

PUBLIC HEARING FRONT YARD SETBACK – 10279 HIGHLAND DR.
BRECKSVILLE PLANNING COMMISSION
Community Room - Brecksville City Hall
April 19, 2018 Page 1

Present: Michael Bandsuh, Michael Harwood, Mayor Hruby, Eric Lahrmer, Kirk Roman, Dominic Sciria
Absent: Ron Payto
Others: Scott Packard, Gerald Wise and approximately 7 guests

Mr. Roman opened the Public Hearing at 7:00 P.M. by reading the following legal notice published in the April 5, 2018 issue of the *Sun Star Courier*:

The Brecksville Planning Commission will hold a Public Hearing at 7:00 P.M. on Thursday, April 19, 2018 in the Community Room of Brecksville City Hall, 9069 Brecksville Road, Brecksville, Ohio, to establish a front yard setback of 125' for Permanent Parcel #604-21-014, 10279 Highland Drive, Brecksville, Ohio 44141.

Mr. Jeff Zabkar was present on behalf of his request that a front yard setback be established for a new home he plans to construct at 10279 Highland Drive. He noted that homes along Highland are at varying setbacks. He would like to be at the Code setback of 125 ft.

Mr. Raymond Weiss and his wife, Ellen Carhouse, 10307 Highland Drive, own the house adjacent to Mr. Zabkar's lot and wanted to know how the 125 ft. setback would impact them. Mr. Zabkar noted that he visited the Weiss house with his construction plans in hand only to discover it was occupied by a tenant. Mr. Zabkar proceeded to share his construction site plan with Mr. and Mrs. Weiss.

Mr. Sciria read the Code Section pertaining to the setback criteria for that area. Because homes were at varying setbacks on Highland Drive the Planning Commission would be establishing a setback after taking into consideration various factors including the setbacks of the homes along Highland in the immediate area of the applicant.

There were no further questions from the Commission or the public. Mr. Roman noted that this matter would be considered at the Work Session later in the evening. The Public Hearing closed at 7:08 p.m.

THE BRECKSVILLE PLANNING COMMISSION

KIRK ROMAN, CHAIRMAN
DOMINIC SCIRIA, VICE CHAIRMAN
ERIC LAHRMER, SECRETARY

Minutes recorded by Nancy Dimitris

REGULAR MEETING
BRECKSVILLE PLANNING COMMISSION
Community Room - Brecksville City Hall
April 19, 2018 Page 1

Present: Michael Bandsuh, Michael Harwood, Mayor Hruby, Eric Lahrmer, Kirk Roman, Dominic Sciria
Absent: Ron Payto
Others: Scott Packard, Gerald Wise and approximately 7 guests

Mr. Roman opened the Regular Meeting of the Planning Commission at 7:08 P.M.

APPROVAL OF THE APRIL 5, 2018 PUBLIC HEARING MINUTES ON A FRONT YARD SETBACK FOR 8067 PERSHING ROAD

It was moved by Mr. Roman and seconded by Mr. Harwood that the April 5, 2018 Public Hearing Minutes on a Front Yard Setback for 8067 Pershing Road be approved.

ROLL CALL: Ayes: Michael Bandsuh, Michael Harwood, Mayor Hruby, Eric Lahrmer, Dominic Sciria
Abstain: Kirk Roman
Nays: None
MOTION CARRIED

APPROVAL OF THE REGULAR MEETING MINUTES OF APRIL 5, 2018

It was moved by Mr. Roman and seconded by Mr. Harwood that the Planning Commission Regular Meeting Minutes of April 5, 2018 be approved.

ROLL CALL: Ayes: Michael Bandsuh, Michael Harwood, Mayor Hruby, Eric Lahrmer, Dominic Sciria
Abstain: Kirk Roman
Nays: None
MOTION CARRIED

APPROVAL OF THE WORK SESSION MEETING MINUTES OF APRIL 5, 2018

It was moved by Mr. Roman and seconded by Mr. Harwood that the Planning Commission Work Session Meeting Minutes of April 5, 2018 be approved.

ROLL CALL: Ayes: Michael Bandsuh, Michael Harwood, Mayor Hruby, Eric Lahrmer, Dominic Sciria
Abstain: Kirk Roman
Nays: None
MOTION CARRIED

SIGNS

JENNINGS – 8736 BRECKSVILLE ROAD.

