

**MINUTES**  
**Planning and Zoning Commission & Architectural Board of Review**  
**City of Willoughby Hills, Ohio**  
**August 21, 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, Assistant City Engineer John Topolski,  
Architect Bill Gallagher, BZA Representative Frank Cihula,  
and Clerk Katherine Lloyd

**Disposition of Minutes:** Minutes of August 7, 2008

**MOTION:** John Lillich moved to approve the minutes of August 7, 2008 as submitted.  
Seconded by Madeleine Smith  
**Roll Call: 5 Ayes and 1 Abstention (Reichelt)**  
**Motion Passes**

**ARCHITECTURAL BOARD OF REVIEW**

**Public Portion**

Public Portion opened at 7:03 P.M.

None

Public Portion closed at 7:03 P.M.

1. Michelle Newland

Contractor: Jack's Pool

**2404 Pine Valley Drive – In ground Pool – PPN: 31-A-017-D-00-038-0**

Plans stamped received in Building Department 8/12/08

Plans stamped approved by Building Department 8/14/08

Present: Michelle Newland, Gary Gundling

**Owner/Representative Comments**

- Pictures of the backyard, the patio currently under construction and of the planned fence distributed. Brochures of the pool and the automatic pool cover were dropped off in advance.
- The automatic cover is planned because of the small child, for ease of opening, and to keep out dirt.

**Architectural Comments**

- The photographs answered most of my questions regarding the fencing and the masonry piers around it. Is it a stone veneer on the pier? *It is.*
- Tell me what will be around the in ground pool. *There will be a 4" poured concrete scratch pad all around with pavers over the pad. On the north side by the septic field, it will be 6-feet; we will stay away from the drip field. At the west end there will be a half circle on the west side with landscaping. The south side will be 15-feet*
- Where is the pool equipment located? *On the north side of the house (indicated on the plans)*
- Is there an ordinance that requires it to be behind the house? (Wyss) *It will be inside the fence area and landscaped around it.*

- It is well done with quality materials. We like it behind the house.

**Board Comments**

(Smith) It is beautifully tucked behind the house. *Thank you*

**MOTION:** John Lillich moved to approve as submitted.  
Seconded by David Reichelt  
**Roll Call: Unanimous**  
**Motion Passes**

2. Angelo Favozzo

Contractor: Signs PDQ, Inc

**28060 Chardon Rd – New Signage & Replacement Signage – PPN: 31-A-008-C-00-004-0**

Plans stamped received in Building Department 8/12/08

Plans stamped approved by Building Department 8/13/08

Present: Brenda O'Toole with Signs PDQ

**Owner/Representative Comments**

- The sign on the building says 'Bogey's Comedy Club'. A technical drawing of the sign and the sign box was submitted.
- A picture of the tenant sign by the street by the National City sign was submitted.

**Architectural Comments**

- It is a light box, projected, with internal illumination. *Yes*
- What is the construction of the light box? *It is black with the face shown (gave picture for file)*
- Is the sign the same scale as the other [tenant] signs? *Yes. Nice design and graphics.*
- How will the sign look if you re-use the existing acrylic panel on the island sign out front? We want it to look like new. *In the past, panels have been reused. It is a small sign made of acrylic. It would not be yellowed nor would it have a shadow of previous designs left behind. It is applied vinyl. The other sign is back-painted. It could be new.*

**Board Comments**

None

**MOTION:** David Reichelt moved to approve the Bogey's signs as submitted.  
Seconded by James Michalski  
**Roll Call: Unanimous**  
**Motion Passes**

3. Pat & Mike Muzila

Contractor: Signature Pool, Inc

**2896 Istra Lane – In-ground Pool – PPN: 31-A-006-K-00-007-0**

Plans stamped received in Building Department 8/15/08

Plans stamped approved by Building Department 8/15/08

Present: Sam Trevarca with Signature Construction

**Owner/Representative Comments**

The pool will be behind the house and fenced. It will not be visible from the street. The yard will be fenced.

