

PLANNING AND ZONING COMMISSION  
MINUTES OF **TUESDAY, SEPTEMBER 03, 2019**

Pursuant to notice duly given, the regular meeting of the Planning and Zoning Commission, also sitting as the Board of Zoning Appeals, was called and held on **Tuesday, September 03, 2019 at 5:00 P.M.** in the Council Chambers of the Gates Mills Town Hall.

Members present: Nancy Sogg; Chair, Scott Broome, Sally Burke, Jim Deacon, Emily Hamilton, and Craig Steinbrink.

Members absent: Sandra Turner.

Also present: Chris Courtney, Village Engineer  
Todd Hunt, Law Director.  
Karen Schneider, Mayor

1. Roll Call.
2. The minutes of **Tuesday, July 02, 2019** regular meeting of the Planning and Zoning Commission were submitted for approval.

A motion was made to approve the minutes as *submitted*.

Motion by: S. Broome                      2<sup>nd</sup>: S. Burke

Roll Call:    Ayes: All.  
                  Nays: None.

**Motion Approved**

**Deacon Enters**

3. Review and discussion of proposed ordinance change amending Sections 1157.03 and 1157.031 of the Planning and Zoning code permitting the use of pool safety covers.

Mrs. Sogg reviewed the proposed revised ordinance. She indicated this had been referred to the Commission for consideration by Council. The intent is to provide an alternative safety feature for in ground pools in addition to the fencing currently required by code.

Refer to audio recording for additional detail.

After further discussion, a motion was made to approve the proposed ordinance change as *submitted* and refer to Council for final consideration and approval.

Motion by: S. Broome 2<sup>nd</sup>: J. Deacon

Roll Call: Ayes: All.  
Nays: None.

### **Motion Approved**

### **Hamilton Enters**

4. Motion to adjourn the regular meeting of the Planning and Zoning Commission and convene a meeting of the **Board of Zoning Appeals**.

Motion by: C. Steinbrink 2<sup>nd</sup>: S. Burke

Roll Call: Ayes: All.  
Nays: None.

### **Motion Approved**

5. A front yard setback variance request for a non-conforming structure for the **STORER** residence at **1629 Berkshire Road** was heard. Notice has been given to adjoining property owners. Richard Kawalek, Architect and Mrs. Storer, were present.

Mr. Kawalek reviewed the proposed variance request for the Board. He indicated the existing main house is considered non-conforming because it does not meet the required front yard setback. The proposed addition will encroach into the front yard an additional 12'. The new addition will provide garage space and additional living quarters for a home health caretaker for Mrs. Storer.

Mr. Broome asked if the addition could be placed on the opposite side of the house.

Mr. Courtney provided an aerial map of the property and explained a ravine on that side of the house exists and would make the addition much more challenging.

Mr. Biggert explained because of the ravine and the Villages Hillside Ordinance, a variance would most likely be required to place the addition on the other side. The applicant would be trading one variance for another.

Mrs. Hamilton asked if trees would need to be removed.

Mrs. Sogg asked if any additional screening will be installed to replace the trees removed.

Mr. Kawalek indicated 3 trees will need to be removed for the proposed addition. He reviewed the architectural drawings with the Board. He stated that the remaining trees and landscaping will provide adequate screening of the house from the street.

Mrs. Sogg asked if the owner would consider installing additional screening.

Mr. Kawalek did not think it would be a problem and will discuss with the owner.

Mr. Steinbrink pointed out the existing drive remains in its current location and will not be any closer to the street. Because of this, the front yard and existing landscape is not impacted and therefor does not change the appearance of the house from the street.

Mr. Broome reviewed the Variance Worksheet for the Board.

Refer to audio recording for additional detail.

After further discussion, a motion was made to approve a 20' front yard setback variance request to expand a current non-conforming structure as *submitted*. The owner shall consider adding trees in the front yard to provide additional screening from the street.

Motion by: S. Broome 2<sup>nd</sup>: J. Deacon

Roll Call: Ayes: All.  
Nays: None.

### **Motion Approved**

The Commission discussed a possible new ordinance prohibiting "short-term" rental of properties in the Village. Mr. Hunt will provide sample ordinances from other municipalities for consideration.

There being no further business the meeting was adjourned at **5:26 P.M.**

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Nancy Sogg, Chair

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David Biggert, Secretary