

PUBLIC HEARING TO ESTABLISH FRONT SETBACK – PP #605-24-007  
BRECKSVILLE PLANNING COMMISSION  
Community Room - Brecksville City Hall  
December 3, 2015 Page 1

Present: Michael Harwood, Robert Hotaling, Eric Lahrmer, Ron Payto, Kirk Roman, Dominic Sciria  
Absent: Mayor Hruby  
Others: Gerald Wise, and approximately 11 guests

Mr. Hotaling opened the Public Hearing at 7:00 P.M. by reading the following legal notice published in the November 19, 2015 issue of the *Sun Courier*.

The Brecksville Planning Commission will hold a Public Hearing at 7:00 P.M. on Thursday, December 3, 2015 in the Community Room of Brecksville City Hall, 9069 Brecksville Road, Brecksville, Ohio to establish a front yard setback for Permanent Parcel Number 605-24-007 on the south side of Snowville Road. .

Mr. Hotaling read the public hearing notice noting that the Permanent Parcel Number was incorrectly reported and recorded in the minutes at the November 5<sup>th</sup> Planning Commission meeting and that the parcel number was correct as read this evening.

Mr. Alex Sainato was present to discuss a front yard setback for the home he would like to build on Snowville Road. He indicated the setbacks to the adjacent homes were 113 ft. (east) and 102 ft. (west). Mr. Sainato was proposing a front yard setback of 107 ft. Mr. David Williams, 11259 Snowville Road, asked what the City Code requirements were for setbacks. Mr. Wise responded that according to Code the Planning Commission determined setbacks for Snowville Road. With consideration to the adjoining properties the 107 ft. setback Mr. Sainato was proposing would appear reasonable and in keeping with setbacks along Snowville Road.

With no further discussion, the Public Hearing closed at 7:05 P.M.

#### THE BRECKSVILLE PLANNING COMMISSION

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

Minutes recorded by Nancy Dimitris

REGULAR MEETING  
BRECKSVILLE PLANNING COMMISSION  
Community Room - Brecksville City Hall  
December 3, 2015 Page 1

Present: Michael Harwood, Robert Hotaling, Eric Lahrmer, Ron Payto, Kirk Roman, Dominic Sciria  
Absent: Mayor Hruby  
Others: Gerald Wise, and approximately 11 guests

Mr. Hotaling opened the Regular Meeting of the Planning Commission at 7:05 P.M.

APPROVAL OF THE REGULAR MEETING MINUTES OF NOVEMBER 5, 2015

It was moved by Mr. Hotaling and seconded by Mr. Harwood that the Planning Commission Regular Meeting Minutes of November 5, 2015 be approved.

ROLL CALL: Ayes: Michael Harwood, Robert Hotaling, Eric Lahrmer, Ron Payto, Kirk Roman,  
Dominic Sciria  
Nays: None  
MOTION CARRIED

APPROVAL OF THE WORK SESSION MEETING MINUTES OF NOVEMBER 5, 2015

It was moved by Mr. Hotaling and seconded by Mr. Harwood that the Planning Commission Work Session Meeting Minutes of November 5, 2015 be approved.

ROLL CALL: Ayes: Michael Harwood, Robert Hotaling, Eric Lahrmer, Ron Payto, Kirk Roman,  
Dominic Sciria  
Nays: None  
MOTION CARRIED

APPROVAL OF THE 2016 PLANNING COMMISSION SCHEDULE

It was moved by Mr. Hotaling and seconded by Mr. Harwood that the 2016 Planning Commission Schedule be approved.

ROLL CALL: Ayes: Michael Harwood, Robert Hotaling, Eric Lahrmer, Ron Payto, Kirk Roman,  
Dominic Sciria  
Nays: None  
MOTION CARRIED

SIGNS:

NEOPOST – 6650-6670 SNOWVILLE ROAD

There was no representative present to discuss the Neopost sign request. Mr. Hotaling proposed that since the sign was a replacement sign in the same location and within Code requirements for size, height and color, the Commission could consider making a motion for approval of the sign.

