

PLANNING AND ZONING COMMISSION
MINUTES OF **TUESDAY, JULY 05, 2022**

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, July 05, 2022 at 5:00 PM** in the Council Chambers of the Town Hall.

Members present: Craig Steinbrink; Chair, Scott Broome, Jim Deacon, Chip AuWerter, Emily Hamilton, and Jeannine Voinovich.

Members absent: Nancy Sogg.

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

1. Roll call.
2. The minutes of **Tuesday, June 07, 2022** regular meeting of the Planning and Zoning Commission were submitted for approval.

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

Motion by: C. AuWerter 2nd: E. Hamilton

Roll Call: Ayes: All.
 Nays: None.

Motion Approved

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

Motion by: S. Broome 2nd: C. AuWerter

Roll Call: Ayes: All.
 Nays: None.

Motion Approved

4. A lot frontage variance request for the **SPIRK** property at **7670 Brigham Road** was heard. Notice had previously been provided to adjoining property owners. Donald Sheehy, Engineer/Surveyor was present.

Mr. Sheehy reviewed the proposed lot split and lot frontage variance request for the Board. He indicated the property owner is willing to place a restriction on lot

"C" which would prohibit it from being further sub-divide in the future. He stated the proposal limits the lots to 3 in lieu of 5 which would be allowed by the Village ordinances. It also reduces the number of driveways to 1 instead of 3.

Mr. Steinbrink stated the owner has enough property to sub-divide into five lots with four of the lots meeting the frontage requirement along Brigham Road. The request reduces the total number of lots, reduces the total number of driveways onto Brigham which improves safety, reduces the amount of clearing and environmental impact, and prohibits additional lot splits in the future.

Mr. Hunt stated the restriction could be a condition on approving the variance request with a note placed on the new plat or an information affidavit filed with the County.

Mr. Broome stated reducing the total number of driveways onto Brigham Road is an important safety issue. The last thing the road needs is additional driveways and vehicles turning onto the road in that area.

Mr. Steinbrink opened the meeting to comments from the audience.

Mr. David Forker from 779 Chagrin River Road spoke. He stated he was opposed to any additional lot splits and development in the Village.

Mrs. Laura Watson from 7740 Brigham Road spoke. She stated she was opposed to the approval of the request. Concerned with the environmental impact the additional development could cause.

Ms. Holly Mathew from 7469 Sherman Road spoke.

Mr. AuWerter stated the Commissions is in a difficult position. The property owner could sub-divide the existing parcel into 4 to 5 new lots without the need for any variances being granted. The proposal, if approved, is in the best interest of the property owner and the Village.

Mr. Broome reviewed the *Variance Worksheet* for the Board.

After further discussion, a motion was made to approve a 110' lot frontage variance as requested on the following conditions:

1. A special note shall be placed on the final new plat and/or an informational avadavat shall be filed with the County prohibiting any further sub-dividing of lot "C".
2. All driveways for the three lots shall be through the 90' strip which will remain part of parcel "C".

Motion by: S. Broome 2nd: J. Voinovich

Roll Call: Ayes: All.
Nays: None.

Motion Approved

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

Motion by: S. Broome 2nd: J. Deacon

Roll Call: Ayes: All.
Nays: None.

Motion Approved

6. A lot split request for the **SPIRK** property at **7670 Brigham Road** was heard. Donald Sheehy, Engineer/Surveyor was present.

After further discussion, a motion was made to approve the lot split as requested based on the conditions discussed and variance previously granted.

Motion by: S. Broome 2nd: C. AuWerter

Roll Call: Ayes: All.
Nays: None.

Motion Approved

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

Motion by: S. Broome 2nd: E. Hamilton

Roll Call: Ayes: All.
Nays: None.

Motion Approved

8. A request to expand a non-conforming structure and setback variance for the **GATES MILLS HISTORICAL SOCIETY** at **7580 Old Mill Road** was heard. Notice has been provided to adjoining property owners. David Ellison, Architect was present.

Mr. Ellison reviewed the request. He stated the GMHS would like to construct an addition into the existing building to provide more storage space and a

conference room. Based on the current understanding of the boundary location, a rear and side yard setback variance will be required. He asked Mr. Courtney to review the situation regarding the property lines.

Mr. Courtney stated there is confusion on the actual location of the property lines for the GMHS and the Chagrin Valley Hunt Club. It appears to be the result of the abandonment of the old Inner Urban Railroad right-of-way. He submitted a drawing showing a portion of land taken from the CVHC and added onto the GMHS property. He stated a proposed boundary re-adjustment will eliminate the property line confusion and will place the existing shed and cupola on the GMHS property as it should be.

Mr. Steinbrink suggested the Board would be reluctant to approve any expansion or variance without accurate drawings and specific setbacks distances understood. He recommended the request be tabled until the August meeting when a boundary location plat can be presented for consideration and the correct variance requests submitted.

Mr. Biggert agreed this would be the best way to proceed.

Mr. Courtney stated he should be able to have the boundary re-location plat ready for the August meeting which would also allow the variance requests to be submitted at the same meeting.

After further discussion, a motion was made to table the request until the August meeting when additional information can be submitted.

Motion by: E. Hamilton 2nd: J. Deacon

Roll Call: Ayes: All others.
 Nays: None.
 Abstain: Broome, stated he is a member of the GMHS Board.

Motion Approved

9. A side yard setback variance request for the **KENNEDY** residence at **7430 Foxboro Road** was heard. Notice was provided to adjoining property owners. Al Klauss, Paskevich Architects and Chas Kennedy, Owner were present.

Mr. Klauss reviewed the proposed variance request for the Board. He indicated they are requesting a 16' side yard setback variance for a proposed addition. He stated the addition includes a new 3 ½ car garage on the south end, due to the location of the existing structure and the proposed plan, a variance is required.

Mr. Broome stated the neighbor to the east has requested natural plantings to be added to the south side of the property to help screen the new addition.

Mr. Kennedy stated the lower single-story garage has been located on the south side of the property instead of the two-story addition to help lower the structure and reduce the visual impact. Additional screening on south side was considered part of the project.

Mr. Broome reviewed the *Variance Worksheet* for the Board.

After further discussion, a motion was made to approve a 16' side yard setback variance as requested on the condition a natural screening plan shall be submitted to the Village for review and approval and maintained.

Motion by: S. Broome 2nd: E. Hamilton

Roll Call: Ayes: All.
 Nays: None.

There being no further business the meeting was adjourned at **6:15 P.M.**

Craig Steinbrink, Chair

David Biggert, Secretary