

MINUTES
Planning and Zoning Commission & Architectural Board of Review
City of Willoughby Hills, Ohio
December 3, 2009

CALL TO ORDER: 7:02 P.M.

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

ABSENT: Madeleine Smith

ALSO PRESENT: City Architect, William Gallagher; City Engineer Richard Iafelice, Building
Commissioner, Fred Wyss and BZA Representative, Frank Cihula
and clerk Katherine Lloyd

MOTION: James Michalski moved to excuse Madeleine Smith
Seconded by John Lillich
Roll Call: Ayes Unanimous
Motion Passes

**A letter from Mr. and Mrs. Beal was distributed tonight and will be added to the
Correspondence.**

**The chairman requested that the order of the agenda be changed and the Board had no
objections**

Disposition of Minutes: Meeting of November 5, 2009

MOTION: John Lillich moved to accept the minutes of November 5, 2009 as presented.
Seconded by James Michalski
Roll Call: 5 Ayes and 1 Abstention (John Davis)
Motion Passes

CORRESPONDENCE:

Letter from Brian J. Beal and Cheryl E. Beal dated 12/3/09 RE: 36401 Maplegrove Lot Split

ARCHITECTURAL BOARD OF REVIEW

Public Portion opened 7:05 P.M.

None

Public portion closed 7:05 P.M.

1. Terrence L. Rogers
Contractor: N/A
36905 Skyline Drive – Additions & Alterations to Existing – PPN: 31-A-009-I-00-004-0
Plans stamped received in Building Department 11/17/09
Plans stamped reviewed by Building Department 11/30/09

Present: Terrence L. Rogers

Owner/Representative Comments:

- The existing three bedroom house was built in 1948 by my father. We had a swimming pool approved earlier this year. Developing the design and plans for this project took awhile.
- The existing garage will be demolished because of its foundation. It will be replaced by a small office and shop/storage area/garage section.
- We will add an additional two-car garage to the east side with attic storage over the top.
- We would like to put a dining room over the solid concrete porch with a probable 36-inch foundation.
- The existing small dining room will become a study and a library.
- There are two existing bedrooms at the other end of the house. They will become a master bedroom / bathroom area with everything handicapped accessible. The existing bathroom will become a powder room.
- The existing kitchen will become a cooking and preparation area. The existing laundry room will become a dinette. Beyond the new dinette area, we will create a new laundry room.
- The basement will be unchanged, except for a new furnace.
- On the second floor over the small garage/shop area will be an additional bedroom. It can be totally separate from the rest of the house.
- The other bedroom will remain.
- It will be a three bedroom house with two full baths and a half bath.
- The style will stay the same. The house is metal sided with a white wood-grain finish. I will salvage what I can. I will try to locate additional same siding. If it cannot be locate, I will use a wood textured vinyl at the breaks and use the salvage material on the sides.
- Shingles are 30-year 3-tab. I think I may choose charcoal rather than black. It will be similar to what is currently on the house.
- We will use casement windows by Pella, Anderson or Peachtree with standard egress in every room that needs access.
- The garage door will have a 2-inch insulated, double metal sided panel door with windows on top.
- The house will remain white with either black or dark forest green trim on the shutters. Trim on all the windows is white.

City Architect's Comments:

- That was a thorough presentation.
- The window trim style is not shown on the elevations. You will match the 2-inch trim style that is on the house? *Yes* The corner boards on the house will match? *Yes. They may go smaller depending on the windows.*
- What is the window operation? *Crank open casements.*
- How much of the siding will be the original aluminum and how much would be the new vinyl? *I believe the full front of the house will be new siding. The back of the house is all salvaged. The porch on the back will be board and batten siding. It will probably be painted T-111 panel. The west elevation is salvaged. The east elevation will be vinyl, but I think I have enough salvage for the east.*
- Our concern is that everything matches and does not look like additions. If you cannot match, we recommend that you do the whole house in vinyl. *8-inch wood grain vinyl is still available and it will match.* If it does not match, we do recommend using the vinyl siding throughout. *Okay.*
- On drawing A7, the west elevation on the front of the house, the hip roof is an 8/12 or 9/12 slope versus a conventional 4/12 slope. It's a hip, not a gable. *A-7 is part of the profile of the original house. The existing house is 9 1/2. I chose that to match the profile of the existing house because I*

did not want to look at two different angles. I see that you are matching the gable roof, but since it is a different roof style, it could be a different roof slope. When you see it up there, look at it again. But it is your preference.

