

PUBLIC HEARING TO SET A FRONT YARD SETBACK FOR OROSZ PROPERTY 8418 WHITEWOOD  
BRECKSVILLE PLANNING COMMISSION  
Community Room - Brecksville City Hall  
April 24, 2014 Page 1

Present: Robert Hotaling, Michael Harwood, Mayor Hruby, Ron Payto, Kirk Roman, Dominic Sciria  
Absent: Phillip Badalamenti  
Others: Neil Brennan, Gerald Wise, and approximately 14 guests

Mr. Hotaling opened the Public Hearing at 7:02 P.M. by reading the following legal notice published in the April 10, 2014 issue of the *Sun Star Courier*.

The Brecksville Planning Commission will hold a Public Hearing at 7:00 P.M. on April 24, 2014 in the Community Room of Brecksville City Hall, 9069 Brecksville Road, Brecksville, Ohio to establish a front yard setback of 40' at 12022 Glen Valley Drive, Brecksville, Ohio, PP #605-16-020 for a new, single family dwelling.

Mr. Jeff Claridge and his wife, Becky, were present to request a 40 ft. front yard setback be established for a new home they proposed to build in front of their current home which would be razed once the new home was completed. Their property is on Glen Valley Drive, a private drive with seventeen homes located along the drive. The homes were at varying setbacks, with some structures as close as 30 ft. off the main drive. The Claridge's displayed pictures of the homes in the area and detailed the variances they were requesting below:

- A variance from Section 1151.24 of 5' from the required minimum side yard of 20' to permit 15' side yards.
- A variance from Section 1151.24 of 10' from the required total of the two side yards of 40' to permit the total of two side yards to be 30'.

The front setback was requested to 1) Achieve maximum sun exposure for their proposed passive solar home, 2) Limit the amount of trees to be cut in the rear of the lot, 3) Provide a large back yard for their children to play, 3) Avoid problems, such as moss, experienced by homes too close to the woods, and 4) Allow them to save money by staying in their current house while the new one was being built.

The Claridge's have spoken to their adjacent neighbors, as well as everyone on the street. They have heard no objections, only enthusiasm for their home plans. Ms. Claridge indicated they had rotated the home a little since their last plan presentation to save some trees and permit them to move the proposed pool to the other side of the yard for more privacy.

Mr. Hotaling explained that the issue would be discussed again at the Work Session. With no further discussion, the Public Hearing closed at 7:10 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  
April 24, 2014 Page 1

Present: Robert Hotaling, Michael Harwood, Mayor Hruby, Ron Payto, Kirk Roman, Dominic Sciria  
Absent: Phillip Badalamenti  
Others: Neil Brennan, Gerald Wise, and approximately 14 guests

Mr. Hotaling opened the Regular Meeting of the Planning Commission at 7:10 P.M. Mr. Harwood arrived after the last sign presentation.

APPROVAL OF THE REGULAR MEETING MINUTES OF APRIL 3, 2014

It was moved by Mr. Hotaling and seconded by Mr. Roman that the Planning Commission Regular Meeting Minutes of April 3, 2014 be approved.

ROLL CALL: Ayes: Robert Hotaling, Mayor Hruby, Ron Payto, Kirk Roman, Dominic Sciria  
Nays: None  
MOTION CARRIED

APPROVAL OF THE WORK SESSION MEETING MINUTES OF APRIL 3, 2014

It was moved by Mr. Hotaling and seconded by Mr. Sciria that the Planning Commission Work Session Meeting Minutes of April 3, 2014 be approved.

ROLL CALL: Ayes: Robert Hotaling, Mayor Hruby, Ron Payto, Kirk Roman, Dominic Sciria  
Nays: None  
MOTION CARRIED

SIGNS

VERTICAL RUNNER –7059 MILL ROAD (CC Action)

There was no one present on behalf of the request for a temporary real estate sign for the Vertical Runner. The request included a deviation to locate the sign in the right-of-way. The point was made that because of the extent of the pavement to the property line there was little choice but to locate the sign in the right-of-way. Commission members had no questions.

It was moved by Mr. Hotaling and seconded by Mr. Sciria that the Planning Commission approve, and the Building Department issue a permit for, an 8 sq. ft. temporary, ground, real estate sign for Vertical Runner, 7059 Mill Road, Brecksville, Ohio, as described in the application dated March 27, 2014 and attached drawings conditioned on City Council's approval of the following:

- A deviation from the Section 1187.06(a)(5) that prohibits a sign in the right-of-way to permit a sign in the right-of-way.

