

**NORTH RIDGEVILLE BOARD OF ZONING & BUILDING APPEALS
MINUTES FOR THE REGULAR MEETING HELD SEPTEMBER 24, 2015**

TO ORDER: The meeting was called to order at 7:00 P.M. with the Pledge of Allegiance.

ROLL CALL: Present were members Martin DeVries, Tim Anderson, Vice Chairman Linda Masterson and Chairman Shawn Kimble.

Absent was Member Mario Cipriano

Also present were Chief Building Official Guy Fursdon, Assistant Law Director Toni Morgan and Secretary Donna Tjotjos.

MINUTES:

Chairman Kimble asked if there were any corrections or additions to the regular meeting minutes dated August 27. Hearing none, he entertained a motion.

It was moved by DeVries and seconded by Anderson to approve the minutes of the regular meeting dated August 27.

Chairman Kimble asked the Clerk to call the roll.

Yes, 4 No, 0

Motion was approved by a vote of four yes and zero no.

It was moved by DeVries and seconded by Kimble to approve the minutes of the special meeting minutes of September 24, 2015.

Chairman Kimble asked the Clerk to call the roll.

Yes, 3 No, 0 Abstain, 1 (Anderson)

Motion was approved by a vote of three yes, zero no and one abstention.

REPORTS:

Chairman Kimble asked if there were any reports from Planning Commission.

Member Anderson responded no.

OTHER REPORTS AND CORRESPONDENCE:

Chairman Kimble asked if there were any other reports or correspondence.

Secretary Tjotjos addressed the Chair and responded no.

Chairman Kimble moved the meeting on to the public hearings. He asked the Clerk to read the first application under public hearings.

PUBLIC HEARING:

APPLICANT: A.M. Valore, HCAV Investments, LLC, 23550 Center Ridge Road, Westlake, Ohio 44145

OWNER: Same

REQUEST: Approval to allow a 15 percent cluster lot variance to create 31 clusters lots in a 63 single family and cluster lot subdivision known as CrossCreek Subdivision.

LOCATION: South of Center Ridge Road and West of Aurensen an R-1 District
Permanent Parcel Nos. 07-00-027-101-105, 07-00-028-103-132, 07-00-028-103-098 and 07-00-028-103-099

Application was read along with comments from Chief Building Official Fursdon.

Chairman Kimble asked if there was a representative.

Sam Suhail of Chagrin Falls, Ohio, Engineer for this application was sworn in.

Chairman Kimble asked if he could explain his application.

Sam Suhail explained that this development went in front of Planning Commission and received an approval for a slightly different layout. That application had Aurensen road connected all the way to CrossCreek Drive. Even though that was approved by both Planning Commission and Council, the people that live on that street were very adamant that they didn't want this road connecting through. There was a lot of talk back and forth. The developer was concerned that this would be a very long street and in case of any emergencies, there wouldn't be a secondary access for them to come in. Behm Road was already restricted to have a connection because of some deed restriction and that was the only connection they could make. The City wanted to make sure that the developer worked with the residents and come up with a different plan. Over the past six months between March and September, there was a lot of talk. In the meantime, the lady that owned the property he showed on the drawing was Janice Noll and she wanted to get rid of that property and so they acquired it. The developer also purchased the property next to that from the City. In the new layout, they took out the connection to Aurensen, but to satisfy their own safety issues they added an easement and a 12 foot path made out of asphalt and then grasscrete, a six foot walk, actually he called it a drive because its composition is going to be as such that you could actually drive over it. There will be three feet of grasscrete on either side so actually, it will be essentially a 12 foot drive and that will be directly lined up with the street on Aurensen, but will be used only for an emergency access for this subdivision only, if god forbid there is an emergency at the end of the subdivision. Also, they are providing a roundabout and he showed the location on the drawing, in case there is blockage on one side. The cost of putting in the grasscrete and the asphalt drive, plus the loop that is going in will not just satisfy their safety concerns but also satisfy the neighbors. Tony Valore, the developer, stated that he at least did whatever he had to, to make this a safe and better development and not just take the access

