

MINUTES OF THE BOARD OF ZONING & BUILDING APPEALS MEETING, JANUARY 6, 2016

WEDNESDAY, JANUARY 6, 2016, COUNCIL CHAMBERS, AVON CITY HALL

The meeting was called to order at 7:00 P.M. by Chairman Randy Fratianne. Present: Chauncey Miller; Mark Ladegaard; Kurt Schatschneider; Randy Fratianne; Pam Fechter, Economic Developer/Planning Coordinator; John Gasior, Law Director; Rick Schneider, Zoning Enforcement Officer; and Jill Clements, Secretary. Not present: Bruce Klingshirn.

MINUTES OF THE REGULAR MEETING – JANUARY 6, 2016

A motion was made by Mr. Miller, seconded by Mr. Schatschneider to dispense with the reading of the minutes of Wednesday, January 6, 2016, and to approve said minutes as published. The vote was: “AYES” All. The Chairman declared the motion passed.

ADDITIONS/DELETIONS

RODNEY MEADOWS APPEAL

Rodney Meadows is requesting a 260 sq. ft. variance from C.O. 1262.08(a)(2) Maximum Area and Number of Accessory Buildings to allow the construction of a 24’ by 30’ accessory building to be located at 4632 Case Road.

Rodney Meadows, 4632 Case Road is sworn in by Mr. Gasior. Mr. Meadow says he would like to build 24’ by 30’ accessory building so he can store some of his stuff and the building needs to be a little larger than what is allowed. Mr. Meadows says he has a unique location and should not impact the community in a negative way. Mr. Meadows shows pictures of what the building is going to look like with details of the material he will be using. Mr. Meadows says he is going to be living there for a number of years in the future so he will be spending close to \$30,000 to make the building look nice. He shows a few more pictures with different angles from the front of the house and where the accessory building will be.

Please let the record show Bruce Klingshirn has arrived to the meeting. Mr. Fratianne asks about the mounds that are to the south of his property and it’s confirmed they are large mounds with trees. Mr. Meadows says he has purchased more trees to go on the mound to help with additional buffering and he did receive signatures of the neighbors showing support for the variance request. Mr. Fratianne asks what the setbacks are on the side and rear and Mr. Meadows says he would like to have them off 5 feet of both the rear and side and will not impact anyone. Mr. Schatschneider asks about the setback being the length of the building and Mr. Schneider and Mr. Gasior confirm that since it’s under 2 acres the 5 foot setback is the proper set back in this variance request. Mr. Meadows says the closest house will be at least 100 feet from the barn and the trees will be in between as well.

A motion was made by Mr. Ladegaard, seconded by Mr. Miller to approve a 260 sq. ft. variance from C.O. 1262.08(a)(2) Maximum Area and Number of Accessory Buildings to allow the construction of a 24’ by 30’ accessory building to be located at 4632 Case Road. The vote was: “AYES” All. The Chair declared the motion passed.

DEAN MUELLER APPEAL

Tom Liggett of Arcus Group, Inc. along with Dean Mueller representing Justin Johnson are requesting an 8,864 sq. ft. variance from C.O. 1262.08(a)(2) Maximum Area and Number of Accessory Buildings to allow the construction a 35,000 sq. ft. accessory building to be located at 31660 Hilliard Blvd.

Dean Mueller and Tom Liggett are sworn in by Mr. Gasior. Dean Mueller explains that he is a car collector and currently has his cars in storage at Avon Storage and is looking for land to build a building for his 85 plus cars and allow for expansion. Mr. Mueller says he found property in Avon Lake but that would have had an easement and figured he would look in Avon. Mr. Mueller found the property at the end of Hilliard, met with the owner and has an option to buy as long as the variance goes through. Mr. Mueller says he will keep the house and remodel it and will build an accessory building for "old men to hang out in" and reiterates this will not be a business. Mr. Mueller is looking for the variance to build the proper size building and allow for the collection to grow. Mr. Liggett says the plan that was initially turned in changed. The original building was what they had for the other parcel and after they had a meeting they decided to change the location and gave a basic floor plan for the building. The proposed building will house 100 cars and allows the cars to be displayed, area for more cars, a display room for the men to view the cars and then a wash bay and maintenance area. Mr. Liggett says a 35,000 sq. ft. building would only hold about 75 cars with racking and Mr. Mueller is trying to avoid that there for the building is a little larger than the original request. Ms. Fechter also adds that Mr. Mueller would like to get the variance granted for the building to determine if he is going to buy the property and will need to do the normal setbacks and permits, this variance is to tie the variance to the purchase as it will go with Mr. Mueller and the property and if he does not buy the property, the variance will go away. There are three additional parcels over there with another 90 acres and Mr. Mueller says he would look into purchasing that land as well. Ms. Fechter says she spoke with Susan Krall and she has no objection to what Mr. Mueller would like to do. Mr. Liggett says the overall design has not been totally worked up, their plan is to give it an old fashion barn look instead of a huge warehouse. It's not a business and will not bring a lot of traffic down that way. Mr. Mueller says he golfed at Hilliard Lakes and had no idea all that was back there. He walked the property with the owner in the fall and saw the airport hangar and was very intrigued with the history on the land and thought this would be a great location. Mr. Fratianne says they went from 35 to 41.8 which went from 2.7% to 3.2% instead of the 2% that is allowed per our code. Mr. Liggett says that there are 30 acres which will add some seclusion. Mr. Fratianne says there were some buildings on the property and was curious what was going to happen with them. Mr. Mueller says there is an old dilapidated hanger with the ceiling caved in and couple brick walls and that would be removed along with some other junk. The hanger is an eye sore and will definitely be removed as no one can get into it. Mr. Fratianne asks if he is looking for a variance approval or an opinion from the board. Mr. Liggett says they will probably be coming back for a height variance as the home is a flat roof home but the main reason they are here today is to get the variance for the size of the building. Mr. Schneider asks what the existing height of the hanger is now and Mr. Liggett says he has no idea. Mr. Mueller says the roof is caved in but at some point it had to be 20-25 feet high. Mr. Johnson, the owner of the property said it was a two story building with 3 planes inside and lumber storage on the second floor. He says it would be at least 20 feet high up to 28 feet at the highest point. Mr. Johnson also says the square footage is unknown as it's hard to say now with the shape it's in but added his dad built it