- There is a zoning concern about the master bedroom. *It is resolved. I changed the master bedroom plan. What used to be the master bedroom is now a closet. The change is shown on drawing revision 2. Okay.*

Board Comments:

(Weger) Have you considered putting in one large garage door and one small rather than three individual doors? It could make it easier to park a truck. *I park a truck in a 7-foot garage now and these are 8-foot wide and 8-foot high. I prefer individual garage doors to limit opening to the weather.*

MOTION: David Reichelt moved to approve the additions and alterations at 36905 Skyline Drive as submitted.
Seconded by John Lillich
Roll Call: Ayes Unanimous
Motion Passes

PLANNING COMMISSION

Public Portion opened 7:28 P.M.

None

Public portion closed 7:28 P.M.

WORK SESSION

1. Griffin Realty Ltd.

Contractor:

28890 Chardon Road - Building Addition – PPN: 31-A-008-G-00-036-0

Plans stamped received in Building Department 11/20/09

Plans reviewed by Building Department 11/24/09

Present: Ross DeJohn, III and Chuck Szucs, architect

Owner/Representative Comments:

- The existing funeral home has an adjacent, unattached 6-car garage. We want to enclose the space between the funeral home and the garage to create an addition. The addition will not change the green space or the amount of parking.
- At the time this facility was built in 1982, most people chose burial. The percentage of people choosing cremation is increasing and is anticipated to reach 50% in the next few years. We need to prepare a cremation center to meet the increased need for that type of disposition.
- There also needs to be room for the family viewing room before cremation because the law has changed regarding this.
- The aerial overlay on C2 of C2 shows the current layout with the cross-hatched section showing the addition. The proposed addition will line up with garage.
- We do need to request a variance along the west property line.

City Engineer's Comments:

There is very little pervious soil. A rain garden would be a good low tech method of stormwater retention.

City Architect's Comments:

- The first time I saw the building was what was presented. The site plan and building are appropriate for Planning Commission. Could you describe the building and its intent? *We will match the brick face and roofline on the exterior. It will look as though it has always been there.*
- What will need to be changed as a result of the addition? *There is a 20 yard dumpster that will be moved to the other side of the garage.* In the design, I would suggest screening walls and gates to hide the dumpster. *Okay.*
- I have no real comments on the building.

Board Comments:

(Schryer) There is a zoning issue. If this project continues and it fits as a redevelopment plan under 1111.15(b), the zoning can be worked into the development plan.

(Michalski) On C2 of C2, what is this other cross-hatched area? *That is an area where parking is not possible because of the canopy.* There is a section that says Assembly of God? *It is now Busy Bear.* It is a good plan and good design. You should come back.

(Szucs) Will we be back for one meeting or two? *You need Preliminary Review and the Final Plan.*

(Michalski) The plan shows an area for a pet crematory. (DeJohn) *Yes, we will offer pet cremation as a personal service to our clients.*

(Weger) How is the crematory constructed? Should we be concerned about odor? *We have been operating a crematory for a year and a half. The EPA has strict guidelines for temperature and odor. There has been no odor.*

Work Session Public Portion for Griffin Realty, Ltd.

Opened 7:42 P.M.

None

Closed 7:42 P.M.

2. Brian & Cheryl Beal

Ryan Clark (Owner-To-Be)

36401 Maplegrove – Lot Split – PPN: 31-A-017-0-00-009-0

Plans stamped received in Building Department 11/23/09

Plans approved by Building Department 11/24/09

Present: Ryan Clark (owner-to-be)

(Schryer) Ryan Clark is the purchaser of Brian & Cheryl Beal's property.

Owner/Representative Comments:

- I seek approval to split a 2.27 acre lot. It would become two lots. The northern portion would be just over an acre. The southern portion is the current Beal residence and my future home; it would be 1.27 acres.

- I am here to answer any questions about the lot split

(Schryer) This project is in Work Session because Mr. Clark does not yet own the property. The details of the split need to be more complete. He signed the papers today and the deal closes on December 14, 2009.

- I seek approval for the plat itself before the deal closes. I know that I cannot split or record a property that I do not own. I am working with the Building Department.

