

The **North Royalton Planning Commission** met in the City Hall Council Chambers, 14600 State Road, on **Wednesday, April 4, 2018 to conduct a Public Hearing**. The hearing was called to order at 7:00 p.m. by Chair Larry Antoskiewicz and opened with the Pledge of Allegiance.

PRESENT: Planning Commission: Chair Larry Antoskiewicz, Mayor Stefanik, Frank Castrovillari, Jessica Fenos, Secretary Diane Veverka. Administration: Building Commissioner Dan Kulchytsky, City Engineer Mark Schmitzer.

Motion and second to excuse Gene Baxendale with cause. Motion carried.

PUBLIC HEARING:

The Secretary to the PC stated Public Hearing notices were sent to property owners within 500 feet of the property in question and posted as required.

1. **Tony Tomaro on behalf of Tomaro Properties** is seeking approval of a lot split and consolidation of PPN: 489-12-010 also known as 6700 Wallings Road and PPN: 489-12-011 also known as 12057 Ridge Road currently zoned as R1-A District.

Tony Tomaro stated the two parcels currently comprise just under two and one-half acres on the northeast corner of Ridge Road and Wallings Road. The proposal is to partition the two parcels with an additional two parcels on the north side of that property. They are looking to take the northern most two hundred feet of frontage on Ridge Road and create two parcels, one hundred foot frontage on each property and approximately 200 feet deep. The parcels would be in compliance with the zoning in that district.

Karen Stalzkowski, 12102 Ridge Road, stated the current buildings on the property are an eye sore; she expressed her concern with what the new properties would look like.

Lisa Geschke, 12144 Ridge Road, asked if the properties will be rental properties and would the aesthetics of the properties be maintained.

Paul Marnecheck, Ward 4 Councilman, shared the concerns of the residents in the area. The existing home needs to be in a more presentable condition. He asked that the future buildings have a strong character and be of high quality.

Dan Langshaw, Ward 3 Councilman, submitted an affidavit expressing his concerns regarding the existing building on property being blightful and in need of repair. He requested the PC require the applicant to first take care of all the necessary maintenance issues to bring the existing structures up to par.

Moved by Mr. Castrovillari, seconded by Ms. Fenos to **move this item to the Regular Order of Business**. Roll call: Yeas: Four. Nays: None. **Motion carried.**

ADJOURNMENT OF THE PUBLIC HEARING

Moved by Mayor Stefanik, seconded by Mr. Castrovillari to **adjourn the Public Hearing**. Roll call: Yeas: Four. Nays: None. **Motion carried. The Public Hearing adjourned at 7:11 p.m.**

REGULAR MEETING

The North Royalton Planning Commission met in the City Hall Council Chambers, 14600 State Road, on **Wednesday, April 4, 2018 in regular session**. The meeting was called to order at 7:12 p.m. by Chair Larry Antoskiewicz.

PRESENT: Planning Commission: Chair Larry Antoskiewicz, Mayor Stefanik, Frank Castrovillari, Jessica Fenos, Secretary Diane Veverka. Administration: Building Commissioner Dan Kulchytsky, City Engineer Mark Schmitzer.

APPROVAL OF MINUTES:

Moved by Mr. Castrovillari, seconded by Ms. Fenos to **approve the minutes of March 7, 2018. Motion carried.**

OLD BUSINESS

1. **Huntington Park Subdivision Phase 4.** Final site plan approval. The subdivision will consist of 14 single family residential lots on PPN: 488-12-030 in a R1-A zoning District. Phase 4 will be an extension of Angelina Drive. Final Plan approval was granted on 9-7-16. 180 day extension expires 8-8-18. Tabled.
2. **Morel Landscaping, LLC.** Robert Morel of Morel Landscaping, LLC and LAF Development, LLC. Lot consolidation and preliminary site plan approval for a landscaping business at 13928 Progress Parkway also known as of PPN: 483-18-016 and PPN: 483-18-018 currently zoned as General Industrial District. These approvals, including similar use approval, were received on 2/22/17 for the southern parcel. A 90 day extension was granted on 3-7-18.
3. **Indian Trails Subdivision Phase II.** Woodhill Properties, Inc. is seeking preliminary site plan approval for Indian Trails Subdivision Phase II. The subdivision will consist of 13 lots on PPN: 481-26-051, 481-26-050, 481-26-011 and 481-25-014 in a R1-A Zoning District. Phase II will tie into Indian Trails Phase I. Tabled. 180 day extension expires 5-8-18.
4. **Line-X of Greater Cleveland** – Building plan and preliminary site plan approval for a commercial building located at PPN: 483-13-008 Royalton Road in a General Industrial District. Tabled. 180 day extension expires 5-8-18.
5. **Michael Pizzuti.** Michael Pizzuti of EMC, Inc. is seeking Sketch Plan Approval for a subdivision consisting of 10 single family residential lots on PPN: 486-23-003 on the east side of State Road between Cady Road and Wiltshire Road in a Rural Residential Zoning District. Tabled: 5-17-17.

