

MINUTES
Planning and Zoning Commission & Architectural Board of Review
City of Willoughby Hills, Ohio

March 17, 2016

CALL TO ORDER 7:02 P.M

PRESENT: Chairman Christopher Smith, Vice Chairman John Lillich, Mayor Robert Weger
Christopher Hallum, Joseph Zawatski and Michael Tyler

ALSO PRESENT: Building Commissioner Fred Wyss, BZA Rep Frank Cihula,
City Engineer Pietro DiFranco, John Klements and Clerk Katherine Lloyd

MOTION: John Lillich moved to approve the absence of Jonathon Irvine
Seconded by Joseph Zawatski
Roll call: Ayes Unanimous
Motion passes: 6/0

Correspondence:

- Email dated 3/9/16 from Asst. City Engineer Kevin Trepol RE: Review of New House at 38080 Rogers Road.
- Email dated 3/1/16 from Gloria Majeski re: Updated City Roster 3/1/16 (attached). Email forwarded to PCABR.
- Letter dated March 17, 2016 from BZA RE: Case 2016-1 2639 Dodd Rd - Charles Petro.

Disposition of Minutes Meeting of March 3, 2016

The Mayor's Comments on page 7, section 2 was corrected to read, "The auditor of Lake County sold some delinquent accounts to a company."

MOTION: John Lillich moved to approve the Minutes of March 3, 2016 with the noted changes.
Seconded by Joseph Zawatski
Roll call: Ayes Unanimous
Motion passes: 6 Ayes

ARCHITECTURAL BOARD OF REVIEW

Public Portion opened at 7:09 P.M.

None

Public Portion closed at 7:09 P.M.

1.) Scott & Laura Patrick

Contractor: Milt Pavlisin Custom Homes

38080 Rogers Rd – New Home - PPN 31-A-001-B-00-001-0

Plans stamped received in Building Department 2/29/16

Plans stamped reviewed by Building Department 3/9/16

Plans reviewed by City Engineer 3/9/16

Present: Scott Patrick (owner) and Milton Pavlisin

Owner/Representative Comments:

Photos and samples were shown. There are board and batten black shutters on the front and a naval blue front door. Vinyl Shake siding on the front is a flagstone color. The vinyl siding will also be flagstone gray. Trim will be white.

Board Comments

(Smith) The drawings show mullions on the windows on the front of the house. That is glass block in the back? *Yes*. Are you planning to wrap the windows? *No*.

(Lillich) We normally ask that the windows be wrapped around the whole house. What will the exposed foundation be? *Poured concrete with brick pattern and no color*

(Wyss) The wrap is not on the high walls. Only the wainscot is wrapped, not the full gables.

(Smith) Normally we would ask you to bring the brick around the corner of the house and wrap them all 18-24 inches, not just the water table

City Engineer's Comments (DiFranco):

None

MOTION: Joseph Zawatski moved to approve the New Home at 38080 Rogers Rd. as presented contingent that all of the windows be wrapped with the trim and the stone be wrapped 18-24 inches around each corner that it reaches.

Seconded by John Lillich

Voice Vote: Ayes Unanimous

Motion Passes: 6/0

2.) Jason E. & Jennifer M. Coliadis

Contractor: N/A

2531 Maple Hill – Shed - PPN 31-A-012-H-00-010-0

Plans received in Building Department 3/8/16

Plans stamped reviewed by Building Department 3/10/16

Present: Jason Coliadis

Owner/Representative Comments:

- We built the house last year. Lawn and landscaping are in.
- We now plan a 16x24 shed with crushed limestone base that goes 4 inches deep in the right rear of our property. It will have a 16 foot setback due to the 1 foot overhang. Colors are planned to match the main house. Sage green walls, charcoal shingles and white trim.
- It will be built and installed by a professional company, Alpine Structures.

City Engineer's Comments (DiFranco):

None

Board Comments

(Lillich) You have a front elevation but no side or rear elevations. The door is not big enough for a lawnmower.

(Coliaidis) There is a double door on the other side. I will see if they can switch it to the wider side. I was working with the Building Commissioner about rebar and posts to anchor the shed.

MOTION: John Lillich moved to approve the Shed at 2531 Maple Hill as presented but he needs to provide elevations for all four sides.
Seconded by Michael Tyler

Discussion:

(Smith) Can the Building Commissioner approve the plans once they are submitted? *Yes.*

Voice Vote: Ayes Unanimous

Motion Passes: 6/0

3.) Charles Petro

Contractor: N/A

2639 Dodd Road – Garage - PPN 31-A-009-M-00-023-0

Plans stamped received in Building Department 2/16/16

Plans stamped reviewed by Building Department 3/14/16

Present: Charles Petro

(Smith) Before we begin, the Building Commissioner will give us an overview on an easement issue that must be resolved first. The BZA approval letter was mailed today. You have a copy until the letter arrives at your house.

Building Commissioner's Comments (Wyss):

His neighbor came in on Monday and explained they were unable to come to the BZA meeting but there is a driveway easement as part of their property. Dated photographs from Lake G.I.S. and Google show that there was a driveway which has since been removed. Removing the driveway does not remove the easement. In 2002, an attorney ruled that it was a perpetual easement which guarantees that the easement goes to the successors of the property (document shown). The neighbor does not need the easement for their driveway. The easement has the only level area for the applicant's proposed garage. We cannot permit a structure to go over an existing easement. The applicant needs to work with the neighbor to get the easement permanently expunged legally. We need a legal document showing that it has been recorded.

