

**PLANNING COMMISSION  
CITY OF WILLOUGHBY  
JANUARY 13, 2011  
REGULAR MEETING  
MINUTES**

**PRESENT:** B. Fiala; C. Cox, G. Merhar, Vice Chairman  
**ABSENT:** R. Hart; B. Irvine, Chairman  
**OTHERS:** Mike Lucas, Ass't. Law Director; Janice Lipscomb, Econ.  
Devel. mgr.; Jim Sayles, City Engr.; Richard Smith, Chief  
Bdg. & Zoning Inspec.; Betty A. Nardelli, Secretary

Vice Chairman Gerald Merhar called the regular meeting to order at 7:17 p.m.

**OLD BUSINESS**

None

**MINUTES**

**November 11, 2010**

The minutes of November 11, 2010 were approved as written.

**NEW BUSINESS**

<b>BODY 4 U</b>	37812 Vine St.	<b>CUP</b>
(James/April	Suite A	<b>Pers'l Trng studio</b>
Ockington)		C.O. 1141.03(e) (2)
		D-B dist.

James Ockington represented this conditional use permit application for a personal training studio.

The hours of operation are 6:00 a.m. until 11:00 p.m. seven days a week.

There will be no music and personal training conducted outside.

A motion was made by Chuck Cox and seconded by Bob Fiala to approve this conditional use permit with the conditions stated this evening.

ROLL CALL:      Yeas:        B. Fiala; C. Cox; G. Merhar  
                     Nays:        None  
                     Absent:     R. Hart; B. Irvine

Motion **CARRIED**                      **Approved**

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**ANDREWS OSBORNE  
ACADAMY**

(Steve Grubbs)

38588 Mentor Ave.

**Site/elev. plan**

Solar panels

R-100 dist

Steve Grubbs of Ulman Electric represented this proposal.

Bob Fiala stated that he thought this proposal for solar panels should go before Planning Commission because of the Andrew's School surrounding resident's concern. The residents are always concerned about anything that Andrews does with their property. Mr. Fiala said that the solar panel structure where located cannot be seen by the houses in the surrounding area. There will be some landscaping to screen the panels. Mr. Fiala said that if the solar panels bother the residents the proposal will be re-visited by Planning Commission.

Mr. Grubbs said that the freestanding panel structures are 8' off the ground. There are about two rolls of panels that take up 120' on the north side and about 2 ½ rolls that take up 160' on the south side. Mr. Grubbs said that the panels do not rotate.

The panels are made of poly crystalline solar cells. The frames are made of aluminum alloy and also coated with a coat of oxidation. Mr. Grubbs said that a hail storm would not impact the panels.

Mr. Grubbs said that there are solar panels at the Cleveland Clinic and on the roof at the University of Akron. Andrews School is the first solar panels on the ground.

A motion was made by Bob Fiala and seconded by Chuck Cox to approve the site plan and elevations plan for the solar panel structure.

ROLL CALL:       Yeas:        B. Fiala; C. Cox; G. Merhar  
                  Nays:        None  
                  Absent:     R. Hart; B. Irvine

Motion **CARRIED**               **Approved**

**DALE HIPPIE**  
(Rino Ritosa)

36555 Biltmore PL

**CUP**

**O/D strge**

C.O. 1145.03(c)(3)A

L-I dist.

Rino Ritosa, building owner, represented this conditional use permit application to allow outdoor storage of boats and vehicles at one of his properties next door to his woodworking shop. Mr. Ritosa said that he has a 6' high chain link fence completely

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surrounding the property in response to Vice Chairman Merhar's question.

Mr. Fiala commented that the lease is for one year (10/11/10 to 10/11/11) and wanted to know if Mr. Ritosa was going to renew the lease when it expired. Mr. Ritosa said he didn't know. Mr. Fiala said that the boats will be gone by May when they are put in the water.