It was moved by Mr. Hotaling and seconded by Mr. Harwood that the Planning Commission approve, and the Building Department issue a permit for, a 16.8 sq. ft., permanent, wall identification sign for Neopost, 6670 West Snowville Road, Brecksville, Ohio as described in the application dated October 23, 2015, and attached sketches by Kessler Sign Company.

ROLL CALL: Ayes: Michael Harwood, Robert Hotaling, Eric Lahrmer, Ron Payto, Kirk Roman,  
Dominic Sciria  
Nays: None  
MOTION CARRIED

SNOWVILLE CORNER, LLC (Simic CPA) – 10235 BRECKSVILLE ROAD

Mr. Stewart Wincek of BNext Design was present to request a wall sign for Simic CPA. Mr. Sciria noted that a wall sign on the exterior of a multi-tenant building was not within Code requirements if the applicant occupied only a suite in the building and did not have a direct entrance to the business from the street. He said that typically building tenants were listed on a ground, monument sign. Mr. Sciria also indicated that beyond the fact that the sign was not permitted per Code it did not meet the sign design standards of the City which recommend that signs complement the architectural design of a building.

Mr. Wincek pointed out that the building was setback quite a distance from Brecksville Road, as well as having the only access driveway off Snowville Road. Mr. Simic was looking for a way to increase his visibility so clients could find his business. There was a suggestion that Mr. Simic, as the building owner, could name the building after himself with a sign above the front door. Mr. Wincek asked about the possibility of a second ground sign on Snowville Road. He was advised only one ground sign was permitted unless the Planning Commission considered granting a variance from Code for hardship. The comment was made that the size of the existing ground sign could be increased to the approximately 60 sq. ft. Code maximum. There was a general consensus that the applicant consider redesigning the monument sign along Brecksville Road within Code requirements to be more effective.

REPORT OF COUNCIL REPRESENTATIVE

Mr. Harwood reported that City Council approved signs for both Pediatric Dentistry and Southwire, and the Lubrizol Boiler Plant Addition.

REPORT OF MAYOR HRUBY

In the Mayor's absence Mr. Harwood reminded everyone of the annual children's Christmas Play being presented at the Human Services Building with performances at 11:00 a.m. and 2:00 p.m. on both Saturday and Sunday.

REPORT OF CITY ENGINEER – No Report

The Regular Meeting recessed into the Work Session, and reopened to make a motion.

SAINATO FRONT SETBACK – 11160 SNOWVILLE ROAD

It was moved by Mr. Hotaling and seconded by Mr. Harwood that the Planning Commission recommend to City Council establishment of a front setback of 107.0 ft. at 11160 Snowville Road, Brecksville, Ohio, Permanent Parcel Number 605-24-007, as described in the application dated October 19, 2015 and shown on the Setback Exhibit Plan by Aztech Engineering and Surveying dated October 19, 2015.

ROLL CALL: Ayes: Michael Harwood, Robert Hotaling, Eric Lahrmer, Ron Payto, Kirk Roman,  
Dominic Sciria  
Nays: None  
MOTION CARRIED

REGULAR MEETING  
BRECKSVILLE PLANNING COMMISSION  
Community Room - Brecksville City Hall  
December 3, 2015 Page 3

The Regular Meeting recessed into the Work Session, and reopened to make a motion.

CROW DECK – 6942 WOODWALK DRIVE

It was moved by Mr. Hotaling and seconded by Mr. Harwood that the Planning Commission recommend to City Council approval for the deck replacement and expansion at 6942 Woodwalk Drive, Brecksville, Ohio 44141, as described in the application dated November 6, 2015, and attached drawings by Klassic Custom Decks. Approval is conditioned upon a formal letter of approval from the Winward Hills Condominium Association and also contingent upon all dimensions being in compliance with Code, and an inspection by the Building Department assuring that compliance.

