

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

January 15, 2009

CALL TO ORDER: 7:01 P.M.

PRESENT: Chairman Charlotte Schryer, Council Representative David Reichelt, John Lillich, Madeleine Smith

ABSENT: Vice Chairman James Michalski, Mayor Robert Weger,

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

MOTION: David Reichelt moved to excuse the absence of Mayor Weger and James Michalski
Seconded by Madeleine Smith
Roll Call: Ayes Unanimous
Motion Passes

Organizational Session

- Nominations for Chairman for the year 2009
Madeleine Smith nominated Charlotte Schryer
Seconded by John Lillich
The Chairman called 3 times for additional nominations, there were none
MOTION: John Lillich moved to close nominations and appoint Charlotte Schryer to be Chairman for the year 2009.
Seconded by David Reichelt
Roll Call: Ayes Unanimous
Motion Passes
- Nominations for Vice Chairman for the year 2009
Madeleine Smith nominated James Michalski
Seconded by John Lillich
David Reichelt nominated John Lillich if he will accept. John Lillich declined.
The Chairman called 3 times for additional nominations, there were none
MOTION: David Reichelt moved to close nominations and appoint James Michalski as Vice Chairman for the year 2009.
Seconded by John Lillich
Roll Call: Ayes Unanimous
Motion Passes
- Certification of Clerk for the year 2009
MOTION: David Reichelt moved to appoint Katherine Lloyd as Clerk of the Planning Commission and Architectural Board of Review for the year 2009.
Seconded by Madeleine Smith
Roll Call: Ayes Unanimous
Motion Passes

Disposition of Minutes: Meeting of Meeting of December 4, 2008

MOTION: David Reichelt moved to accept the Minutes of December 4, 2008 as submitted.
Seconded by John Lillich
Roll Call: Ayes Unanimous
Motion Passes

ARCHITECTURAL BOARD OF REVIEW

Public Portion

Public Portion opened at 7:08 P.M.

None

Public Portion closed at 7:08 P.M.

ARCHITECTURAL BOARD OF REVIEW

1. Linda Cappelli-O'Brien

Contractor: American Pools and Fountains

29931 Chardon Road - Install In-Ground Swimming Pool– PPN: 31-A-006-C-01-003-0

Plans stamped received in Building Department 12/23/08

Plans stamped approved by Building Department 12/29/08

Present: William Foster for American Pools and Fountains

Owner/Representative Comments

- Our intent is to install a concrete swimming pool located as indicated on the plans. There will be the pool, a concrete patio and a terrace around the pool with a 48-inch high fence around the pool site.
- There will be a concrete pad for the pool and electrical equipment within 25-feet of the pool
- There will be landscaping around the pool equipment

Architectural Comments

A Memo from Mr. Gallagher dated January 15, 2009 was handed out by Charlotte Schryer to the Board members before the meeting. It lists questions to be verified. Memo is attached to the minutes.

Board Comments:

(Schryer) There is no house on this lot. Pools are classified as 'accessory structures'. The owner intends to put a house on the property. The owner is not here tonight. One site plan shows the house.

(Wyss) The consensus of my discussions with the Law Director and the Chairman is that zoning ordinance is sensitive to building structures being built on properties that had no main house with the intent that those buildings become businesses. The likelihood of conducting business out a pool is not the intent of the ordinance that precluded structures. These properties are family owned. The pool is going in because the houses are going in. This is legally a separate lot.

(Smith) Which lot is this? (Wyss) This is lot 3 or C from the lot split.

(Schryer) Mr. Gallagher wants us to identify the distance from the pool to the house(s) to the east of the pool on the adjacent properties.

(Wyss) It is opposite the Sweigert house. The pool location is well back into the wooded area

(Smith) Do these properties have sewers? *Yes.* So there is no need to allow for a septic system.

(Wyss) The setback is 75-feet from the roadway. There is plenty of room to site the house.

(Smith) Would there be a problem if they never built a house on this property?

(Lillich) Who is taking out the permit for the pool? Which house? *Linda Cappelli. She also owns the lot next to it.*

(Reichelt) The pool is an improvement on the lot, even if the lot got sold to someone else.

(Cihula) But will the electric and water supply come from one of the other family houses?

