



CITY OF OLMSTED FALLS
PLANNING & ZONING COMMISSION
MINUTES
JUNE 6, 2018
7:30 PM
COUNCIL CHAMBERS

Commission Members Present : Gary Pehanic, Peter Carpenter, Tony Budak, Peter Carpenter and Paul Stibich. Brett lafigliola and Fran Migliorino were excused. George Smerigan, City Planner was also present.

Audience: 1

Vice Chairman Gary Pehanic called the public hearing to order at 7:30 p.m.

1. Planning & Zoning Case #07-2018 - A request made by Ryan and Sarah DiMatteo, owners of 26138 Hickory Lane PP# 291-07-062 for a variance of 3 feet to Section 1274.03(a)(1)(A) to permit a fence on the corner side yard to be 6 feet in height in lieu of the maximum 3 feet.

Mr. Pehanic administered the oath. Mr. DiMatteo indicated that he is requesting a variance to install a six foot shadow box fence along his property line; his property is located on a corner lot. The main reason for the request is that he is a police officer with the City of North Olmsted and has recently been assigned to the K-9 unit. In October he will receive his K-9 who will also reside full time at his residence. In order to ensure a harmony and peaceful co-existence with his neighbors he believes the six foot fence will be needed for privacy and security of having the dog in the backyard to conduct training exercises and to make sure the dog remains in the yard. He has spoken with several of his neighbor's who do not have any issue to him installing a fence. He stated that the fence will begin at the back of his residence and come out 15 feet with a four foot gate. He stated that Section 1274.04 states that fence cannot obstruct any visibility from the corner streets, which are Hickory and Ironwood, and this fence will be 90 feet back from Hickory Lane and will be approximately six and a half feet from the inside of the sidewalk to the home on the Ironwood side, so, visibility is not a factor.

Mr. Smerigan indicated that Mr. DiMatteo does not violate the visibility triangle at the corner of Hickory and Ironwood; he also meets the setback requirement. The requirement Mr. DiMatteo does not meet in terms of the fence is the three foot height limit on side yards.

Marsha Grau, 26201 Hickory Lane, stated she has lived in the city for 44 years and has no problem with the fence request. What Mr. DiMatteo is proposing falls in line with a lot of the fences in the neighborhood.

Mr. Smerigan stated that one of the requirements in terms of variances is that the variance should be the minimum necessary to accomplish the need. By starting the fence at the back corner of his residence to the rear line he has essentially made the fence as short as it can be in order to accomplish what he would like to do.

Mr. Pehanic moved to **approve** the variance for case #07-2018 for Ryan and Sarah DiMatteo owners of 26138 Hickory Lane PP#291-07-062 for a variance of three (3) feet to Section 127.03(a)(1)(A) to permit a fence on the corner side to be six (6) feet in height in lieu of the maximum of three (3) feet; Mr. Budak **seconded**. Poll: 5 ayes; 0 nays. **Motion carried**.

2. Planning & Zoning Case #08-2018 - A request made by Dana Ciarlillo and Enzo Sberna, owners of 7872 Columbia Road, PP# 281-18-019 is for a minor subdivision pursuant to Section 1224.02 to split an existing 2.3 acre parcel in a D-3 Dwelling District to create two (2) lots, a 1.28 acre parcel with frontage on Columbia Road and a 1.02 acre parcel with frontage on Brookside Drive.

Mr. Sberna indicated that he was previously before the Commission in an attempt to construct an accessory building, the name changed 17 times to what the building would be called. He indicated last time that he did not care if the building was called an aquarium. Ms. Ciarlillo indicated that the two lots currently run vertically and we are proposing to split them to run horizontally. Mr. Sberna indicated that he has submitted a request to combine the lots and then split them horizontally into two parcels. Mr. Pehanic indicated that the lots will be split to be north and south rather than east and west. This would then provide Mr. Sberna the opportunity to build a building in compliance with the code. He stated that Mr. Smerigan submitted a report indicating that whatever is proposed to be built on parcel B should be in compliance with setbacks.

Mr. Sberna indicated that his residence is the oldest home on the National Registry and is very scrutinized. When he purchased the home two years ago he understood that he could not touch the house but knew that there was a possibility of building an accessory building, or whatever you would like to call it. He stated that he has been before the ABR board for the design of the structure.

Mr. Smerigan indicated that this split will accomplish what Mr. Sberna is attempting to do and be in compliance with the city's code. The lot split and consolidation plat meets all the city's requirements and he would recommend approval.

Mr. Budak indicated that Mr. Smerigan's letter recommends approval of the minor subdivision with the following stipulations: (1) the setback line on Parcel B shall be 125 feet from the right of way line of Brookside Drive and (2) compliance with any comments of the city engineer. Mr. Smerigan indicated that he spoke with the city engineer and has no comments. The 125 feet setback is to meet the frontage requirement from Brookside Drive. The front setback must be a specific width and that width is not met on the narrow side on Brookside until you get further back. This will clarify that this 125 feet will be the required setback line. Mr. Sberna stated that his plans include a setback of 250 feet.

Mr. Pehanic moved to **approve** the request by Dana Ciarlillo and Enzo Sberna, case #08-2018 to grant the minor subdivision pursuant to 1224.02 to split an existing 2.3 acre parcel in a D-3 Dwelling District to create two (2) lots, a 1.28 acre parcel with frontage on Columbia and a 1.02 acre parcel with frontage on Brookside pursuant to the plat submitted to the Commission on the condition that the front setback on Parcel B shall be 125 feet from the right of way line on Brookside Drive; Mr. Budak **seconded**. Poll: 5 ayes; 0 nays. **Motion carried**.

COUNCIL LIAISON REPORT: Mr. Stibich stated that Councilman Kyle Miller submitted his resignation and his last day serving as the Ward IV Councilman will be July 15th. Council has begun the search for his replacement. According to the Charter we need to advertise for residents to submit a resume, anyone living in Ward IV and is a registered voter is eligible to apply. The deadline for resumes is June 25th. He hopes to have the replacement chosen before Mr. Miller leaves. He stated that Councilman Jim Haviland has also been on a leave of absence and is hoping to return this summer. In his absence he is the Interim Council President.

OTHER BUSINESS: *None*

APPROVAL OF MINUTES: Mr. Budak moved to **approve** the Planning & Zoning Commission minutes of May 16, 2018; Mr. Stibich **seconded**. Poll: 5 ayes; 0 nays. **Motion carried.**

ADJOURNMENT:

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

Meeting adjourned at 8:07 p.m.

Planning & Zoning Commission Clerk

Date

Planning & Zoning Vice Chairman

Date