

MINUTES
Planning and Zoning Commission & Architectural Board of Review
City of Willoughby Hills, Ohio
March 3, 2011

CALL TO ORDER: 7:04 P.M.

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

ALSO PRESENT: Building Commissioner Fred Wyss, BZA Representative Frank Cihula, Assistant City Engineer John Topolski and Clerk Katherine Lloyd.

The City Architect, William Gallagher was given the night off.

Disposition of Minutes: Minutes of February 17, 2011
Correction made was under the Chairman's Report: "He [Fiebig] also indicated that he has had discussion with another Council member about the possibility of incorporating results from the 2010 Census."

MOTION: David Fiebig moved to approve the Minutes of February 17, 2011 as corrected.
Seconded by John Lillich
Voice Vote: Unanimous
Motion Passes

ARCHITECTURAL BOARD OF REVIEW

Public Portion opened 7:07 P.M.

None

Public portion closed 7:07 P.M.

No Pending Business

PLANNING COMMISSION

Public Portion opened 7:07 P.M.

None

Public portion closed 7:07 P.M.

1. Greg Campolieti
Contractor: GMC Contractors
37821 Milann Rd. – Protected Area Review: Residential – PPN: 31-A-009-A-00-009-0
Plans received by Building Department 2-8-11
Plans reviewed by Building Department 2-18-11
Present: Greg Campolieti

Chairman Schryer distributed correspondence sent to her by the Building Administrator Fred Wyss which he received from City Engineer Richard Iafelice to stating that the 'subject property' is in compliance with the spirit and intent of Chapter 1167 Protected Area Regulations. Tonight the Board will consider the Protected Area issue. Review of the house will be considered at a later date by the

PCABR. The applicant has been working with the Building Department for approximately six months or more.

Owner/Representative Comments:

- I plan to build a Lead-Certified, sustainable, ‘green’ home on my property on Milann Drive. It will incorporate innovative and energy efficient techniques. I grew up in Willoughby Hills, spent time on Milann Drive and look forward to living here again.
- Along with being in a Flood Zone, this has been a complex project which we are taking step by step to meet all the requirements of the City and FEMA.
- I believe the spirit of the former Hillside Ordinance and the Protected Areas Act is to protect and improve the existing conditions during construction. The lots are overgrown with vine-strangled locust trees so I took some trees out. This project will improve the look and function of the property.

Building Administrator’s Comments:

- This project presents a two-fold problem to the Building Department and the City Engineer because this is a Floodway development. We needed to look at two separate ordinances, Protected Areas and Flood Plain, and make the approvals separately. But a ‘marriage’ of the two was also necessary.
- The Protected Area Ordinance identifies that 100% of the flood plain is protected. I reviewed it line by line choosing the items pertinent to a residential development in order to give the applicant and his engineer guidance on the project in the spirit of 1167 with regards to his development with the ongoing flood issues having to be developed as well.
- One of the line items in 1167 requires innovative design. The applicant came with an innovative design idea for a Lead-Certified home to begin with, which, in its initial stage, must address issues like Stormwater Management and good green sustainable design.
- A prerequisite for lead certification is Stormwater Management, part of which means that protected area requirements and erosion and sediment control are part of the plan.
- The design is very innovative. It has addressed Protective Areas. It is a good example of elevated design and firm engineered structure for floodway.

(Schryer) The house will be placed in the middle of the two lots which will be combined into a large lot. *(Campolieti) Combining the lots keeps the area open and helps with the flood analysis.*

City Engineer’s Comments:

- Regarding the Protected Area Ordinance, there are no hillsides on this lot. The Riparian area in this area is about 120 feet from bank. But because it is completely in a flood zone, the riparian area extends to the flood line. The plan indicates the flood plain boundary.
- According to the plan, they are making every effort to minimize disturbance on the lot
- We have looked at other critical items of the ordinance. Some things like soil borings still need to be done because they require a permit to do in a protected area.
- According to the soil maps, there is Tioga silt loam in this area except near the river. Bedrock is probably greater than six feet. The structural engineer will make do with what is there.
- Regarding the Protective Area, I have no negative comments. They have done everything they can to work with and be in compliance with the City.