(Wyss) Where will you hook the electric service to? *I understand that they plan to go forward with the home. I assume it will come off the main home. The plans are being designed.*

(Wyss) The house is not started yet because they are still deciding on the size. *The plans are in the works. I was told that once this is done, they will proceed. The pool could be designated as having its own power. A service pole could be by the pool equipment. Later it could be incorporated into the house or it could be separate.*

(Cihula) If you don't run water, what do you do for the make up water? *They could run a hose for that. I don't want to speak for them.*

(Lillich) What are you using to heat the water? *Gas. It will depend on the distance from home. We will probably run a 2-inch gas line for a 400,000 BTU [heater]. If there were a static water line, it would be 1-inch. Electrical service could be between 60 to 200 amp.*

(Wyss) There could be a permanent pole by the pool equipment.

(Schryer) I would not run the electricity off an adjacent property.

(Reichelt) The same thing could be done with the water service. *There would not need to do a permanent water service at this time. In the future, the owner will run the gas and the water. My understanding is that there will be a home on the property.*

(Schryer) Where will the equipment be located? *On the landscape plans, there is a 'cove' of rocks and plantings to conceal the equipment. Topography is plotted.*

(Schryer) Fred, are there houses behind this?

(Wyss) They are no where close to the pool. The intention of the landscape plan is to completely buffer the pool from neighboring properties? *Yes, she moved the pool closer to her property to leave the buffering existing trees.* There is already dense undergrowth at that location.

Reichelt) Can we stipulate that all the utilities that serve this pool be terminated on this property?

Mr. Wyss gave me a document with stipulations regarding the 'as built' process and documentation that the city would like to have. I will read it into the motion.

(Reichelt) I don't think we can require that the house be built?

(Lillich) We can stipulate the utilities.

MOTION:

David Reichelt moved to approve the plans as submitted with the following conditions: that the utilities that serve the pool be demarked on that property and that the following documentation be provided to the city throughout the building process: 1) Applicant to submit site plans showing general location on property for future single family home to be built with setback of home no closer than 75 feet to west property line of 29931 Chardon Road parcel or in line with homes built at 29951 & 29941 Chardon Road; 3) all site elevations previously approved by the City Engineer must be maintained and all site sediment controls indicated on the original SWP-plan will be provided during construction; and 4) As-Built site plan is to be provided to the building department after pool construction indicating all approved elevations for the lot have been maintained.

Seconded by John Lillich

Discussion:

Copy of Building Department Memo dated 12/29/09 with 1/15/09 update note plus a copy of Mr. Gallagher's Memo dated 1/15/09 were given to Mr. Foster. They are included with the minutes.

Roll Call: Ayes Unanimous

Motion Passes

2. Mary Martin

Contractor: R. Markel Construction

36141 Eddy Road – Addition - PPN: 31-A-011-A-01-002-0

Plans stamped received in Building Department 1/5/09

Plans stamped approved by Building Department 1/5/09

Present: Randy Markel, representing Mary Martin

Owner/Representative Comments

- The owner cannot be here to night.
- It is a small house. The sunroom addition will be directly behind the house. It will look like part of the house when I am done.
- Windows will be wrapped, poly-foamed. The vinyl siding will match the existing house.
- We will put in 220 baseboard heat.
- Certainteed shingles will match close the existing house. The existing shingles are an older red frost which are no longer made. The existing roof is in good shape.

Architectural Comments

A Memo from Mr. Gallagher dated January 15, 2009 was handed out by Charlotte Schryer to the Board members before the meeting. It lists questions to be verified. Memo is attached to the minutes.

Board Comments:

(Reichel) The architect comments suggest aligning the gutter boards with the existing house. Why wouldn't you make the elevation the same as the existing house? *I thought he did. I will mention. This is not my usual architect.*

(Wyss) Why does the siding go down further than the foundation of the house? *It is because of the ground grade. Her existing house is out of the ground. My siding will go down past the foundation to match hers. I will match the existing starting point of her siding and her gutter boards.*

(Reichel) You will be matching window height, siding, shingles, materials? *Yes, everything, gutters.*

(Cihula) What about light and landing outside the back door? *There will be a 4x5 feet landing outside the side door and a 6x8 feet landing outside the slider.*

(Wyss) The stipulation on the plan is that it be by Code. The minimum is 3-feet out and as wide as the door. *There will be enough room not to fall off when opening the door. There will be hand rails all the way down.*

(Schryer) Is the existing foundation a masonry block? *The whole house is block with a lath and siding.*

(Reichel) Will your foundation also be block? *Yes, it will match exactly.*

(Lillich) You will trim out the windows the same? *Yes, it will matching the existing windows.*

(Lillich) Do we need corrected plans showing the gutter boards and everything else matching?