ROLL CALL: Ayes: Michael Harwood, Robert Hotaling, Eric Lahrmer, Ron Payto, Kirk Roman,  
Dominic Sciria  
Nays: None  
MOTION CARRIED

The Regular Meeting recessed into the Work Session, and reopened to make a motion.

THE OVERLOOK AT HILLBROOK – 8747 BRECKSVILLE ROAD

It was moved by Mr. Hotaling and seconded by Mr. Harwood that the Planning Commission will hold a Public Hearing on January 7, 2016, at 7:00 p.m. in the Community Room of the Brecksville City Hall, 9069 Brecksville Road, Brecksville, Ohio to consider the request of Elm Investment Trust Ltd. For the preliminary approval of an 8 lot, single family PDA subdivision at 8747 Brecksville Road, Brecksville, Ohio to be known as The Overlook at Hillbrook, as required in Section 1115.05.:

ROLL CALL: Ayes: Michael Harwood, Robert Hotaling, Mayor Hruby, Eric Lahrmer, Ron Payto,  
Dominic Sciria  
Nays: None  
MOTION CARRIED

The Regular Meeting closed at 8:15 p.m.

THE BRECKSVILLE PLANNING COMMISSION

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KIRK ROMAN, SECRETARY

Minutes recorded by Nancy Dimitris

MINUTES OF THE WORK SESSION  
BRECKSVILLE PLANNING COMMISSION  
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Present: Michael Harwood, Robert Hotaling, Eric Lahrmer, Ron Payto, Kirk Roman, Dominic Sciria  
Absent: Mayor Hruby  
Others: Gerald Wise, and approximately 11 guests

Mr. Hotaling opened the Work Session at 7:20 P.M.

SAINATO FRONT SETBACK – 11160 SNOWVILLE ROAD

Mr. Alex Sainato was present to request a 107 ft. front yard setback for the home he would like to build on Snowville Road. This request was discussed at the public hearing earlier in the evening and Commission members had no further questions on the proposed 107 ft. front yard setback. Mr. Sciria inquired about the side yard setback issue mentioned during the November 5<sup>th</sup> Planning Commission meeting. Mr. Sainato confirmed that his most recent survey was in compliance with Code requirements for side yard setbacks. The Work Session recessed into the Regular Meeting for a motion.

CROW DECK – 6942 WOODWALK DRIVE

Mr. Rob Bunjevac of Klassic Custom Decks was present on behalf of a request for a deck replacement and expansion in Windward Hills. He said the Windward Hills Condominium Association indicated their approval by signature on the proposed deck plans. The Commission would like a formal letter of approval from the Condo Association. Commission members had no problem with the deck request, however in reviewing the out-of-scale plans there was a question on whether it was in compliance with the minimum 10 ft. rear setback requirement. There was a general consensus that a conditional approval could be considered contingent upon the Building Department's confirmation of an adequate rear setback. Mr. Sciria cautioned that if the rear yard setback was not in Code compliance the applicant would have to adjust the deck dimensions or apply for a variance. The Work Session recessed into the Regular Meeting for a motion.

SOEDER LOT CONSOLIDATION – 4710 VALLEYBROOK DRIVE

Mr. Michael Soeder was present to request a lot consolidation of two, vacant, adjacent lots on Valleybrook Drive in order to build a house on the resulting 3.6 acre lot. Mr. Wise indicated he had no objection in concept to the consolidation, however the approval clauses on the plat would need to be corrected before the consolidation request could move forward. Mr. Wise suggested a plot plan with the building footprint on it be developed to take to the BZA where Mr. Soeder would need to apply for a variance for an irregular lot and for less than the 250 ft. setback from the Turnpike. As Mr. Soeder was hoping to start building as soon as possible, Mr. Harwood suggested while he was working on revising the plat for the Planning Commission's approval he could also apply to the BZA for their review.