ROLL CALL: Ayes: Robert Hotaling, Mayor Hruby, Ron Payto, Kirk Roman, Dominic Sciria  
Nays: None  
MOTION CARRIED

THE AESTHETIC CENTER FOR SKIN HEALTH & WELLNESS – 8180 BRECKSVILLE ROAD

Mr. Jim Guhde presented the request for The Aesthetic Center for Skin Health & Wellness for two signs – a small door sign and a window sign. The signs would replace existing signage in the same location to reflect the new tenant. The signs met Code requirements and Commission members had no questions.

It was moved by Mr. Hotaling and seconded by Mr. Sciria that the Planning Commission approve, and the Building Department issue a permit for, a 2.75 sq. ft., permanent, wall, identification sign and a 1.5 sq. ft. permanent door identification sign for The Aesthetic Center for Skin Health and Wellness at 8180 Brecksville Road, Brecksville, Ohio as described in the application dated April 3 2014 and shown in the attached drawings by Tayna Lewan.

ROLL CALL: Ayes: Robert Hotaling, Mayor Hruby, Ron Payto, Kirk Roman, Dominic Sciria  
Nays: None  
MOTION CARRIED

#### FOGG DEVELOPMENT REAL ESTATE SIGN – 6101 SNOWVILLE ROAD

Mr. Tim Doran of Doran Signs & Graphics, Inc. was present to request a temporary, real estate sign for Fogg Development. The sign met Code requirements and Commission members had no questions.

It was moved by Mr. Hotaling and seconded by Mr. Sciria that the Planning Commission approve, and the Building Department issue a permit for, a 12 sq. ft., single sided, temporary, ground, real estate sign for Fogg Brecksville Development Co. at 6101 W. Snowville Rd., Brecksville, Ohio as described in the application by Doran Signs & Graphics, Inc. dated April 9, 2014, and shown in the attached pictures.

ROLL CALL: Ayes: Robert Hotaling, Mayor Hruby, Ron Payto, Kirk Roman, Dominic Sciria  
Nays: None  
MOTION CARRIED

#### REPORT OF COUNCIL REPRESENTATIVE

Mr. Harwood reported that City Council at their last meeting approved:

Lubrizol Building PM/B Connector  
Woodlands of Snowville Landscaping  
AMT Parking Lot Revision  
Proposed Zoning Report Changes

#### REPORT OF MAYOR HRUBY

Mayor Hruby reported that an architect was identified for the proposed new police station and the search for a construction manager had begun. Once those two position candidates were approved by City Council design work would begin for the police station. The Army Corps of Engineers was currently reviewing the site.

The City service building at Blossom was completed, and the service building on Stadium Drive was currently in the design phase. The façade of that building would present as an attractive office building, masking the large storage building to the rear. The larger rear building would serve as storage for seasonal vehicles/equipment and the front portion of the building would house the offices of the Arborist and Horticultural Department.

The proposed medical facility at Rt. 82 & I-77 has identified an architect and entered the design phase of the project. The Mayor anticipated two or three other large buildings that would come before the Commission during the summer.

The Mayor reported that \$2 million in road upgrades and \$3+ million in storm sewer and culvert improvements were set to get underway. He gave early notice of the Memorial Day parade beginning at 9:00 a.m. and welcomed anyone who would volunteer to help carry the large American flag.

REPORT OF CITY ENGINEER

Mr. Wise reported he reviewed the Woodlands of Snowville Phase B1 plans with the developer. As a result of their discussion the developer has withdrawn from tonight's agenda and plans to reschedule for the May 8<sup>th</sup> Planning Commission meeting.

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

CLARIDGE FRONT YARD – 12022 GLEN VALLEY DRIVE

It was moved by Mr. Hotaling and seconded by Mr. Sciria that the Planning Commission recommend to City Council per Section 1151.23(3), establishment of a front yard setback of 60' from the right-of-way for an existing lot, Permanent Parcel #602-16-020, located on the south side of Glen Valley Drive, conditioned upon the approval of the City Engineer and the approval of the Board of Zoning Appeals to grant the following variance:

- A variance from Section 1151.24 of 5' from the required minimum side yard of 20' to permit a 15' side yard along the east elevation.

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

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

VERIZON ANTENNA UPGRADE – 6896 WEST SNOWVILLE ROAD – WAIVE PUBLIC HEARING

It was moved by Mr. Hotaling and seconded by Mr. Harwood that the Planning Commission waive the requirement for a public hearing to hear the request of Verizon Communications to upgrade cellular antennas on the cell tower located at 6896 W. Snowville Road as permitted under Section 717.03(c).

