

MINUTES
Planning and Zoning Commission & Architectural Board of Review
City of Willoughby Hills, Ohio
November 5, 2009

CALL TO ORDER: 7:03 P.M.

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

ABSENT: John Davis

ALSO PRESENT: City Architect, William Gallagher; Building Commissioner, Fred Wyss and
BZA Representative, Frank Cihula

MOTION: David Reichelt moved to excuse John Davis
Seconded by John Lillich
Roll Call: Ayes Unanimous
Motion Passes

Disposition of Minutes: Meeting of October 15, 2009

MOTION: John Lillich moved to accept the minutes of October 15, 2009 as presented.
Seconded by David Reichelt
Roll Call: 5 Ayes and 1 Abstention (Madeleine Smith)
Motion Passes

CORRESPONDENCE:

Letter dated October 29, 2009 from the Willoughby Hills Board of Zoning Appeals to Property Owner
RE: Notification of Public Hearing on November 10, 2009.

ARCHITECTURAL BOARD OF REVIEW

Public Portion opened 7:05 P.M.

None

Public portion closed 7:05 P.M.

1. Robert and Jean Danford
Contractor: Homeowner
2755 River Road – Accessory Building - PPN: 31-A-009-H-00-016-0
Plans stamped received in Building Department 10/23/09
Plans stamped approved by Building Department 10/20/09

Present: Robert Danford and Matt Danford

Owner/Representative Comments:

- Pictures of the 70 year old garage after the fire and the site location of the replacement garage after demolition were distributed. The old garage was 10 feet by 20 feet plus a lean-to. With the lean-to it was about 16 feet by 20 feet.

- The replacement garage will have a larger lean-to. It will have a 30-year, charcoal-colored steel roof by Synergy. In the future, a rain water collection system is planned. The white siding will match the house. All trim will be white.
- The garage will have a steel wood-grain door with flush panels and a door opener.
- The house was built in 1910 and has white 4-inch lap siding. Its black roof is a combination of styles with pitches that range between 4:12 and 5:12. The new garage will be similar to it.

City Architect's Comments:

The accessory building has good details. The design and materials will be similar to the house. The steel roof will be a good improvement.

Board Comments:

(Michalski) Is a man-door required? *Yes, I intended to add it and make a 'field' change.*

(Gallagher) It is a requirement when there is a door opener.

MOTION: David Reichelt moved to approve the accessory building at 2755 River Road with a modification that a man-door be added and approved by the Building Inspector.
Seconded by James Michalski

Discussion

(Smith) Will the steel roof be insulated? *Yes, it needs to be insulated to prevent condensation.*

(Gallagher) Insulation is not shown on the plans.

Roll Call: Ayes Unanimous

Motion Passes

2. Bruce Matthews

Contractor: N/A

37700 Milann Drive – Rebuild Damaged Garage - PPN: 31-A-009-A-00-021-0

Plans stamped received in Building Department 10/22/09

Plans stamped reviewed by Building Department 10/26/09

Present: Bruce Matthews

Owner/Representative Comments:

- Pictures of the house and porch with the tree fallen on it plus copies of the insurance settlement documents were distributed. The porch has already been fixed.
- I want to build a better structure. The replacement will be two-story for storage on the second floor. The footprint will be 25 sq. ft. smaller. It will be further off the property line than the old one.

(Schryer) This in the flood plain and is going to the BZA next week for review of the 11.53 side line clearance. The site plan shows the location and shape of the old garage.

City Architect's Comments:

- We want it to match what is on the house. The picture does not show the house. *The house has a 4-foot exposed cinder block foundation and white 3-inch aluminum siding.*

(Lillich) Back in the 1940's, the house was jacked up and a foundation poured. It has a rock garden on two sides.