Schryer) It is difficult to approve property that is not in your name. The work session allows your work continue and prepare for approval at the next meeting. The site plan is not correct yet. All items need on the plat to be identified. *The shed will be removed.*

City Engineer's Comments:

I have several questions

- The plat identifies a devil's strip. That strip is there because the developer financed improvements on that part of the road. Will you be purchasing it as well? *Correct. It will close on the same day, 12/14/09.*
- We need to be concerned about the response of the other homeowners in the Pine Valley Home Owner Association (HOA) regarding a home that is being incorporated into a development, what the HOA regulations are, and any impact of the value of this home to the other homeowners. *The HOA sent a letter saying that they reviewed and approved the proposed plat. I have reviewed the covenants of the HOA. I also have two other pieces of correspondence regarding the septic. (Three pieces of correspondence were distributed to the Board.)* The question is the value of the existing home that is being incorporated into a development of brand new homes. The letter of approval is from the developer who has retained authority over the HOA.
- There is a driveway that is also used by the home to west and by the home to the east.
 - The driveway of the property to the west (Nancy Klenk) traverses the Block B-2 parcel. *My engineer drew up another plan for access off Maplegrove over to the Klenk property*
 - If this is a plat, that owner retains rights to the driveway and to the utilities. She has a gas line and perhaps a water line. The curb utility lines may also traverse Block B. These need to be located. The applicant should know how the lines run. The rights of the property owner need to be protected.
 - An easement needs to be shown in the re-platting of the block. *The recorded plat of the easement stays with the deed?* We are creating a re-plat of Lot B of the Pine Valley subdivision. Lot B2 would be created. The new plat should show that the easement is a utility line as well as a driveway which would document the easement rights to Parcel B.
 - The property to the south is also landlocked, but does connect to that driveway outside the Parcel B.
- Utility Easement: The applicant has already incorporated a 12-foot utility easement that is part of the subdivision across the frontage which allows for any future underground utilities.
- Would there be a permanent driveway from the existing house to Michele Court? *Perhaps in the future.* If so, there is a city law that requires a development with lot lines within 1000 feet of a water main to connect to city water. The driveway to Michele Court would make the property accessible to the water main. No wells are permitted because of possible contamination, even if it is a shallow well. This could be verified with the Law Director. The new home would have driveways and water lines? *Correct. I would state for the record that I would comply with that regulation.*
- The existing septic and tiles are on Parcel B and the existing house is on Parcel A. This issue is already been noted by the Building Department. Before any property transaction of Parcel B, the old system would need to be abandoned. *A new septic system is planned in a new location and is shown on the drawings. I have submitted correspondence regarding a soil expert and a contractor who have tested and would approve a new drip system. (Correspondence already distributed. My review of the Code did not indicate that Lake County needs to sign off on the septic proposal before split approval.* This is an unusual situation because the septic system for the house would be on a separate property after the split. It is possible that approval of the split could be conditioned on abandonment of the old septic system in favor of the new one. The Health District has jurisdiction over residential water wells and septic systems.

Board Comments:

(Lillich) Where is the well located? *It is near the circle of the turn-around on the opposite side.*

(Wyss) I asked for a septic plan because, in order to have the lot split and have it be compliant, the easement needs to be shown, unless you move the pipes. It is an infrastructure with pipes connected to the existing house that would be on Block B. I will check with the Law Director regarding this. You need to show an easement at the time of the recording, otherwise it would be an illegal encroachment on Block A. *Is this the easement that goes to the Klenk property?* Those need to be clarified and shown. They would be on the ‘legals’ which we have not received yet for the lot split. I am talking about the septic system which is a mechanical system that is on Block B and would encroach onto Block A, even though you own both properties. It needs to be shown, even as you would show an existing fence. I suggest that the septic system be changed prior to the time of recording. Other wise, an easement needs to be shown on Block A for the pipes that are in the ground now. You cannot record something that would not be compliant when you own the property.

(Lillich) Is it your intent to move the septic system wholly onto your property? *Yes, that is why it laid out like that on the plan. I am concerned about the timing. I would not want to remove the septic system before I was approved for the lot split. If you want me to get the plat approved, remove the existing septic, and then have the lot split recorded, I am amenable to that. Yes. I would like to have the plat approved before digging down and taking out the septic.*

(Lillich) Approving this lot split would be like approving a plan where the house and the garage would be on separate properties.

(Michalski) We could ask the Law Director to review this.

(Clark) Is it possible to get a temporary easement because it really is not encroaching anything but a vacant lot. I could remove the septic and have it replaced and have the temporary easement removed.

(Schryer) There is a time period between when you need to get approval and when you need to approve the plat. *(Clark) 120 days.* If you have the intent to do it in the time frame, it should not be a problem.

(Michalski) I think we can go forward and you can get an easement for the existing septic field on property B1.

(Schryer) It is important to show the easement for the utilities for the Klenk property. We need to be sure she is protected. We need to know where the pipes are and they need to be shown.

