



CITY OF OLMSTED FALLS
PLANNING AND ZONING COMMISSION
MINUTES
JULY 15, 2020
7:30 PM
COUNCIL CHAMBERS/VIRTUAL

Commission Members Present: Gary Pehanic, (arrived at 7:39 p.m.), Garry Thompson, Peter Carpenter, Cornel Munteanu, Dave Fenderbosch, and Michelle Hawkins. Brett Iafigliola was excused. Others Present: Andy Bemer, Law Director. Audience: 1

Vice Chairman Garry Thompson called the meeting to order at 7:31 p.m.

1. Planning & Zoning Case #17-2020 - A request by Brigitte Gaspar, owner of 7652 Clark Street for a lot consolidation of PP Nos: 281-02-045 and 281-02-046.

Ms. Gaspar stated that she owns both lots which are 50 feet wide. Both lots were owned by her grandparents until she purchased them. These lots have always just been one lot to her and did not realize they were two lots until she purchased them and found out that the sewers were coming. To her it made more sense to consolidate the lots so she would not be charged two sewer assessments for a lot that in her opinion is not buildable since it is only 50 feet wide and the city requires 75 feet. Mr. Thompson stated that there is a 50-foot easement that angles through both properties. Ms. Gaspar stated that her uncle lives across the street and when her grandparents lived here, his parents, he arranged for an easement to run across from his property through their property to the creek in the back for his run off water. Mr. Thompson asked if was for storm water and if it was a ditch. Ms. Gaspar replied no it is underground and is for his downspouts and runs to the creek in the back of her property. Mr. Thompson replied that this easement is for the lot across the street to have access. Ms. Gaspar replied yes. Mr. Thompson stated that he is assuming that the easement is recorded on a deed since the surveyor found it when they did the consolidation. Ms. Gaspar replied yes. She stated that she also has paperwork indicating that the easement is present and she was aware of it. She stated that sewers have been coming her whole life and that her grandfather already installed a pipe underneath the driveway which is where she would connect to the sewers and is actually on the other lot anyways and due to that pipe, she had the sewer lateral installed just north of the driveway. This also helps so she does not have to tear up her landscaping or driveway. Her grandfather was forward thinking when he had the pipe installed since the sewers have been coming for a long time.

Mr. Thompson read a report from Mr. Smerigan, the City Planner, dated July 8, 2020, which states "The applicant Brigitte Gaspar is requesting approval of a lot consolidation plat that would combine two existing lots of record into a single parcel. The subject site is located in the D-3 Single Family Dwelling District. The applicant proposes to combine PP Nos. 281-02-045 and 281-02-046. The resulting parcel would consist of approximately 1.44 acres and would have 100 feet of frontage on Clark Street. The proposed new parcel would conform to all the zoning requirements of the D-3 Single Family Dwelling District. Approval of the lot consolidation is recommended."

He stated that he also has an email from Don Sheehy, City Engineer, dated Monday, June 29, 2020 to our City Planner, George Smerigan and our Building Department Secretary Aimee Stone which states “I have no issues with the proposed consolidation and would recommend approval.”

Mr. Thompson asked if this would affect the sewer assessments. Mr. Bemer replied yes and Ms. Gaspar testified that she would have been assessed for two lots and with the consolidation she will only be assessed for one lot. Based on her testimony she submits that the lots separately would not be buildable and in view of the storm sewer that intersects both parcels that would very much be the case. He indicated that you probably could still build but the use will be limited in view of the easement that intersects both parcels. So, yes, she would get relief in terms of having one parcel assessed for the sewer line that is going in. Mr. Thompson asked if this was because the assessments were done based on each lot and not on a percentage of different things like was done in the past. Mr. Bemer replied that was correct. We have had four or five different inquiries of similar situations and the recommendation and advise provided by City Hall is to consolidate lots in order to provide those particular property owners relief in view of their unique circumstances of having two lots that are adjacent that are not necessarily saleable separately. Mr. Thompson stated that it makes perfect sense to him but he wanted to makes sure that the administration was aware of the situation since he is aware that the assessments that took place were different than what was done in the prior four projects which then leads to these types of situations.

Mr. Thompson moved to **approve** Planning and Zoning Case #17-2020 a request by Brigitte Gaspar, owner of 7652 Clark Street for a lot consolidation of PPN 281-02-045 and 281-02-046; Mr. Fenderbosch **seconded**. Poll: 6 ayes; 0 nays. **Motion carried**.

COUNCIL LIAISON REPORT – No Report

OTHER BUSINESS - None

APPROVAL OF MINUTES – Mr. Munteanu moved to **approve** the minutes of July 1, 2020, as written; Mr. Carpenter **seconded**. Poll: 6 ayes; 0 nays. **Motion carried**.

ADJOURNMENT: Mr. Pehanic moved to **adjourn**; Mr. Munteanu **seconded**. Voice vote: 6 ayes; 0 nays. **Motion carried**. Meeting adjourned at 7:50 p.m.

Planning & Zoning Commission Clerk

Date

Planning & Zoning Chairman

Date