

**BUILDING & BUILDING CODES COMMITTEE MINUTES  
SEPTEMBER 20, 2022**

The Building & Building Codes Committee meeting was held on September 20, 2022, at North Royalton City Hall, 14600 State Road. The meeting was called to order at 6:13 p.m.

**PRESENT: Committee Members:** Chair John Nickell, Vice Chair Dawn Carbone-McDonald, Joanne Krejci; **Council:** Paul Marnecheck, Mike Wos, Linda Barath, Jeremy Dietrich; **Administration:** Mayor Larry Antoskiewicz, Fire Chief Robert Chegan, Police Chief Keith Tarase, Finance Director Jenny Esarey, Law Director Thomas Kelly; **Other:** Michael McDonald, Joel Spatz.

**APPROVAL OF MINUTES**

Approval of July 19, 2022 Building and Building Code Committee minutes. Moved by Ms. Krejci, seconded by Ms. Carbone-McDonald. Vote: Yeas: 3 Nays: 0 **Motion carried.**

**UNFINISHED BUSINESS**

**1. Economic Development**

Mr. Nickell read the e-mail aloud received from Mr. Jordan. See report.

Mr. Dietrich asked about Mr. Divots, whether there was an offer on the table. Mr. Jordan was uncertain and he has not personally seen one. It was his understanding that they have had offers. Based on people that he has met with, it is now a non-conforming use. Some have asked about rezoning it for other purposes. He was not certain if any of them actually have a written sales agreement; that has not been disclosed to him. Mr. Nickell questioned what it was zoned currently. Mr. Jordan clarified it is zoned commercial; research office. Some people believe it is zoned similar to Traditions, which is next door; however, it is not.

Mr. Wos wanted to know if they are looking to have it rezoned and what would be required. Mr. Jordan explained that with any rezoning, we would look at the Charter provisions; whether it was rezoned by a vote of the people, which would require the same. If not, it falls under Planning Commission and Council. There is also an additional Charter provision that prevents any multi-family without a vote of the people. He went on to say that even though a vote of the people did not change that zoning, if someone's requesting multi-family, it would go to a vote of the people. Mr. Nickell wanted to clarify that we do not know the way it was zoned yet. Mr. Jordan stated that was a complicated answer. The actual applicant did not wait for the answer, because they were interested in multifamily, therefore, we did not really pursue that issue. He continued that no matter what, we would have to put it to a vote of the people and they were not interested in pursuing it then. He believed it was part of the 2004 rezoning however, he was not 100% certain until he gets confirmation.

Mr. Nickell raised question whether somebody wanted to buy it and keep it running as is, and whether they can do so. Mr. Jordan agreed, stating that you are allowed to maintain it; however, if you are expanding a non-conformant use, you would not be able to do that. As discussion ensued, Mr. Jordan stated that the main concern would be whether they could build, or do something more on it that would affect the surrounding residential neighbors; for example, adding another set of tees would disturb neighbors.

**2. Memorial Park Update**

See report.

**3. Splash Pad**

Ms. Krejci inquired about having a one-day opener. Mayor Antoskiewicz noted that he would publicly send something out soon. By the time we get this put in, we are a couple of weeks away from getting it fully functioning.

#### **4. Solar Panels**

Mr. Nickell reminded everyone that an applicant came to BZA (Board of Zoning Appeals) wanting to do a ground mounted solar panel, whereas we did not have any ordinances in place. We felt that we should have some regulations and guidelines for such things. His biggest concern, other than electrical safety, is whether there would be resident complaints. He felt that there was a good effort to cover all basis; for example, these panels have to be on the back of the house and cannot be on the front. Also, if you are on a corner lot, you cannot have them on the side where the street is located; that goes for the roof mounted solar panels, and also for solar water heating for pools etc. He mentioned that one cannot see them from the street when they are in the back. The resident came to the committee for the ground panels, which we had nothing for. He pointed out that the legislation states that it can be six feet tall. As discussion ensued, Mayor Antoskiewicz informed everyone that we had a new City Planner start this week, Mr. Ian Russell.

Ms. Barath wanted to take some time and review this information on the solar panels. Ms. Krejci was wondering about the overall size. Mr. Jordan did not feel that was well covered. He indicated that these are usually on a pole with limitations when they are ground mounted. He would check more on size and square footage, as well as square footage of the yards for these. He explained that he would look into it if Council had concern about the whole back yard being covered. Mr. Nickell noted that we can review the square footage in comparison to the properties. Mr. Jordan understood that the concern was that it could take up too much area, and if it is large, how the size of the installation would be controlled. He concluded that he has to do some research.

#### **NEW BUSINESS**

There was none.

#### **ADJOURNMENT**

Moved by Mr. Nickell, seconded by Ms. Carbone-McDonald **to adjourn the September 20, 2022 meeting.**  
Yeas: 3. Nays: 0. **Motion carried. Meeting adjourned at 6:32 p.m.**

## **Building and Building Codes Committee**

### **Economic Development Update**

#### **Economic Development Update:**

I will give a more complete update at the next meeting when I will be there in person.

- Fire 45 has resumed construction. The owner still plans to open the restaurant this year.
- Mr. Divots is for sale. We have had discussions with interested buyers. Most of the issues surround zoning and site plan issues.
- In advance of the Abbey Road sewer project, there is a lot of interest in the parcels on the east side of Abbey Road.
- Tonight's Council agenda contains two pieces of legislation concerning the Tax Incentive Review Council (TIRC) review. This is standard legislation. TIRC has found all companies in compliance with their CRA/EZ Agreements and all have been continued. If you have any questions about any of these companies, please call me.
- The building that was formerly known as *Tonight Tonight* has been re-noticed for building code issues. The owner has stated he will try to bring the building into compliance and is also considering demolition.

#### **Memorial Park/Splash Pad**

- The parts for the splash pad were to arrive this week to complete the project. The chlorine tanks and missing parts are to be installed this week. Parts will be tested to

make sure everything works and a punch list will be created for any remaining issues. We hope to close out this project within a month.

- We are awaiting receipt of funds from Cuyahoga County for the park project. We have started the planning process for Phase I of the All Purpose Trail design. We have received a grant from the State of Ohio to fund most of this project.

## **Solar Panels**

The Law Department and Building Department have re-drafted legislation for your consideration.

If you still have questions, we can discuss further at the next meeting.