NEW BUSINESS

1. **Tony Tomaro on behalf of Tomaro Properties** is seeking approval of a lot split and consolidation of PPN: 489-12-010 also known as 6700 Wallings Road and PPN: 489-12-011 also known as 12057 Ridge Road currently zoned as R1-A District.

Tony Tomaro stated this is a request for a lot split the proposal includes nothing with the existing houses which are rentals. He said they have been working with the City over the past years to do the best they can to maintain the structures to the best possible condition. He added their proposal does not include any modifications to the existing buildings. He said the intent with the properties is to build single family houses to current standards, modern architect similar to other properties in the area. The homes would potentially be utilized by family members.

Mayor Stefanik asked by creating four new lots, would they have to be brought up to whatever the code is today. The Building Commissioner responded there are a number of lots being consolidated. They are then going through a process to lot split four new compliant lots in terms of the square footage of the lots, including the width and the depth requirements. He added the PC has broad authority in terms of applying requirements to any approvals. If the PC has concerns they want to see addressed as part of this lot split/consolidation, they can do so. The Applicant is here requesting of the PC Board to subdivide their parcels to create greater benefits for themselves. So if there is an issue with the driveway, the PC can address that and make it a stipulation. If the PC Board chooses to approve this, the existing garage that is about to fall over and has been cited, needs to be demolished or replaced with a new garage. Additionally any businesses running out of the parcels need to be in compliance and the ongoing issue of property maintenance also needs to be in compliance, as well as the gravel driveway.

Mayor Stefanik asked the Applicant if they are going to work with us. The gravel driveway off of Wallings and the driveway on Ridge Road should be upgraded to concrete. He asked the Applicant if they had plans pertaining to the garage. The Applicant responded they did not have any intent on modifying the existing properties. He said their belief was they were in place; they are not restricting the lots so they would be non-compliant. The Mayor added the properties are not what they should be. He said the PC has an opportunity to put modification in place for these lots; the City will no longer tolerate the continuing issues which we have been chasing the Applicant to fix.

Mr. Tomaro asked what the conditions are so they can understand the financial implications, ramifications and effort would be in order to make a decision.

The City Engineer stated they have reviewed the application internally as an Administration. There is a small triangular piece at the corner of Ridge Road and Wallings Road that is dedicated by plat as right-of-way but legally with the descriptions of the properties; it is not right-of-way, it is a condition as an easement to the highway. As part of this plat, we will clean that up and dedicate it as public right-of-way. He added we appreciate that being part of this plat. One of the conditions the Engineering Department looked at was the corner property along Wallings Road at the Intersection. Brush and growth impedes traffic at points along the roadway. Because of the topography a lot of water sits against that area.

The City Engineer asked the PC to place conditions on the lot split that a sidewalk be place from the corner of Ridge Road and Wallings Road going northerly along Wallings Road across the frontage of these properties. This is no different from when we have new lots; sidewalks are required in front of those lots. Our normal cross section would require a grass area and then a sidewalk. We are suggesting placing a six foot carriage walk which is a concrete walk with a curb right along the edge of the pavement so there is not as much

impeding into the property. That would help give a clear space; water would travel northerly along Wallings along the curb line until it gets to a ditch area and then it can go back into the ditch system to drain. The minimum width of the carriage way should be six feet since it is right up against the roadway; that is ODOT's recommendation. The corner curb ramp may need to be modified to a truncated dome; he did not think that would be the case in this matter.