THE OVERLOOK AT HILLBROOK – 8747 BRECKSVILLE ROAD

Mr. Sam Cannata, Attorney, was present to request a public hearing be set to discuss, and for the Planning Commission to consider approval of, preliminary plans for the eight home Overlook at Hillbrook subdivision. He indicated the subdivision plan had not changed since it was last reviewed by the Commission in October. Mr. Cannata believed he had addressed all of Mr. Wise's engineering concerns. Mr. Wise commented he had no problem with preliminary approval being given. He indicated he would like to meet with Mr. Cannata's engineer on storm water management before consideration of the final plans.

Mr. Cannata had example homes in his presentation packet for a ranch and a two story Cape Cod home in the 2,500-3,000 sq. ft. range. He felt those plans were consistent with the look of the existing Hillbrook development. Mr. Payto commented that for final approval very specific details on housing styles and materials would have to be provided. Mr. Cannata expected to have three or four styles identified for final approval. He understood the importance of offering options in styles and materials so the homes would not have a cookie cutter appearance.

MINUTES OF THE WORK SESSION  
BRECKSVILLE PLANNING COMMISSION  
Community Room - Brecksville City Hall  
December 3, 2015 Page 2

Mr. Sciria asked about the location of the gang mail boxes. Mr. Cannata pointed out an option of an open space on the plan for the boxes and acknowledged he would need to check the location with the postal service.

Mr. Cannata had begun the process for a wetlands permit by hiring an engineer who has identified the wetlands. He understood the wetlands permit from the Army Corps of Engineers would be required for final approval. Mr. Harwood advised that he would need to have addressed the City Engineer's concerns, provide a full set of construction drawings and have secured all permits as stipulated by Mr. Wise before final plan consideration.

Mr. Harwood asked about the status of HOA documents. Mr. Cannata said he had reached out to the Hillbrook Homeowners Association to coordinate with them on whether his eight homes could be incorporated into their HOA, or would have to be a separate HOA, or some combination of joint covering some issues and separate on others. Mr. Cannata could understand if the Hillbrook HOA didn't want the responsibility of the retention pond, but might be amenable to including them in the road maintenance.

Mr. Ron Tomczyk, 7501 Hillbrook Oval, was present representing the interests of the Hillbrook residents as their HOA President. He mentioned that he had met only once briefly with Mr. Cannata. Mr. Tomczyk had some concern that the eight new homes that could sell for as much as \$375,000 were not comparable to the Hillbrook homes that would be in the \$200,000+ range. He questioned the spur road to add three homes, pointing out the challenges for plowing, road maintenance and garbage collection. Mr. Tomczyk thought the development should be for five homes that fit on the road without adding a road extension for three more homes to meet a profit margin. The retention pond was another responsibility the Hillbrook residents would not want to undertake.

Mr. Tomczyk had concerns relative to whether their HOA would have to hire an attorney to represent their interests regarding the possibility of integrating the new homes into their HOA. He asked if a formal letter from the HOA residents documenting their concerns would be influential with the Commission. The Commission advised that property owners had the right to develop their property within Code requirements. The Planning Commission had some influence, especially in the case of a PDA, to make sure the new construction was compatible with the surrounding development. The review process was documented in detail for Mr. Tomczyk, including the setting of a public hearing where Hillbrook residents could express any concerns in a public forum.

It was concluded that the developer and Hillbrook HOA residents would have to reach an agreement as to whether the new development would be totally incorporated in the Hillbrook HOA, or established as a separate HOA for the eight new homes, or have the two, separate HOAs with areas of joint responsibility such as road maintenance. The Planning Commission would need to approve HOA documents, but would not consider those documents until both parties were in agreement. Mr. Sciria suggested an attorney specializing in real estate management be involved. The Work Session recessed into the Regular Meeting to make a motion for a Public Hearing.

The Work Session closed at 8:15 p.m.

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