

MINUTES
Planning and Zoning Commission & Architectural Board of Review
City of Willoughby Hills, Ohio
June 19, 2008

CALL TO ORDER: 7:02 P.M.

PRESENT: Chairman Charlotte Schryer, Vice Chairman James Michalski, Mayor Robert Weger, Council Representative David Reichelt, Madeleine Smith, and John Lillich

ALSO PRESENT: Building Commissioner Fred Wyss, Architect Bill Gallagher, BZA Representative Frank Cihula and Clerk Katherine Lloyd

Disposition of Minutes: Meeting of June 5, 2008

We will not do the minutes tonight because they are not in the packets.

ARCHITECTURAL BOARD OF REVIEW

Public Portion

Public Portion opened at 7:03 P.M.

None

Public Portion closed at 7:03 P.M.

1. Robert Pasko

Contractor: Industrial Equipment Electons

35650 Maple Grove Rd – In Ground Pool – PPN: 31-A-012-C-00-007-0

Plans stamped received in Building Department 6/13/08

In House Review 6/13/08

Present: Robert Pasko

(Schryer) Aerial photographs are in the packets.

Owner/Representative Comments

- I brought photographs of the backyard.
- 16 x 32 foot in ground paneled pool. Panels are 42-inches high.
- It is a "play pool". Both ends are 42-inches deep and in the middle it is 5-feet 8-inches deep.
- Fencing will be black wrought iron: either the Ovation series or Style 202. Pictures provided.
- It is a magna lock which is magnetic. It also has a key lock mounted up high.

Architectural Comments

- I only have a site plan. Will I get any other information on the pool or the surrounding amenities? (Schryer) Fencing information is being passed around. Then I just have general comments.
- Will everything from the house to the retaining wall be concrete? *It will either be concrete or blue-stone type pavers or stamped concrete. Around the pool is 4-foot concrete for sure.*
- Are the fences code-compliant 4-feet high? *Yes.*
- Was the city ordinance changed from 6-foot? (Schryer) *Yes. It is 4-foot*
- Since your fencing encompasses all the exterior doors, do you have alarms on the doors for safety? *No. It is a Building Code issue. We would like to see door alarms. We can do that.*

- It is a City Ordinance to have pool equipment behind the house. *We are planning to put it here because all the utilities are here by the laundry room. I have gas stubbed out already. So it will go 90 degrees from its current location and it will be behind the house. Yes*
- What is the material of the pool? *The walls are aluminum panels which bolt together. There is "X" bracing with concrete "splashed" around the bottom to hold it together. (Indicated on drawing). There will be concrete walk all the way around, angled away from pool, and drains.*
- It is vinyl lining? *Yes, vinyl liner. The bottom of the pool is a grout.*
- It needs to meet the Building Code requirements and the Building Commissioner's approval. The pool equipment must be behind the house. It is far enough from neighbors. It is aesthetically okay.

Board Comments

(Smith) Are you moving the driveway? *No. This is an old drawing. The driveway was never moved because the proposed location was too steep. It is in the front.*

(Lillich) This is the first pool I have seen with this construction. *They have three styles of wall. The aluminum has a lifetime warrantee.*

MOTION: John Lillich moved to accept the plans as submitted.
Seconded by Madeleine Smith
Roll Call: Ayes Unanimous
Motion Passes

2. Michael Vranic

Contractor: Homeowner

29314 White Rd – Storage Garage – PPN: 31-A-007-G-00-045-0

Plans stamped received in Building Department 6/12/08

In House Review 6/13/08

Present: Michael Vranic

Owner/Representative Comments

- It is a standard 24x24 foot wood storage garage with cement floor and gable roof.
- We have shingles left from the house and they still make the shingle if we need to buy more.
- We are trying to match it to the house as close as we can.

Architectural Comments

- Is the ifis board on all sides or just the front of the house? *We are thinking all the way around. We would prefer that.*
- Stucco board can get wet, delaminate and need replacement. Make sure you put a finish on it.
- We want to see the foundation match the house. *The foundation on the house is block.*
- The ifis board goes to the ground and hides everything? *Yes. I would not advise that. It can wick water up. It would be better to paint the block to match the color of sides and house.*
- You have garage doors? *Yes. We have an 8-foot embossed panel overhead door in classic line value series and a 6-panel embossed man-door like we have on the house.*
- He is trying to match everything and that is what we look for.

