

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

October 16, 2014

CALL TO ORDER 7:02 P.M

PRESENT: Chairman Charlotte Schryer, Vice Chairman John Lillich, Council Representative David Fiebig, Joseph Zawatski, Christopher Smith and Jonathon Irvine

ALSO PRESENT: Building Commissioner Fred Wyss, BZA Representative Frank Cihula, Council Vice President Nancy Fellows and Clerk *pro tem* Theresa Baptie

ABSENT: Mayor Robert Weger

MOTION: John Lillich moved to excuse the absence of Mayor Weger for tonight's meeting.
Seconded by Joseph Zawatski
Voice Vote: Ayes Unanimous
Motion Passes 6/0

Correspondence:

None

Disposition of Minutes Meeting of October 2, 2014

One sentence on page 3 under Board Comments, "This fence should be reflective of Dunkin Donuts" was removed from the Minutes, per Board discussion.

MOTION: John Lillich moved to accept the Minutes of October 2, 2014 as amended.
Seconded by Joseph Zawatski
Voice Vote: 5 Ayes and 1 Abstention (Irvine)
Motion Passes

ARCHITECTURAL BOARD OF REVIEW

Public Portion opened at 7:17 P.M.

No Public input

Public Portion closed at 7:17 P.M.

- 1.) Jason & Jennifer Colaidas
Contractor: BR Knez Construction.
2531 Maple Hill Dr. - New Single Family Dwelling - PPN: 31-A-012-H-00-010-0

Present: Carol Nagel (BR Knez Construction) and Jennifer Colaidas (owner)

Owner/Representative Comments

- Plans submitted in advance. Samples shown. The green in the picture is the closest to the true green that we could show in a computer rendering.
- The roof is a driftwood weathered wood color. There is quite a bit of stone on the exterior. Siding is coastal sage color which is more gray than green.

- Shutters will be a board and batten style in charcoal gray color called Storm. The front door, the gutters and soffits will be charcoal to match the shutters.
- Pillars will have white paint on top, gray on the main body and stone on the bottom
- Fascia will be charcoal gray, not white as on rendering.
- Windows are Jeldwen vinyl with grills on inside with aluminum around them for low maintenance. Panes are Low-E argon gas. They are Energy Star compliant. Windows will have white trim.

City Engineer's Comments (DiFranco):

None

Board Comments

(Schryer) Windows in the front have a good amount of trim. The trim on the windows in the back is not very wide. *This is what we always do.*

(Lillich) We always request 3-4 inch trim around all the windows all the way around the house.

(Smith) Doing it that way could possibly save money.

(Wyss) Darryl [Knez Construction] told me that the windows have the wide integral J-channel. The trim is about 2-3 inches. The house would not be as water-tight if extra trim and J-channel is added.

(Lillich) That would satisfy what we want. *We have made many changes to be ahead of the building industry. I think this would satisfy.*

(Schryer) Is the foundation brick to grade all around the house? *It is a poured wall foundation with the texture of the brick.*

(Smith) We also ask that you wrap the stone 18-24 inches around the sides at each of the corners to give a three dimensional effect. *It needs to be 18 inches, not 12 inches.* The stone goes up to the second story. It would look odd if it were only 12 inches.

(Lillich) Saying 18-24 inches gives you leeway with the type of stone used. *It could be extra cost. It would be up to the homeowner.*

(Fiebig) We ask everyone to do this wrapping of stone and trimming windows. Have they provided all the requested plans? (Wyss) *Yes.*

MOTION: David Fiebig moved to approve the architectural plans for the New Single Family Dwelling at 2531 Maple Hill Dr. as submitted with the additional requirements that the windows will be trimmed at least three inches all the way around the house and the stone will be wrapped at least 18 inches on the corners.

Seconded by John Lillich

Voice Vote: Ayes Unanimous

Motion Passes 6/0

PLANNING COMMISSION

There is No Pending Business.

NEW LAW: Ordinance No. 2014-62 An Ordinance amending Part Thirteen – Building Code, Title Three – Local Building Provisions, Chapter 1345 – Building Numbering of the Codified Ordinances of the City of Willoughby Hills and repealing any and all conflicting legislation.

(Schryer) Nancy Fellows is here. This would be a good time to discuss the ordinance before voting on it. A copy of the Ordinance has been provided to the Board. Council had it on 3rd Reading.

I compared what was taken out. All references to mailboxes have been taken out. Council made the corrections we requested regarding what duties are done by the Building Commissioner and what is done by the Clerk of Council. They took out all of 1345.085 Prohibitions and all of 1345.99 Penalties. They changed the house numbers from 4 inches to 3 inches. A copy of a recent draft prepared by the Board was distributed to the Board. The Post Office does require numbers on mailboxes but does not

enforce it. If they do not enforce it, it would be difficult to say that the City must enforce it. They also do not enforce the height of the box.

