

MINUTES
Planning and Zoning Commission & Architectural Board of Review
City of Willoughby Hills, Ohio
July 1, 2010

CALL TO ORDER: 7:02 P.M.

PRESENT: Chairman Charlotte Schryer, Mayor Robert Weger, John Lillich, Madeleine Smith and John Davis (arrived 7:05 P.M.)

ABSENT: Vice Chairman James Michalski, Council Representative David Fiebig

ALSO PRESENT: BZA Representative Frank Cihula, City Architect William Gallagher and Clerk Katherine Lloyd

MOTION: John Lillich moved to excuse James Michalski, David Fiebig and John Davis for this evening's meeting in one motion if it is permitted.
Seconded by Madeleine Smith
Roll Call: Ayes Unanimous
Motion Passes

Disposition of Minutes: Minutes of June 17, 2010

MOTION: John Lillich moved to approve the minutes of June 17, 2010 as presented.
Seconded by Mayor Weger
Roll Call: 4 Ayes and 1 Abstention (Schryer)
Motion Passes

Discussion:

(Lillich) There are two motions to excuse Charlotte Schryer. There should be only one.
(Schryer) That will be corrected.

John Davis arrived at 7:05 P.M.

ARCHITECTURAL BOARD OF REVIEW

Public Portion opened 7:06 P.M.

None

Public portion closed 7:06 P.M.

1. Mike Faralli

Contractor: Mike Faralli

2804 S.O.M. Center Rd – (Garage) Storage Building – PPN: 31-A-006-F-00-012-0

Plans stamped received by Building Department 6/24/10

Plans stamped reviewed by Building Department 6/28/10

Present: Mike Faralli, owner of the plaza

Owner/Representative Comments:

- I want to put up a garage to for storage of trucks and merchandise for my business
- I have no sample materials. All details are specified on the prints.
- It will be a white building with white siding, dark shutters and a brown roof.

City Architect's Comments:

- Just for clarification, you plan to paint everything white including the trim and corner boards? It will have dark brown dimensional architectural style shingles on the roof? The doors and windows will be white? *Correct*
- I would suggest a light beige color for the columns, corner boards, rakes and cupola, rather than white in order to keep the historical and detailed scheme of this gorgeous building. *I was thinking about that. The overhead door will be white, but I am considering a mahogany colored door. A buff color would be more in keeping with the historical design theme. Consult with your architect and do further research on the historical colors.*
- It is a beautiful building with great detail on all sides.
- Are the columns on side entrance panelized? *Yes.* The embossed recessed panels with the trim boards will give it more depth. You may want to consider a two-toned paint color there, too.

Board Comments:

(Davis) The building shows a great reflection on your business and personal taste. The subtle colors make a big difference in the aesthetics of the building. What will be on the porch roof? *Copper.*

(Smith) I compliment you on your design and detail for this garage. It is a wonderful testimony to your architect and to your taste. *Thank you.*

MOTION: John Lillich moved to approve the plans for the garage at 2804 S.O.M. Center Rd as submitted with the stipulation that he use a subtle contrasting color on the trim, fascia, windows and doors.

Seconded by John Davis

Roll Call: Ayes Unanimous

Motion Passes

2. Henry Hoge

Contractor:

2742 Rockefeller – New Home – PPN: 31-A-013-A-00-016-0

Plans stamped received by Building Department 6/17/10

Plans reviewed by Building Department 6/28/10

Plans stamped received by ct Consultants 6/24/10

Present: Henry Hoge (owner) and William Bridge (contractor), Mrs. Hoge at 7:42 P.M.

(Schryer) This house had burned down and needs to be replaced. There is a small picture of the original home in the packets. A new, updated site plan was received today. Because the sewers on their street will not be ready for about a year, they will be permitted to use the old septic system until the sewer goes in.

Owner/Representative Comments:

(Bridge) We do not have sample colors or materials since the plan was revised on June 26th.