Board Comments:

(Lillich) Do you plan to live there? This is not a ‘spec’ house? *That is correct.*

(Smith) How much area will the two lots together comprise? *It is will be about 1.48 acres combined. Willoughby Hills now requires lots to be at least an acre, but at the time the two lots were deeded, they were grandfathered in.*

- Combining the lots would be a tax advantage? *Definitely, but overall it’s better for me and the surroundings.*

- Aren't you concerned about building in a flood plain? *I've spent countless hours learning to meet and far exceed all the FEMA requirements. The structure itself will have a half-piered support structure, elevated foundation walls reinforced with flood vents and additional measures so the house is actually designed to let water flow through if need be. I will be living there, so I will build the strongest, best house possible.*
- Have you examined the lots during the recent heavy rains? *It did get some water. Milann is like a horseshoe and that lot is the last lot which is almost out of the flood plain. It is in a different situation than other houses in the area. There are only three elevated structures. The others are with no elevation in more flood-prone lots. We are meeting base flood elevation.*

(Lillich) I live across the street. You don't get current flow; it is like a backwater. The water backs into the flow zone but he doesn't 'through flow'. The main current is farther out.

(Michalski) It sounds like the applicant has thoroughly investigated the requirements of the city, county, state and federal governments. I personally see no objections to what he wants to accomplish. It sounds like he going into the project with his eyes open.

MOTION: John Lillich moved that the applicant has met or exceeded the City's Codified Ordinances for Protected Areas Regulations for his project at 37821 Milann Drive as presented.

Seconded by James Michalski

Roll Call: Ayes Unanimous

Motion Passes

Discussion:

(Fiebig) Are the neighbors aware of your plan to build? *Yes, I have school friends and other friends who live there. The construction may disturb them. When do you plan to start? There is more to do yet. I would love to start in late spring. Once the foundation goes up, the walls are trucked and I will be under roof in a couple days.*

(Smith) Will we be getting architectural plans for this?

(Schryer) He will be back.

(Wyss) The foundation plans were provided to give a sense of what he planned to do.

Minor Addition Approved by the Zoning Administrator

Chairman Schryer read into the record the following two minor additions approved by the Zoning Administrator.

1. Gale's Garden Center

Contractor: Agile

2730 S.O.M. Center Rd. – Non-Illuminated Awning – PPN: 31-A-006-B-00-020-0

Plans received by Building Department 2-17-11

Plans reviewed by Building Department 2-17-11

2. Kimco – GCACQ Corp

Contractor: Priority Sign, Inc

2830 Bishop Rd. – AT&T Store Corporate Signage & Logo – PPN: 31-A-008-0-00-012-0

Plans received by Building Department 2/17/11 and 2-21-11

Plans reviewed by Building Department 2-23-11

Assistant City Engineer John Topolski was dismissed at 7:28 P.M.

UNFINISHED BUSINESS

None

NEW BUSINESS

None

MAYOR'S REPORT

None

MEMBER'S REPORT

None

COUNCIL REPRESENTATIVE'S REPORT

None

BUILDING COMMISSIONER'S REPORT

In his capacity as the City Flood Plain Manager by Ordinance 1169, Fred Wyss read a statement citing the history of the residential project just reviewed, rules of the National Flood Insurance Program (NFIP) for new development, the City's Flood Hazard Ordinance rules for new development, need for hydrologic analysis, results of engineering, the signed 'No Rise' certificate in accordance with FEMA, 100-year flood implications and his decision to sign off on the plans in the spirit of Ordinance 1169, pending a structurally sound house plan approved by the Architectural Board of Review. The statement is attached.

CHAIRMAN'S REPORT

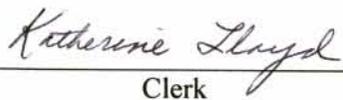
None

MEMBERS' REPORT

- Madeleine Smith reminded everyone of the Pancake Breakfast on Sunday.
- John Davis reminded everyone of the Images of Nature opening in the Community Center Gallery tomorrow night, Friday from 7:00 to 9:00. The opening is in cooperation with the Waterloo 7 Gallery across the street.

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

Adjourned at 7:41 P.M.



Clerk



Chairman

Date Approved March 17, 2011