Mike Lucas, Assistant Law Director, said that per C.O. 1155 outdoor storage must be located in the rear yard. Per C.O. 1145.06(2)D a solid 10' high fence is required for outdoor storage. Per C.O. 1145.06(2)D the fence shall comply with the regulations of Section 1179.03. The C.O. 1145.06(2)D code takes precedent over the C.O. 1155 code. Mr. Lucas advised Mr. Ritosa that a variance is required for the chain link fence. Mr. Lucas said that Planning Commission has 60 days from the date the application was deemed complete (accepted) to act on the conditional use permit application. Mr. Cox said that Planning Commission cannot approve what violates the City law.

Mr. Ritosa stated that Woodhill Supply doesn't have a 10' high solid fence.

Vice Chairman Merhar told Mr. Ritosa that he can store there until the variance is granted.

A motion was made by Bob Fiala and seconded by Chuck Cox to table this conditional use permit application pending a variance for the 6' high chain link fence.

ROLL CALL:       Yeas:       B. Fiala; C. Cox; G. Merhar  
                  Nays:       None  
                  Absent:     R. Hart; B. Irvine

Motion **CARRIED**                   **TABLED**

<b>CANDY STRIPES PRESCHOOL</b>	35535 Euclid Ave.	<b>CUP</b>
(Veronica Price)	Unit #10A & #10B	Pre-school Ages 2 ½ - 5 yrs. C.O. 1141.03(f)(4) G-B dist.

Veronica Price represented this conditional use permit application for a preschool for children from 2 ½ to 5 years of age. Ms. Price said that this facility will be an educational place for children and will be staffed with certified people in education.

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Ms. Price said that she will be allowed to use the City park recreation play ground located behind Lowes Home Improvement store in the Summer. When not able to use the City play ground, Ms. Price said she has 1,440 sq. ft. inside available for a play area. Ms. Price said that the State states that if you have an outdoor play area you don't need an indoor play area.

The conditions agreed upon are:

1. Hours of operation: 6:00 a.m. until 7:00 p.m. Monday through Friday.
2. The play area shall be inside if there is no outside play area available.
3. A designated pickup and drop off area is required.

A motion was made by Bob Fiala and seconded by Chuck Cox to approve this conditional use permit application with the conditions stated this evening.

ROLL CALL:       Yeas:        B. Fiala; C. Cox; G. Merhar  
                  Nays:        None  
                  Absent:     R. Hart; B. Irvine

Motion **CARRIED**               **APPROVED**

**ADDENDUM**

**PLANNING COMMISSION**  
(Law Dept)

**Amendment -  
C.O. 1103.03(b) (143)  
"Structure"**

Mike Lucas, Assistant Law Director, represented this text amendment. Mr. Lucas said the amendment is to add features to the existing definition of "Structure" to make it more compatible with what we have been enforcing.

The amendment draft lists the items in the definition that are considered a structure.

A motion was made by Bob Fiala and seconded by Chuck Cox to approve the amendment of the redefinition of "structure" and forward this amendment to Council for their approval.

ROLL CALL:       Yeas:        B. Fiala; C. Cox; G. Merhar  
                  Nays:        None  
                  Absent:     R. Hart; B. Irvine

Motion **CARRIED**               **APPROVED**

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**PLANNING COMMISSION**

**Election - 2011  
Chairman  
Vice Chairman**

A motion was made by Bob Fiala and seconded by Chuck Cox to nominate Robert Irvine as Chairman of Planning Commission for 2011.

ROLL CALL:       Yeas:        B. Fiala; C. Cox; G. Merhar  
                  Nays:        None  
                  Absent:     R. Hart; B. Irvine

Motion **CARRIED**               **APPROVED**

A motion was made by Bob Fiala and seconded by Chuck Cox to nominate Gerald Merhar as Vice Chairman of Planning Commission for 2011.

ROLL CALL:       Yeas:        B. Fiala; C. Cox; G. Merhar  
                  Nays:        None  
                  Absent:     R. Hart; B. Irvine

Motion **CARRIED**               **APPROVED**

There being no further business the regular meeting closed at 8:07 p.m.

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Gerald Merhar, Vice Chairman

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Betty A. Nardelli, Secretary