

## STRONGSVILLE PLANNING COMMISSION

### MINUTES OF MEETING

August 2, 2018

The Planning Commission of the City of Strongsville met at the City Council Chambers located at 18688 Royalton Road, on **Thursday, August 2, 2018 at 7:45 p.m.**

Present: Planning Commission Members: Gregory McDonald, Chairman; Mary Jane Walker; Brian David; Edward Pfahl and James Kaminski; City Council Representative, Matthew Schonhut; Administration: Assistant Law Director, Daniel Kolick, Assistant City Engineer, Lori Daley, Building Commissioner, Anthony Biondillo, and Fire Department Representative, Randy French.

The following was discussed:

**STRONG HOUSE:** Mrs. Daley stated that they wanted to replace the windows and the shingles on the roof. The reason it is coming to us is because this is in the Town Center District and it needs a Certificate of Appropriateness. The City Planner had no issues with it. It did go through the Architectural Review Board and was approved there. There is no report from Engineering. Mr. Biondillo stated that they are replacing the windows and that is a sample of the type of window that they are putting in with the mullions in between to mimic the windows that are already there. Those windows have been replaced multiple times already. The roof is an asphalt single roof that has been replaced but it wasn't period correct. We saw no need, it has been there all these years as an asphalt roof. There are some corbel designs that hold up the overhangs that I believe have been removed and those are going to be either replicated or repaired. It is in approvable form. Mr. French stated that there was no report from the Fire Department. Mr. Kolick stated that the Commission was in a position to act on this matter.

**SGT. CLEAN:** Mrs. Daley stated that this is the carwash that is on the south end of Pearl right across from Admiralty. What they want to do is expand the pavement to the west to allow for additional vacuums to be placed. It extends this loop back and then they have some parking here for employees in the back and there is an existing fence right now that ends, this is against the residential property and they are taking that fence, going to match it and take it out so there is a buffer there up against those clusters. They did go to the BZA because they needed a variance for the setback for the parking on the north side and the BZA did grant that variance so with that the City Planner is good. From Engineering it is in approvable form. Mr. Biondillo stated that it is in approvable form. We are anticipating the receipt of the electrical drawings for the feeds for the vacuums that are going in. Mr. McDonald asked the applicant, is this going to have a central vacuum that will pipe out to each of the stalls? The applicant stated that it was. Mr. Biondillo stated that there were some individual vacuums too. The applicant stated that there were four in the front. That will all be connected to the

central vacuum inside the building in the corner. Mr. French stated that there was no report from the Fire Department. Mr. Kolick stated that the Commission could act on this matter.

**EDEBROOK SUBDIVISION:** Mrs. Daley stated that this is a lot split and consolidation for Sublot 4 in Edgebrook. It is the first subplot here as you are coming in off of Westwood. It is an odd shaped lot and they are having a difficult time fitting their house on it so what they would like to do is take some land, this is Common Property back here and attach it to their property. With that the City Planner had no issues, everything meets the Zoning Code. Just to point out, this is the access drive that goes back here to the detention basin so some of that easement now will be located on this property but it is within the setback so a house cannot be built over it. From Engineering it is in approvable form. Mr. Biondillo stated that there was no report from the Building Department. Mr. French stated that there was no report from the Fire Department. Mr. Kolick stated that they had to revise the Covenants and Deeds and have given me the revisions to show this out of Common Property and into individual subplot so you can act on it subject to my report and filing of those Covenants and Deeds.

