

PLANNING & ZONING COMMISSION
May 14, 2013 – 7:15 P.M.

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

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

Absent: Mayor Drucker

Also Present: Fire Lieutenant Benedict, Assistant City Engineer Welch

The following items remained on the Inactive Agenda:

- A. Willow Street – PP# 956-39-056 – Robert Kucinic – Front yard setback variance
- B. 6235 Sharondale Drive – Richard Lascala – 4.5' cumulative side yard setback variance, 120 sq ft maximum storage building area variance, number of storage buildings variance to permit 2, 4" storage building height variance
- C. 35730 Bainbridge Road – Dale Barstow – maximum front yard pavement coverage variance and minimum distance between driveways variance
- D. PP# 951-41-011 (located off of Woodall Road) – Wurm Family – Lot split, frontage on unimproved street variances, front yard setback variances, rear yard setback variance, not parallel to street variances and driveway side yard setback variances

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.

NEW:

- 4. 37216 Deer Run – Marc Robbins – minimum side street setback variance: Mr. Mazur said if this item is approved, he will request the applicant maintain the installed landscaping surrounding the air conditioning unit.
- 5. 34310 Aurora Road/SOM Center Road – Echo Solon, LLC (Giant Eagle) – drive aisle width variance and site plan modifications for fencing color, parking lot/green space and façade alterations. Mr. Frankland said the applicant has changed the

elevations for this project. The new plans are not yet available, therefore, this item should be tabled.

6. 32910 Solon Road – Solon Road Enterprises – Jim Alesci – building material variance, front yard setback variance, total green space variance and site plan review for façade and patio/green space alterations: Mr. Mazur said additional green space in the rear yard has been identified. Therefore, there is no longer a need for a total green space variance. Only a variance for less than 25% green space is necessary.

Mr. Mazur said a contingency should be added requesting the five lots be consolidated.

Mrs. Welch said the Engineering Department requires a seating count for the interior and the patio to determine tap-in fees.

Mr. Mazur viewed the property and met with the applicant who agreed to move the handicapped parking to the front of the building near the entrance.

Mr. Frankland said he has 4 minor alterations to present and briefly reviewed them.

The Commission determined the minor alteration for the landscaping surrounding the Briar Lake utility shed will be discussed at the next meeting.

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:

There were no comments from the audience.

APPROVAL OF MINUTES:

Motion by Mr. Bentley, seconded by Mr. Newberry to approve the minutes of the April 23, 2013 meeting.

Roll Call: Aye: Bentley, Mazur, Newberry

Nay: None

Abstain: Richmond

Motion Carried

NEW:

1. 7144 Hollyhock Lane – Richard and Michelle Frey

031-2013

- 1'-1" maximum fence height variance
- Minimum 25% uniform aggregate openings variance

Councilman Pelunis was present representing the applicants, Richard and Michelle Frey, who were also present. Councilman Pelunis displayed a photograph of the Frey's yard indicating what they believed to be privacy panels. Since the Freys did not feel the privacy panels would be considered fencing, they believed permits were unnecessary. Councilman Pelunis said subsequently they received a letter from the City regarding the fence being installed without permits or variance approval and they would be issued a citation.

Councilman Pelunis said the neighbor on the other side of the privacy panels has no issues with the panels and also enjoys the privacy they provide. In addition, there have been no objections raised from any of the surrounding neighbors.

Councilman Pelunis referred to additional photographs of the Frey's yard indicating the proximity to their neighbor's deck. He explained the panels were installed to provide privacy for the Freys and their neighbor.

Mr. Richard Frey referred to a photograph of his neighbor's yard. He said the neighbor's home was renovated to include a new deck and the elevation creates a clear view into his home as well as the Freys having a clear view into their neighbor's home.

Mrs. Michelle Frey indicated the neighbor's deck was installed in their side yard which is adjacent to the Frey's rear yard. She displayed a photograph indicating the privacy panels and explained this was the best solution to the problem and allows both parties privacy when entertaining on their respective decks.