Public Portion opened at 7:21 P.M.

Nancy Fellows, 2812 Fowler Drive

Council looked at the original law and the one that was presented by the Planning and Zoning Commission. We looked at the requirements requested. We spoke with the Post Master General. They require that numbers on a mailbox should be a minimum of 1-inch. They only need to be on the side that the carrier makes delivery. During onsite visits to mailboxes, I did not find anyone in compliance with the proposed amendment. We have not been penalizing anyone. The Police Chief said that they have always been able to find homes. The Fire Chief has every home and address on file in the GPS. I do not want us to put legislation in place that has penalties of up to about \$100 which would only make money for the City. We did make some changes. The proposal has been read by Council three times in the past month. Are there any questions?

(Schryer) I think there was confusion about the 4-inch numbers. We put them in for house numbers. We just wanted numbers on the mailboxes. This part of the Code was set up for house numbers. I do not think it was set up for mailboxes.

(Fiebig) In Council, Nancy mentioned that she went to two stores and did not find 4-inch letters readily available.

(Fellows) I went to Lowe's and Home Depot and worked with their employees. Many of the mailboxes have a finger print finish. The smooth band for numbers is only two inches high. They carry 1-inch and 2-inch numbers. 4-inch numbers have been found by other people. The responsibility goes back to the home owner. It is their private property. Question was raised on whether the homeowner can sue the City if Police and Fire cannot find them. The Law Director Tom Lobe said that the City is covered under Sovereign Immunity. If it takes the Police or Fire longer to locate them because they do not have numbers on their house, it is because of their choice. I do not want to legislate it.

(Wyss) The penalty was already in the Code. I do not think that penalty was discussed by the Planning Commission. However, if you have a law without penalty, there is no point in having it. This was not meant to be revenue for the City. At this point, I would suggest that this be put in the Standards for New Houses. Then it is under the auspices of the Zoning Code which has its own penalty section.

(Schryer) This Ordinance does identify responsibilities, relevant information and where numbers come from.

(Fiebig) I agree. There is a definition in it and the definition has been updated. The numbering plan is officially adopted. Who manages that is officially in our language. It is important that we looked at it.

(Schryer) The 4-inch numbers were intended for the houses, not the mailboxes. That was stated in our proposed amendment. I would say we should just pass that. In the future, numbers on mailboxes may be enforced by the Post Office. If they are not going to enforce it, I don't see how we can.

(Fiebig) In the future, there may not be much physical mail being delivered.

(Zawatski) How many of the houses that you checked actually had numbers on them? *(Fellows) The majority did.*

Frank Cihula, Dixon Road

I read the revised version. I think it accomplishes what we sought to. It is important to do something because the current law is antique and not workable. It looks like the new Ordinance does the job. Whether or not it is enforced, it is important that a standard is in place for people to see. I would encourage you to adopt it.

(Schryer) We would be accepting Council's revision.

(Zawatski) Are we adopting something into law that cannot be monitored and that we have no intention of monitoring?

(Schryer) It is more than a standard. There is history and corrected content.

(Wyss) The other part of this is that Section 319 of the New Residential Code requires the builders to do it. It was on the plan reviewed tonight. I have added it to my checklist. Enforcement would cost money.

Public Portion closed at 7:30 P.M.

MOTION: Christopher Smith moved to adopt Ordinance 2014-62 as amended by Council.
Seconded by John Lillich
Voice Vote: Ayes Unanimous
Motion Passes 6/0

UNFINISHED BUSINESS

None

NEW BUSINESS

None

MAYOR'S REPORT

None

COUNCIL REPRESENTATIVE'S REPORT (Fiebig)

None

BUILDING COMMISSIONER'S REPORT

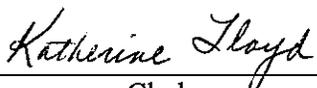
There is a new law in Ohio that will become effective January 1, 2015 which prohibits all sewage treatment plants in the floodway. It passed sometime last year. Copies of 3701-29-06 Effective 1/1/2015 General Provisions and Prohibitions were distributed to the Board. I was at the Flood Plain conference in Columbus in August and they never said a thing. I learned about it when a property owner went to Lake County Health Department and Laura Kunz told him. Some lots will be unbuildable until there is technology that allows a house to be built without a sewage treatment plan. People hoping to build houses will have to go to the Health Department. The EPA has been after personal sewage treatment systems for a long time because of regulating storm water. Our area has clearly defined standards. Above ground systems could be adapted for the floodplain. There is no standard for personal sewage treatment systems and flood plain management across the state.

CHAIRMAN'S REPORT

None

MOTION: John Lillich moved to adjourn.
Seconded by Joe Zawatski
Voice Vote: Ayes Unanimous
Motion Passes 6/0

Adjourned at 7:43 P.M.



Clerk



Chairman

Date Approved Nov 6, 2014