

**PLANNING COMMISSION  
CITY OF WILLOUGHBY  
MARCH 22, 2018  
REGULAR MEETING  
MINUTES**

**PRESENT:** C. Cox; S. Norris; M. Wildermuth; K. Kary, Vice Chairman

**ABSENT:** G. Merhar

**OTHERS:** Darryl Keller, Chief Bldg. & Zoning Official; Mike Germano, Asst. Law Director;  
Jim Sayles, City Engineer; Vicki Grinstead, Secretary

**Vice Chairman Kary called the regular meeting to order at 7:05 p.m.**

**MINUTES**

**Public Hearing Meeting Minutes**

**March 8, 2018**

Mr. Wildermuth moved to approve the Public Hearing Meeting Minutes for March 8, 2018 as submitted and Mr. Cox seconded.

ROLL CALL:           Yeas:           Mr. Wildermuth; Mr. Cox; Vice Chairman Kary  
                          Absent:        Dr. Norris; G. Merhar  
                          Nays:           None

**Motion Carried:    APPROVED**

**Regular Meeting Minutes**

**March 8, 2018**

Mr. Cox moved to approve the Regular Meeting Minutes for March 8, 2018 as submitted and Mr. Wildermuth seconded.

ROLL CALL:           Yeas:           Mr. Cox; Mr. Wildermuth; Vice Chairman Kary  
                          Absent:        Dr. Norris; G. Merhar  
                          Nays:           None

**Motion Carried:    APPROVED**

**Planning Commission  
City of Willoughby  
Regular Meeting Minutes  
March 22, 2018**

**OLD BUSINESS**

**Greenleaf Gardens, LLC**  
30841 Euclid Ave.  
(Dave Neundorfer, CEO)  
Oscar Hackett, CFO

**Development Plan/EAS**

**This item remains tabled.**

**NEW BUSINESS**

**38882 Mentor Ave. Properties**  
38882 Mentor Ave.  
(Rep.- JEMM Construction, Mark Maltry Jr.)

**Lot Split/PPN#27-A-032-0-00-019-0**

Mr. Mark Maltry, JEMM Construction, 200 Blackbrook Rd., Painesville, OH is representing this application for his client Rockport Investment for a lot split for PPN#27-A-032-0-00-019-0 located at 38882 Mentor Ave., Willoughby, OH.

Mr. Maltry stated his client will be purchasing this parcel, if approved, for their new commercial space that will include a 9,000 sq. ft. medical facility with tenant space.

Vice Chairman Kary explained to the Board that this parcel is where the old miniature golf facility used to be.

Mr. Keller and Mr. Sayles had no issues with this application.

Mr. Wildermuth moved to approve the lot split for PPN#27-A-032-0-00-019-0 located at 38882 Mentor Ave., Willoughby, OH as submitted and Mr. Cox seconded.

ROLL CALL:	Yeas:	Mr. Wildermuth; Mr. Cox; Vice Chairman Kary
	Absent:	Dr. Norris; G. Merhar
	Nays:	None

**Motion Carried: APPROVED**

**Shadetree Community Church**  
1200 Lost Nation Rd.  
(Pastor Larry Pozza)

**Conditional Use Permit (CUP)**

**Planning Commission  
City of Willoughby  
Regular Meeting Minutes  
March 22, 2018**

Mr. Larry A. Pozza, 38327 Sheerwater Lane, Willoughby, OH is representing this application.

Mr. Pozza is the pastor of Shadetree Community Church which is run out of the McKinley Community Outreach Center. They use the gymnasium space and two classrooms on Sunday for worship services and children's ministry and Thursdays nights for their youth ministry.

The hours of operation will be 7 days a weeks from 8:00 a.m. until 10:00 p.m. They work in conjunction with the McKinley Outreach Center director to schedule their activities. The parking is sufficient for the facility. The shared dumpster located in the rear of the property must be fenced.

Mr. Wildermuth asked if the city needs to see some type of agreement that the church has with the school. Vice Chairman Kary called the Superintendent of the schools and he was in favor of the McKinley Center and the church operating on this property.

Mr. Wildermuth moved to approve the Conditional Use Permit with the hours of operation to be 7 days a week from 8:00 a.m. until 10:00 p.m. and the shared dumpster must be fenced for Shadetree Community Church, 1200 Lost Nation Rd., Willoughby, OH 44094 and Mr. Cox seconded.

ROLL CALL:	Yeas:	Mr. Wildermuth; Mr. Cox; Vice Chairman Kary
	Absent:	Dr. Norris; G. Merhar
	Nays:	None

**Motion Carried: APPROVED**

**Richard & Linda Frederico**  
38533 Beachview Rd.

**Lot Split/PPN#27-B-057-A-00-043-0**

Mr. Richard Frederico, 38533 Beachview Rd., Willoughby, OH is representing this lot split.

Mr. Frederico explained that his lot was non-conforming so the city sold him 38 ft. of land so he can complete a lot split of the property according to the city ordinances.

Mayor Fiala explained that the city wanted to preserve access to the lake front and even though they sold him the 20' feet the city still maintains the lakefront property. Mr. Frederico will now have two conforming lots.

**Planning Commission  
City of Willoughby  
Regular Meeting Minutes  
March 22, 2018**

Mayor Fiala stated the city owns several properties on the lake front. One of the things he would like to accomplish is to make that lake front more accessible to the community. His hope is to partner with Eastlake and Willowick to have a lake front plan in the future.

Mr. Cox moved to approve the lot split for Richard & Linda Frederico, 38533 Beachview Dr., Willoughby, OH 44094 for 38553 Beachview Rd. for PPN#27-B-057-A-00-043-0 as submitted and Mr. Wildermuth seconded.