The plan is to use double-four vinyl siding; color is undecided. It will have 30-year dimensional shingles. The foundation will be exposed on the sides and the rear elevations because of the slope. We plan to use some type of color parging to match the siding. We do not plan to have a brick veneer over the block; there was none on the original house. Cost is a factor because of the insurance losses.

(Hoge) My wife and I have considered colors. She is coming from another meeting. We are considering light brown or beige siding with antique white trim and garage doors. The dimensional shingles will be similar to the old house: dark brown or gray with flecks. We want to keep to subdued colors.

(Schryer) When you decide on the colors, you can come back to the Board to present the decision.

City Architect's Comments:

- This Board reviews projects and plans based on current standards and design. We understand that the insurance company will only give so much for replacement of the house. Your architect needs to help you with design decisions. We have not approved an exposed or parged block basement. I would not recommend it to the Board. There are other options to avoid exposed block. There are a variety of small windows on the rear elevation with no pattern, style or look. The entranceway is understated. It is a simple canopy. Something needs to tie the entranceway, gables and roof together.

(Hoge) We are trying to keep some of the older style features of the old house on the outside while incorporating features of today on the inside. The porch will be only one step up with no rails like the old Prairie style. That style features simplicity and vertical lines. The original house was built in 1955 by a fireman in his spare time using assembled materials.

(Bridge) The old house has been excavated so we can put in a nice looking ranch which will be nicer than what was there. It will match the area. It will have a low profile in an area of nice reasonable houses.

- I would need to see photographs of the neighboring houses.
- I like the low porch, but the house is not Prairie design. It is 1950's bungalow design in a one-story ranch.
- Prairie design windows would give it pattern and character. They have a dentil work feature.
- I like the rustic entranceway and the flush doors with open members. It is very simple. Double hung windows do not give that style.

(Bridge) It is important that we get approved tonight. The architect starts with the owner's desires and budget. The architect put in the size of the windows but no style. If we agree to brick veneer, mullions in the windows and the color reservation, could we get approved? The house is set back with very little visibility of the foundation. No neighbor can see the rear. The right side is under the deck and there will only be half of the basement exposed on the left side. All the windows will have a 4-inch trim board.

(Hoge) I am trying to keep some of the features from our old house. I like the older style. We could do the siding all the way down, despite the cost. Shutters have been discussed in the past but may not be consistent with Prairie style. We can review the window treatments for a more uniform style. To keep a more modern look, a regular gable with a reverse gable would be better than the Prairie hip-style roof. The interior will be more open with a good flow that protects our privacy.

(Mrs. Hoge) The garage doors will be metal with a flush style.

Board Comments:

- Windows should be treated the same, 360 degrees, all the way around the house.
- Most of the windows are double hung but different sizes with no pattern.
- Each of the windows fits the function of the room inside which limits change.
- In the back, the double hung window in the dining room area could be replaced with a picture window with another window similar to the one in the middle. That would space things out and create a symmetrical look along the back.
- The size of houses in the neighborhood range from 600 to 1200 square feet. This would be a good transition house between the bungalows and the larger houses.
- The Board is asking style, not bigger. When a house improves itself, it is an asset for the owner and for the neighborhood.

- The Board does not approve exposed concrete block. Brick above grade is the standard. Applied split brick would be more costly than regular brick.
- A poured concrete foundation with stain could be an economical option for use on the slope. However, it has only been approved once in the past when a very small area was exposed.
- In order to minimize the amount of brick veneer, part of the block could be ‘fired out’ so that siding can be extended down further on the wall to several feet of brick above grade.
- A stucco finish on the block is not recommended because of cracking, maintenance and upkeep.
- Change from vinyl siding to hardy board or a combination of both to break up expanse was not encouraged. It is best to use the same material throughout.
- Vertical siding below the horizontal siding and above the brick above grade was discussed.
- Use of uniform horizontal siding broken by a uniform pattern of windows was suggested. That would be pleasing and would help the house hold its value.
- If a design change is wanted, a wider stock could be used instead of the 4-inch.
- Garage doors with some type of panel will give more relief than a flush style.
- Clopay (trade name) has Prairie design garage doors and windows.
- Combining the features of the front door and sidelights at the entranceway would give balance and symmetry. It is a more traditional design.
- Consensus of the Board was that the exterior design of the house needs to be reviewed and resubmitted.
- Approval to start the foundation could be given but they should come back with the drawing reworked to incorporate all the changes that have been discussed so they reflect what is actually being built. That would include the 4-inch trim on the windows.