Board Comments

(Smith) Could you do the hip style roof to match the house rather than the pitched style? *I could*

(Lillich) Hip style cuts storage space. It is behind the house? *Yes. There is nothing behind our property up to the golf course.*

(Smith) Do you have any source of light other than electric? *We may put two windows on the sides.*

MOTION: David Reichelt moved to approve the plans as submitted.
Seconded by John Lillich

Roll Call: Ayes Unanimous
Motion Passes

3. Julius Merkys / Lauren Merkys
Contractor: Litchouse Pool. Other TBD
2740 Morning Star Court – Pool / Deck / Replacement Shed – PPN: 31-A-013-E-00-009-0
Plans stamped received in Building Department 6/13/08
In House Review 6/13/08
Present: Julius Merkys and Lauren Merkys

Owner/Representative Comments

- We want to put in a 15 x 30-foot oval Sierra pool with a 5-foot decking around the perimeter with a fence on the decking.
- We want to replace 10 x 16-foot shed with a larger Chalet style shed on concrete for equipment. It will be the same style, same paint and same color roofing. (Drawing shown)

Architectural Comments

- Your pool is in line with the neighbor's house. Do you know what is in that part of their house? *Living room and family room with no windows. We just planted 4 large evergreen trees between the pool and the neighbor. (Photo shown)*
- What about the deck? It is wolmanized. We always suggest that the deck be stained for a finished look and to protect from water.
- Where will the filter be located? *Under the decking at the center of pool by the stairs. Good, it is concealed.*

Board Comments

(Reichelt) I appreciate the amount of preparation that the applicant made to present the project.

MOTION: James Michalski moved to approve the plans as submitted.
Seconded by David Reichelt
Roll Call: Ayes Unanimous
Motion Passes

4. Stratford Way
Contractor: Robert Miller
Presenter: Building Commissioner Fred Wyss
Emily Williams, 2926 Stratford Way – PPN: 31-A-008-L-00-033
Brandy Miller, 2925 Stratford Way – PPN: 31-A-008-L-00-020-0
John Ziegler, 2929 Stratford Way – PPN: 31-A-008-L-00-022-0
Claude Bailey, 2880 Andover – PPN: 31-A-008-L-00-056-0
Taryna Taylor, 2909 Stratford Way – PPN: 31-A-008-L-00-012-0
Bettye Hines, 2923 Stratford Way – PPN: 31-A-008-L-00-019-0 (will not be built)
James Eagleton, 2924 Cambridge Circle – PPN: 31-A-008-L-00-034-0
Timothy Faulhaber, 2937 Stratford Way – PPN: 31-A-001-L-00-026-0
Plans stamped received in Building Department 6/9/08
In House Review 6/9/08
Present: Fred Wyss

(Schryer) There is a letter for each of the addresses from the Architectural Review Committee of the Homeowners' Association. The site plan has each of the addresses highlighted. The proposed sizes of the decks have been drawn in. The contractor is Robert Miller. For the record, Fred Wyss, the

Building Commissioner is presenting this on behalf of the homeowners under Section 1111.05 in the Zoning Code, under Minor Alterations and Review by the Zoning Administrator, which is why there are no residents present.

Owner/Representative Comments

- The elongated decks were already approved per other agreements because of the encroachment in the buffer zone. All the ones that are in the buffer zone that will be affected by being 12 x 10-foot decks have been approved.
- The agreement we have on file dictates the size of the decks for the buffer zone.
- The Building Department of Willoughby Hills is allowed to inspect and grant permits only for the 3-unit buildings. The 4-unit buildings are a commercial structure and may have to go through Lake County. We have requested the contractor that Willoughby Hills be called to inspect the 4-units, in addition to Lake County, to be sure they are conforming for protection of the city.
- There is one contractor doing all of the decks submitted. He gave a volume price, but he has already lost two customers because of all the delays.
- The contractor has also been asked to do flashing underneath the siding so water drains away from building and doesn't get under the ledger board.

Architectural Comments

- For clarification, the letters only reference submitting to Willoughby Hills for permits. I think line Item 3 should specifically say Willoughby Hills and/or Lake County, depending on which has jurisdiction. *They understand that Willoughby Hills must grant building permits. They have already submitted for zoning permits.*
- In the future, I don't want them to think that they only go through Willoughby Hills because of this letter that we accepted. It really is Willoughby Hills and Lake County. *If additional people come, they need to come before the Planning Commission. You are approving just what is shown. I will suggest that they get a group together to do the next phase.*

Board Comments

(Michalski) What are materials? *Pressure treated wood.*

(Schryer) In the agreement made, they must match the deck on the main building.

(Wyss) In the last meeting, it was never about style. The style and design had to match what was already up. Size has been the issue.

(Reichelt) Will #2909 really be only 6-feet deep? *Yes* Is the owner okay with it? *Yes.*

(Wyss) For clarity of the Board, # 2927 and # 2923 will not be built right now. All the others are scheduled to be built.

MOTION: David Reichelt moved to accept the decks on tonight's agenda.

Seconded by John Lillich

Roll Call: Ayes Unanimous

Motion Passes

Mr. Gallagher dismissed at 7:45 PM.

PLANNING & ZONING COMMISSION

Public Portion Opened 7:45 PM

Public Portion Closed 7:45 PM

Unfinished Business

Proposed Zoning Code Changes

1.) Accessory Building Size: The change from 600 to 960 square feet will be part of the hearing package. It is not included in the packet, because we have already discussed it.