**ORDINANCE 2018-104 and 2018-113:** Mr. Kolick stated that this Ordinance, Council a number of years ago changed the rear yard setbacks from 30 feet to 50 feet, areas like Highpoint and a number of other areas were all constructed with that 30 foot rear setback. That made all those lots non-conforming which means that you couldn't put a shed, addition, or anything on it because the lot, even the house did not conform with the setbacks. That created a problem for the City where we were getting numerous requests for sheds, decks, everything else to go on the back of the lot. So we came up with actually two different alternatives to correct the problem. The first one just puts the setback to where it was before, to 30 feet. There was some feeling on Council that, well we still like the 50 foot setback on the new areas that go in as opposed to the existing areas and so we came up with a second ordinance that said, you have to meet the 50 in the new area if it has not been platted yet but the old areas would in effect be non-conforming uses and you would only have to meet the 30 foot on those new areas that already had a plat line or setback line showing on the plats. So those are the two different ordinances you have. The first one returns it to where we were before, the second one returns it for existing sublots that are platted but leaves it at the 50 feet which is the new area for any new platted subdivision that would come in. You need to give a recommendation to Council one way or the other. You have to go with one or the other, I am going to suggest from an administrative standpoint because we have just been buried with variance requests for existing units for every little change you have to make, if you want to put an accessory structure in, if you want to add to the house, they want to put a deck on, they are going to put a patio on, they are going to replace one, we have to send them to the BZA and it is just a nightmare. We are looking for a

recommendation to give to Council so that Council can consider them both, they do two separate things. You need to determine what you want to do. Mr. McDonald stated that the first one would correct all the existing ones. Mr. Schonhut stated that in 2014 if I remember correctly that this was all changed and it was the density that was changed at that time of how many clusters per acre could be built, also at that time the setback was changed and I think there were some other minor revisions at that time. Mr. Kolick stated that there were a number of revisions, none of the other ones cause us any problem. At the last minute this got into the ordinance somehow, I don't even know how. It isn't something that we did but they changed the rear yard setback that is the one that is causing all the problems. The density has not caused any and problems with the change in density, none of these other ones have caused any problems. The only problem has been the rear yard setback. Mr. Kaminski stated that Council still makes the final call either way. Mr. Kolick stated that the Commission is a recommending body to Council, you tell Council what your recommendation is, it is always up to Council to make a final determination, yes. Mr. Schonhut stated that they had spent a lot of time talking about this and the feel of Council was to keep the setback at 50 feet but find a way to grandfather the existing properties to where this was not an issue and that is where Ordinance 2018-113 came in. Obviously 2018-104 just reverts back to the way it was. When we changed that in 2014 it passed Planning Commission unanimously and Council unanimously both times, for that change that we did then. Again, more recently has come more to light that that was more of an issue with that then what we had realized at the time. I think a lot of people may have missed it at the time but one way or the other, clearly it snuck through but I think the feeling on Council is to try to keep the 50 feet but find a way to grandfather previously platted and approved lots. Mr. Kolick stated that Ordinance 113 would do that. Mr. McDonald stated that from his perspective as a Planning Commission, and trying to administer these issues. We have a mess on our hands now. Something has to change because of the way it is. Ordinance 104 obviously takes it back to how it was before. Ordinance 113, the concern I have with 113 is now we are going to have, we have all different kinds of zoning in town and now we are going to have an asterisk next to one of our zonings that says if you are platted before this date then this applies and if you are platted after this date then this applies. Administratively it seems like it is going to be a challenge. Mr. Biondillo stated that it is not an issue now because there is enough of us here that know the history of it. Our only comment was in 15 or 20 years from now, people that have not been around and weren't part of this process, there could be mistakes made. You can have developments right adjacent to each other within a subdivision that was put in prior to the enactment of those new rules and the ones after where my neighbor has a setback of 30 feet, now my setback is 50 feet so it could cause some problems within individual homeowners associations or individual developments. That is from an administrative standpoint, right now it is not that big of a deal. Mr. Kolick stated that we know Highpoint came in before this, we know this came