[Mrs. Hoge arrived at 7:42 P.M. The above discussion was reviewed and continued for her benefit.]

MOTION: John Lillich moved to approve the foundation and start of construction at 2742 Rockefeller with final approval of the project pending review of the revised drawings from the architect. Those revised drawings should take into consideration the objections noted by the Board, especially the bare concrete block, and they should take into consideration the recommendations of the City architect which include the window treatments, 4-inch trim around the windows, the panel style garage door and the entrance door with sidelights.
Seconded by John Davis

Additional Discussion:

(Schryer) When you come back you need to bring the revised elevations, samples and colors.

(Mrs. Hoge) I would like a copy of the notes. *A draft of the notes will be ready tomorrow.*

(Gallagher) I will meet with Mr. Hoge and his architect to go over the plans.

**Roll Call: Ayes Unanimous
Motion Passes**

Mr. Gallagher was excused at 8:05 P.M.

**PLANNING COMMISSION
Public Portion opened 8:06 P.M.**

Linda Fulton, 2990 Marcum
Where is the project located? *At the old Trail of Pines.*
Public portion closed 8:07 P.M.

1. Steve DiVincenzo

Contractor:

2938 S.O.M. Center Rd. – Telemarketing with 8 Employees – PPN: 31-A-005-G-00-029-0

Present: Steve DiVincenzo

(Schryer) This is a review of the Home Occupancy business at this address. Everyone has a copy of aerial picture of the property to show where the buildings are.

Zoning Administrator's Comments:

The Building Department received a report from a Willoughby Hills resident that an illegal shipping business was being operated at the Old Trail of Pines location. We went to that address at the old Trail of Pines stable area where we spoke with Mr. DiVincenzo. He told us about the telemarketing shipping business. He had eight employees at the time. He is selling and shipping cosmetic-type materials to his clients. There are UPS deliveries and shipments at 3:00 P.M. every day. Materials are stored in the rear outbuilding to the right. Employees park on the side of the house. We have viewed the additional cars in the middle of the day. The entire house is being used as a telephone-based sale facility, not a residence. That is the reason for the review: questionable uses under 1157.05 regulations must be review by the Planning Commission in order to continue in business.

Mr. DiVincenzo told me that Ivan, the previous Building Inspector, viewed the facility just prior to the end of his tenure and gave a permit. It should have been renewed yearly but was not. Mr. DiVincenzo said he was unaware that it needed to be renewed. He currently has a temporary permit which expires on Friday, July 2nd.

Owner/Representative Comments:

- This is a telemarketing business, not a shipping business. There are no UPS deliveries. Goods are picked up in my van in Streetsboro and stored in the outbuilding. We use UPS for shipping the orders. I would like to get a permit to continue operating.
- It is a unique property. I have 20 acres with two houses on it. My daughter and I live in one house. The house they were using was the office for the old Trail of Pines business. It was always an office. The office is 300 feet from the street. I own both parcels. They are right next door.
- I would like to ask for a variance. We had a permit under the same circumstances. Most of the violations have been corrected. There are no neighbors close by. The house that my daughter and I live in is 2900 square feet; the office house is 750 square feet. Perhaps if the parcels were combined this would be workable.
- The Trail of Pines owner did not want to register his horses so he shut down his business. Part of the agreement when I bought the property from him was that he could keep his horses there for up to a year. When the year was up, he refused to leave. I had to go through about eight months of eviction proceedings. Then I started my business. There was a gap of about a year and eight months.