out just because the residents wanted it out. Essentially, the street is not connecting and the emergency access is going to be there. It is not going to be a drive to just invite people to just drive through. It is for the emergency and first responders only. Between March and now, the time that it took to get this all worked out has delayed them and is now a loss in time to get this done this year and now, it is pushed out until next year. There is also the added cost in doing the loop. The number for what these changes might cost is approximately a \$90,000 additional cost in making these changes and time that has been lost. This application is for a variance in the percentage of cluster lots. It's a 49.2 percent that they are asking for which gives them the ability to put in three additional lots. Instead of having 60 lots, they would be putting in 63 lots. He showed the area in the back and stated that instead of putting in 28 cluster lots, they would be putting in 31 cluster lots. Even though the profit from those lots won't be \$30,000 each, but it will help to offset some of the costs that the developer will be facing.

Chairman Kimble stated that everyone is very familiar with the property. He stated that he is glad that the developer was able to come up with something that allowed this room not to be completely packed. He stated he believes it is a well thought out design. He noted that this application is still within the allowed number of lots per code, the 2.3 per acre, they are still below that even with this variance. It isn't like they are trying to smash in as many homes as possible just for a financial standpoint. It does seem to make sense with what they came up with along with the fact that there is still that emergency access, which he believes, is important. He asked if there were any questions or comments from the Board members.

Member DeVries addressed the Chief Building Official and asked if there an example here in North Ridgeville of the emergency access road he is describing. Just so that he could get a better understanding of what it might look like when it is done.

Chief Building Official stated that he didn't know if you could actually see it, but the only one that he is aware of is the access that they put at the Board of Education Center so that the Fire Department could get access to the Fire Department connection on the back of that building. It just looks like grass. They put markers out there so that their equipment doesn't drive off that when they are trying to service that in an emergency.

Member Masterson added that this is a very common practice on the east and west coast in lieu of using hard surface. It is used so that there isn't as much hard surface and so that rain could go through it.

Member DeVries asked if it requires maintenance by the City ten years down the road. It isn't something where it will need to be repaved.

Chief Building Official Fursdon stated that there may be maintenance down the road. Everything will need to be maintained. The walking path that is being put in there isn't going to last forever. He didn't know the frequency or the cost to maintain. It isn't like you would have a

vehicle drive over it every day. Another example of what they are proposing is LCCC's parking lot. They did those pavers that grass grows up through.

Chairman Kimble stated that there was discussion regarding signs. He asked if there were any decisions being made on the signs tonight or is it purely just the variance as stated.

Chief Building Official Fursdon stated that it is just the variance.

Sam Suhail asked if he was talking about the signs that had to do with Mr. Bogner's son. He explained that it the decision has to be something mutual between the developer and him. The Law Director made a point during the meeting that obviously Mr. Bogner is protected in that the sign can't be on his property. Chief Building Official noted during the meeting that if the sign is going to be located in the right of way, then the developer has the right to put up that sign as long as he meets the code requirements. Whatever is going to be done, will be within the law.

Chief Building Official Fursdon stated that one thing that was discussed during Planning Commission, which they have yet to see the final design, was to put an island in the middle of Greenlawn and put the sign in the island much like you see at Meadow Lakes, Hampton Place and a number of subdivisions in the City. He stated that in a 60 foot right of way, that could be accommodated. It probably won't be a huge island. That is one alternative that they did talk about.

Chairman Kimble stated that he didn't have a concern of the sign; he just wanted to make sure there was nothing or being part of this application.

Chief Building Official Fursdon stated that there has been no application regarding the signs, just the percentage of clusters.

Chairman Kimble stated he was 99 percent sure, but just wanted that clarified. He asked if there were any other comments.

It was moved by Kimble and seconded by DeVries to approve the variance as stated in the application.

Chairman Kimble asked the Clerk to call the roll.

Yes, 4 No, 0

Motion was approved by a vote of four to zero.

OTHER BUSINESS: None.

ADJOURNMENT:

Chairman Kimble moved to adjourn the meeting. He asked all those in favor of adjourning the meeting signify by aye.

MOTION CARRIED

The meeting was adjourned at 7:15 P.M.

Chairman, Shawn Kimble

Secretary Donna Tjotjos

October 22, 2015