

Planning Commission Meeting
April 27, 2015
Minutes

The Regular Planning Commission Meeting was called to order by Chairman Stanard at 6:32 pm.

PRESENT AT ROLL CALL: Mr. Bolek, Mrs. Cooper, Mr. Fritz, Mr. Pogatschnik, Mayor Renda, Mr. Stanard

Others Present: Dave Strichko, Building Inspector, Aimee Lane, Assistant Law Director, Jeff Filarski, Village Engineer, Sherri Arrietta, Clerk of Council

Mayor Renda made a motion seconded by Mr. Fritz to approve the minutes from the Regular Planning Commission Meeting of March 23, 2015.

ROLL CALL:

AYES: Mrs. Cooper, Mr. Fritz, Mr. Pogatschnik, Mayor Renda, Mr. Stanard

NAYS: None

ABSTENTIONS: Mr. Bolek

MOTION CARRIED

John Hodgson

37940 Berkeley Lane

Lot Split

Mr. Ryan Sanders with Premier Custom Builders was present at the meeting. He stated that the homeowner wants to split his lot so that his children can build on lots in the future. The reason that they have to present this request to this board is because the county has implemented some rule changes in their septic laws which require a reconfiguration of some of the lot lines in order to have septic on the lots. He stated that they wanted to do it now so that they would not have to do it in the future. Mr. Sanders stated that they wanted to go over the development plan with this board now. As it was left the last time they came before this board, it was going to be approved contingent upon the Village Engineer's approval and the Conservation Easement being completed.

Mr. Stanard stated that the letter from the Village Engineer recommends his approval. He stated that there are still five (5) lots as there was originally but parcels 3, 4, and 5, have had slight changes made to the boundaries but still meet the zoning requirements. A barn was added to parcel 3, the open space is still 37% of that entire parcel.

Mrs. Lane stated that approval tonight would be for the development plan. Mr. Sanders stated that he was hoping to get the lot split so that they could get the development plan approved. Mrs. Lane stated that the way the Code reads, the applicant will have to come back for the approval of the lot split because they need to be two separate applications and approvals. She stated that our May meeting is a week earlier than normal because of the Memorial Day holiday. Mr. Sanders stated that he thought the development plan was approved pending a few items. Mrs. Lane stated that they were both approved by two separate motions in September; one for the lot split and one for the development plan. Mrs. Lane clarified that the motion tonight would be to approve development plan then they will separately approve the lot split at the next meeting.

Mrs. Lane made note that when this board approved the development plan in September, there were several conditions; finalization of the Conservation Easement and review and approval from the Village Engineer. Mr. Filarski stated that as submitted, he recommends approval without contingencies. He stated that as long as the plat follows this plan at the next meeting, it has his approval. Mrs. Lane stated that she does not want the applicant to think that the outstanding conditions from the prior approval are no longer applicable. Mr. Filarski stated that he would make that contingent on the lot split plat approval, not the development plan approval.

Mr. Sanders stated that they are probably looking at two more months before they can get approval from the Planning Commission for the lot split since the deadline for May's meeting was today. Mayor Renda stated that there may be some exceptional circumstances considering the deadline and meeting date were moved up for the holiday; perhaps we can make an exception and get the lot split on the agenda for the May meeting. Mr. Strichko stated that as long as he has everything that is required submitted to him by next Tuesday, he will be able to get them on the May agenda.

Mr. Sanders asked to be reminded of the outstanding conditions that are required for approval. Mrs. Lane stated that they need the Conservation Easement, the Declarations which she stated she has reviewed; they just need to be finalized once the Conservation Easement is finalized and it needs to reference the Conservation Easement, an Access Easement to get from Berkeley to the

shared driveway; she stated that she has reviewed that document and it is fine. Mrs. Lane asked Mr. Filarski if he has seen the Access Easement document. Mr. Filarski stated that he has not. Mrs. Lane stated that she will send it to him. She stated that the Declarations document has the utilities easements and the access easements for the lot owners included in it. Mrs. Lane stated that really the main document needed is the Conversation Easement and some final language will need to be added to the Declarations to reference the Conservation Easement once it is put together.

Mayor Renda made a motion seconded by Mr. Stanard to approve the development plan located at 37940 Berkeley Lane.