Board Comments:

- If it is not a residence, how can it be a Home Occupation? There are two 10-acre parcels. The applicant and his daughter live in a house on one parcel. The business with the house/office and the storage/outbuilding are on the adjacent 10-acre parcel.
- There was a gap of about 20 months in time from when the old Trail of Pines ceased to do business and when the telemarketing business started.
- This is a dilemma: We don't want to put someone out of business. However, everyone is required to comply with the Zoning regulations.
- Other businesses in the city comply with the 25% maximum use for the business.

- There are eight items identified by the Zoning Administrator’s report that do not fit 1157.05 of the Zoning Code. Of those, the following were discussed:
 - The property is zoned residential;
 - No one lives in the house that is being used as the business office;
 - More than 25% of the house is used for the business;
 - There were more than two employees;
- Even if both parcels were combined into one permanent parcel number, there would still be no Home Occupation because the business is not being operated out of your home.
- Planning Commission cannot approve the application or take action because it does not comply with the Zoning Code.
- This is not a subject for a Zoning Variance.
- There is no consideration that the property is unique. Many other people have large parcels.
- Changes in Zoning have to be voted on by all the residents of Willoughby Hills. We cannot do ‘spot’ zoning.
- The business would not be ‘grandfathered’ because the permit was never renewed.
- The applicant is still doing business under a temporary permit that expires on 7/2/10. The Zoning Administrator can issue another temporary permit until the Law Director can review the case.
- The majority of the Board recommended that the application be reviewed by the Law Director for his interpretation. Expenses for the Law Director will need to be covered by the applicant.
- 1157.05 lists an appeal process in the last paragraph, item C.

MOTION: John Lillich moved to postpone decision on the application for 2938 S.O.M. Center Rd. until the next Planning Commission meeting on July 15, 2010 so that we can consult with the Law Director.
Seconded by Madeleine Smith

Discussion:

(Wyss) The temporary permit can be extended due to extenuating circumstances.

(DiVincenzo) Will I be able to speak with the Law Director? *Yes, he will have questions for you.*

Roll Call: 4 Ayes and 1 Nay (Schryer)
Motion Passes

UNFINISHED BUSINESS

None

NEW BUSINESS

None

MAYOR'S REPORT

There are several construction projects going on.

- The roof is on Gale’s Farmer’s Market and they are working on the siding.
- The city project near Mario Fazio’s has been involved with putting in controls for the pump station, generator in the back and curbing work for the easements. Wiring is now all underground. The pump station should be online in about two weeks.
- Mario Fazio’s is re-grading their parking lot. Sidewalks around it have been poured. Asphalt for the parking lot should be put down next week.
- Wright Place has their stone work completed and siding is next.

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Mr. Wonderful's Chicken and Waffle Express is due to open tomorrow. Block Buster is closing. National College had their formal grand opening last week. They are very supportive of the city and are very involved with veterans.

MEMBER'S REPORT

John Davis announced that there will be an opening of a Water Colors Exhibit at the Community Center Gallery on Thursday from 7:00-9:00 P.M.

COUNCIL REPRESENTATIVE'S REPORT

None

BUILDING COMMISSIONER'S REPORT

The owner of Mr. Wonderful's has four other locations.

The Water 7 Gallery opened last week. They have a temporary sign for now.

I will work with the architect and Mr. and Mrs. Hoge on their house plan. They are still very upset about the loss of their old house. He has had a very difficult time being reimbursed by the insurance company. The new one will be better and will be in keeping with the other homes in the neighborhood. *(Cihula) It will be a good transition between the larger modern houses to the south and the bungalows in the neighborhood.*

CHAIRMAN'S REPORT

Everyone have a wonderful Fourth of July weekend.

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

Adjourned at 8:42 P.M.


Clerk


Chairman

Date Approved 7-15-10