2.) 1111.05 Minor Alterations Review: The words to be added are underlined in your copy. No one has used this part of the code on a regular basis. The changes are just words, not physical changes. We need to consider the cost of making changes. These items may never be part of a formal development plan. The new Building commissioner has not had time to use it. Maybe we should consider using it for awhile to see what is needed. These are new words in the code which would need new definitions.

(Lillich) We do zoning code review every five years. We could do it then.

(Reichelt) The reason these changes were brought up is because we have always said, throughout the process of revision of the zoning code, that when we come across something that needed to be adjusted, it could be adjusted, notwithstanding the five year review. Mario had requested this change because he used this section on a lean-to on Rosewood Trail. This Board had reservations because he was bound to strict interpretation of the code without leeway. The purpose of the section was to allow the Building Commission to have that latitude, but the wording does not allow it. The need to revise this ordinance was discussed that night. I then started a list of things that we knew needed to be revised. That's why this was submitted. We need to read each version carefully. The cost for modification is the same regardless of how many sections we consider.

(Schryer) That night we grappled with the issue but we passed it. The bottom line is the project needs to be identified and explained.

(Reichelt) Dale Fellows said the code was wrong. The issue was whether it was included in the square footage of an outbuilding. We said that it needed to be re-written.

(Schryer) We can let this rest for now.

3.) 1133.11 Accessory Uses Regulation for All Single Family Residential Districts

(Reichelt) The underlined words in Sections A and B are there already. The only proposed change is in a (2). There are the five words underlined "...and routine sales of vehicles". We get many complaints about the residents who routinely have vehicles offered for sale, even though they are not car dealers licensed by the State.

(Michalski) Does this keep residents from selling their vehicles? *No, only routine sales.*

(Weger) We need to have consensus on how we define "routinely" in order to facilitate enforcement. The State does have limitations on how many vehicles that can be sold by each individual. We need to define how long a vehicle can be "out" for sale and what the penalties are.

(Reichelt) Do we define it in the Definitions category or in this section? *(Weger) In this section.*

(Cihula) If we used the State Code sections that address vehicle sales and what is a dealer, the definition would be concrete. It would be better to have a specific section that agrees with state law. The alternative is to cite someone for operating a business.

(Wyss) We have two things that can cover this. One is "Parking on Hard Surfaces in Residential Zones" which is an ordinance that most cities have.

(Schryer) Can you pull the State Code sections that address this so we can have it for the next meeting for further discussion? *(Wyss) Yes*

(Weger) If you use the State ORC or the motor vehicles licensing and there are five people in the house, you could have 25 vehicles offered for sale on the property. That's not 'routinely'. If someone offers vehicles on their property that are licensed to someone else

(Reichelt) So, under the Zoning Code, we could address the property owner, rather than the individuals. *(Weger) Correct, I believe we have had something like it in the past.*

(Reichelt) There was some difficulty with enforcement of that one. The former Building Inspector said that a stricter rule would be helpful.

4.) 1151.06 Prohibited Signs. The section in question is pole signs.

In looking at what is there and what might be needed in the future, the easiest way to do this is to use it only in the B-3 zoning area. Some of the other terminology in here might not be necessary. There was discussion of the businesses affected in the B-3 and B-2 zoning areas. Without benefit of a map, B-3 is entire western side of Bishop from I-90 to Chardon Rd., except the apartments. They have a lot of pole signs. Those businesses may want larger signs. B-2 includes Rt. 91 and Rt. 6, Sears, BP, McDonald's, the vacant property. Half those businesses have already lowered their signs. B-2 would stay the way it is. There is a B-1 section on Bishop near Eddy Rd, but it is not on the B-3 side.

(Lillich) I prefer to keep it the way it is.

(Reichelt) Some businesses may prefer to keep the signs they have.

(Smith) I want to go back a minute. Is there anything that addresses trailers, not recreational vehicles? What about utility trailers parked on front lawns?

(Reichelt) That is all that is on this page that was copied for this discussion tonight.

(Cihula) I drove down Tyler Boulevard in Mentor to survey the signs about a year ago. The only pole signs were from car dealers that had been there many years.

New Business

None

Mayor's Report

None

Council Representative's Report

I (David Reichelt) plan to attend the Planning Workshop in Chardon tomorrow, 6/20/08.

Building Commissioner's Report

The drawing changes for the Bogey's Comedy Club entrance has been received and is being reviewed. A copy of the drawing distributed to the Board.

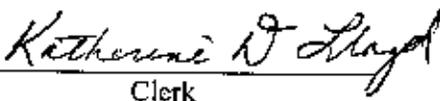
Chairman's Report

None

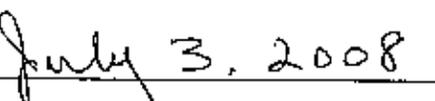
Adjournment

MOTION: David Reichelt moved to adjourn
Seconded by John Lillich
Voice vote: Ayes unanimous
Motion passes

Meeting adjourned at 8:13P.M.


Clerk


Chairman


July 3, 2008