

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

October 1, 2015

CALL TO ORDER 7:00 P.M

PRESENT: Chairman Christopher Smith, Vice Chairman John Lillich,
Mayor Robert Weger, Council Representative David Fiebig,
Joseph Zawatski and Michael Tyler

ABSENT: Jonathon Irvine

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

MOTION: David Fiebig moved to excuse the absence of Jonathon Irvine.
Seconded by Mayor Weger
Roll call: Ayes Unanimous
Motion passes 6/0.

Correspondence:

Letter dated 9/24/15 from Willoughby Hills Board of Building & Zoning Appeals to Mr. Alexander N. Virostko RE: Case 2015-4 at 38375 Rogers Rd.

Disposition of Minutes

Meeting of September 3, 2015

MOTION: David Fiebig moved to approve the Minutes of September 3, 2015 as presented.
Seconded by Joseph Zawatski
Roll call: Ayes Unanimous
Motion passes 6/0.

ARCHITECTURAL BOARD OF REVIEW

Public Portion opened at 7:03 P.M.

No Public input

Public Portion closed at 7:03 P.M.

Correction to the PPN: It should read PPN 31-A-011-E-00-025-0.

1.) 9091 LLC

Contractor: TallyCM (Kurt Hanson)

2551 S.O.M. Center Rd – Renovate Exterior Façade of car dealership PPN 31-A-011-E-00-025-0

Plans stamped received in Building Department 9/22/2015

Plans reviewed by Building Department 9/28/2015

Present: Kurt Hanson (TallyCM), owner's representative for Classic.

Owner/Representative Comments:

- Lexus is requiring that Classic Lexus re-image itself. The new image program includes exactly the materials they want used for the façade. Lexus and Classic have approved the design.

- There will be changes to the showroom area, around the service drive, the corners on top and bottom, a ribbed aefis on the façade & columns. Drawings shown with existing façade and detail.
- Details of the proposed design described while referring to the proposed drawing (shown).
- A stone wedged feature will be incorporated by all dealerships. It will have two different colors of metal panel: champagne metal and tan colors in keeping with the whole outside which is earth tones. The existing block on the service area and store front will remain unchanged.
- There is no site work involved. Service will be unchanged.

City Engineer's Comments (DiFranco):

None

Board Comments

(Smith) This is a welcome change. The finish and colors chosen are almost reflective of the cars.

(Lillich) It adds character to the building and adds depth across the front.

(Tyler) The facelift looks very nice. Will there be any changes to the electrical? *Signs will be moved over but upgraded to new LEDs. Overall look will be the same*

(Wyss) It is an engineered stone material? *It is a stone face with a honeycomb back.*

(Fiebig) What size are the panels? *They can be 4 feet high to 4-8 feet in length. These are 6 foot lengths. Are there any changes with signage or windows? There will be a position change of the signs due to addition of the wedge feature with the Lexus logo.*

(Smith) The vertical piece will break up the wall of the façade.

MOTION: John Lillich moved to approve the renovation of the Exterior Façade of car dealership at 2551 S.O.M. Center Rd as presented.
Seconded by Joseph Zawatski

Additional Discussion:

(Fiebig) What is circled in red on page 2? *That is showing the location of the new wedge feature.*

Voice Vote: Ayes Unanimous

Motion Passes 6/0

2.) Kelly F. Quimper

Contractor: Self

36425 Chardon Rd – Sunroom - PPN 31-A-011-0-02-033-0

Plans stamped received in Building Department 9/14/2015

Plans reviewed by Building Department 9/28/2015

Present: Kelly F. Quimper

Owner/Representative Comments:

- I got a footer permit 1 ½ years ago and did the footer. Then I proceeded with the sunroom project and got stopped. (Pictures shown) It started as a patio project and became a sunroom. The foundation is in. Framing is started.
- It will have dimensional shingles will match. I am taking the roof back to valley line and section it off each way. Roofers will do that.
- There will be vinyl Pella slider windows and slider glass door with tan trim to match what is on the house.

City Engineer's Comments (DiFranco):

None

Board Comments:

(Smith) The stained concrete foundation turned out well.

(Lillich) The gable roof looks good.