Mr. John Grigoli of Epic Sign & Graphics was present on behalf of a ground sign request for Jennings. The proposed externally illuminated sign would be constructed in a grey fabricated synthetic stone to match the building. There were no comments on the sign composition beyond Mr. Bandsuh mentioning the possibility of light seepage under the sign that might distract motorists. Mr. Grigoli thought that could be prevented by angling of the spotlights and adjusting the lighting level.

Mr. Wise spoke about the challenge of line of sight issues along Brecksville Road. He noted that during construction Jennings was asked to shave the hillside back three times to achieve a safe sight distance. Mr. Wise pointed out that the proposed location of the sign was not only a line of sight problem for Jennings, but it could also block the view of St. Basil's drive. He thought it was conceivably possible to locate the sign further

back and up the hillside at a point to be established after consulting the sight line study done by the Design Team for Jennings. Mr. Wise offered to provide his copy of that document to Mr. Packard. Mr. Packard noted that in the original Jennings sight plan the sign was located on the retaining wall at the top of the hill.

Mr. Lahrmer advised that the Commission could not be concerned about the cost of the sign or supplying electrical to the other side of the drive. The Commission's main focus would be on the line of sight safety issue. The sign request was tabled pending Mr. Grigoli consulting the line of sight study done for Jennings during construction to determine a better location for the ground sign.

COVEN GOLDMAN & ASSOCIATES – 10300-10330 BRECKSVILLE ROAD. - (CC Approval)

Mr. John Grigoli of Epic Sign & Graphics was present on behalf of a request for three, temporary, ground real estate signs. A two-sided sign was proposed for W. Snowville, and 2 one-sided signs for Brecksville Road. The Mayor asked why two identical signs were necessary for Brecksville Road. Mr. Grigoli responded that there were two building vacancies along Brecksville Road. Mr. Sciria mentioned the deviation request for six foot signs noting that the Planning Commission has approved that height before.

It was moved by Mr. Roman and seconded by Mr. Harwood that the Planning Commission approve, and the Building Department issue a permit for, a two-sided 16 sq. ft. per side temporary real estate sign on West Snowville and 2 single-sided 16 sq. ft. temporary real estate signs in 2 locations on Brecksville Road located at 10300-10330 Brecksville Road, Brecksville, Ohio as described in the application dated March 27, 2018, and attached plans by Epic Signs & Graphics, contingent upon City Council's approval of the following deviations:

- A deviation from the requirement of Section 1187.13(b)(1)C of the requirement of 1 sign per lot to allow 3 signs, 1 on W. Snowville and 2 on Brecksville Road.
- A deviation from the requirement of Section 1187.13(b)(1)C of the requirement of a maximum 5' height to allow 6'.

ROLL CALL: Ayes: Michael Bandsuh, Michael Harwood, Mayor Hruby, Eric Lahrmer, Kirk Roman,
Dominic Sciria
Nays: None
MOTION CARRIED

REPORT OF COUNCIL REPRESENTATIVE

Mr. Harwood reported that at their last meeting City Council approved Window Signs for Trusted Edge, the Kosek Front Yard Setback and Exterior Renovations for the Masonic Temple.

REPORT OF MAYOR HRUBY - No Report

REPORT OF CITY ENGINEER - No Report

The Regular Meeting closed at 8:10 p.m.

THE BRECKSVILLE PLANNING COMMISSION

KIRK ROMAN, CHAIRMAN
DOMINIC SCIRIA, VICE CHAIRMAN
ERIC LAHRMER, SECRETARY

REGULAR MEETING
BRECKSVILLE PLANNING COMMISSION
Community Room - Brecksville City Hall
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Minutes recorded by Nancy Dimitris

MINUTES OF THE WORK SESSION
BRECKSVILLE PLANNING COMMISSION
Community Room - Brecksville City Hall
April 19, 2018 Page 1

Present: Michael Bandsuh, Michael Harwood, Mayor Hruby, Eric Lahrmer, Kirk Roman, Dominic Sciria
Absent: Ron Payto
Others: Scott Packard, Gerald Wise and approximately 7 guests

Mr. Roman opened the Work Session at 7:30 P.M.