Mr. Bentley appreciated the effort made by the Freys to beautify their property and attempt to gain some privacy. He will support the variances.

Mr. Mazur requested the Building Department notify the contractor that it is necessary to apply for a permit when installing any type of fencing.

Councilwoman Richmond thinks the panels were a great idea and said they could be considered tall planter boxes.

Mr. Mazur said although the installation is being referred to as privacy panels, by definition of the City Code, they are considered fencing and a permit to install them was required. A penalty will be assessed for building without a permit and he would prefer to see the contractor held responsible and not the homeowners.

Mr. Newberry said although he believes the privacy panels are attractive and he would not have had an objection to them if the appropriate application procedure had been followed, he believes the installation to be fencing. He has a difficult time approving a request for a variance after the fact as it has always been his policy not to support these types of requests.

Motion by Mr. Mazur, seconded by Councilwoman Richmond to approve a 1'-1" maximum fence height variance.

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

Motion Carried

Motion by Councilwoman Richmond, seconded by Mr. Bentley to approve a minimum 25% uniform aggregate openings variance.

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

Motion Carried

2. 34600 Park East Drive – Solon Park Associates, LLC 032-2013
- Site plan - fence, cabanas, shade structure and pool decking

Mr. Tim Craft, Solon Park Apartments, was present. He explained that the current pool is 50 years old and the proposal is to install a new heated pool. The proposal includes the demolition of the current pool, a new concrete deck, new fencing surrounding the pool area, new cabanas and within the fenced-in area there will be a gate to allow for use of the picnic area when the pool is closed.

Mr. Craft displayed a site plan highlighting the size and location of the current pool and the size and location for the proposed pool. He also indicated the location where a picnic area with fencing will be created. Mr. Craft noted the proposed plan contains less concrete with more green space. He indicated the locations around the pool where cabanas will be installed in an effort to make the pool more enjoyable for all tenants.

Mr. Craft said the cabana roofs and pavilion will be made of a standing seam metal which is permitted by Code. He said the current fence is wooden and the proposed fence will be a 5' high ornamental black powder-coated metal fence which is approved by the State and is considered safer since visibility is better.

Mrs. Welch said the Engineering Department requires submission of the impervious area calculations.

Motion by Mr. Bentley, seconded by Mr. Newberry to approve the site plan for fence, cabanas, shade structure and pool decking contingent upon the Engineering Department receiving the impervious area calculations.

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

Motion Carried

3. 32542 Springside Lane – Khadijah Hakeem 033-2013
- 1.5' minimum cumulative side yard setback variance
 - .25' minimum distance between principal structures variance

Mr. Fred Borisuk, General Contractor, was present representing the applicant. He explained that Ms. Hakeem is a disabled vet and uses a wheelchair. Although she

currently has a chair lift on the stairs of her home, it is becoming increasingly difficult for her to access.

Mr. Borisuk said all areas inside the home have been thoroughly researched for placement of an elevator. However, no suitable location was found and the proposal is to install an exterior elevator. Mr. Borisuk displayed a photograph of the side of the applicant's home and noted there are no windows. The photograph also displayed the side of the adjacent neighbor's house which also has no windows. Mr. Borisuk displayed a rendering of the proposed exterior elevator and said the siding will match the rest of the house.

Motion by Mr. Mazur, seconded by Mr. Bentley to approve a 1.5' minimum cumulative side yard setback variance.

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

Motion Carried

Motion by Councilwoman Richmond, seconded by Mr. Newberry to approve a .25' minimum distance between principal structures variance.

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

Motion Carried

4. 37216 Deer Run – Marc Robbins 034-2013
▪ 10' minimum side street setback variance

Mr. Marc Robbins and Mrs. Jackie Robbins were present. Mr. Robbins displayed a rendering of his property and indicated the rear yard location of his existing 40 year-old A/C unit. He is proposing to replace the unit and relocate it to the street side of their property, thereby eliminating the noise from the unit when they are on the patio.