ROLL CALL:

AYES: Mr. Bolek, Mrs. Cooper, Mr. Fritz, Mr. Pogatschnik, Mayor Renda, Mr. Stanard

NAYS: None

MOTION CARRIED

John Morren

33250 Jackson Road

New Dwelling

Mr. Ryan Sanders with Premier Custom Builders was present at the meeting. He stated that the Board of Zoning Appeals just approved a variance for a third roof pitch for this proposed new dwelling. Mr. Sanders stated that there was an existing structure on the lot and as of last week it was still there. Mr. Standard stated that some of the utilities will come from that existing structure and asked if the new dwelling will be using the same footprint. Mr. Sanders stated that he is not entirely sure but it will probably be pretty close to the same footprint. Mr. Filarski stated that the setbacks appear to be pretty much the same and it is being placed in the same flat spot on the lot that the existing house in on.

Mrs. Cooper asked if they will be removing any trees. Mr. Sanders stated that the homeowners intend to leave as many as possible. Mr. Filarski stated that he has not looked at the site plan yet. Mr. Stanard stated that the Village Architect has approved the plans. Mayor Renda stated that she is concerned about not seeing the site plan because if they were to move/reconfigure the location of the house, the Board will not know. Mr. Bolek asked if the site plan is subject to change because it has not been submitted to engineering yet. Mr. Sanders stated that it was submitted but it has not made its way to Mr. Filarski yet.

Mr. Filarski asked Mr. Sanders how they were going to place the house on the lot. Mr. Sanders stated that there was some question whether to turn the house a different way. Mr. Filarski stated that it would not look good with other houses in the neighborhood if they were to angle it because the other homes are basically a flat front and not angled. They are all parallel to Jackson Road. Mr. Sanders stated that it only involved a slight tweaking not turning, which is what is currently being portrayed on the plan.

Mr. Bolek made a motion seconded by Mayor Renda to approve the new dwelling located at 33250 Jackson Road, contingent upon the Village Engineer's review and approval of the site plan.

ROLL CALL:

AYES: Mr. Bolek, Mrs. Cooper, Mr. Fritz, Mr. Pogatschnik, Mayor Renda, Mr. Stanard

NAYS: None

MOTION CARRIED

Charles Chaiken

40 Winterberry Lane
Gazebo

Mr. Mark Kontur and Mr. Jerry Herschman were present at the meeting. Mr. Herschman stated that the applicant is proposing to erect a gazebo at the back of his house. The gazebo will be a 40 x 22 detached structure but will connect to the house by a hip roof that will blend in and match the existing roof. Mr. Herschman presented the board with pictures. The gazebo matches the roof pitch and other materials of the house. It will have a fireplace and a fire pit in and the current patio provides a covered outdoor area so that it can be used all year long.

Mr. Fritz asked how much higher the roof of the existing house is than the chimney on the gazebo. Mr. Strichko stated as long as they are within the 10 and 2 requirement (10 feet away and 2 feet above) there is enough distance, which they are. Mr. Stanard pointed out that the only note from Village Architect was to make sure the chimney height requirements were met. Mr. Strichko stated that was his only note of concern as well, but they have met that requirement.

Mr. Pogatschnik asked if the breezeway roof structure was considered an accessory building. Mr. Strichko stated that it is actually a pergola that is a connection between the house. It is not considered an accessory structure because it is not enclosed.

Mr. Kontur stated that because of drainage issues, they did not want to connect the house to this because it is a shallow roof over that area and would create problems in the winters. This way, it is a free flow and will drain into the gazebos gutters. Mr. Bolek stated that the existing house eave fascia and the gutter board do not matching the eave of the gazebo. Mr. Kontur stated that structurally they are thicker elements but they are probably within 2 inches in size to one another. Mr. Bolek stated that he would suggest trying to match it since they are in such close proximity to one another. Mr. Kontur stated that it is difficult to see both things at the same time; there is a 10 foot distance between them. He stated that they look pretty similar and stated that those are all structural elements and exposing more and having to clip them back would be difficult.

Mrs. Cooper made a motion seconded by Mr. Pogatschnik to approve the gazebo located at 40 Winterberry Lane.

