



CITY OF OLMSTED FALLS
PLANNING & ZONING COMMISSION
MINUTES
MARCH 21, 2018
7:30 PM
COUNCIL CHAMBERS

Commission Members Present : Brett Iafigliola, Michelle Hawkins, Gary Pehanic, Peter Carpenter, and Tony Budak. Ms. Fran Migliorino and Mr. Jim Haviland were excused.

Others Present: Lisa and Michael Baron. Audience: 3

Chairman Iafigliola called the meeting to order at 7:30 p.m.

1. Planning & Zoning Case # 03-2018 - The purpose of the public hearing is a request made by Michael & Lisa Baron, owner of 8245 Metropolitan Blvd., PP# 281-33-001 for variances to Section 1470.10(b)(2) to permit an addition to be constructed at a riparian setback of 6.5 feet and a deck to be constructed at a riparian setback of 0 feet in lieu of the required 120 feet riparian setback, and for a variance to Section 1240.05(a)(2) to permit an attached garage to be constructed at a side yard setback of 2.65 feet in lieu of the required 10 feet side yard setback.

Mr. Iafigliola administered the Oath to Michael and Lisa Baron.

Ms. Baron stated that currently there is a single car garage along with a stand-alone shed. She would like to remove both and replace them with a two car garage which would essentially be the same footprint. She stated that most residences in the neighborhood already have two car garages. She stated that there is no access to the home through the current garage and would like to add a small addition as a walkway to the home with the new garage. She stated that currently the home's view is of the street and in the back she has a small kitchen window and she would like to make the current living room a dining room and add on a new kitchen and family room in order to have a better view of the back yard area along with a deck. She stated that no trees will be removed nor will the new additions block any neighbor's view. She will not be imposing anything into the environment that will look unnatural.

Mr. Iafigliola stated that the Baron's are requesting two variances; the first one is the riparian setback and the second is the side yard setback.

He stated that in speaking with Mr. Smerigan, the city planner, the Baron's house and the entire street is essentially in violation of the riparian setback, this is not the fault of any of the homeowners. Mr. Iafigliola read into the record an email from Don Sheehy dated Monday, February 26, 2018 which states "yes I did look at the packet, the intrusion in the riparian setback with both the addition and the deck is substantial and really runs contrary to the purpose of the setback as outlined in 1470.15, it is up to the discretion of Planning but this is exactly the type of expansion toward the river that the setback is designed to prohibit or minimize." He stated that in another email dated March 16, 2018 from Mr. Sheehy which states "this is the correspondence I had with Aimee in February, ultimately these improvements can be made but the expansion of the house into the riparian setback is substantial and the deck is also a substantial expansion, providing variances of this type should also carefully consider other options and other possible setback restrictions that can be

reduced to minimize the intrusion into the riparian area, can the deck be more modest, can the addition be scaled back practically, can areas within the front yard setback be utilized for some or all of the expansions.”

Ms. Baron stated that the front of the property cannot be utilized as there is a stone front on her home that she does not want to remove due to the fact that it is part of the original house, plus her entire goal is to have a view of the back area not the front as it is currently. She stated that the area that will be expanded in the back is currently a cement patio which would need to be repaired due to the fact that it is uneven.

Mr. Pehanic stated that when Mr. Sheehy states that the deck is substantial means to him that it is a good size deck but the impact on the riparian is negligible. The only impact on the riparian will be the footers as the deck is hanging over the riparian. This deck could go out 100 feet and not be as significant to the riparian. The addition to the home will impact the riparian substantially but from the back of the current home to where the area drops off there is not much space. He stated that even if the expansion of the home is scaled back they will impact the riparian so what is the different if they go out six feet or three feet, the impact will be the same.

Joseph Liegl, 8229 Metropolitan stated that he has no particular problem with this request. As he is aware his view will not be blocked. He asked if the garage would run parallel to the property line. Mr. Iafigliola replied no; at the worst it is 2.65 feet and up to 5.32 feet. Mr. Liegl stated that 2 ½ feet is narrow but does believe there would will be any issues.

Mark Pendolino, 8246 Lewis Road stated that he is across the river from this property. He stated that since it is a residential street and does not devalue anyone else’s property he has no issues with this request. He does worry about the property across the river since there is a vacant property and there have been plans to put in a restaurant by the river and he does worry that would hurt the area.

Mr. Iafigliola moved to **approve** the variance request pursuant to Planning and Zoning Case #03-2018 for Michael and Lisa Baron owners of 8245 Metropolitan Blvd PP#281-33-001 for variances pursuant to Sections 1470.10(b)(2) to permit an addition to be constructed at a riparian setback of 6.5 feet and a deck to be constructed at a riparian setback of 0 feet in lieu of the requirement 120 feet riparian setback and for a variance to Section 1240.05(a)(2) to permit an attached garage to be constructed at a side yard setback of 2.65 feet in lieu of the required 10 feet side yard setback; Mr. Budak **seconded**. Poll: 5 ayes; 0 nays. **Motion carried.**

OTHER BUSINESS: **None**

APPROVAL OF MINUTES: Mr. Budak moved to **approve** the Planning & Zoning Commission minutes of February 21, 2018, as modified; Mr. Carpenter **seconded**. Poll: 4 ayes; 0 nays; 1 abstain (Pehanic). **Motion carried.**

ADJOURNMENT:

Mr. Iafigliola moved to **adjourn**; Mr. Budak **seconded**. Poll: 5 ayes; 0 nays. **Motion carried.**

Meeting adjourned at 8:02 p.m.

Planning & Zoning Commission Clerk

Date

Planning & Zoning Chairman

Date