in before this but we are not always going to be here to be able to relate that so we will have two different sets of rules for the same district. Now, can we somehow record those electronically, yes we can probably get around that problem. The other problem that it constitutes though is what Greg was saying, you could have phase 1 with this set of rules and phase 2 when it comes in has a different set of rules. The Goldberg's are still extending their subdivisions there and they will have some that will have 50 foot setbacks and some that have 30 foot setbacks. Mr. McDonald stated that where this really applies is just that land that is not platted yet. I think that Lori took a look and that amounts to about a dozen different areas. Mrs. Daley stated that there are about a dozen areas that are currently zoned residential undeveloped. Mr. McDonald so call it 90/10, call it 80/20 but at the end of the day you are going to have 80 to 90% of the residents and the land zoned in one fashion and 10 to 20% of it applying different rules. Mr. Kaminski asked what about a subdivision that is slated for an additional street and they've already found out what the depth would be. Mr. McDonald stated that every one of these dozen areas is already owned by somebody with a plan for a development of some sort. Mr. Kaminski said so then you are squeezing down much smaller homes. You are going to cut the home size down. Mr. McDonald stated either that or you are going to increase the size of the lot. Mr. Kaminski in a situation where a street is already planned that is going to be difficult. Mr. Kolick stated that you would be cutting down the size of the home. One size of home so far and another size thereafter because there is no way you can move that setback. That is the down side of doing that.

The meeting was called to order at 8:00 PM by the Chairman, Mr. McDonald.

Roll Call:

Members Present: Mr. McDonald  
Mrs. Walker  
Mr. Pfahl  
Mr. Kaminski  
Mr. Schonhut  
Mr. David

Also Present:

Mr. Biondillo, Bldg. Com.  
Mrs. Daley, Asst. Engineer  
Mr. Kolick, Asst. Law Dir.  
Mr. French, Fire Dept. Rep,  
  
Carol Brill, Recording Secy.

**MOTION TO EXCUSE:**

Mr. David - Mr. Chairman.

Mr. McDonald – Mr. David.

Mr. David - I move to excuse Mayor Perciak for just cause.

Mrs. Walker – Second.

Mr. McDonald – Secretary, please call the roll.

Roll Call: All Ayes APPROVED

**REVISED AGENDA**

Mr. David – Mr. Chairman.

Mr. McDonald – Mr. David.

Mr. David – I move to use the Revised Agenda for this evening.

Mrs. Walker – Second.

Mr. McDonald – Secretary please call the roll.

Roll Call: All Ayes APPROVED

**APPROVAL OF MINUTES**

Mr. McDonald – You have had a chance to review the minutes of July 12, 2018. If there are no additions or corrections they will stand as submitted.

**PUBLIC HEARINGS:**

**STRONG HOUSE/ Mike Catan, Principal**

a) Certificate of Appropriateness for an exterior renovation to the current Strong House located at 18910 Westwood Drive, PPN 396-10-010 zoned General Business.

b) Site Plan approval for the modifications to the exterior of the Strong House located at 18910 Westwood Drive, PPN 396-10-010 zoned General Business. \*ARB Favorable Recommendation 7-24-18.

Mr. McDonald – Item Number One, Strong House, anyone wishing to speak in favor, please step forward and state your name and address for the record.

Mr. Catanzarite – Mike Catanzarite, 13000 Darice Parkway, Strongsville.

Mr. McDonald – Thank you, is there anyone else who would like to speak in favor or against? Seeing and hearing none I declare the Public Hearing closed and we will listen to the Administrative Reports, Mrs. Daley.

Mrs. Daley – Thank you Mr. Chairman. From the City Planner, the applicant's plans were reviewed by the Architectural Review Board which recommended approval with minor requirements which the applicant agreed to. It is recommended that the Planning Commission grant approval to both the Certificate of Appropriateness and the proposed site plan. From Engineering there is no report. Thank you.

Mr. McDonald – Thank you, Mr. Biondillo.

Mr. Biondillo – Thank you Mr. Chairman. From the Building Department, the plans are in approvable form. Thank you.

Mr. McDonald – Mr. French.

Mr. French – Thank you Mr. Chairman. From the Fire Department, there is no report. Thank you.

Mr. McDonald – Thank you, Mr. Kolick.

Mr. Kolick – Thank you Mr. Chairman. You are in a position to act on this matter this evening.

Mr. McDonald – Are there any questions or comments? Hearing none, I would entertain a motion for Strong House.

Mr. David – Mr. Chairman.

Mr. McDonald – Mr. David.

Mr. David – I move to give favorable consideration for Certificate of Appropriateness for an exterior renovation to the current Strong House located at 18910 Westwood Drive, PPN 396-10-010 zoned General Business.

