

**VILLAGE OF CHAGRIN FALLS
PLANNING AND ZONING COMMISSION
Virtual Zoom Meeting
May 18, 2020**

Members present: Baker, Rogoff, Paolozzi, Feniger, Davis
Also present: Lindner, Jamieson, Edwards, Markowitz

The meeting was called to order at 7:08 p.m. by Chairman Patti Baker.

APPROVAL OF MINUTES

Moved by Ms. Rogoff, seconded by Mrs. Paolozzi that the minutes of the meeting held February 20, 2020 be approved. Carried. Ayes: Baker, Rogoff, Paolozzi, Davis. Abstain: Feniger. Nays: None.

SOLETHER LANE LOT CONSOLIDATION REQUEST - DENIS MARINO

Mr. Jamieson gave an overview of the plans that were submitted to consolidate two parcels on Solether Lane, owned by Denis Marino, with a portion of a parcel, owned by Bob Coy, to create a parcel with the intent of developing it as residential property. Mr. Marino explained the details of his consolidation request.

Mark Rodgers, owner of 120 West Summit Street and 68 West Summit Street, said he objects to the proposed consolidation due to the fact that the proposed construction would be a detriment to his property at 120 West Summit Street. It is a very wet portion of our property in the back as it slopes towards the ravine and it is pretty swampy for a good portion of the year. Any construction that decreases the permeable area on the lot adjacent, or disturbs the soil, could cause us some erosion issues. We have already had soil stability issues back there. Mr. Rodgers said the proposed house would essentially be directly behind our house at 120 West Summit Street and we would be looking out the back windows straight at the house. Mr. Marino said the water would go directly to the storm sewer on Solether Lane and it will actually decrease the runoff on the hillside.

Hope Gumprecht Rodgers said she grew up at 120 West Summit Street, so this property has been in her family since the 60's, and 68 West summit was her grandmother's property and they were actually a contiguous part of an old dairy farm that included what is now Stanridge. We have always felt that the portion at the back of 120 that when Stanridge was originally platted we hoped to one day purchase but it was too steep of a ravine to safely build on. We also enjoy the larger lots and privacy up on this north side of town. Those are the reasons that we don't want to see it developed. We have felt that the village zoning code helps to protect that lot and the value of that lot and privacy by not permitting, per the code, construction that would have a house 30' or 10' from our side yard back there and we have serious issues with erosion and runoff. The

soils are not entirely stable. There is a good deal of quicksand back there and that is a good sign of unstable soils. We hope to keep it undeveloped.

Lou Marino gave a background on the development of Solether Lane. He said from the very first day they started this project, they attempted to secure the land for the final two parcels, which was approved for fourteen lots at that time. Thirty-three years later, we finally have a proposal to add one more lot. Any home built on that lot will be another asset to the Chagrin Falls community. He asked for approval of this proposal to finalize Solether Lane.

There was further discussion, comments were heard, and questions were answered.

Moved by Mrs. Baker, seconded by Mrs. Feniger to deny this because I just feel like we have a zoning code that exists for a reason and I like to uphold the code that has had a lot of work and history gone into it. I feel like as much as it would be great if they had the land to build these two additional houses or one additional house but they don't. They have tried for 33 years to get it, and it is unfortunate, but they don't own that land and I feel like the property owners that are adjacent do have some rights. Of course you can't prevent building on adjacent lots, but you should be able to expect that adjacent lots should be held to the same standard and have to conform to our zoning code. I just feel like having the depth of this lot 90' instead of 160' that is a pretty significant difference and it will result in a rear yard setback that is 30' instead of 50', which I feel like will impact the Rodgers' property and the natural land back there. It is not for us to say whether that impact is important or not if it is uninhabited or what they are going to do with their land in the future. I feel like they will go to the BZA and the BZA is the place to ask whether the zoning is not appropriate in this situation. That is why I would move to deny this.

Mrs. Paolozzi said I will say that I disagree. I feel that because it meets the minimum, these are large lots, and it meets the minimum size. They might not be as deep, but I think it meets everything except for the corner of the garage.

Rogoff: No.

Paolozzi: No

Feniger: Aye

Davis: No

Baker: Aye.

The motion failed.

Moved by Mrs. Paolozzi, seconded by Ms. Rogoff to make a motion in the affirmative of allowing the lot combination. I appreciate everybody's comments and the time they spent to

express their concerns as well as their trials for the last 30 years to make something happen here.

If the lot did not meet the minimum lot coverage for the R-100, I would have been in the same league as Judi and Patti. I also believe that I trust the Marino's commitment to keep it within the zoning requirements, except for that corner of that garage. It will enhance and add to this beautiful community and give one more residence to the Chagrin Falls district to pay taxes. My only stipulation would be that they maintain what they promised here tonight and that the only thing that goes against the code is that corner of that garage. The house is to be built as sited on the plans.

Mrs. Baker asked if they have to stipulate that all water runoff will be directed to the storm sewers and not to the east hillside. Mr. Markowitz said when that comes to the ARB that is what they will look at with the village's engineer.

Feniger: No.

Davis: Aye.

Baker: No.

Rogoff: Aye.

Paolozzi: Aye.

The motion passed.

SECTION 1150.03(b)(8) AND SECTION 1143.04(f) - "ILLUMINATED SIGNS" ZONING CODE CONFLICT

There was general discussion, no action was taken. This will be discussed further at a later meeting along with lighting code updates.

The meeting adjourned at 9:07 p.m.

Patti Baker, Chairman

lgb