

**VILLAGE OF CHAGRIN FALLS
PLANNING AND ZONING COMMISSION
August 21, 2017**

Members present: Rogoff, Baker, Touzalin, Feniger, Davis
Also present: Edwards

The meeting was called to order at 7:30 p.m. by Chairman Patti Baker.

APPROVAL OF MINUTES

Moved by Mrs. Feniger, seconded by Ms. Rogoff that the minutes of the meeting held July 17, 2017 be approved. Carried. Ayes: Rogoff, Baker, Touzalin, Feniger. Nays: None.

GRADE

There was no discussion.

SHORT-TERM RENTALS

The Commission agreed that short-term rentals should be on the next agenda and they want notices sent out so that people are aware that it will be discussed and that they are inviting input from the residents.

Rob Grodin, 318 Hillside, spoke in favor of Air B&B and short-term rentals. He mentioned that his son rented his house to a family for two weeks while he was out of town and while he was out of town he also rented an owner-occupied house. Ms. Rogoff said that is different than buying a house specifically for rental purposes and actually never living there.

It was suggested that there should be a registry process so that when people are buying a house they could have a heads up that the neighboring house(s) may be involved in an Air B&B situation or a short-term rental situation.

They will ask Mrs. Lindner to research other community's regulations.

ACCESSORY STRUCTURES

Mrs. Baker said when they sent this to Council it had play sets and fireplaces together. It got onto a facebook group and there was a mom that was very upset that they were regulating play structures. Ms. Rogoff said fireplaces are certainly more reasonable to regulate. Proposed revisions to Section 1125.04, final draft dated October 19, 2016, was reviewed. It was suggested that they change "play equipment" to "play structures".

The meeting adjourned at 8:34 p.m.

Patti Baker, Chairman
lgb

1125.04 AREA, YARD AND HEIGHT REGULATION; ACCESSORY BUILDINGS AND STRUCTURES.

Accessory buildings and structures shall not be located in required yards except as permitted herein. However, landscape features and private gardens in conformance with applicable height and visibility regulations may be located in any required yard.

- (a) Accessory Buildings Including Detached Garages. *No change.*
- (b) Driveways. *No change.*
- (c) Fences, Walls and Hedges. *No change.*
- (d) Recreational Uses.
 - (1) Swimming pools. Swimming pools shall be located only in rear yards and shall be set back a minimum distance of ten feet from each lot line. Any swimming pool in which water may collect to a depth in excess of one and one-half feet shall be enclosed by a wall or fence as regulated in Chapter 1148.
 - (2) Recreation courts. Tennis, basketball and other recreation courts shall be located only in rear yards and shall be set back from each lot line a minimum distance of ten feet as measured either from the enclosing fence or, if no fence is required, from the edge of the court surface. Tennis courts shall be enclosed by a metal chain link or mesh fence as regulated in Chapter 1148. ~~None of the regulations~~ This section shall not be deemed to restrict the location prohibit placement of a basketball backboard. on a garage wall or roof.
 - (3) Play Equipment . Play equipment shall be located only in side or rear yards. Play equipment with a footprint in excess of fifty (50) square feet in area or a height greater than six (6) feet shall be set back a minimum distance of ten feet from each lot line as measured from the property line to the outer edge of any support framework of the equipment or any supporting framework. The area shall be that of a rectangle that encloses the supporting framework. The height shall be measured from any point of the adjacent ground elevation to the highest point of any roof or other supporting framework. For corner lots, the minimum distance from the side street line shall be five feet plus the setback for the main building.
 - (4) Outdoor Recreational Fireplaces. Outdoor Recreational Fireplaces are permanent structures that include a firebox and chimney. Such structures may be attached or detached from the dwelling and are permitted in accordance with the following standards:
 - A. Any Outdoor Recreational Fireplace that is attached to a dwelling shall be considered to be part of the dwelling.
 - B. Detached Outdoor Recreational Fireplaces shall be located only in rear yards no closer than ten (10) feet to any side or rear property line of a lot. For corner lots, the minimum distance from the side street line shall be five feet plus the setback for the main building.
 - C. Any Outdoor Recreational Fireplace that is detached from the dwelling shall not exceed twelve (12) feet in height. Neither shall such structures exceed eight (8) feet in width nor five (5) feet in depth for the first five (5) feet in height, nor three (3) feet in width or depth for any portion of the structure above the height of five (5) feet.

- D. Outdoor Recreational Fireplaces shall be constructed of decorative brick or stone and shall have an equal level of finish on all sides.
 - E. Fuel for outdoor recreational fireplaces shall be restricted to non-treated, seasoned, dry wood, and shall not contain any rubbish, garbage, rags, trash, or any material coated with rubber, plastic, leather or petroleum based materials or any flammable or combustible liquids. However, alternative burning systems that are specifically designed and approved for Outdoor Recreational Fireplaces utilizing such energy sources as electricity or gas may also be authorized.
 - F. The use of an Outdoor Recreational Fireplace shall be in compliance with the Environmental Performance Regulations set forth in Chapter 1144 and with the Fire Prevention Code.
 - G. The use of an Outdoor Recreational Fireplace shall not create a public nuisance or health hazard due to smoke, fumes, sparks, heat, debris, or odor.
- (e) Central Air Conditioner Units, Heat Pumps. *No change*
 - (f) Generators. *No change*

Respectfully Submitted,
Julie S. Lindner, AICP