(Petro) The neighbor is willing to sign off on it. Now that I have a copy of the easement document, I have the wording. I will go back to the Lake County Court House.

(DiFranco) There is a release form at the County. Both parties sign it and then have it recorded.

(Smith) Whatever decision the PCABR makes will be contingent on you bringing the recorded document in to the Building Department.

(Wyss) Bring the document and a note from you and one from your neighbor stating the action you have taken.

(Petro) I would have done this when I bought the property if the title search had located the easement papers.

(Wyss) Google Maps shows that the driveway was taken out in 2012. You can still see where it was on current Google maps.

(Hallum) If there had been an issue, your title insurance should cover you because they did not find the easement during the search. *They did not find it in 2011 and again in 2013 when I refinanced.*

(Wyss) The document does not have a recordation stamp on it. Check with the county. If it was not recorded, have them sign off and notarize that they no longer want this easement.

Owner/Representative Comments:

I am building a 28x32 foot garage. It will match my house - white siding, dimensional shingles and pitch. I have designed it so it will look like it has always been there. Sewer easement is on the site plan.

City Engineer's Comments (DiFranco):

None

Board Comments

(Lillich) This design does exactly match the house. *I did not bring photographs but that is what I told the builder.*

MOTION: Michael Tyler moved to approve the Garage at 2639 Dodd Road contingent upon release of the easement.
Seconded by Joseph Zawatski
Voice Vote: Ayes Unanimous
Motion Passes: 6/0

PLANNING COMMISSION

Public Portion opened at 7:31 P.M.

Jenna Bing, 36951 Beech Hills Drive

I am concerned about a cell tower at the Grange Hall. I could not get to the presentation at the Council meeting. My concern is that the area is quiet, very residential area. The size of the platform will overwhelm the Grange and the cemetery. The small parking lot is used a lot. I do not know how such an eyesore could be hidden. I recognize the need and the benefits of having it.

(Lillich) Michael Tyler and I did attend that meeting. The presentation did show several designs and photographs of existing cell towers that do look like a fir trees.

(Smith) It has not come before us yet, but we will be looking at all of those aspects

(Weger) They will do another presentation in front of the PCABR and we will notify the community.

(Wyss) Given me your telephone number and I will let you know.

Public Portion closed at 7:36 P.M.

Unfinished Business

1. Review Rental Registrations

(Hallum) I am new to this group. How does this group handle such a review? Does this make sense for the City? How do we proceed with a plan that will make sense for Willoughby Hills?

Per group discussion

- Look at surrounding communities, what they do and customize a plan for Willoughby Hills. We have information from Cleveland Hts, Shaker Hts., and Solon. Other comparatives would be the cities that border us: Willoughby, Mayfield, Willowick, and Eastlake.
- Master Plan Work Session- use that time to explore ideas. Use regular PCABR meeting for decision making and then submit to Council.
- Consider the additional workload to the City and the staff, Determine if additional staff is necessary. Fees need to be set so that they cover those costs.
- Update the multi-dwelling rental fees

- How to identify homes that are being rented: Owners would need to be made aware of an ordinance and what they need to do to comply. Some communities require occupancy proof before a child is registered for school. County Auditor's website would have information re: dwellings that are not getting the 'owner occupied rollback'. Tax bills are mailed to different address for several reasons.
- We are concerned about the sewer and septic systems.
 - Consider a mandatory dye test for each property at Point of Sale (POS) before it changes hands.
 - Septic systems would provide a maintenance receipt.
 - There should be a POS certified inspection and guarantee. That would include mound septic systems.
 - The health department may have recommendations on regular maintenance and problem prevention. They do not have the funding and manpower to enforce their mandates.
 - The City ultimately has to put in sewers.
 - Inspections for all dwellings means that rental properties are not being singled out.
- Need to review sheds in Protected Areas.

Plan: Schedule Master Plan Work Session for the April 7th meeting at 6:00 before the regularly scheduled PCABR meeting. Start work on the Rental Registrations Review and open forum for ideas.

NEW BUSINESS

None

MAYOR'S REPORT

Verizon wants to do two cell towers. The second one would be on the West Miller property. Each would have a separate public hearing. There was a general discussion about issues of cell reception.

COUNCIL REPRESENTATIVE'S REPORT (Hallum)

Is the Hearing for the Cell Tower handled through the Planning Commission?

(Wyss) It is a two part meeting process with notification sent to residents within 500 feet.

(Weger) We have not heard anything yet.

BUILDING COMMISSIONER'S REPORT

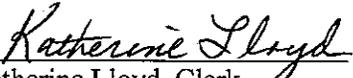
None

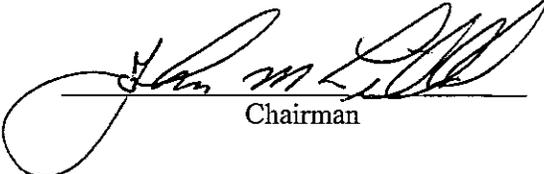
CHAIRMAN'S REPORT

None

MOTION: John Lillich moved to adjourn
Seconded by Chris Hallum
Voice Vote: Ayes Unanimous
Motion Passes 6/0

Meeting Adjourned at 7:54 P.M.


Katherine Lloyd, Clerk


Chairman

Date Approved 21 APR 2016