(Schryer) The plan shows a fence beyond the pool, but not the whole yard. *The fence will enclose the pool and a majority of the yard.*

### Architectural Comments

- The equipment seems to be on the side of the house. *It will be on corner of the house, because of the elevations of the rear yard. It faces the neighbor's garage which is 75-feet from the lot line. The equipment will be 15-feet from the lot line. It will be next to the air conditioning unit. Both will be landscaped. The equipment will have nylon bearing for minimal noise. There will be self-locking gates. The house has a security system with an alarm if the doors open.* It is a great location. It is nested in next to the house. It is not obvious from the street.
- Can you describe the fencing? *It is standard 4-foot aluminum fencing with a self-locking gate.*
- Tell me about the area surrounding the pool. *It will be stamped concrete (color not decided) It is a brand new house being build now. The decking and the concrete will match the sandstone house.*

### Board Comments

(Lillich) I would like to compliment you on the color-coded drawings.

(Weger) I would like to compliment you on how neatly you do construction.

**MOTION:** David Reichelt moved to approve the pool as submitted.

Seconded by James Michalski

**Roll Call: Unanimous**

**Motion Passes**

#### 4. Spectators Sports Grill

Contractor: Hi Lite Maintenance, Inc

**2749 SOM Center Rd – Sign for Sports Grill – PPN: 31-A-004-0-00-022-0**

Plans stamped received in Building Department 8/12/08

Plans stamped approved by Building Department 8/18/08

Present: Gary Wilkes with Hi Lite Maintenance

### Owner/Representative Comments

- It will have neon channel letters, remote transformers, aluminum returns, and plastic letters with trim.
- ‘Spectator’ will be on elevation facing Rt. 91.
- ‘Sports’ and ‘Grill’ will be on the gabled end on either side over the front door on the end.

(Wyss) For clarity for the Board, the additional drawing was submitted tonight. It is to satisfy the code stating that the additional square footage allowed for a corner facility of a building need to go on the adjacent side. [The sign] cannot all go on the front surface. The owner agreed that ‘Sports Grill’ would look good on either side of the door facade. We are trying to keep the project on schedule to be ready for fall sports events.

### Architectural Comments

- The original design looks better. Is there an appeals process where you could put up ‘Spectators’ and petition for the original design? It looks added on being on the gabled end. Does the owner really like the second design? *In that case, Spectators would need to be moved over and centered.*
- In the second design, Spectators would be centered? *It will be centered over their area of the building, versus the windows.* Spectators will be centered in the middle of the 23, rather than the 18.16-feet? *Correct.* And you want to get the sign up? *Yes*
- It reads better in the original.

### Board Comments

(Reichelt) What does the owner really want? *He did agree to change it in order to meet code.* On the 145-foot dimension on the side, he has hardly any signage. *He only has a little sign at the end that says ‘Bar and Grill’.* There is a temporary banner up now. I thought the purpose of this effort was to eliminate the banner and get a sign on the side. *He wants to get visibility on Rt. 91.* But he is not here. I would think he

would want visibility on the south side of the building as well. That would clarify what would be on the west side. It does look more cohesive when it is all in one place.

(Wyss) The owner says he will do what the city wants in order to get the permitted sign. The banner will come down when this sign goes up. The code allows a 50% bonus for the store frontage for signage on a corner building. The frontage is 23-feet. The road next to the building is not a dedicated road. The 50% bonus on the 23-feet is the Sports Grill signage. The bonus must go on the side or the adjacent side. It is up to the Board if you want to leave the whole sign on the front

(Reichelt) There is 145-foot frontage on the side road that could be part of his signage. I would like to see both. At minimum, he could put this up now and also consider something on the side.

(Michalski) I support the original design.

(Schryer) If we all support the original design, the only way he can get it is to go for a variance.

(Cihula) The original sign on the south face is under variance. It has been under variance for each of the owners granted originally because they did not have frontage on SOM Center (Rt. 91). This proposal gives them frontage on SOM Center and would negate the variance for the south face. There is a sign on the south face [over the patio].

(Schryer) We cannot override the Sign Code. We can approve the sign the way it is. He can then go for a variance if he wants.

(Reichelt) When the temporary banner comes down, he has lost exposure on the south side.

(Lillich) If he goes for a variance for this and the other sign is granted under an old variance, the old variance could come under question.

(Weger) He wants to put the sign up before the Browns [games] start. If he goes for a variance, he won't make it. Therefore, the issue for vote is 'Sports Grill' over the door and 'Spectator' in the middle.