ROLL CALL:

AYES: Mr. Bolek, Mrs. Cooper, Mr. Fritz, Mr. Pogatschnik, Mayor Renda, Mr. Stanard

NAYS: None

MOTION CARRIED

Robert Slocum

37925 Chagrin Blvd.

Shed

Mr. Robert Slocum, homeowner, was present at the meeting. He stated that he wants to build a shed on his property in order to store lawn equipment, bikes, and lawn furniture. The shed will be 12 x 20 in size, 8 feet 7 inches tall, and it meets all the required setbacks. It is a prefabricated unit and will be put on a foundation of 4 inches of #57 limestone.

Mr. Stanard stated that the Village architect approved the plans. Mrs. Cooper asked whether the neighbors to the west, near the placement of the shed, will have any screening. Mr. Slocum stated that it is pretty heavily wooded on the west side of his property.

Mr. Fritz made a motion seconded by Mrs. Cooper to approve the shed located at 37925 Chagrin Blvd.

ROLL CALL:

AYES: Mr. Bolek, Mrs. Cooper, Mr. Fritz, Mr. Pogatschnik, Mayor Renda, Mr. Stanard

NAYS: None

MOTION CARRIED

RHM Homes

85 Sterncrest.

New Dwelling

Mr. Rob Myers, with RHM Homes, was present at the meeting. He stated that he is proposing to build a new home for the Davis family at 85 Sterncrest. There was an existing house that had been rented out for several years that was in pretty bad shape. He stated that the new home will be placed a little further back from the road than the original house was, but not too far back so that it is behind the existing houses on either side of it. It will be oriented so that the garage is on the higher side of the lot, instead of the low side like the previous house was. Mr. Myers stated that exterior of the home will consist of a mixture of a few different textures shake, stone, horizontal siding.

Mr. Strichko stated that the Village Architect approved the drawings with the note to have the front shed dormer re-studied. Mr. Myers stated that he did discuss this element with his architect at some length previously. When they tried it with a gable dormer like the ones on the sides, they determined that they did not want another gable on the front middle so they opted for the shed dormer, however they have since come up with another option. They will raise the front and put in taller windows, which seems to work well. Mr. Myers provided a drawing to show how that change would look. He stated by lifting the whole element up, the first floor fenestration will be mimicked.

Mr. Myers stated that he will have his architect revise that sheet and submit it to Mr. Strichko. Mr. Bolek stated that he was going to suggest that change be made and he believes that it completes it and makes it look better. He stated that there seems to be a similar issue on the flat area on the back of the house, however. Mr. Myers stated that there is an issue with where the peak is and the height of the house. That shed dormer is needed for the bathroom that is inside and so he stated they cannot really do much with that. Mr. Bolek stated that they may not be happy in the long term because it is kind of abrupt.

Mr. Filarski stated that he has some minor storm water comments that they need to take care of.

Mr. Fritz made a motion seconded by Mrs. Cooper to approve the new dwelling located at 85 Sterncrest, contingent upon adherence to the Village Engineer's storm water requirements and submittal of the revised drawings detailing the changes to the front door entry, to the Building Official.

ROLL CALL:

AYES: Mr. Bolek, Mrs. Cooper, Mr. Fritz, Mr. Pogatschnik, Mayor Renda, Mr. Stanard

NAYS: None

MOTION CARRIED

Gary Haas

10 Manderly Lane
Garage Addition

Mr. Lee Pozek, architect, was present at the meeting. He stated that Mr. and Mrs. Haas are proposing to build a three car garage, similar to the garage that had been previously submitted and approved. All materials will match the house and there will be a roof attachment to the existing house. The location, elevations, and landscaping will remain the same as they were on the site plan that was previously submitted. Mr. Pozek stated that the largest difference on this new submittal is that the previous plan had a low 5:12 roof pitch which did not allow for storage space. This new submittal has a steeper roof pitch to allow for storage upstairs but it will still match the house and it is still in keeping with the two roof pitch rule.

Mr. Stanard stated that the Village Architect approved the plans as noted; "seems too large, match other dormers." Mr. Strichko stated that it was just a recommendation because the one dormer seemed overwhelming compared to the other two next to it. Mr. Pozek stated that the center dormer in the picture is larger than the one on the plan and the two sides are flat in the picture, while the sides on the plans will be at an angle.