over a number of years and would guess it to be at least 20,000 sq. ft. or more. Mr. Klingshirn says the building is bid but also says the location is nice. Mr. Schatschneider says it was nice to add it to the center of the lot more. Mr. Miller asks that all adjacent property owners have been notified and Mr. Schneider confirms yes, everyone has been notified. Mr. Schneider adds a letter was sent to a Westlake resident to make sure they were aware. Mr. Ladegaard asks in the future if he would want to split the lot and sell off they would need another variance with the size and wants the owner to be aware that other issues could come from that. Mr. Mueller says that will not be an issue as there are beautiful trees and has no intention to sell or split the property, it's a gorgeous parcel he would like to preserve. Mr. Fratianne asks again if they are granting a variance or what. Mr. Schneider says yes they would like a variance contingent upon the sale of the property and will stay with Mr. Mueller.

A motion was made by Mr. Miller, seconded by Mr. Klingshirn to approve an amended 15,664 sq. ft. variance from C.O. 1262.08(a)(2) Maximum Area and Number of Accessory Buildings to allow the construction a 41,800 sq. ft. accessory building to be located at 31660 Hilliard Blvd contingent upon the sale of the property to Mr. Mueller. The vote was: "AYES" All. The Chair declared the motion passed.

LEVIN FURNITURE APPEAL

Bill Kelleher of Century Sign Co representing Levin Furniture is requesting a 73 sq. ft. variance from C.O. 1290.05(e)(1) Maximum Sign Area to allow signs for the new Levin Furniture store located at 1801 Nagel Road.

Bill Kelleher of Century Sign Co. is sworn in by Mr. Gasior. Mr. Kelleher says the sign is for the new Levin Furniture that is on Nagel Road. They were looking to add 4 wall signs, 2 on the front of the building facing Nagel and then one on the north and south side. They would need a variance for one sign. The new look has tower features and they would put the sign on the towers to give identification. Mr. Fratianne says it's not on I-90 it's on Avon Road but faces I-90. It was determined the two signs are 111 sq. ft. and they are requesting a variance for a partial sign. Mr. Fratianne asks if they have a ground sign and it was confirmed no and asks why they wouldn't have a ground sign. Mr. Kelleher with the location not being visible on the ground they would like to add the signage to the building.

A motion was make by Mr. Miller, seconded by Mr. Ladegaard to approve a 73 sq. ft. variance from C.O. 1290.05(e)(1) Maximum Sign Area to allow signs for the new Levin Furniture store located at 1801 Nagel Road. The vote was: "AYES" All. The Chair declared the motion passed.

UN-TABLE UNIVERSITY HOSPITAL APPEAL

A motion was made by Mr. Miller, seconded by Mr. Klingshirn to un-table the University Hospital appeal. The vote was: "AYES" All. The Chair declared the motion passed.

UNIVERSITY HOSPITAL APPEAL

Albert Haddad of Ellet Sign Company, representing University Hospital is requesting a 36.75 sq. ft. variance from C.O. 1290.05(d)(2) to replace the existing ground sign with a new sign located in the island at Healthway Drive and Detroit Road.

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Albert Haddad of Ellet Sign Company and Robert Telecky of University Hospital are sworn in by Mr. Gasior. Mr. Telecky says they were here before with the monster sign request. After meeting with some staff they went back to look at how they could negotiate the sign to fit their needs and the City's. It was determined design C seemed to be the best fit and is between the existing and the original one requested. Ms. Fechter asks if the sign was hit as she noticed some damage and Mr. Telecky confirms that is what happened. Mr. Haddad shows the comparison pictures of what is there, what they have come up with. Mr. Fratianne says he met with them and expressed his concerns and thinks the new design is a reasonable request. The sign will be 8'4" in total height and it will be 5'6" wide. Mr. Fratianne does agree the intersection and the control center to the east of the sign could impair the view of the sign. Mr. Ladegaard confirms they are asking for design C as they have a few options and Mr. Telecky confirms yes design C is what they would like to request.

A motion was made by Mr. Miller, seconded by Mr. Klingshirn to approve a square foot variance from C.O. 1290.05(d)(2) to replace the existing ground sign with a new 8'4" by 5'6" sign located in the island at Healthway Drive and Detroit Road. The vote was: "AYES" All. The Chair declared the motion passed.

COMMENTS

Mr. Gasior informs the Board that Mr. Ladegaard has been reappointed.

ADJOURN

A motion was made by Mr. Miller, seconded by Mr. Klingshirn to adjourn. The vote was: "AYES" All. The Chair declared the motion passed. The meeting was adjourned at 7:48P.M.

ATTEST

CHAIRMAN

DATE