(Schryer) I hope the 'Sports' and Grill' be centered in between the boards.

**MOTION:** James Michalski moved to approve the signage design with 'Spectator' on the front of the building on Rt. 91 and 'Sports Grill' on the tabature underneath the Palladian arch over the door.

Seconded by John Lillich

Discussion:

(Reichelt) In the second proposal with the words on the southwest face, are the words 'Sports' and 'Grill' the same size as they would have been on the west face? *Yes*

**Roll Call: Ayes Unanimous**

**Motion Passes**

## **PLANNING & ZONING COMMISSION**

**Public Portion Opened 7:40 PM**

None

**Public Portion Closed 7:40 PM**

### **Work Session Public Portion**

1. George Kraincic

Contractor: David Ianiro

34000 Chardon Rd – Ice Cream Store – PPN: 31-A-006-0-00-007-0

Plans stamped received in Building Department 8/6/08

Present: David Ianiro

### Owner/Representative Comments

- I am looking for a location for an ice cream store. I already own and operate a pizza restaurant in Cleveland. The proposed location is empty. I contact the owners and I am working with the owner, George Kraincic, and the Building Department. I gave pictures of what I am trying to do. I am here to see where I go from here.

(Schryer) There are a couple things he is trying to do. He wants to extend the parking lot out to the east, but he wants to keep it gravel. He does not plan to do much with the kitchen or the inside at this time.

- We will use the kitchen to serve the product. There will be no inside dining at this time.
- We will put a new deck on the east side for a service area. We will replace the stairs but will have same porch.
- We will take out the windows, reframe them and install service windows.

(Schryer) New developments with parking lots have to be paved. Do we treat this as a new store or development? Can we allow the parking lot to be unpaved?

(Topolski) There appears to be sufficient room. There is a tree line on the east that he is staying within. There is natural drainage. Addition of gravel would not adversely affect the grading or the drainage which comes to Chardon Rd. This may be a grandfather issue under the Code.

(Wyss) Under 1105 Minor Alterations reviewed by the Zoning Administrator, this is a minor alteration to the parking lot. It is grandfathered in as a retail store; it will continue to be a retail store. There is no change in use. He does not have to change the parking lot. There is room for 7 additional spaces with the approved turnaround. The additional gravel will not have an impact on drainage. The deck additions he is proposing will make the structure more business-friendly. Mr. Ianiro is paying for these improvements on his own.

(Lillich) Have you considered demolition and starting over rather than reconstruction? *The owner does not want to lose it. He would like me to sell fruit from the old fruit stand. I will not be selling fruit, but I will make it look cute. I will exchange a few months of no rent for the cost of making improvement. I need to put in air conditioning, upgrade the electricity and plumbing in addition to the other things. I need the additional parking.*

(Smith) The plans show waster containers for possible grease waster. Where does the grease come from? *Grease comes from the ice cream. There is a grease trap next to the 3-tier sink. It is collected until a company comes to pick it up. I will put the collection container behind the fence.*

(Smith) What is behind the fence? *There are woods, two inoperable tractors and other things that are supposed to be removed. The owner has people who are supposed to maintain the property and cut the grass. I will take care of the grass. Can the adjacent neighbors see stuff on the other side of the fence? No, there are bushes and trees. (Location of fence indicated). Commercial area only goes so far.*

(Smith) You are aware that there is a homemade ice cream store within a mile? *Yes*

Consensus: Bring in some formal plans. Can the fruit stand be moved or changed? *I will ask George. I would not sign a lease until this work session.*

(Smith) The side of the existing building will be the approach for the sale window? *Yes. No one will enter the store? No, but in the future, I may add food items. I don't know the regulations in Lake County for bathrooms, inside seating. I do not have to do reconstructive plumbing in the kitchen area. George may not permit changes.*

(Michalski) If you have an ice cream stand, do you need public restrooms? *No.*

(Gallagher) Will 12 parking spaces will be adequate or is it expandable? (Wyss) *If he leaves it as an ice cream stand, 7 spaces meets the code. He is adding more because he knows he needs more. He has the handicapped ramp and space that can have a sign.*

(Wyss) He would like to turn the sidewalk in front of the deck into a wood boardwalk. It would delineate where the deck is and where the gravel is (similar to City Hall). He would like some guidance.