Mr. Robbins displayed an aerial view of the property indicating the proposed location for the new A/C unit on the side of his home. This location provides electrical access through the basement and is the most economical location. Mr. Robbins is more than willing to add landscaping to screen the unit.

Mr. Bentley said since the home is located on a corner lot, he will support relocating the A/C unit to a street side with the understanding that screening will be installed and maintained.

Motion by Mr. Bentley, seconded by Councilwoman Richmond to approve a 10' minimum side street setback variance.

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

Motion Carried

5. 34310 Aurora Road/SOM Center Road – ECHO Solon, LLC 035-2013
(Giant Eagle)

- 2' drive aisle width variance
- Site plan modification - ~~fence-color~~, parking lot/green space and façade alterations

Motion by Mr. Mazur, seconded by Councilwoman Richmond to table consideration of Item 5.

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

Motion Carried

6. 32910 Solon Road – Solon Road Enterprises - Jim Alesci 036-2013
- Building material variance
 - 42' front yard setback variance
 - ~~Total~~ Less than 25% green space variance
 - Site plan - façade and patio/green space alterations

Mr. Jim Alesci and Frank Alesci were present. Mr. Alesci said the proposal is to revitalize the entire building located at 32910 Solon Road for the purpose of creating a new "Jim Alesci's Place".

Mr. Alesci said enhancements to the building will include updating the façade, new windows and doors, a new patio with green space, improved parking lot and a new roof.

Mr. Mazur said it was determined during the Caucus that the lots are required to be consolidated and this will be added as a contingency.

In response to Mr. Mazur's question about screening the dumpster, Mr. Alesci said the dumpster in that location has never been screened and based on its location he is uncertain if screening the dumpster would interfere with the truck's ability to collect the refuse.

Mr. Frankland said this dumpster is considered to be grandfathered.

Mr. Mazur is pleased with the dramatic improvements that will be made to the building.

Motion by Mr. Mazur, seconded by Councilwoman Richmond to approve the building material variance.

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

Motion Carried

Motion by Councilwoman Richmond, seconded by Mr. Newberry to approve a 42' front yard setback variance.

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

Motion Carried

Motion by Mr. Newberry, seconded Mr. Bentley to approve a green space area variance to permit less than 25 percent with the contingency that the landscape plan be reviewed and approved by the City landscape architect prior to occupancy.

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

Motion Carried

Motion by Mr. Bentley, seconded by Mr. Mazur to approve a site plan for façade and patio/green space alterations with the contingency that the lots will be consolidated.

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

Motion Carried

MINOR ALTERATIONS FROM THE PLANNING DEPARTMENT:

1. 34310 Aurora Road – Giant Eagle

Mr. Frankland said a dark brown fence was previously approved for installation adjacent to the Hebrew School and Carrington Court. However, the applicant is concerned with the color of the fence fading over time and is proposing the fence be a dark tan color instead. Mr. Frankland displayed a photograph of the style fence in the dark tan color. He said the Hebrew School and Carrington Court have approved the fence change color.

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

2. 34055 Solon Road – University Hospitals

Mr. Frankland displayed an aerial view of the property. He indicated the rear of the building where a radiology lab will be located which includes the east and north corners containing windows. Mr. Frankland said it is necessary to build a wall (interior) in front of the windows and black film will be installed to cover them, thereby, giving the same effect as spandrel glass.

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

3. 6130 Kruse Drive – Levin Mattress

Mr. Frankland said previously awnings were approved for Levin Mattress with the requirement that they would match the adjacent neighbor's awnings, Panera Bread, and would be in a burgundy and ivory color. He displayed a photograph of the Panera awnings which are orange and purple and the proposal is to maintain the burgundy and ivory colors for Levin Mattress and not match the Panera Bread colors. Mr. Frankland displayed the two color samples.

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

COMMENTS FROM THE COMMISSION:

There were no comments from the Commission.

COMMENTS FROM THE AUDIENCE:

There were no comments from the audience.

Motion by Councilwoman Richmond, seconded by Mr. Mazur to adjourn the meeting at 8:00 P.M.

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

Motion Carried

Chairman

Secretary