

**PLANNING COMMISSION
CITY OF WILLOUGBY
October 25, 2007
REGULAR MEETING
MINUTES**

PRESENT: B. Fiala; R. McLaughlin; G. Merhar; B. Irvine,
Chairman
ABSENT: R. Hart
OTHERS: Mike Lucas, Ass't. Law Director; Jim Sayles, City Engr.;
Janice Lipscomb, Econ. Devel. Mgr.; Betty A. Nardelli,
Secretary

Chairman Robert Irvine called the meeting to order at 7:00
p.m.

MINUTES

October 11, 2007

The minutes of October 11, 2007 were approved as written.

SCHEDULE PH HEARING

NEW BUSINESS

GENERAL PEST CONTROL
(Paul Rypinski)

4034 Skiff St.

SUP

retail do-it-yourself
pest ctrl sup.

Pest ctrl service tech.

C.O. 1145.03(b)

Bus./Serv./Equip/Sls/Sup.

C-M dist

There was no representative present this evening.

A motion was made by Ron McLaughlin and seconded by Jerry Merhar to schedule a public hearing for a similar use permit on November 8, 2007.

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

Motion **CARRIED**

APPROVED FOR A PH 11/8/07

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A motion was made by Jerry Merhar and seconded by Bob Fiala to table this similar use permit application pending a public hearing on November 8, 2007.

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

Motion **CARRIED** **TABLED**

OLD BUSINESS

A motion was made by Ron McLaughlin and seconded by Jerry Merhar to remove all tabled items from the table for discussion.

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

Motion **CARRIED** **APPROVED TO UNTABLE**

RUPLE BLDRS. INC.	4500 Hamann Pkwy	CUP
(John Ruple)		Outdoor strge - mtl,/ trucks assn. w/ prin. use of fabric. Of steel
		C.O. 1145.03(c)
(3)A		C.O. 1179.03(d) -
screen		C.O. 1155.07(aa)
		L-I dist.

John Ruple, the owner, represented this conditional use permit application. Mr. Ruple submitted a list of the items related to his business that he will store outside. Also stored will be equipment pertaining to the shipping or receiving of steel for fabrication. There was a question of tires being on the list of storage items. Mr. Ruple said that the old tires are used as a softener between products when they are shipped to act as a cushion. Mr. Ruple said

that he stores them in a bin which holds about 30 tires. The 55 gallon waste oil drums get pumped out about every three weeks. The fuel cells are used for vehicles and equipment on the job site and returned here. The truck crane comes and goes from the yard.

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Mr. Ruple said that he will only fence in three sides. He will not fence in the rear because he has no neighbor in the rear of his property. The front and north side views are the most important sides because those sides can be viewed by the adjoining property owners. Chairman Irvine advised Mr. Ruple that he will have to fence in whatever the Code requires. Chairman Irvine further advised Mr. Ruple that a 10' high fence should be installed because of the nature of the items to be stored. Mr. Ruple said that the problem is that it is difficult to get a 10' high gate.

Mr. Ruple updated the Planning Commission on his Building Department submittals, permits applied for and final inspections of work completed on his property. Mr. Ruple said that he is still waiting for his water purification and water detention final approval.

The items to be completed before he installs his fence in response to Jerry Merhar's question is water detention, storm sewer redesign, front yard parking area and then the fence. Mr. Ruple said that this should take about two months.

The conditions agreed upon are:

1. A 10' high opaque fence and gate.
2. Storage of tires is limited to 30 used tires and is to be stored in a container.
3. Material is not allowed to be stacked higher than a 10' high fence.
4. The items to be stored outside are limited to the list submitted this evening.

A motion was made by Ron McLaughlin and seconded by Jerry Merhar to approved the conditional use permit with the conditions stated this evening and with the list submitted this evening.

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

Motion **CARRIED** **APPROVED**

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ROBERT SLATTERY 38600 Lakeshore Blvd. **Revised site plan**
Addt'l pkg area
G-B dist.

Robert Slattery represented this revised site plan. Mr. Slattery submitted a survey and pictures of the site and explained the changes made to the site. Mr. Slattery said that the issue at the last Planning Commission meeting was proof that the setback of removed concrete was at the 20' required front setback. Mr. Slattery stated that the survey shows more than 20'.

The survey submitted shows an arrow pointing to the sidewalk which is 1' from the right-of-way. Jim Sayles, City Engineer, stated that the setback needs to be from the property line. Mr. Sayles said that the way that the property angles the eastern section of 21.5' and 20.7' is correct. The western section is about 5 to 6 inches off the line. Mr. Sayles said that the 20.5' and 20.4' distance shown on the survey is from the sidewalk making the front yard setback measurement less than the required 20'.