Mr. Bolek stated that the way it is depicted in the photograph actually looks better because the ridge of that dormer is higher and more prominent while on the plans, the width of the center dormer was increase which makes it look squattier. Mr. Pozek stated that the reason for that was because the two side dormers match the roof pitch, and the main roof pitch at that width would have exceeded the ridge height. He stated that if he went with a 12:12 pitch, it would go above the ridge line. Mr. Pozek stated that he could shave the roof pitch on the little dormers and raise it on the side so they all match; 10:12 would be good for center one and 12:12 on the other ones.

Mrs. Cooper asked about interior drawings whether they had plans for a bathroom or living space upstairs. Mr. Pozek stated that it will be used strictly as a garage and for storage upstairs. He stated that it is a a three car garage and will be deep enough to stack two cars. It will also be insulated.

Mr. Strichko informed the Board that this project had a lot split and consolidation previously, and to date we do not know if it has been recorded. No permit can be issued until we know for sure that it has been recorded in order to make sure that this garage will actually be built on Mr. Haas's property. Mr. Pozek stated that Mr. Haas informed him that it was supposed to have been recorded, but he cannot vouch for it. Mr. Strichko stated that he will also need revised drawings to be submitted to Mr. Kawalek regarding the changes being made to the dormers.

Mr. Bolek made a motion seconded by Mayor Renda to approve the garage addition located at 10 Manderly Lane, contingent upon the submittal of revised plans showing the modification of the dormers to the Village Architect, and verification that the previously approved lot split and consolidation has been recorded.

ROLL CALL:

AYES: Mr. Bolek, Mrs. Cooper, Mr. Fritz, Mr. Pogatschnik, Mayor Renda, Mr. Stanard

NAYS: None

MOTION CARRIED

Marathon/Moreland Hills Auto Service

4975 SOM Center Road

Sign

Mr. Nick Nykulak was present at the meeting. He stated that he is here regarding a sign for "Moreland Hills Auto Service", which is already up on the building. Mr. Nykulak stated that they were unaware that they needed approval first. He stated that the original sign looked bad so it was taken down years ago, but since there has not been a sign, a lot of people have trouble finding the phone number. Mr. Nykulak stated that the sign is 24 square feet in size and is retrofitted with LED lights above it to illuminate it. The sign is placed in the center of the building and the colors are in keeping with the existing colors of the building.

Mr. Pogatschnik made a motion seconded by Mayor Renda to approve the sign located at 4975 SOM Center Road for Moreland Hills Auto Service.

ROLL CALL:

AYES: Mr. Bolek, Mrs. Cooper, Mr. Fritz, Mr. Pogatschnik, Mayor Renda, Mr. Stanard

NAYS: None

MOTION CARRIED

Discussion:

Mayor Renda stated that the old house at 85 Sterncrest was a big disaster and in fact, she suggested that it be looked at when they started working on the exterior maintenance inspections. She stated that she thinks that is why they are working on fixing it now. Mayor Renda stated that she knows that it does not always work that fast in all situations, but she wanted to give the Building Department kudos for citing them. She stated that the house had a flooded basement and sat vacant for a while. All that was done to remedy that situation was to pump the water out leaving the mold and decay issues to sit. They had renters living there in those conditions. She stated these are some of the things we are trying to address by adding to our Point of Sale inspection.

Mr. Strichko asked where we are in the process of having the zoning changes made that include approval of small structures administratively. Mrs. Lane stated that there will be public hearing at the May Council meeting which will be the final step in the process. She stated that there is also 30 day period before it becomes effective.

Next meeting will be on May 18 because of the Memorial Day Holiday.

Mr. Strichko asked if anyone had any comments or concerns about the way we are distributing the packets via Dropbox and/or the new technology system in Council Chambers. Mr. Fritz stated that it worked great having an electronic item in front of him in combination with viewing the screens on the walls. Mayor Renda stated that she believes that it has helped with everyone having one conversation and stated that she thinks the members are doing a great job at it. The members concurred.

Mr. Pogatschnik made a motion seconded by Mr. Stanard to adjourn the meeting at 7:38pm.

ROLL CALL:

AYES: Mr. Bolek, Mrs. Cooper, Mr. Fritz, Mr. Pogatschnik, Mayor Renda, Mr. Stanard

NAYS: None

MOTION CARRIED

Respectfully Submitted,

Sherri Arrietta, Clerk of Council