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

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

VERIZON ANTENNA UPGRADE – 6896 WEST SNOWVILLE ROAD

It was moved by Mr. Hotaling and seconded by Mr. Harwood that the Planning Commission recommend to City Council approval of plans for the removal and installation of 6 antennas at the 189 ft. level of the Crown Castle Tower, at 6896 West Snowville Road, Brecksville, Ohio 44141, for Verizon Wireless as described in the application dated April 4 2014, and the attached drawings by Harper Engineering:

T-1/0	Title Sheet	04/01/2014
A-1/0	Elevation & Antenna Layouts	04/01/2014
Crown Castle	Structural Analysis Report	03/10/2014

Contingent upon the approval by the City Engineer of designee of the submitted structural analysis report and all cable must be installed behind the shield.

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

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

MILLER’S CROSSING (CLEAR CHOICE) – 7001 SOUTH EDGERTON ROAD

It was moved by Mr. Hotaling and seconded by Mr. Harwood that the Planning Commission recommend to City Council approval of the parking lot expansion located at 7001 South Edgerton Road, PP # 604-07-010, Brecksville, Ohio 44141, as indicated in the application filed April 7, 2014 and attached plans by Weber Engineering

C100	Title Sheet	04-07-2014
C101	General & Demolition Plan	04-07-2014
C101A	Tree Savings Plan	04-07-2014
C102	Site Plan	04-07-2014
C103	Utility Plan	04-07-2014
C104	Grading Plan	04-07-2014
C105	Abbreviated SWP3 Plan	04-07-2014
C106	SWP3 Details	04-07-2014
C107	Abbreviated SWP3 Details	04-07-2014
C108	Abbreviated SWP3 Details	04-07-2014
C109	Site Lighting (1)	04-07-2014
C110	Site Lighting (2)	04-07-2014
LS./1	Landscape Plan	04-04-2014

Contingent upon approval of the City Engineer and the City Arborist, as well as an extension of the fence at a minimum of 20 ft. beyond the parking lot.

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

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

6500-6600 W. SNOWVILLE LOT SPLIT – 6500-6600 W. SNOWVILLE ROAD

It was moved by Mr. Hotaling and seconded by Mr. Harwood that the Planning Commission recommend to City Council a lot split of PP # 604-25-003 to create Parcel A-1 (5.120 acres) and Parcel B-1 (5.248 acres) on W. Snowville Road as described in the plat by McSteen & Associates, dated March 19, 2014, and contingent upon approval of the City Engineer as referenced in his letter of April 18, 2014, and also contingent on the Board of Zoning Appeals and City Council for the following variance:

- A variance for Parcel A-1 of 19.3’ from the Section 1157.29(d)(2) restriction that no off-street parking, service or loading facilities shall be permitted within a minimum twenty-five (25) foot rear yard to allow the existing parking to be within 5.7’ from the proposed rear property line.

ROLL CALL: Ayes: Michael Harwood, Robert Hotaling, Mayor Hruby, Ron Payto,  
Kirk Roman, Dominic Sciria

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Nays: None  
MOTION CARRIED

The Regular Meeting closed at 8:50 p.m.

THE BRECKSVILLE PLANNING COMMISSION

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

Minutes recorded by Nancy Dimitris

MINUTES OF THE WORK SESSION  
BRECKSVILLE PLANNING COMMISSION  
Community Room - Brecksville City Hall  
April 24, 2014 Page 1

Present: Robert Hotaling, Michael Harwood, Mayor Hruby, Ron Payto, Kirk Roman, Dominic Sciria  
Absent: Phillip Badalamenti  
Others: Neil Brennan, Gerald Wise, and approximately 14 guests

Mr. Hotaling opened the Work Session at 7:25 P.M.

CLARIDGE FRONT YARD – 12022 GLEN VALLEY DRIVE

Mr. Jeff Claridge and his wife, Becky, were present to request a 40 ft. front yard setback be established for their new home on Glen Valley Drive. Mayor Hruby was concerned about setting a precedent by approving their setback request. He felt their desire to save money living in their current home on the property while the new home was being built on the front of the property was the main reason for the large setback request. He pointed out that at the earlier public hearing of the four similar setback situations in the neighborhood they cited, three of them were just garages. Ms. Claridge indicated that the adjacent neighbor, because of his room setup principally had views of the back and side, and would rather see their new back yard than the side of their current house. The Mayor appreciated the neighbor's willingness to accept the setback request, but said the City had to consider people who would live in those homes in the future.

Ms. Claridge noted that the new house would be 1 ½ stories and not present as a massive structure from the street. Mr. Hotaling wondered if the Commission should be considering the front setback without a clear indication of side yard setbacks. Mr. Brennan indicated the lot was one of two lots on the street where the side property lines narrowed at the front of the lot. It was pointed out that if the house were setback at the Code 60 ft. requirement side yard variances might not be necessary, or at least would be minimal. Mr. Payto thought they could build the new house at the 60 ft. Code requirement, still have about 20 ft. from the new construction to the old home so they could live in it during construction, and still have a large back yard.