ZABKAR FRONT YARD SETBACK – 10279 HIGHLAND DRIVE

Mr. Jeff Zabkar was present on behalf of his request that a front yard setback of 125 ft. be established for a new home he plans to construct at 10279 Highland Drive.

Mr. Harwood referred to a dashed line on the proposed site plan drawn from the homes on either side of Mr. Zabkar's lot that intersect on his lot at about a 100 ft. setback. He remarked that the Commission usually tries to line homes up at consistent setbacks rather than having a home setback behind adjacent homes. He noted that such staggering creates privacy issues. Mr. Sciria brought up the issue of providing landscape buffering. Mr. Zabkar commented that the 125 ft. setback permitted them to save the most trees. They also planned to consult the City arborist on additional landscaping.

Responding to a question on communication with neighbors, Mr. Zabkar said they spoke to the tenant next to them and while they bought the property from the neighbor on the other side they had not found them home to discuss their specific site plan. Mr. Raymond Weiss and his wife, Ellen Carhouse, 10307 Highland Drive, landlords for an adjacent property, who were present for the Public Hearing earlier, were asked their opinion of the 125 ft. proposed setback. While they appreciated the sideyard setbacks, they would prefer the house be located closer to the street rather than in their backyard.

Mr. Roman said it appeared Commission members would prefer the setback be moved forward to line up more favorably with neighboring properties. Since the public hearing was specific to a 125 ft. setback a new public hearing would need to be set to consider a different setback. Mr. Zabkar was asked to consider a setback of no more than 100 ft. It was also suggested that even with moving the house setback closer to the street, the Commission would like to see some landscape buffering on the site plan. The issue was tabled.

SNOWVILLE ASSOCIATES LLC CONSULTATION – 10200-10280 BRECKSVILLE ROAD

Mr. Larry Coven, owner of buildings in the M-D Zoning District, was present to request consideration of expanding uses in that zoning code classification to include fitness type operations. They have had inquiries from businesses such as fitness centers, cheerleading classes, Yoga training, dance class, gymnastics, etc. Expanding the uses in industrial areas would help them fill their building vacancies. He added that typically the education and fitness oriented uses operate during evenings and weekends so they wouldn't really compete for parking with the current industrial building uses.

Mr. Sciria pointed out that the uses Mr. Coven proposed have been considered for industrial areas and rejected in the past. The Commission felt those fitness type uses were more suitable in shopping center/retail type areas. Mr. Bandsuh also cautioned against mixing businesses such as fitness and daycare in M-D zoning. He knew of instances where noise, safety and parking became issues even though those businesses purported to operate in evening and weekend off hours.

Mr. Coven pointed out that business uses have shifted over the years from manufacturing/distribution to service operations so an expansion of uses was not an unreasonable consideration. Mr. Coven felt he had enough discretion and experience as a landlord to determine what mix of businesses would be successful. It was pointed out that any zoning change would have wide-spread ramifications beyond the consideration of one landlord.

The Mayor suggested that Mr. Packard survey other local communities on their zoning codes and prepare a summary document as a point of reference for further discussion on the issue. Mr. Packard noted there were two potential processes to achieve a different use: 1) Rezoning involving a public vote on zoning changes, or 2)

Similar Use Permits granted on a case-by-case basis after review by the Planning Commission and approval by City Council.

Mr. Lahrmer was concerned about parking. He said that in his experience what the tenant projects for parking requirements often changes over time to be more than they anticipated and a problem for other businesses. Mr. Lahrmer said that in revisiting the Code, parking would have to be reconsidered with very stringent requirements vs. if Mr. Coven came in with specific tenants identified to be considered on a case-by-case basis. Mr. Coven noted that it would be time consuming to go through an approval process with each potential tenant, who many times don't want to wait for a protracted approval process.

Mr. Coven suggested Beachwood, Mentor and Parma be included among the communities Mr. Packard uses in his summary of zoning classification and usage in other cities. Mr. Roman mentioned that the Commission would be happy to consider Mr. Coven's tenant requests on a case-by-case basis while the issue of possible rezoning was being evaluated.

The Work Session closed at 8:10 p.m.

THE BRECKSVILLE PLANNING COMMISSION

ROBERT HOTALING, CHAIRMAN
DOMINIC SCIRIA, VICE CHAIRMAN
KIRK ROMAN, SECRETARY

Minutes recorded by Nancy Dimitris