(Wyss) The architect drew the stone all the way up on the gables and around. You presently have a sandstone sill. *The cultured stone (earth blend river rock) matches what is on the patio. It will go all the way up.*

MOTION: John Lillich moved to approve the **Sunroom at 36425 Chardon Rd** as submitted.
Seconded by Joseph Zawatski
Voice Vote: Ayes Unanimous
Motion Passes 6/0

3.) Alexander N. Virostko

Contractor: Owner

38375 Rogers Rd. – New Attached Garage – PPN 31-A-001-C-00-011-0

Plans stamped received in Building Department 9/25/2015

Plans reviewed by Building Department 9/28/2015

Present: Alexander Virostko and Nick Virostko (son)

Owner/Representative Comments:

- We have worked with the BZA and Building Commissioner on the plans for the new attached garage. It will replace an old 3-car garage which finally had to be removed after a storm. The new garage will be larger and closer behind the house for storage.
- The siding and roofing will be matched as close as possible to the existing house.

City Engineer's Comments (DiFranco):

None

Board Comments

(Smith) Your goal is to match the siding? *Yes. The original part of the house is at least 95 years old. It has had two additions, a roofline upgrade and vinyl siding.*

(Lillich) Was the breezeway to the garage already there? *No. That is a nice addition. My son's design.*

MOTION: Joseph Zawatski moved to approve the New Attached Garage at 38375 Rogers Rd. as submitted.
Seconded by Michael Tyler
Voice Vote: Ayes Unanimous
Motion Passes 6/0

4.) Lorna Walsh

Contractor: Sam Sapienza, LLC dba Cleveland Home Improvement

37550 Milann Dr. – New Garage – PPN 31-A-009-A-00-037-0

Plans stamped received in Building Department 9/14/2015

Plans reviewed by Building Department 9/22/2015

Present: Lorna Walsh and Terence Walsh

Owner/Representative Comments:

We plan to construct a 2-car garage. Currently, there is no garage and never has been. It will be in the back eastern quadrant where there is an existing shed. The garage will meet the parking area on the side of the driveway.

City Engineer's Comments (DiFranco):

None

Board Comments

(Lillich) There are overhangs shown on front and sides but none in the back. We like to have an overhang on the gable, front and back. It keeps water away from your siding.

(Wyss) The drawing states that the overhang in the front is optional. The overhang is important. *I do not consider it optional.*

(Fiebig) What is the siding material? *It is olive color vinyl siding.*

(Smith) What color are the shingles? *They will be black and gray to match the house.*

(Lillich) The original house has been there since 1830. It was the original home of the Dodds.

(Fiebig) Is there any type of venting for the roof? The plans do not show it.

(Wyss) Is there any intention of finishing the inside of the garage? *The builders will not finish it but we may decide to do it.* The necessity for the venting would be if the roof is closed off.

(Smith)

MOTION: David Fiebig moved to approve the New Garage at 37550 Milann Dr. as submitted with the conditions that there will be overhangs on all sides and the addition of the ridge vent and ventilated soffits.

Seconded by John Lillich

Voice Vote: Ayes Unanimous

Motion Passes 6/0

PLANNING COMMISSION

Public Portion opened at 7:31 P.M.

None

Public Portion closed at 7:31 P.M.

(Chairman Smith) We now need to discuss the appropriateness of the next project because it is in a Protected Area. The applicant was asked to explain where he has sited the proposed garage and why.

1.) Lorna Walsh

Contractor: Sam Sapienza, LLC dba Cleveland Home Improvement

37550 Milann Dr. – New Garage & Protected Area Review – PPN 31-A-009-A-00-037-0

Plans stamped received in Building Department 9/14/2015

Plans reviewed by Building Department 9/22/2015

Present: Lorna Walsh and Terence Walsh

Owner/Representative Comments:

- The front 4 feet of the garage is partially on the gravel parking area. The rest is on the grass. The location is most convenient because there is a direct pathway to the back porch which is our primary entrance.

City Engineer's Comments (DiFranco):

I have no report because I was not given the opportunity to review it.

Board Comments

(Lillich) I am very familiar with the ground. It is virgin ground. It is close to the river but 25 feet above; 20 feet of that is shale. It is very stable ground. I do not see the danger of the river moving too far. It is across from the old nursery which is now Pleasant Valley Park. If the river moved anywhere, it would be toward the park. I do not see any problem lifting the restrictions for the Riparian.

(Wyss) I did extensive research on this project and provided the information to the City Engineer. I notified him that I would cover the review fees to whatever he felt was necessary. It is completely out of the 500 year flood plain. During a site visit to the location that the contractor has specified, I took the photos distributed. Orange paint in the gravel accurately marks the corners of the site plan.