(Schryer) Fred has the notes already on the main copy but they should be in the motion. They are handwritten, not drawn.

MOTION:

John Lillich moved to approve the addition with the notation that gutter and window height will match the existing house and both doors will have decks built outside of each door with the minimum size to meet the Code with steps.
Seconded by Madeleine Smith

Discussion:

(Wyss) For the record, the applicant's legal name is Mary Wojkowski at this time, not Mary Martin.

(Schryer) The main application has been changed.

**Roll Call: Ayes Unanimous
Motion Passes**

PLANNING COMMISSION

Public Portion

Public Portion Opened 7:48 PM

None

Public Portion closed at 7:48 PM

No projects scheduled

MASTER PLAN REVIEW

A copy of proposed changes marked in blue and proposed deletions marked in red was reviewed. Charlotte Schryer asked that all the items in red (items to be deleted) will be reviewed and deletion approved. This will allow for alignment of pages, checking the footnotes and changing the graphs to allow for placement of the pages. The Board decided to keep the red areas because they are helpful to discussion. We can always make a version without the red for anyone who wants it. A side meeting to discuss the text in a version without the red deletions was suggested.

Some of the maps need to be updated. We plan to ask D.B. Hartt for the base map. The maps were all generated by CT Consultants. We hope to locate someone with the type of software that can make the necessary changes and is willing to donate their time. We need to determine whether they are AutoCAD or Adobe files. Charlotte will get the files for the maps.

Maps that we know need changes or additions are:

- Map 4 - Existing Land Use: the new park, possibly the property at the corner of Rt. 6 and River Road and a small increase in commercial property near the Lexus dealership.
 - Map 6 - Land Use Policy Map
- Map 5 - Zoning Map, dated June 2006 has already been inserted in to document..

Everyone needs to review Chapter 4 Goals and Objectives for any additions or changes. The goals and objectives influence what the new Land Use Policy map will be for the next five years and in the future. There was a discussion of things that have already changed and what might need to be changed.

Public Portion for Master Plan Review

Public Portion Opened 8:28 PM

Fred Wyss

In the residential development capacity, the Protected Areas Ordinance really impacts development., especially the section on the floodplain (pages 23-34 of the marked up copy of the plan). There are sections that need to be changed. I will prepare something for that section.

Public Portion closed at 8:29 PM

Unfinished Business

None

New Business

John Lillich reported that his sister who lives on Milann which is in the 500-year floodplain (Zone X) had her federal flood insurance premium increased from \$300 per year to over \$1200 per year based on what happened on the Grand River. She is appealing. A place in Virginia sent back forms to be completed. They want GPS coordinates and other information. The Building Department and the City

may get inquiries from other residents about flood insurance. The house has not been flooded since it was built in 1845.

Mayor's Report

None

Council Representative's Report

None

Building Commissioner's Report

There has not been a sizeable development before the Board for about 1 ½ months. A house planned for Michelle Court has been delayed. There are two lots on Pine Valley, sub lots 31 and 32, that will be registered to be combined. City Engineer is aware of it. Documentation that they have been combined will be requested. Also, the City has been notified of an initial petition to petition the City of Willoughby Hills for an issue to be put on the May 5th primary ballot to change the zoning of Mr. Ackerman's parcel on Maple Grove for senior assisted housing. That particular type of zoning would need sanitary sewers.

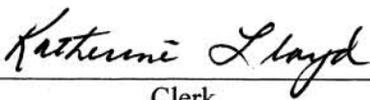
Chairman's Report

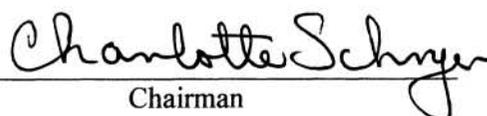
There have been two accidents on the little rise in front of my house on River Road. It seems they might be going fast and not know about the rise.

Adjournment

MOTION: John Lillich moved to adjourn
Seconded by Madeleine Smith
Voice vote: Ayes unanimous
Motion passes

Adjourned at 8:45 P.M.


Clerk


Chairman