Mrs. Walker – Second.



and that was approved at the ARB. I would ask that we make it subject to the receipt of the electrical drawings for the vacuum installation. Thank you.

Mr. McDonald – Mr. French.

Mr. French – Thank you Mr. Chairman. From the Fire Department, there is no report. Thank you.

Mr. McDonald – Thank you, Mr. Kolick.

Mr. Kolick – Thank you Mr. Chairman. Just for the applicant, as mentioned at BZA, since this does abut residential, we just ask that whatever you can do to deaden any sound from those vacuums particularly the rear ones. The front ones are on Pearl Road and they don't bother me as much and they are next to two other commercial uses but the rear ones are near residential areas so just pay attention to that and you can work with our Building Department. You are in a position to act on this tonight subject to the report of the Building Department.

Mr. McDonald – Are there any questions or comments? Hearing none, I would entertain a motion for Sgt. Clean Carwash.

Mr. David – Mr. Chairman.

Mr. McDonald – Mr. David.

Mr. David – I move to give favorable consideration for Site Plan approval for a rear paving expansion and self-serve vacuums for property located at 18534 Pearl Road, PPN 394-26-003 zoned Commercial Service subject to the report of the Building Department.

Mrs. Walker – Second.

Mr. McDonald – Secretary please call the roll.

Roll Called

All Ayes

APPROVED

**EDGEBROOK SUBDIVISION/ Dan Bailey, Agent**

Re-subdivision of PPN 392-24-015 also known as Sublot 4A located on Edgebrook Drive zoned RTC.



Mr. McDonald – Item Number Three, Edgebrook Subdivision, please step forward and state your name and address for the record.

Mr. Bailey – Dan Bailey, 7459 Camden Circle, Middleburg Heights, Ohio.

Mr. McDonald – Thank you, we will now listen to the Administrative Reports, Mrs. Daley.

Mrs. Daley – Thank you Mr. Chairman. From the City Planner, the new Sublot 4-A will be slightly larger and will still comply with all of the zoning requirements. The Common Area will also comply and approval is recommended. From Engineering the plats is in approvable form. Thank you.

Mr. McDonald – Thank you, Mr. Biondillo.

Mr. Biondillo – Thank you Mr. Chairman. From the Building Department, there is no report. Thank you.

Mr. McDonald – Mr. French.

Mr. French – Thank you Mr. Chairman. From the Fire Department, there is no report. Thank you.

Mr. McDonald – Thank you, Mr. Kolick.

Mr. Kolick – Thank you Mr. Chairman. Before going forward with this we had asked Mr. Bailey to take care of certain Common Area improvements including that retention area. I believe that he has taken care of everything, there may be one minor thing that still needs to be included. I would not hold it up for that but just mention it. Any approval tonight needs to be made subject to the filing of the Covenants and Deeds. His attorney has given those to me already and I have approved them, they just need to be filed with the County.

Mr. McDonald – Are there any questions or comments? Hearing none, I would entertain a motion for Edgebrook Subdivision.

Mr. David – Mr. Chairman.

Mr. McDonald – Mr. David.

Mr. David – I move to give favorable consideration for Re-subdivision of PPN 392-24-015 also known as Sublot 4A located on Edgebrook Drive zoned RTC, subject to the filing of the Covenants and Deeds.

Mrs. Walker – Second.

Mr. McDonald – Secretary please call the roll.

Roll Called

All Ayes

APPROVED

**REFERRALS FROM COUNCIL:**

**ORDINANCE NO. 2018-104**

An Ordinance Amending Section 1253.11 of Title Six of part Twelve-Planning and Zoning Code of the Codified Ordinances of the City of Strongsville Concerning Requirements Associated with Single-Family Detached and Cluster Developments, and Declaring an Emergency.