In the report prepared for the Engineer (copies for Board), the site is 120 feet from the normal high water mark is well above the main bed. The river is just a trickle there.

Dodd built the main buildings way above what we now call a flood plain. The Walshs are trying to replace storage lost when the grist mill went down; it was placed too close to the flood way. We also took down a cottage. The old shed is their only storage

This is a Protected Area is on a developed property. I struggle with asking a resident to deposit \$1000 for an Engineering review. This is the back of their lawn and a gravel area that has been a driveway for many years.

(Lillich) The high level of water was increased in the 1960's because the dyke built by the nursery. MetroParks plans to remove the dyke. That will open up the flood plain which will lower the water level.

(DiFranco) I understand the Building Commissioner's concerns. The Chagrin Valley Watershed Partners website has a lot of information on Riparian Setbacks, including a document called 'Riparian Setbacks Technical Information for Decision Makers'. It gives background on these types of ordinances. This is a simple project with no concerns but there is more than just the flood plain.

The goals of a Riparian Setback are flood control, erosion control, ground water purification, protection of the ecosystem and, most important, water quality which is a requirement of the City's Stormwater Management Permit with the EPA. The City could be penalized if it does not comply with Stormwater requirement.

MOTION: David Fiebig moved to postpone the discussion for two weeks to allow the Engineer to do a thorough review.
Seconded by Michael Tyler

Additional Discussion:

(Smith) This is an issue that affects everyone. We could have more discussion about what needs review after this.

(Lorna Walsh) I am concerned that winter is coming and we need to pour concrete.

(Lillich) This Board can see that this project will not impact the Riparian Setback conditions.

(Smith) This project is so high above the river and is on shale. It is only in a protected area because of the horizontal distance.

(Zawatski) We should have further discussion after this.

(Fiebig) We do not want to delay the project. However, the Engineer raises a valid point. We have not had a review by the City Engineer who is hired for these types of things. Perhaps the review could be expedited.

(DiFranco) Just looking at the plan, I do not foresee any concerns. I should review this but if the Board wants to approve this today, I would not have any concerns. However, I do think we need to have a discussion moving forward.

Voice Vote: 2 Ayes and 4 Nays
Motion Fails: 2/4

MOTION: John Lillich moved that the Board waive the requirements of Section 1167 so this project can proceed.
Seconded by Joseph Zawatski

Additional Discussion:

(Fiebig) Should the motion be amended to waive requirements pending the Engineer's review because it is a Riparian Area?

(Lillich) The Engineer just gave us a cursory review. I do not see any cause here. It is not only time but asking the applicant to make a \$1000 deposit. We also need further discussion of the fees.

(Wyss) For the protection of the City and the Board, will the EPA look more favorably on the City's file if the Planning Commission is waiving this and Engineer puts his cursory review in writing?

(DiFranco) If it is in writing, it has more validity. I re-read the Code before coming here. In order for the Board to waive, they need the Engineer's recommendation. Either way, the Board needs my review.

(Lillich) I do not anticipate a negative review.

(Wyss) The site drains away from the river and toward the house and a gully (old road).

Voice Vote: 4 Ayes and 2 Nays
Motion Passes: 4/2

UNFINISHED BUSINESS

Further Discussion of Section 1167 and Fee Structure and Deposits for Reviews. Suggestions that everyone re-read the Code, especially the Purpose section. If there are to be any changes to the review process, the Board still needs to establish its own policy. A standard of communication and fees in the review process need to be re-visited. It is important that projects are reviewed. Consistency is necessary. Subject of whether there should be a specific memo written could be discussed in future.

NEW BUSINESS

None

MAYOR'S REPORT

Dunkin Donuts is open. Ribbon cutting will be on Saturday at 10:00 AM.

COUNCIL REPRESENTATIVE'S REPORT (Fiebig)

None

BUILDING COMMISSIONER'S REPORT

None

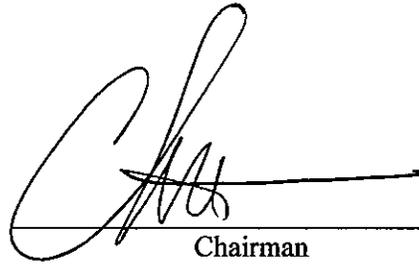
CHAIRMAN'S REPORT

None

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

Meeting Adjourned at 8:15 P.M.

Katherine Lloyd
Katherine Lloyd, Clerk


Chairman

Date Approved 10.15-15