Chairman Irvine said that the problem is that we're not sure where the dimensions were taken from. Did the surveyor measure from the end of the curb and not the property line? Chairman Irvine stated further that the surveyor could have made a mistake when marking the survey with the arrow pointing to the sidewalk rather than to the right-of-way. Chairman Irvine questioned if the survey is good enough. Mr. Sayles said that it is an administration issue if the survey complies with the Code.

Ron McLaughlin stated that the original site plan showed more than a 20' setback when Mr. Slattery agreed to the original approved site plan which he didn't follow and altered the site. Chairman Irvine responded stating that the plan before us this evening is a revised site plan because Mr. Slattery changed his mind and didn't

follow the approved original plan because he wanted to do something different with the site.

Mike Lucas advised Planning Commission members that the plan can be approved subject to conformity with the yard regulations of the required 20' from the property line. Chairman Irvine said that Planning Commission can approve the site plan subject to the Building Department meeting with the applicant to verify that the survey is correct.

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A motion was made by Jerry Merhar and seconded by Bob Fiala to approve the revised site plan subject to final verification that the issue discussed this evening regarding a 20' setback is resolved and confirmed to conform to the Code requirements.

ROLL CALL: Yeas: B. Fiala; G. Merhar; B. Irvine
 Nays: R. Mclaughlin
 Absent: R. Hart

Motion **CARRIED** **APPROVED**

FIRST PRESBYTERIAN CHURCH	4785 Shankland Rd.	CUP - Fellowship and activities as an accessory use to Place of Worship which is a CUP use C.O. 1155.07(bb) R-60 dist
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There was no representative present this evening. Sixty days is required for action to be taken by Planning Commission of the conditional use permit application. **The sixty days limit expires November 26.** The November 22, 2007 meeting will be cancelled due to the Thanksgiving holiday therefore action must be taken at the November 8, 2007 meeting or deemed denied unless the applicant requests an extension of the time limit.

The Secretary will notify the applicant.

A motion was made by Bob Fiala and seconded by Jerry Merhar to table this conditional use permit application.

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

Motion **CARRIED** **TABLED**

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NEW BUSINESS

CARDINAL COMMUNITY 34465 Euclid Ave. **Revised landscape**
CREDIT UNION **plan** of aprv'd
(Jos. Bullister) (8/24/06) plan

There was no representative present this evening.

A motion was made by Ron McLaughlin and seconded by Jerry Merhar to table this revised landscape plan.

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

Motion **CARRIED** **TABLED**

CROSS CREEK DEV. P.P.#27B-53D-01-2 to 27 **Lot split**
(Mario DePadova) P.P.#27B-53D-2-1 to 69 create 2 lots
between Lakeshore & **Parcel "A" 15.064A**
Tamarac Blvd. **Parcel "B" 16.030A**
RMF-LR dist.

Mario DePadova represented this lot split application to create two parcels. Mr. DePadova said that due to the economy the demand is for single family homes and not for duplexes. They are able to sell one unit of their duplexes and the other unit remains vacant. The plan is to separate the two parcels and build single family homes on Parcel "B". They are not adding any additional units. It will still be condos with the same concept and the same conformity. The

units will be 1,800 sq. ft. to 2,400 sq. ft. and will cost about \$219,000.00 a unit without a basement. Mr. DePadova said that the reason for the lot split is a different partnership.

Mr. DePadova introduced a representative from Ryan Homes who explained their intentions for Parcel "B".

Chairman Irvine advised Mr. DePadova that a new development plan is needed for Parcel "B".

A motion was made by Ron McLaughlin and seconded by Jerry Merhar to approve this lot split contingent on the City Engineer's approval of the metes and bounds.

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

Motion **CARRIED APPROVED**

ADDENDUM

ADDITIONAL NEW BUSINESS

PLANNING COMMISSION

Cancel mtgs

11/22/07 - Thanksgiving

12/27/07 - Xmas holiday

A motion was made by Jerry Merhar and seconded by Ron McLaughlin to cancel the November 22, 2007 and December 27, 2007 Planning Commission meetings due to the Thanksgiving and Christmas holidays.

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

Motion **CARRIED APPROVED**

There being no further business the regular meeting closed at 8:27 p.m.

Robert Irvine, Chairman
Secretary

Betty A. Nardelli,