Mr. McDonald – Mr. Kolick

Mr. Kolick – Thank you Mr. Chairman. Back in 2014 or the beginning of 2015, we revised the zoning code making certain changes to the residential area. One of those changes, the changing of the rear yard setback from 30 feet to 50 feet has caused an administrative problem as well as a practical problem. All those subdivisions that were originally constructed with the 30 foot setback then became non-conforming which meant that any change to those lots, whether it was an addition to a building, whether it was a shed going on the lot or whatever it was it had to come in to the BZA to get a variance. This sort of created an administrative nightmare so Council in looking at it asked us to take another look to see what we could do to relieve that problem that was created with the rear yard setback. The initial thought was to take it back to where it was originally at 30 feet, that would take care of our problem. That is what 2018-104 does. As it was going through the legislative process, Council then said, well, certain members of Council said that they wanted to see it left at 50 feet for future subdivisions but they did want to relieve the problem that we had with the existing subdivisions so there was a second ordinance that came up to reflect that fact and that would be ordinance number 2018-113. What that basically says is that if you have an existing platted subdivision you would abide by the 30 foot setback. If the land is unplatted though and then becomes platted in the future you would have to live with the new 50 foot setback. That is the difference between the two ordinances. Council is waiting for a recommendation, either favorable or unfavorable. In my opinion you should certainly grant one or the other because we have a big problem now until you do so. It is really up to this Commission to decide which one you would be in favor of doing.

Mr. McDonald – Are there any questions or comments from the members? I do want to make a comment. We talked about this a little bit in Caucus and Mr. Kolick just brought

up the reason these are in front of us today is because back in 2014 we created ourselves an administrative nightmare which is what our Building Commissioner is currently going through with the situation that we are in. Something has to change and we have to do something about the situation that we are in today. On the second ordinance 2018-113, to have our land zoned for a certain purpose and then have a caveat to that to depend on when it was platted seems that we are leading down the road to another administrative nightmare for not only ourselves but also the homeowners and the properties of the developers that are building. So my perspective, I am in favor of going back to where we were in 2018-104 to alleviate the problem that we have today and not create another problem that we would have in 2018-113. Are there any other comments?

Mr. McDonald - ORDINANCE NO. 2018-104. An Ordinance Amending Section 1253.11 of Title Six of part Twelve-Planning and Zoning Code of the Codified Ordinances of the City of Strongsville Concerning Requirements Associated with Single-Family Detached and Cluster Developments, and Declaring an Emergency.

Mr. David – Move to give favorable consideration.

Mrs. Walker – Second.

Mr. McDonald – Secretary, please call the roll.

Roll Call:	Mr. McDonald	Aye	
	Mr. David	Aye	
	Mr. Pfahl	Aye	
	Mrs. Walker	Aye	
	Mr. Schonhut	Nay	
	Mr. Kaminski	Aye	FAVORABLE

**ORDINANCE NO. 2018-113**

An Ordinance Amending Section 1252.20 of Title Six of Part Twelve-Planning and Zoning Code; Enacting New Section 1253.14 of Title Six of Part Twelve-Planning and Zoning Code, of the Codified Ordinances of the City of Strongsville Concerning Requirements Associated with Single-Family Detached and Cluster Developments, and Declaring an Emergency.

Mr. McDonald - ORDINANCE NO. 2018-113. An Ordinance Amending Section 1252.20 of Title Six of Part Twelve-Planning and Zoning Code; Enacting New Section 1253.14 of

Title Six of Part Twelve-Planning and Zoning Code, of the Codified Ordinances of the City of Strongsville Concerning Requirements Associated with Single-Family Detached and Cluster Developments, and Declaring an Emergency.

Mr. David – Move to give favorable consideration.

Mrs. Walker – Second.

Mr. McDonald – Secretary, please call the roll.

Roll Call:	Mr. McDonald	Nay	
	Mr. David	Nay	
	Mr. Pfahl	Nay	
	Mrs. Walker	Nay	
	Mr. Schonhut	Aye	
	Mr. Kaminski	Nay	UNFAVORABLE

Mr. McDonald - Any other business to come before this Commission this evening?  
Seeing none, we are adjourned.

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Greg McDonald, Chairman

*Carol M. Brill*  
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Carol M. Oprea, Recording Secretary

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Approved