



CITY OF OLMSTED FALLS
PLANNING & ZONING COMMISSION
MINUTES
JULY 19, 2017
7:30 PM
COUNCIL CHAMBERS

Commission Members Present : Brett Iafigliola, Bob Sculac, Michelle Hawkins, Gary Pehanic, Fran Migliorino, and Tony Budak.

Others Present: George Smerigan, City Planner. Audience: 0

Meeting was called to order at 7:30 p.m.

1. **Planning & Zoning Case # 11-2017** – A request by Jacob Funkhouser, IV, owner of 8437 Metropolitan Blvd, PP# 281-32-022 for a 28.5 foot front setback variance to Section 1240.50(a) to replace an existing one-story two car garage with a two-story 2 car garage.

Mr. Justin Gustifson indicated that he his Mr. Funkhousers' architect and submitted a package of information including photographs and renderings. He indicated that the proposal includes a sun shade leading from the addition of the house to the front entrance of the home, as well as demolishing the existing garage and replace with a 2-story addition with a garage, living room and second story bedroom. As the existing home cuts off the back yard drops significantly with a severe grade is. The existing house is non-conforming and is setback 25.6'; the proposed addition will be setback 21.7'. The garage being proposed will be 21' x 21' with a 21x15 foot living room, a 15 foot wide walk out patio to the east of the living room. The second floor will consist of a bedroom with a lounge, a walk out deck, to the the west of the stairs there is a five foot bathroom and a five foot walk in closet. It is important to note that on the first floor we will come out from the existing house 4'11" in order to provide enough space in the bedroom for the closet and bathroom. We will be using corrugated metal with wood trim in order to match the existing property.

Mr. Iafigliola indicated that per an email from Mr. Don Sheehy dated July 3, 2017 indicates that he has no engineering comments.

Mr. Smerigan indicated that generally the homes on this street are non-conforming with varying setbacks. Due to the way this property drops off if the addition was put farther back it would be over the bank and would create a practical difficulty and would change the front of the building in a negative way. He believes this is a classic situation where the site conditions of the existing houses location and the topography of the site create an issue and in his opinion a practical difficulty and a basis for granting the variance. He recommends the variance be approved as requested.

Ms. Migliorino stated that she is very sensitive to the neighbor's opinions. She did drive by the site and noticed a very nice buffer area to the neighbor to the north and would like to know if Mr. Funkhouser will keep the integrity of this buffer in tact. Mr. Gustifson indicated that this area will remain. Ms. Migliorino asked if the neighbor's had any issues with this proposal. Mr. Funkhouser stated that he has heard no complaints from his neighbor's regarding his proposal.

Mr. Iafigliola moved to **approve** the variance as requested in Docket #11-2017 as it relates to 8437 Metropolitan Blvd., pursuant to PP# 281-32-022 for a 28.5 foot front setback variance pursuant to Section 1240.50(a) to replace an existing one story two car garage with a two story two car garage; Mr. Budak **seconded**. Poll: 6 ayes; 0 nays. **Motion carried**.

2. Planning & Zoning Case #12-2017 – A request by Jeff Hawkins, owner of 8579 Columbia Road for a lot split of PP# 291-22-002.

Mr. Hawkins stated that his parents built a home in the back of the property which his mother still resides in. In order for her to obtain a lot split to keep their home on its own lot and they had to have so much frontage on Columbia Road. Currently some of the greenhouse property is still on his mother's property. He would like to combine all the greenhouse's property into one parcel. There is a rental property located between his home and his mother's residence that will be combined with his parcel. This split will leave his mother with a parcel just for her residence.

Mr. Iafigliola read into the record an email from Don Sheehy dated June 21, 2017 which states "I reviewed the proposed lot split plat and in concept it is somewhat unusual lot configuration but there may be advantages to the property owners in which such a configuration maybe beneficial for the long term use of the property. My concerns are as follows (1) will we allow a building on the westerly frontage of the proposed lot or should there be a deed restriction or limitation to prohibit a second building on the property; (2) do we know if there are any other proposed ingress/egress easements to access the property and does the city have the ability to utilize these access points in case of an emergency; (3) how is the current house on the southeastern portion of the property being serviced by utilities, connections, storm sewer, sanitary, electric, cable, telephone and gas should all be located or at least covered with some blank utility access agreement. Ultimately we need to consider that some future owner may buy the property and then have problems gaining access when a service connection get clogged or need to be replaced. Any proposed lot split should take into account the delivery of these services along with the emergency access to avoid unnecessary complications in the future."

Mr. Smerigan indicated that Mr. Sheehy's first comment is not an issue because as the code is currently written you are only permitted one residence on a parcel even if the parcel is shaped like a barbell. The second issue is ingress/egress easements and that concern is due to the driveway on the north end of the property. This is not an ingress/egress easement it is a current driveway due to the fact that they own all the parcels. Mr. Sheehy's question was is this an easement and it is not. There is an easement that crosses the property which is the sanitary sewer easement and runs down to the nursing home further south. Mr. Hawkins stated that when the family no longer owns the business he would put in a street so that his mother's property will be located on a dedicated street.

Mr. Hawkins stated that when his family purchased the property in 1976 there was a three quarter inch line and two houses in the back. We have replaced that line with a larger one. All the properties are serviced with city water off of Columbia Road. The residential properties pay for water and sewer. The greenhouses has a four inch line for water and is not charged for sewer waste water. His mother receives her water from the greenhouse and the business pays

that as well as the rental property in the middle. There are no storm sewers just sanitary. When we drilled the gas well on the property lines were run to each of the homes. Mr. Iafigliola indicated that the properties are serviced with private gas and not a public utility. Mr. Hawkins stated that was correct. Mr. Iafigliola stated that he believes the question if these parcels were to be owned by different people how would you get utilities. Mr. Smerigan indicated that he believes the easiest way would be to add a note to the plat. Once the plat is approved by this Commission Mr. Sheehy has to sign off and he could verify acceptability of that note.

Mr. Iafigliola moved to **accept** the lot split of PP# 291-22-002 as it relates to 8579 Columbia Road pursuant to the plat provided dated May, 2017 with an additionally note be added to the plat identifying the nature of existing utilities servicing the property as recommended by the City Engineer; Mr. Sculac **seconded**. Poll: 6 ayes; 0 nays. **Motion carried**.

COUNCIL LIAISON REPORT: - Mr. Sculac stated that Council is on summer recess but there is a tentative special meeting scheduled for next Tuesday at 7:45 p.m. to discuss the Baker's Creek issue, which is the privately owned bridge off of Sprague Road. Hopefully a consensus agreement will take place regarding that issue.

OTHER BUSINESS: - Mr. Iafigliola stated that the Planning & Zoning Commission will be on summer recess for the month of August. He stated that Heritage Days is coming up and the Bagley Road Bridge will be dedicated on Sunday, August 6th at 2:00 p.m.

APPROVAL OF MINUTES: Mr. Sculac moved to **approve** the Planning & Zoning Commission minutes of June 7, 2017; Mr. Budak **seconded**. Poll: 6 ayes; 0 nays. **Motion carried**.

Mr. Sculac moved to **approve** the Planning & Zoning Commission minutes of June 21, 2017; Mr. Budak **seconded**. Poll: 6 ayes; 0 nays. **Motion carried**.

ADJOURNMENT

Mr. Pehanic moved to **adjourn**; Mr. Budak **seconded**. Poll: 6 ayes; 0 nays. **Motion carried**.

Meeting adjourned at 8:19 p.m.

Planning & Zoning Commission Clerk

Date

Planning & Zoning Chairman

Date