(Smith) If you need more parking spaces, would George lease more space? Is available? *Behind the fence, it becomes residential. To the east, it is commercial.*

(Topolski) There is more of a run-off issue if the parking is paved than if it is gravel.

(Wyss) 14 spaces are sufficient for 28 seats in a restaurant. It is one space per two seats.

(Schryer) When you come back, bring your drawings and plans for the site and deck area, including the colors, materials, landscaping, location of trash cans, etc. The time table is up to you.

(Gallagher) To provide inside table service, you would need separate male and female bathrooms, AD accessible. You need to design floor load. It becomes a place of assembly. It is difficult to convert a residence into a commercial building. It is a 'change of use'. Restaurants are A2 with different code requirements. The code mandates updating.

(Wyss) As a retail establishment, if he just had counter service with no seats, he may not need facilities.

(Gallagher) It is a business or mercantile. You do not need toilets in a mercantile for less than about 5000 square feet of space. He would be 'grandfathered'. For less than 15 employees, only one bathroom is needed. Title I mandates accessible facilities for a disabled employee.

(Wyss) At this time he is serving ice cream. If he starts serving hot dogs, it becomes a restaurant.

### **Work Session Public Portion**

**Public Portion Opened 8:14 PM**

None

**Public Portion Closed 8:14 PM**

**Mr. Gallagher dismissed at 8:15 PM.**

### **Unfinished Business**

#### **1. Fay Sivazlian's Subdivision plans**

John Topolski reported on the letter from the Army Corps of Engineers regarding the subdivision plans. It states that she is rescinding her application for an Army Corp of Engineers Disturbance Permit to mitigate the wetlands that would be disturbed. Without a permit from the Corps, she will not receive a permit from the city.

Charlotte Schryer reported on meetings with Sivazlian and the Building Department. A copy of the plans that she submitted to the Corps has been requested. Sivazlian still owes money to the city for reviews of plans by the City Engineer.

Fred Wyss reported on progress clarifying issues involved with the subdivision plans. He obtained plans from the Engineer which cannot be reviewed until past fees are paid. Sivazlian has not presented updated plans this week as discussed. The original letter from the Corps listed 8-9 items that needed to be addressed based on plans she submitted to them. The city still has not received letter. Her engineer needed to respond to the letter. She still needs a Corps permit to proceed with the project. A letter stating what she needs to do, including bring her accounts up to date, will be sent to her

#### **2. Zoning Code Change: Routine sales of vehicles in a residential area**

Information was in the packets with the results of research done into how neighboring communities handle this issue. We need to keep this issue moving. Some residents have frequent car sales and other residents have complained. State Law says that a person can sell six vehicles per year for each person in a residence. There also have been complaints about many vehicles parked on lawns at a single residence and storage of vehicles in the open. Should selling of non-motorized boats and trailers be included? "Casual Sales" used to be in the City Code. It was accidentally deleted when the new code was adopted.

Consensus of the committee is that we like and support the idea. Most members agreed that there should be a limit of two cars per house address per year not parked in the right of way and not to exceed 21 days. Do we want to allow cars meeting all the other requirements to be parked on a front lawn with a 'for sale' sign? Do the vehicles need to be on a driveway? We need volunteers to prepare a first draft.

**New Business**

None

**Mayor's Report**

None

**Council Representative's Report**

There was an inquiry about the VFW property for possible development. It was referred to the Building Department.

**Building Commissioner's Report**

The owner of Gale's is inquiring about provisions for sewers for an additional building that he would like to build on the west end of the property to house a deli/fruit/vegetable market. It would eliminate the tent market. CT indicates that there are sewer outlets. The owner will develop a plan. We discussed zoning issues regarding overgrowth of hedges on the corner by the market. There was discussion about a previous plan that the owner had submitted, and had been approved, to improve the front of his building which has not been done. A look at the overall site was suggested.

**Chairman's Report**

- It is important to maintain professional communication during Board meetings.
- An updated revised drawing for 2901 Istra Lane has been received from architect, Beck.

**Adjournment**

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

Meeting adjourned at 8:47 P.M.

  
Clerk

  
Chairman

