

PLANNING AND ZONING COMMISSION
MINUTES OF **TUESDAY, JUNE 07, 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, June 07, 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, Nancy Sogg, and Jeannine Voinovich.

Members absent: None.

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

1. Roll call.
2. The minutes of **Tuesday, May 03, 2021** 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: S. Broome

Roll Call: Ayes: All others.
 Nays: None.
 Abstain: Sogg.

Motion Approved

3. Mr. Steinbrink announced the setback variance request for the Kennedy property at 7430 Foxboro Road has been removed from the agenda at the request of the applicant.
4. A lot consolidation request for the **PORTER** properties at **7880 Gray Eagle Chase** was heard.
Nicholas Marrino, Surveyor was present.

Mr. Marrino explained the lot consolidation request for the Commission. He stated there are currently 2 lots with the house structure in the middle spanning over the center boundary line. A new septic system is required for the property. The Cuyahoga County Board of Health will not issue a septic permit until the properties are combined into one.

After further discussion, a motion was made to *approve as final* the lot consolidation request as submitted.

Motion by: S. Broome 2nd: N. Sogg

Roll Call: Ayes: All.
 Nays: None.

Motion Approved

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

Motion by: N. Sogg 2nd: J. Voinovich

Roll Call: Ayes: All.
 Nays: None.

Motion Approved

6. A fence height variance request for the **CASTREE** residence at **680 County Line Road** was heard. Notice has been provided to adjoining property owners. Kristen Castree, Owner attend via conference call.

Mrs. Castree reviewed the proposed fence height variance request for the Board. She indicated they recently moved into their new home on County Line Road. At that time, the lot to the north was vacant. The construction of a new house has recently begun, the location of the building is forward of theirs (closer to the street) by approximately 52'. The request is to install an 8' tall solid white fence along the property line to screen the view to the rear of the new house to the north. The fence will also screen the headlights from shining into their bedroom when the neighbors pull into their garage.

Mrs. Sogg asked if they have considered installing natural screening in lieu of the fence. She suggested an 8' tall solid white fence might be too much. Also suggested discussing screening options with the new neighbor who might be willing to contribute to the screening.

Mrs. Castree stated they are considering installing natural screening. She indicated it comes down to the cost. She has not priced installing natural screening yet but would be willing to provide the costs for a fence and natural screening to the Board for comparison.

After further discussion, a motion was made to continue the discuss until the July meeting when pricing for fencing and natural screening can be provided.

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

Roll Call: Ayes: All.
 Nays: None.

Motion Approved

7. A lot split and lot frontage variance request for the **SPIRK** property at **7670 Brigham Road** was heard. Notice has 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 considering splitting his current 26-acre property into 3 lots, 2-5 acre lots along Brigham Road and the remaining 16 acres he would retain with the existing house and drive. The current proposal has the owners lot with 70' frontage along the street which requires a variance. The 70' wide strip would contain the existing drive which would be shared by the other 2 lots through an easement agreement. The shared drive eliminates the need for additional driveways and avoids crossing the existing stream.

Mr. Courtney reviewed the current Village Riparian ordinance. He stated it does appear the 2-5 acre lots are buildable.

Mr. AuWerter suggested changing the layout of lot "B" to be able to meet the 200' frontage requirement would eliminate the need for a variance.

Mr. Sheehy stated the owner would prefer the current layout because it provides a great land buffer and screening from the existing property to the 2 new lots.

Mr. Steinbrink asked Mr. Courtney if he felt any future homes would need variances from the Village to be built on the new lots.

Mr. Courtney stated it is hard to completely determine without a complete lot feasibility study. However, with five acres it should be possible to locate new homes on the lot without variances being granted.

Mr. Steinbrink stated the Villages code is clear in wanting to minimize the number of "flag" lots. Suggested the owner consider alternative lot configurations, more in keeping with the current code.

Mr. Sheehy stated the current proposal is in the best interest of the Village because it limits the number of lots to three and because of the easement access agreement only requires one drive instead of three.

Mr. Broome stated that area is challenging enough with the hill, and it would be more dangerous having two additional drives and vehicles stopping to turn into driveways on the hill.

Mr. Biggert asked if the lot split affects or eliminates the owner's ability to continue in the ODNR Tree Harvesting program.

Mr. Sheehy indicated the owner is looking into it. Stated the property is nearing the end of the program span and would most likely drop out of the program at the appropriate time.

Mr. AuWerter suggested why would the Board approve the request when there are clearly other options that do not require variances from the Village.

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

Mrs. Susan Thorp from 695 Racebrook Road expressed her concern on the additional stormwater run-off from the new lots. She stated she is not in favor of the variance being granted.

Mr. Courtney stated the Villages current stormwater regulations are in place to help deal with any additional stormwater run-off and minimize any downstream damage.

Mr. Thomas Flynn from 7640 Brigham Road stated he was wondering about how the split would affect the agricultural program the property is currently under.

Mrs. Sogg asked Mr. Courtney if the existing stormwater culvert could handle the additional runoff.

Mr. Courtney stated that would be determined at the time a full stormwater management plan was submitted for review.

Mayor Schneider suggested additional information be submitted showing the house layouts on the properties and optional layouts of the boundaries for consideration.

Mr. Broome suggested the additional information might help the case in granting the frontage variance.

After further discussion, a motion was made to continue the discuss until the July meeting when additional studies show alternative layouts and lot feasibility.

Motion by: N. Sogg 2nd: C. AuWerter

Roll Call: Ayes: All.
 Nays: None.

Motion Approved

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

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

Roll Call: Ayes: All.
 Nays: None.

Motion Approved

9. A discussion was held regarding a possible new ordinance regulating chickens and revised ordinance regarding solar energy systems.

There being no further business the meeting was adjourned at **6:08 P.M.**

Craig Steinbrink, Chair

David Biggert, Secretary