The Building Commissioner stated should the Board vote on the affirmative for this lot split, the stipulations or requirements are as follows:

1. Both existing residences shall have paved driveways installed. They can be asphalt or concrete but shall have concrete aprons at the street per the City requirements.
2. Take down the garage at 12057 Ridge Road and replace or execute a full renovation inclusive of the foundations and structural issues.
3. Execute all site upgrades for the Wallings Road as recommended by the City Engineer: sidewalk, aprons, invasive growth and vegetation, etc.

Mr. Antoskiewicz expressed his concern regarding putting two new houses on the lots and leaving these other homes with no plans to upgrade. Even if a new garage is put up; it may look out of place with the existing homes that are eyesores. He added he is looking for assurance that the Applicant will comply with the previous citations as well as some of the suggestions from the Engineering Department and Building Department.

Mr. Tomaro responded the violations that have been expressed to them have been addressed. With regard to building new houses next to the existing houses, he has no issues with that; the houses were built ages ago and they are viable structures. They are maintained in such a way as to make sure they are structurally sound and waterproof. Mr. Castrovillari responded that does not give the Applicant the excuse to leave them as they are; there needs to be maintenance involved like any other home. He added, it sounds like there were issues to the garage prior to today's meeting. The Applicant responded the garage is structurally sound; it stands, the doors open. It is perfectly acceptable for holding and storing lawn equipment and personal belongings of the tenant who lives there. Mr. Castrovillari asked the Building Commissioner if the Building Department has issued a formal (inaudible). The Building Commissioner responded he would have to do some research. He said Mr. Tomaro has met with both himself and Community Development; these concerns were raised at that time and he was told these concerns would be brought forth at the PC meeting. He said he inspected the site and believes most of the structural integrity is maintained by the shrubs that surround it. Photographs depict the amount of curvature of the beams. If there is a foundation it will need to be repaired. The Building Commissioner stated if the Applicants would like to have an Engineer submit a report stating it is structurally stable and can be saved and what modifications would have to be made to it, he would be willing take a look at it. He added there are still outstanding violations for these sites.

Mayor Stefanik asked the Applicant if they are willing to abide by the conditions being placed on the approval or would he prefer to table the application. **The Applicant responded he is requesting to table the application** in order to take under advisement the conditions and determine the costs and whether they are appropriate to pursue. He added they purposely subdivided the lots in such a way that the garage would not need to be affected. He asked to have the conditions formalized. The Building Commissioner stated the conditions will be in the meeting minutes. In the meantime he said he can provide the

stipulations in a shorter form while the minutes are being transcribed. He said he would also attach any outstanding violations or any other comments regarding maintenance of the site.

The Applicant asked assuming these conditions are agreed to, is the lot split approval contingent upon that? Are they not able to proceed any further with new construction on the lots until all of these conditions are addressed? Some of these conditions would be much more manageable if they were in the process of constructing new houses because they would have the equipment and contractors on site. That would make the conditions much more amendable for a financial standpoint. Mr. Castrovillari stated if they agree to the stipulations, we can work something out along those lines. It makes sense if he is pouring concrete for two other driveways he fixes the existing driveways at the same time. The Building Commissioner stated they would be open to that possibility; however, if the houses are sold off to different owners and they choose not to build for five, six years, seven years or not to build at all, he said he is concerned we will have a reason to not act upon the problems that exist. The PC could place a stipulation with a time frame and it would be enforceable if he chose to sell the parcels.

Mr. Tomaro asked would it be possible as a condition of sale. Mr. Antoskiewicz responded we would have to look at all the conditions before making that decision. The Building Commissioner stated if the Applicant chooses not to go through with this lot split, and given that he has been made aware of the number of concerns about this parcel, and having seen many of them himself, he will continue to do property maintenance inspections and send out appropriate violation notices that may include a citation to court.

Moved by Mayor Stefanik, seconded by Mr. Castrovillari to **table the application for 90 days**. Roll call: Yeas: Four: (Mayor Stefanik, Antoskiewicz, Fenos, Castrovillari). Nays: None. **Motion carried**.

MISCELLANEOUS

The next scheduled meeting is Wednesday, May 2, 2018.

ADJOURNMENT

Moved by Mr. Castrovillari, seconded by Ms. Fenos to adjourn the April 4, 2018 PC meeting. Yeas: Four. Nays: None. Motion carried. Meeting adjourned at 7:39 p.m.

APPROVED: /s/ Larry Antoskiewicz
Chair

DATE APPROVED: June 6, 2018

ATTEST: /s/ Diane Veverka
Planning Commission Secretary