(Reichel) Would it make sense to deed the driveway to Nancy Klenk? *(Iafelice) Deeding the driveway to the southern neighbor would create a substandard situation. We still need to know where the utilities are.*

(Iafelice) I am concerned about the Health Department approval. *(Schryer) They come out to inspect the new one on B2 and verify that the old one has been abandoned.*

(Michalski) Can we provide a copy of the minutes to the applicant? *Yes.*

(Schryer) Check out the septic system and make sure the easement is correctly shown as a utility easement, not just a driveway.

(Michalski) We do not see any objections from a work session standpoint.

(Schryer) If you can get through all the issues before the deadline for the next meeting, come back so we can approve it.

**Work Session Public Portion for Ryan Clark (owner-to-be)
Opened 8:13 PM**

Mr. Brian Beal, 36401 Maplegrove Road

The closing date is on December 15th, not the 14th. We signed papers today. The easements are confusing. There is a 25-foot strip on the south side of our property for Nan Klenk. There is gas and water in addition to the driveway. It all appears to be within 25 feet of the existing easement.

Closed 8:14 PM

3. Royce Properties

Contractor:

36470 Maplegrove – Single Family Residential Subdivision – PPN: 31-A-012-E-00-001-0

Plans stamped received in Building Department 10/22/09

Present: Joe Gutoskey with Gutoskey & Associates Engineering and Brian Osborn with Royce Properties

Owner/Representative Comments:

- We are proposing a subdivision of single family homes on the site of the old nursery next to the Alliance Church. There will be 19 conforming, one acre lots on the 22 acre parcel with septic systems on each lot. The street will be curb and gutter dedicated.
- On Lot One, the house and barn will remain. We will work around the barn with the retention pond.
- The house sizes will be 3200 to 4200 sq. ft., similar to Pine Valley. Cost will be between \$395,000.00 and \$500,000.00

(Szucs) I am taking over the project from another engineer. Property was traded with the church. There will be minimum frontage. There has been testing for the new drip septic system. We will have county water and gas. We do not need a variance. All lots are conforming.

(Michalski) Who will the builder be? *We are currently in discussions.*

(Schryer) The designs of the individual homes will be different? *Yes*

City Engineer's Comments:

I have met with the applicant and the Building Commissioner. The lots are standard, conforming and are similar to Pine Valley and River's Edge. On this side of Maplegrove, being further upstream we need to be concerned about the volume and quality of stormwater and any run off. Permeability of the soils in the north part of the subdivision is a concern. Water retention is needed because drainage area is broken up on the site. Downstream of Lot 19 there are already problems with erosion and slope failure.

Is there a way to provide 'green' infrastructure? There would need to be a balance between what works with a project like this with \$400,000.00 homes and dedicated streets without curbs and gutters that connect to storm sewers and what the city would need to protect the roads and downstream properties.. Pictures from a Chagrin Valley Watershed Partners power point were distributed.

(Osborne) Stormwater management is necessary. We have been open to the 'green' concept but there is concern about the marketability of the homes and subdivision. Because it is untested, there might also be concern about property values. These are high maintenance concepts.

Board Comments:

There was a discussion of the elements of 'Green' planning. Concerns expressed included responsibility for maintenance and stormwater management. Access to the ponds for maintenance would need to be determined and planned.

**Work Session Public Portion for the Single family Residential Subdivision.
Opened 8:49 P.M.**

1. Linda Fulton, 2990 Marcum Blvd.

Clarification of the location of the development was requested. Concern was expressed about the impact on emergency vehicles if there were smaller roads with a middle strips.

2. Frank Cihula, 35060 Dixon Rd.

If the front setback requirement was lessened and the houses were situated closer to the street, it would allow bigger back yards and less impervious surface in the front.

Work Session Public Portion Closed 8:50 P.M.

Board Comments, continued:

Further discussion of how to encourage the homeowner to commit to 'green' homes and management of a 'green' subdivision. Access to the ponds for maintenance would be a requirement. Perception of the value of curb and gutter streets versus the 'green' ecological vision was discussed.

MASTER PLAN

There will be no Master Plan discussion.

Master Plan Public Portion

Opened 9:12 P.M.

None

Closed 9:12 P.M.

UNFINISHED BUSINESS

None

NEW BUSINESS

None

MAYOR'S REPORT

None

COUNCIL REPRESENTATIVE'S REPORT

None

BUILDING COMMISSIONER'S REPORT

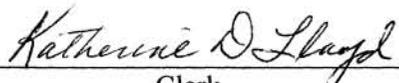
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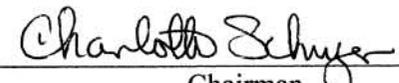
CHAIRMAN'S REPORT

None

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

Adjourned at 9:13 P.M


Clerk


Chairman

Date Approved December 17, 2009