ROLL CALL:           Yeas:           Mr. Cox; Mr. Wildermuth; Vice Chairman Kary  
                          Absent:        Dr. Norris; G. Merhar  
                          Nays:         None

**Motion Carried:    APPROVED**

**Richard & Linda Frederico**  
38533 Beachview Rd.

**Lot Split/PPN#27-B-057-A-00-038-0**

Vice Chairman Kary stated the lot now goes 140 ft. deep and asked Mr. Frederico to explain what his plan is for the new lots.

Mr. Frederico explained that he would like to split the lots to make two equal size lots. They will remain in their home and will sell the other lot.

Mr. Wildermuth moved to approve the lot split for Richard & Linda Frederico, 38533 Beachview Dr., Willoughby, OH 44094 for PPN#27-B-057-A-00-038-0 as submitted and Mr. Cox seconded.

ROLL CALL:           Yeas:           Mr. Wildermuth; Mr. Cox; Vice Chairman Kary  
                          Absent:        Dr. Norris; G. Merhar  
                          Nays:         None

**Motion Carried:    APPROVED**

*Dr. Norris arrived late to the meeting at 7:33 p.m.*

**Franklyn Development Co.**  
(Rep.-Russell Berzin)

**Major Subdivision/Preliminary Plans**

**Planning Commission  
City of Willoughby  
Regular Meeting Minutes  
March 22, 2018**

Mr. Russell Berzin of Franklyn Development Co., 2775 Bishop Rd., Willoughby Hills, OH is representing this application.

Vice Chairman Kary stated they are seven homes in total; five on one side of the street and two on the other side as shown on the plan presented.

Vice Chairman Kary stated Mr. Berzin came before Council for the EAS already. The storm water and sanitary sewers will be hooked up with the Mentor system and Mr. Berzin stated that was correct. They will have a warrant for a traffic signal done as well which will be sent to the city once completed.

Mr. Berzin stated he had concerns with lots one and two on the plans. He stated they may go with the R-60 zoning and will have to obtain variances for setbacks for the homes they wish to build. The R-60 code will make it difficult to build on lots one and two because of the depth on the building site.

Vice Chairman Kary believes the easiest way for the city to do this is for these two homes on the Willoughby side to mirror the Mentor homes as far as setbacks so they don't look out of place. There was discussion as to whether Mr. Berzin should keep the R-60 zoning and ask for variances or come before the Planning Commission for a zoning change. Mr. Keller, Mr. Germano and Mr. Sayles all agreed to keep the R-60 zoning and ask for variances; otherwise a whole new zoning district would have to be created for these two homes, which would be a lengthy process.

Mr. Berzin stated the rear setback should be easy because they butt up to the large property dedicated for the high tension lines. He would like a 60' setback instead of the allowable 40'.

Vice Chairman Kary asked what Mr. Berzin's timeline is for building these homes. Mr. Berzin stated right now they are just seeking approvals from both cities and hope to have improvement drawings by May, 2018.

Mr. Keller stated the other determination that needs to be made is whether the roadway will be private or public and Mr. Cox agreed.

Vice Chairman Kary stated that Mr. Berzin's application stated the street would be private. Mr. Berzin stated that is correct but he just learned yesterday that the City of Mentor may be considering doing a public street; which he would prefer. If Mentor will make the thoroughfare public then he would ask Willoughby for the same consideration. The decision will be contingent upon what the City of Mentor decides. Mr. Berzin stated if Mentor does not want a public street then entire thoroughfare will remain private as he stated on his application.

Mr. Sayles stated the EPA needs to approve the sanitary sewers going in to the Mentor system, which he believes is preferable. Also these seven homes will be getting water from Aqua Ohio.

**Planning Commission  
City of Willoughby  
Regular Meeting Minutes  
March 22, 2018**

Mr. Sayles stated his opinion is that whatever Mentor decides, Willoughby should match as far as a private or public thoroughfare and the utilities will fall into place and Vice Chairman Kary stated the Board is comfortable with this plan.

Mr. Berzin stated the home prices will be approximately \$275,000 to \$350,000 per home. Vice Chairman Kary asked if Mr. Berzin is the property owner and he stated no but he is under contract with Mr. DeMila and Mr. Garish.

Mr. Cox moved to table the Major Subdivision/Preliminary Plans/EAS for Franklyn Development Co. and Mr. Wildermuth seconded.

ROLL CALL:           Yeas:           Mr. Wildermuth; Mr. Cox; Vice Chairman Kary  
                          Absent:        G. Merhar  
                          Nays:         None

**Motion Carried:    TABLED**

*Dr. Norris did not vote on this application.*

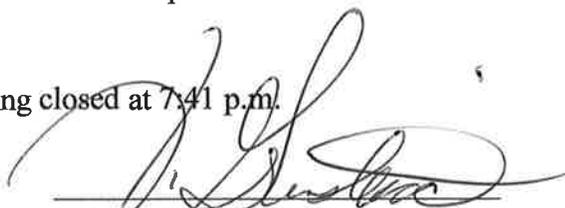
**Planning Commission**

**Election – 2018  
Chairman  
Vice Chairman  
Secretary**

Vice Chairman Kary stated there was not a quorum to vote on the Planning Commission officers, so they will remain on the agenda until all members of the Board are present.

There being no further business the regular meeting closed at 7:41 p.m.

  
\_\_\_\_\_  
K. Kary, Vice Chairman

  
\_\_\_\_\_  
Vicki Grinstead, Secretary