resulting from the installation of the dock.

Mr. Powers said there will be no additional costs to the project. He said the work that needs to be done for the dock can be completed before, during or after the completion of the project.

Mr. Powers and Mr. Fair do not believe the dock project will interfere with the dam project.

Mrs. Welch said there is an approximate 100' section of sidewalk that will not be poured until the dock is completed.

Mayor Drucker said, to make it perfectly clear, if the dock project goes past the May 31st date, the City is not responsible for assuming any additional cost. This would be between the contractor and the Home Owner's Association.

Mr. Powers confirmed there will be no request of the City for a time extension and the City will not assume additional costs. He said whatever needs to be completed for the installation of the new dock in order for the contractor to pour the cement for the sidewalk will be completed by May 31st.

Mr. Bentley said he viewed the area and it appears there is another area which is more flat that might be appropriate for the new dock.

Mr. Powers said the issue is that building the dock on that flat area would spoil the view of people who do want a view of the lake and it would also be more expensive in that location. He explained the current location has already been approved by the Department of Natural Resources and to build anywhere else would require

their approval also. In addition, it is more cost effective to build one structure, for the lifeguard view and entertainment purposes, than it would be to build two structures in two locations.

Mr. Fair said if the old dock had not been deemed unsafe, the Association would not be requesting the variances and would be satisfied with what they had. However, since it was deemed unsafe, they are requesting to build something that is more appropriate for their needs.

Mayor Drucker asked if any of the necessary permits had yet been requested.

Mr. Fair said no permits have been applied for yet.

Mr. Powers and Mr. Fair said there will be no additional cost to the City for the construction of a new dock.

Mayor Drucker asked about the 2 steel beams that will remain. Mr. Fair said the Ohio Department of Natural Resources will not allow them to be removed, therefore, tractor tires will be put over them and the new structure will be constructed over it. Mr. Fair said it will also be screened so nobody can go underneath.

Mr. Mazur met with Mr. Vereb, viewed the property and location for the dock and understands Mr. Vereb's concerns. Mr. Mazur said he finds this to be a difficult decision to make and believes there are other locations available to build the dock. However, based on the presentation of the extensive screening and since this was the location for the previous dock, he will support the variance and site plan approval.

Mr. Powers said no matter where the dock is constructed, it will affect somebody. However, Mr. Vereb is the only resident who specifically requested screening so he would not see the area.

Mayor Drucker requested the plan to screen the electrical panel be reviewed with Mr. Vereb before it is acted upon since it is located so close to his home. Mr. Powers and Mr. Fair agreed and said everything about the project has been made available to all of the home owners in the neighborhood.

Mr. Mazur asked if a contingency regarding the hours for using the dock could be agreed upon.

Mr. Powers said based on the home owner by-laws and deed restrictions, they do not have the ability to determine how people use the facilities. They can only create rules and regulations during certain hours that must be followed. Mr. Powers said as an Association, they will not keep late hours and they do not believe it is their job to police the facility.

Motion by Councilwoman Richmond, seconded by Mr. Newberry to approve a 35' side yard setback variance.

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

Motion Carried

Motion by Mr. Newberry, seconded by Mr. Bentley to withdraw the request for the building material variance.

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

Motion Carried

In response to Mr. Mazur's question, Mr. Fair said the wood siding will be stained a reddish brown color and will match the color of the bridge.

Motion by Mr. Bentley, seconded by Councilwoman Richmond to approve the site plan for the accessory use (new dock).

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

Motion Carried

6. 5228 Hemington Boulevard – Cory Lance
▪ 2' fence height variance

044-2012

Mr. Mazur said it has been determined that in 2006 a blanket variance was approved for this development regarding fences and Mr. Lance has agreed to those terms for fence type and height.

Motion by Mr. Mazur, seconded by Mr. Bentley to approve the removal of the 2' fence height variance from the agenda.

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

Motion Carried

7. 7476 Liberty Road – Alan Prietz
▪ 85 sq. ft. rear yard coverage variance for accessory structure
▪ 3' height variance for accessory structure
▪ 10' rear yard setback variance for accessory structure
▪ 24' accumulative side yard setback variance for accessory structure
▪ 19' side yard setback variance
▪ 460 sq. ft. accessory structure size variance

045-2012

Mr. Mazur said an additional variance for an accessory structure, which is 50% greater than the size of the house, has also been identified.

Mayor Drucker stated she will abstain from considering this item.

Mr. Mazur said Mr. Prietz previously submitted an application for the above variances which were denied and has since made changes to them. Since it has been less than six months, a motion is necessary to permit consideration of this application.

Motion by Mr. Mazur, seconded by Mr. Bentley to permit consideration of the variances as submitted by the applicant less than 6 months ago.

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

Motion Carried

Mr. Alan Prietz was present and displayed a site plan indicating where he proposes removing a rear section of the garage which will decrease its size by 640 sq. ft. or 1/3 of the overall garage. This will ensure that the entire garage is on his property and will change all of the previously requested variances.