Mr. Sciria did not see a hardship demonstrated that would convince the Commission to deviate from the Code required setback. He felt the Claridge's knew the building requirements when they bought the property. A straw vote of Commission members revealed the probability of a negative vote on the setback request. Mr. Sciria commented that a negative Planning Commission recommendation to City Council would in all likelihood not be approved by Council. Mr. Claridge was conflicted by an unwillingness to compromise on a big backyard to play with his children and his desire to break ground soon and be living in the new house by winter. The Commission advised that a motion of approval at the Code required 60 ft. setback with minimal side yard setbacks could be made. If they decided to build the motion would not delay the process, and not represent a requirement that they build. The Work Session recessed into the Regular Meeting for a motion.

VERIZON ANTENNA UPGRADE – 6896 WEST SNOWVILLE ROAD

Mr. Roy Schechter, Attorney, was present on behalf of the request of Verizon for antenna upgrades to the Crown Castle Tower on W. Snowville Road to provide better cell phone service and data capacity. Both Messrs. Wise and Brennan indicated that structural plans had already been reviewed and approved. Mr. Schechter was advised that the new cabling would need to be concealed behind the shield currently in place on the pole. Commission members had no further questions and the Work Session recessed into the Regular Meeting for a motion.

MILLER'S CROSSING (CLEAR CROSSING) – 7001 SOUTH EDGERTON ROAD

Mr. Matt Weber of Weber Engineering Services, LLC was present on behalf of Miller's Crossing's request for a parking lot expansion on the west side of the existing parking lot. The net gain in parking would be 47 spaces. The proposed parking was identified in the original plan along with the requirements for storm water management and landscaping.

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A Grand Bay resident, Mr. Rich Luke, came to the front to view the proposed parking addition and agreed there was a need for the parking expansion as cars were now parking on the streets. He asked that the current fence around the parking area be extended to include the new parking area.

Commission members had no questions as the parking expansion was part of the original development plans. The Work Session recessed into the Regular Meeting for a motion.

6500-6600 W. SNOWVILLE LOT SPLIT – 6500-6600 W. SNOWVILLE ROAD

Mr. Doug Morrison, Treasurer of Snowville Investments (owner of the property), was present to request a lot split of a ten acre lot with two buildings on it. The proposal is to split the lot into two lots of a little over five acres each. The building on the north of the current lot has just been leased and the other building they would like to sell. The Mayor noted that one of the lots would no longer have frontage on Snowville Road, but would have frontage after the split on Noble Park. Mr. Wise advised that the new lot on Noble Park would need to be assigned a new address.

The Mayor asked about the parking. Mr. Morrison said that the parking was more than adequate for the new tenant, Skratchoff. He expected there was adequate room to provide parking for both buildings, however there would need to be an easement agreement for the two buildings to share the parking areas once the lot is split.

Mr. Wise referenced his April 18, 2014 letter to Mr. Brennan with his recommendations relating to: 1) The lot split plat, 2) Utility and driveway cross easements, and 3) General commentary for the Planning Commission. Mr. Sciria added that there would have to be an easement for Parcel A-1 to use the dumpster on B-1. Mr. Morrison indicated an engineer has been hired to prepare the easement documents and revised drawings for the lot split. Commission members had no further questions and the Work Session recessed into the Regular Meeting for a motion.

DISCUSSION OF PROPOSED ZONING CODE CHANGES

Mr. Brennan provided Commission members with a color coded document on the changes to the zoning codes agreed upon and recommended to City Council at the April 3<sup>rd</sup> Planning Commission Meeting for their review and any comments. Mr. Harwood commented that Council has been presented with the proposed changes.

Mr. Brennan asked if the issue of conditional use permits should be considered for this election and the general consensus was to save that issue for consideration at another time.

OTHER BUSINESS

Scout Tom Waite was in the audience. He was working toward a citizenship in the community merit badge which required attendance at a public meeting and a report on the meeting attended. He planned to write about the Claridge setback request. Scout Waite was welcomed and encouraged to contact the Building Department should he require any background material such as the meeting minutes.

The Work Session closed at 8:50 p.m.

THE BRECKSVILLE PLANNING COMMISSION

ROBERT HOTALING, CHAIRMAN  
DOMINIC SCIRIA, VICE CHAIRMAN

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KIRK ROMAN, SECRETARY

Minutes recorded by Nancy Dimitris