(Schryer) What are you putting on the garage? *It will have 3-inch white vinyl lap siding.*

- The roof is shown as a 3:12 pitch, which is unconventional. You could have roof issues. I would recommend 4:12. The ceiling height is 7'6 which means you will need to put lighting fixtures between the rafters; conventional is 8 feet.
- (Wyse) He is meeting the 18 feet mean height according to Code.
- Perhaps this can be appealed at BZA, also. *(Cihula) Meeting is next week but notifications have already been made on the issue.* It is not our issue, but the dimension for the setback should be to the overhang, not the wall. *(Cihula) That is up to the Zoning Administrator.*
 - Architecturally, we would like to see 4:12 and conventional ceiling heights. If you are matching all the materials, it will be a good structure. It has good detail. There is no brick on the house and there are not many neighbors. Perhaps you can hide the painted block or dress it up on the exposed sides. *What can I do to hide it?* Landscaping.

Board Comments:

(Lillich) You could put treated fir strips down the block so the siding can be extended down further.

(Michalski) You could add split brick. (Gallagher) It is an 8-inch pre-finished unit with no maintenance for life, but it is labor intensive.

(Reichelt) If he went 4:12 but maintained the edge height, it would increase the mean height?

(Gallagher) It would raise the center height one foot and the mean height to 19 feet.

(Schryer) Height is a problem because of the rules for accessory buildings.

(Michalski) Ceiling height is a matter of comfort. The roof will wear out sooner because of the pitch. But this is what he needs to do to meet Code.

(Wyse) Would this be considered a Minor Alteration that the Zoning Administrator can make to allow him to go another foot higher?

(Michalski) Based on location and lack of neighbors, it could be considered.

(Schryer) You could consult with the City Attorney.

MOTION:

David Reichelt moved to approve the plans for the accessory building at 37700 Milann Drive as submitted with the condition that if the Zoning Administrator can find legal basis and code evaluation to allow an acceptable increase in the height for making a Minor Alteration, he would be empowered to do so. This approval is pending the BZA approval on the site line clearance issue.

Seconded by Mayor Weger

Discussion:

(Gallagher) He may be short on the mean height based on rough calculation. It is a sloping lot and the height can be calculated lower on the slope.

(Lillich) This approval is pending the BZA approval on the site line clearance issue.

Roll Call: Ayes Unanimous

Motion Passes

MINOR ALTERATIONS

1. Gabe and Kelly Loiczly

Contractor: One Man and a Hammer

2675 Deer Run – 2-Car Garage Addition – PPN: 31-A-011-A-04-009-0

Plans stamped received in Building Department 10/22/09

Plans stamped reviewed by Building Department 10/26/09

Zoning Administrator Comments:

The motion for this garage allowed for approval on a minor change. There were several deviations.

- There was a significant deviation on the side yard set back. They altered the design and shrunk the 2 ½ car garage addition. It was then too small for their purposes.
 - They decided to extend a 1-car garage in front of the original 2-car garage. Side Elevation drawing shows the door of the new garage in front of the house.
 - There is no set back issue. The design remains the same.
- Elevation on the gable has been re-done. They will not continue the brick to the top of the gable. They will relate the gable end to the little bird house they planned to put in the front. Shake siding will match the rest of the house. There will be trim between the shake and the brick.
- Two double windows with shutters have been added to the side of the new garage and one window will be added to the original garage to break up the expanse of wall.

Permits have not been issued yet, but the Zoning Administrator has approved the changes.

Board Comments:

(Reichelt) Thank you for approving it.

(Lillich) They have not drawn the permit? *They have not, but I told them it was approved.*

(Schryer) Fred did show it to me.

Mr. Gallagher left at 7:50 PM

PLANNING COMMISSION

Public Portion opened 7:50 P.M.

John, Klements, 2550 Dodd Road, Willoughby Hills

I thank and commend the ABR for working with the resident trying to build in a difficult situation.

The Protected Areas Ordinance states the conditions for a Protected Area permit to be issued and that the Planning Commission needs to sign off on it. The Matthews project was on the ABR agenda and not the Planning agenda. I ask the Planning Commission to review Section 1167.05. My intent is to get conversation and thought on this issue.

