

Minutes of the Planning Commission
Sheffield Lake, Ohio
August 20, 2015

The regular meeting of the Planning Commission was held Thursday, August 20, 2015. Chairman Jancura called the meeting to order at 6:30 PM.

ROLL CALL OF MEMBERS:

Present: Jancura, Wells, Melbar, Guenther, Erdei
Attending: Building Inspector Vogel, Concerned Citizens

MINUTES: *Motion by Wells/Second by Melbar to approve the July 16, 2015 minutes as presented. Yeas All.

CORRESPONDENCE: **None.**

REPORT FROM COUNCIL REPRESENTATIVE: Councilman Erdei advised Council passed a resolution to have you as a Planning Commission look at the Industrial portion of that and have you recommend it be declared residential – R1. We passed that July 28th so it is in your hands for Mr. Oprean request.

REPORT FROM ZONING BOARD OF APPEALS MEMBER: **None.**

PRESENTATIONS:

Paul J Orient, 3870 Lake Rd – request to consolidate lots. Chairman Jancura swore Applicant Orient in for testimony. Mr. Orient explained I want to put up a shed in my yard and the lots are too small to put it on with the house. You can't have a shed on a separate lot, so it will be on the lot behind the house. No questions from the Board - *Motion by Melbar/Second by Wells to approve the consolidation. **ROLL CALL FOR APPROVAL:** Yeas All – Jancura, Guenther, Wells, Melbar.

Catalin Oprean, 509 Cove Beach – combining of lots and rezoning to residential R-1. Public hearing for rezoning is scheduled for Tuesday, October 20th at 6:45 pm. Chairman Jancura advised Mr. Oprean has withdrawn his previous application to build his building on the Industrial zoned lot of his property. Instead what he is doing is he has made a request to as Mr. Erdei said to have that back-half of his property rezoned R-1 which would not allow him to build the building that he was going to build but he will build a residential garage to store his toys and different cars and boats and so forth. He will not be able to run a business out of it or anything like that and then further he would like to consolidate his front lots which are already R-1 to the rear lot which will be rezoned R-1 and consolidate in to 1 continuous parcel.

Scott Liles, 449 Cove Beach (was sworn in by Chairman Janura) stated he is not going to build a commercial building, he is going to build a residential building. But

when the business is running out of there, how are we supposed to stop that? Chairman Jancura answered you would report it to the Building Inspector and the city and he will come down hard on him and that is how it will work. Mr. Liles stated it really will. Building Inspector Vogel advised we will enforce the code to the full extent that we are able to. I think I made it clear to him that that cannot be an Industrial use and cannot be a business and cannot even look like a business. He is clear about that. Mr. Liles stated the bobcat beeper going off at 10 o'clock at night. Building Inspector Vogel advised I don't have specifics but noise complaints go to the Police and if there is other types of building complaints then we handle them. We have met twice, if not three times about this and I made it clear to him that if this is approved you will not be able to run what is even considered or even looks like a business out of that building. Again like everything else, if he violates then we will do what we can with the laws that we have at our disposal to enforce it.

Mary White, 533 Cove Beach (sworn in) stated I am south of his house and what I want to know is there a restriction on the size of this garage or building that he is going to be able to put up? Chairman Jancura answered absolutely he has got to follow the code which states exactly how high, how big, how much area of the property it can and so forth. Mrs. White asked so will he coming before you again? Chairman Jancura stated if he decides to build something that is outside of code, he will have to go and try to get a variance from the Zoning Board. Mrs. White stated so he could get a variance, a bigger building? Chairman Jancura answered he could, he has to justify it such that it is a necessity. Mrs. White stated so a certain percentage of the garage space as into the house, the size of the house is in the garage? The garage can be the same size as the house right? Building Inspector Vogel answered the code states that the garage cannot take up more than 30% of the rear yard and that is why I recommend it. He wanted avenues to be able to do this and I told him this is why you need to consolidate the lots and if it is approved then I define the rear yard as whatever the code states is the rear setback for that as an R-1. The rear setback for an R-1 I think is 40 feet so he will have I think 125 feet wide X 40 feet deep rear yard and his building will not occupy what he has got proposed – will not occupy more than 30% of that. If he wants more than that he will have to go through Zoning. Mrs. White asked will he have to put a new driveway in going back to this or is he still allowed to use his residence driveway. Chairman Jancura stated if it is all residential he can do a residential drive right up to it. Mrs. White asked will he be able to use the driveway now to his present house to get back to there? Building Inspector Vogel stated he proposes to put in another driveway and I don't find anything in the code that prohibits that.

Representative Erdei asked the Site Review Board that was given to Planning, so now when he comes back with this drawing for a residential building. Chairman Jancura

stated it is a residential garage. Representative Erdei stated but aren't you guys going to be able to look it over and give your opinion on the site review. Chairman Jancura answered I don't know if garages come before us. Building Inspector Vogel answered Site Plan Review only comes under commercial and industrial uses so that is a lot about why he needs to change it to residential so he doesn't have to fall under that. Chairman Jancura advised I don't think we will see the garage, only if he wants to build it outside of the zoning code; setbacks and so forth. I don't think we would even see it, it would all be Zoning.

Michael Pasadyn, 537 Cove Beach (sworn in) stated there is a couple of questions and one is my street that I pay money for and that I have been paying money for, we have a couple of dips in it that are real bad. I don't know if it was when he was building his house that caused that on my road but I wish someone could look at it because I am paying for the street still and there is some dips in that street like right where his house is. I don't know if I should be talking to you or call someone up to see if they can fix the street. Chairman Jancura answered you would want to talk to the Service Dept/Streets and such. Mr. Pasadyn stated the other thing is the noise ordinance, should I say that to you? Chairman Jancura answered you go to the Police Department. Mr. Pasadyn stated like I said stuff is not being enforced with the noise ordinance. The other thing is that he wants to put a pool on that other piece of property there, now how big can the pool be I mean if he does put it up and stuff like that. Chairman Jancura answered that is another thing for the Building Department and he will have to follow the spec's or else he will have to get a variance. Mr. Pasadyn stated he can't put a pool up there right, all the way up in the front or anything? Chairman Jancura answered there is certain setbacks and fence requirements. I have a pool and it is not easy. Mr. Pasadyn asked in your backyard? Chairman Jancura answered in my backyard/side yard.

*Motion by Guenther/Second by Melbar to recommend to Council to approve.

ROLL CALL TO RECOMMEND APPROVAL: Zoning change; Yeas All – Jancura, Wells, Melbar, Guenther. Consolidation as requested; Yeas All – Jancura, Wells, Melbar, Guenther.

OLD BUSINESS:

City zoning study – None.

NEW BUSINESS: None.

CITIZENS' COMMENTARY: None.

MEETING ADJOURNED: With no further business before this committee, *Motion Wells/Second by Guenther to adjourn at 6:50 PM. Yeas All.

CLERK OF COMMITTEE AFFIRMATION: This meeting of the City Committee

of the City of Sheffield Lake, Ohio was held and conducted under All Rules and Regulations Governing the Sunshine Laws of the State of Ohio as they may apply. All meetings are recorded and available in Councils Office.

CLERK OF COUNCIL/COMMITTEES

Kay Fantauzzi

I, Kay Fantauzzi, duly appointed Clerk of Commission
Of Sheffield Lake DO HEREBY CERTIFY that this is
A true and exact copy of the Minutes of COMMISSION

Of August 20, 2015.

CHAIRMAN

Scott Jancura

PRESIDENT OF COUNCIL

Richard Rosso

and/or

COUNCIL PRO TEM

Alan Smith