Mr. Bentley asked for clarification of the location of any garage doors and the driveway location. Mr. Prietz indicated the items on the site plan.

Mr. Bentley said although he appreciates Mr. Prietz attempting to rectify the situation, he is not in favor of granting the variances because they are still too great. He understands that Mr. Prietz inherited some of the problems when he bought the property but he is responsible for them now.

Mr. Newberry said he voted no to permit consideration of the variances and does not believe there have been any substantial changes made and that it should not be heard by the Commission tonight.

Mr. Mazur agreed and said there are so many variances that are significant that he cannot support them.

Councilwoman Richmond agreed with her fellow Commission members.

Motion by Mr. Mazur, seconded by Councilwoman Richmond to approve an 85 sq. ft. rear yard coverage variance for an accessory structure.

Roll Call: Aye: None

Nay: Bentley, Mazur, Newberry, Richmond

Abstain: Drucker

Motion Failed

Motion by Councilwoman Richmond, seconded by Mr. Newberry to approve a 3' height variance for an accessory structure.

Roll Call: Aye: None

Nay: Bentley, Mazur, Newberry, Richmond

Abstain: Drucker

Motion Failed

Motion by Mr. Newberry, seconded by Mr. Bentley to approve a 10' rear yard setback variance for an accessory structure.

Roll Call: Aye: None

Nay: Bentley, Mazur, Newberry, Richmond

Abstain: Drucker

Motion Failed

Mr. Frankland said Mr. Stolarsky determined the accumulative side yard setback variance is for 24.5', not 24' as originally listed.

Motion by Mr. Bentley, seconded by Councilwoman Richmond to approve a 24.5' accumulative side yard setback variance for an accessory structure.

Roll Call: Aye: None

Nay: Bentley, Mazur, Newberry, Richmond
Abstain: Drucker
Motion Failed

Motion by Mr. Mazur, seconded by Mr. Newberry to approve a 19' side yard setback variance.

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

Motion by Councilwoman Richmond, seconded by Mr. Newberry to approve a 460 sq. ft. accessory structure size variance.

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

Motion by Mr. Mazur, seconded by Mr. Bentley to allow an accessory structure greater than 50% of the size of the residence variance.

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

8. 5118 Lansdowne Drive – Kathy & Scott Fromson 046-2012
▪ 6" side yard setback driveway variance

Scott and Kathy Fromson were present. Mr. Fromson said the driveway was inherited when they moved in 16 years ago. However, it was only recently discovered that it is 6" wider than allowed by Code when they applied for a permit to replace the driveway.

Mr. Newberry asked what a circle drawn on the driveway sketch signified.

Mr. Fromson requested a copy and displayed it, indicating the area in question would be a small extension of the current pad to prevent vehicles from running over the lawn.

Motion by Mr. Newberry, seconded by Mr. Bentley to approve a 6" side yard setback driveway variance.

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

Mr. Mazur said Mr. Randy Kertesz has submitted a letter regarding the proposed development on Neptune Drive which is currently on the Inactive Agenda withdrawing the consideration for front yard setback variances. The Commission will vote on the removal of the variances once the item is moved to the Active Agenda.

MINOR ALTERATIONS FROM THE PLANNING DEPARTMENT:

1. 33425 Arthur Road – Arthur Road Elementary School

Mr. Frankland displayed an aerial view indicating the two different sides of the building. He then displayed a photograph of the east side of the building indicating the new retaining walls and entry to the school which was approved and completed last year. Mr. Frankland displayed a photograph of the west side of the building and said the proposal is to do the same thing to the west side of the building and add new retaining walls and a new entry.

Mr. Mazur said providing the Engineering Department and Building Department approves the plans, he supports the project.

The Commission members agreed no further review of this item was necessary.

2. 30901 Carter Street – Barudan America Inc.

Mr. Frankland displayed an aerial view of the property indicating the location of an overhead door. He displayed a photograph of the overhead door and said the proposal is to add another one adjacent to it.

The Commission members agreed no further review of this item was necessary.

Mr. Mazur said there is a possibility that the July 2nd Council meeting might be cancelled. If so, there is a strong possibility that the June 26th Planning Commission meeting might be cancelled as well.

COMMENTS FROM THE COMMISSION:

Mr. Newberry said recently the results of the Community Survey conducted by the Citizens' Master Plan Committee as part of the Master Plan update were distributed. He said having been involved in this project in the past, he knows it is a huge undertaking. He said 43% of residents returned the survey, which is remarkable. He knows good information for updating the Master Plan will come from the survey results. He commended the Committee and staff who organized the process.

Mr. Frankland also commended the Citizens' Master Plan Committee for their time and effort and that 16 meetings were devoted to the issue.

Mr. Mazur said he was happy to see construction has begun at "Solon Village." He reminded residents to patronize the businesses that have remained open during the construction.

COMMENTS FROM THE AUDIENCE:

There were no comments from the audience.

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Motion by Mr. Mazur, seconded by Mayor Drucker to adjourn the meeting at
8:35 P.M.

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

Motion Carried

Chairman

Secretary