Board Comments:

(Reichelt) If a structure already existed on the property, is it still protected?

(Schryer) The structure did exist but the problem is that the property owner demolished it a week before requesting a permit to replace it. To the Zoning Administrator (ZA), no building currently exists. It would need to come before the Planning Commission. The ZA has been reviewing this issue.

(Wyse) Per a review of the Protected Areas Ordinance, projects can be waived as a necessity of a protected areas permit. The City Engineer may need to do it. Because there was a building and a replacement building would be constructed exactly where it was, the area does not need to be protected. The Flood Maps were devised with the knowledge that the structure was there. That is why a Flood Hazard Area permit was issued. Being a detached garage exempts him from the Flood requirements; it does not exempt him from the fact that he has to build it like a battleship to protect it from floods. He needs to reinforce the block wall more than a normal garage. It is incurring great expense. The Flood Plain Administrator's Manual states that whenever there is a substantially damaged building that necessitates substantial improvements in order to restore it, the city should try to cooperate with the applicant as much as possible. I do feel that the Protected Areas Ordinance applies to this project.

(Schryer) If he had come in a week earlier, the building would still have been there.

(Lillich) He is minimizing the footprint in the flood plain.

(Reichelt) I do not feel we should hold up progress on the project. Do we amend the Agenda to allow Planning Commission to review it?

(Schryer) It was not presented as a Protected Areas construction.

(Cihula) The City Engineer needs to recommend it in writing so the Planning Commission can review it.

(Michalski) The City Engineer needs to be in consensus with the Building Inspector determination.

(Weger) We need to get it in writing.

Public portion closed 8:00 P.M.

MOTION: Mayor Weger moved to approve this option that the project at 37700 Milann Drive is not a Protected Area issue because there was a previous building and it decreases the footprint, concurrent with the Flood Plain Administrator's opinion and predicated on the written concurrence of the City Engineer that we accept and waive this.
Seconded by David Reichelt
Roll Call: Ayes Unanimous
Motion Passes

MASTER PLAN

The proposed change at Chardon and Bishop suggested by Frank Cihula was discussed for possible inclusion in this Master Plan for future consideration. Drawings distributed at a previous meeting show what is currently there, what is proposed and a picture of the current area with the proposed suggestion included. It would not be a 'stand alone' zoning change; it would be conditioned on attaching the parcels to the Chardon Road properties. It would make the Chardon Road properties more practical for redevelopment.

Concerns included whether it would be large enough to develop, the fact that any business district needs small businesses and a transition between residential and larger development, the current buildings are old, and there is a large area across the street that may need to be re-developed. There would need to be a deed restriction with a 75-foot buffer created on the parcel. In B-2 there are established setbacks. It would invite commercial development closer to the houses. The proposal would require a zoning change and a vote by the residents. In the past, residents were upset when the road was widened because of impact on their small lots. The area is already congested. It was suggested that priority should be given to the area of Rt. 91 and Chardon Road. Per consensus, the Board will continue thinking about this proposal.

Master Plan Public Portion

Opened 8:18 P.M.

None

Closed 8:18 P.M.

UNFINISHED BUSINESS

None

NEW BUSINESS

None

MAYOR'S REPORT

None

COUNCIL REPRESENTATIVE'S REPORT

Mr. Reichelt inquired about the status of the letter to Council regarding Sign Code. It was sent last week.

BUILDING COMMISSIONER'S REPORT

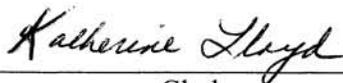
There is discussion about putting up another building behind Washington Square. It is already zoned for it.

CHAIRMAN'S REPORT

None

MOTION: John Lillich moved to adjourn.
Seconded by Mayor Weger
Voice Vote: Ayes unanimous
Motion Passes

Adjourned at 8:19 P.M



Clerk



Chairman

Date Approved Dec 3, 2009