

PLANNING AND ZONING COMMISSION
MINUTES OF **TUESDAY, SEPTEMBER 03, 2024**

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, 2024.**

Members present: Craig Steinbrink; Chair, Scott Broome, Emily Hamilton, Christine Riley and Jeannine Voinovich.

Members absent: Chip AuWerter, and Jim Deacon.

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

1. Roll call.
2. The minutes of **Tuesday, August 06, 2024** regular meeting of the Planning and Zoning Commission were submitted for approval.

Approval of the minutes was postponed until the October meeting due to lack of voting members. Broome and Hamilton were not present at the August meeting and needed to abstain.

3. Front yard and side yard variance requests for the **REITMAN** residence at **2089 Chagrin River Road** were heard. Notice has been provided to adjoining property owners.
Al Klauss, Paskevich Architects was present.

Mr. Klauss reviewed the front yard and side yard variance requests for the Board. He stated a horse arena building is currently located on the property. The property owner would like to remove approximately 75% of the arena building and construct a new home on the property in the same location attaching the remaining portion to the arena to the new house (exhibit A). The remaining portion of the building is currently a wood shop for the owner.

He continued by stating the arena is currently setback 27.5' from the eastern property line which will require a 29.4' variance for the west side setback to the proposed new house location. The new house will be setback 49' from the front line along the private drive which will require a 51' front setback variance.

Because of the property width and configuration, the proposed house location is the only area a structure and septic system can be placed due to the existing pond location.

Mr. Biggert stated he reviewed the site plan and determined the front yard should be the area to the south of the new structure along the existing private drive. Labeling any other area as the “front” yard, would require additional variances.

He also stated, 1163.18(e) gives the Commission the authority to designate a lot line, such as the front line of a lot, if the recorded plat has no immediate street frontage.

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

After further discussion, a motion was made to approve a 29.4’ side yard setback variance for the west side, declare the property line along the existing private drive, in front of the proposed new structure, as the front yard area, and approve a 51’ setback variance for the front yard as submitted.

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

Roll Call: Ayes: All.
 Nays: None.

Motion Approved

The Commission reviewed the proposed new ordinance prohibiting recreational use cannabis businesses within the Village.

Mr. Hunt reviewed the proposed ordinance. He stated this has been reviewed with the first reading by Council at the last meeting. By law, the ordinance comes back to the Commission for review and recommendation.

After further discussion, a motion was made to recommend to Council the proposed ordinance as submitted prohibiting recreational use cannabis businesses within the Village of Gates Mills.

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

Roll Call: Ayes: All.
 Nays: None.

Motion Approved

Refer to audio recording for additional detail.

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

Craig Steinbrink, Chair

David Biggert, Secretary