

MINUTES OF PUBLIC HEARING FRONTYARD SETBACK – 6582 OLD ROYALTON ROAD
BRECKSVILLE PLANNING COMMISSION
Council Chambers – Brecksville City Hall
April 22, 2021 Page 1

Present: Michael Harwood, Mayor Hruby, Eric Lahrmer, Ron Payto, Kirk Roman, Dominic Sciria
Absent: Michael Bandsuh
Others: Eric Hall, Gerald Wise, and approximately 8 guests

Mr. Roman opened the public hearing at 7:00 p.m. by reading the following legal notice published in the April 8, 2021 issue of the *Sun Star Courier*.

The Brecksville Planning Commission will hold a Public Hearing at 7:00 p.m. on Thursday, April 22, 2021, at Brecksville City Hall, 9069 Brecksville Road, Brecksville, Ohio to establish a Front Yard Setback of 0 feet for Permanent Parcel #601-28-011, 6582 Old Royalton Road.

Mr. Andrew Grau was present on behalf of his request to establish a zero foot frontyard setback for a home he planned to build on Old Royalton Road. The house would actually be approximately 110 feet from the road, but would fall under an old right-of-way designation that is still in force since the street was relocated. The proposed location of the house was chosen to avoid a flood plain and also to align with other homes along the street.

There were no comments from the Commission or the Public. Mr. Roman advised that the matter would come up again in the Work Session later in the evening. The Public Hearing closed at 7:05 p.m.

THE BRECKSVILLE PLANNING COMMISSION

KIRK ROMAN, CHAIRPERSON
DOMINIC SCIRIA, VICE CHAIRPERSON
ERIC LAHRMER, SECRETARY

Minutes recorded by Nancy Dimitris

MINUTES OF PUBLIC HEARING FRONT YARD SETBACK – 4900 EDGERTON ROAD
BRECKSVILLE PLANNING COMMISSION
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Present: Michael Harwood, Mayor Hruby, Eric Lahrmer, Ron Payto, Kirk Roman, Dominic Sciria
Absent: Michael Bandsuh
Others: Eric Hall, Gerald Wise, and approximately 8 guests

Mr. Roman opened the public hearing at 7:05 p.m. by reading the following legal notice published in the April 8, 2021 issue of the *Sun Star Courier*.

The Brecksville Planning Commission will hold a Public Hearing at 7:05 p.m. on Thursday, April 22, 2021, at Brecksville City Hall, 9069 Brecksville Road, Brecksville, Ohio to establish a Front Yard Setback of 165 feet for Permanent Parcel #604-03-104, 4900 Edgerton Road, Brecksville, Ohio 44141.

Mr. Calvin Palguta, property owner, and Mr. Ted Otero, Otero Signature Homes, were present to request a 165 foot frontyard setback to be established for a new home on Edgerton Road. Mr. Otero noted that the Commission had previously approved a 200 foot setback for the home, but since that time wetlands were discovered on the property and it was necessary to move the proposed house forward on the lot. The anticipated setback would be 175 feet, but the applicant was requesting 165 feet to provide some flexibility. Mr. Otero explained that the wetlands were determined to be caused by a depression and he had submitted a letter from the Army Corps that no permit would be required.

Ms. Aenea Connors, 7515 Bristol Lane, wondered if moving the house forward on the lot had any impact on their plans for the storm water easement planned for the lot. Mr. Otero commented their plan to tie-in to the sanitary sewers followed the City's recommendation. Ms. Connors also asked if there would be a buffer between the home and the wetlands. Mr. Otero did not have that exact measurement to provide, however he said avoiding the wetlands was their reason for moving the house location forward. Mr. Wise indicated the City had no ordinances that related to a buffer from wetlands so in theory the home could be built at the edge of the wetlands.

There were no further comments from the Commission or the Public. Mr. Roman advised that the matter would come up again in the Work Session later in the evening. The Public Hearing closed at 7:14 p.m.

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MINUTES OF REGULAR MEETING
BRECKSVILLE PLANNING COMMISSION
Council Chambers – Brecksville City Hall
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Present: Michael Harwood, Mayor Hruby, Eric Lahrmer, Ron Payto, Kirk Roman, Dominic Sciria
Absent: Michael Bandsuh
Others: Eric Hall, Gerald Wise, and approximately 8 guests

Mr. Roman opened the Regular Meeting of the Planning Commission at 7:14 p.m. Mr. Harwood attended the meeting via teleconference call.

APPROVAL OF THE REGULAR MEETING MINUTES OF APRIL 8, 2021

It was moved by Mr. Roman and seconded by Mr. Sciria that the Planning Commission Regular Meeting Minutes of April 8, 2021 be approved.

ROLL CALL: Ayes: Michael Harwood, Mayor Hruby, Eric Lahrmer, Ron Payto,
Kirk Roman, Dominic Sciria
Nays: None
MOTION CARRIED

APPROVAL OF THE WORK SESSION MEETING MINUTES OF APRIL 8, 2021

It was moved by Mr. Roman and seconded by Mayor Hruby that the Planning Commission Work Session Meeting Minutes of April 8, 2021 be approved.

ROLL CALL: Ayes: Michael Harwood, Mayor Hruby, Eric Lahrmer, Ron Payto,
Kirk Roman, Dominic Sciria
Nays: None
MOTION CARRIED

SIGNS:

STAR SPORTS – 7033 MILL ROAD

Mr. John Starinsky, representing Star Sports, was present to request the relocation of an existing wall sign at 7032 Mill Road across the street to his business's new location at 7033 Mill Road. Commission members had no questions.

It was moved by Mr. Roman and seconded by Mr. Sciria that the Planning Commission give **Preliminary** and **Final** approval of, and the Building to issue a permit for, a 15 square foot, permanent, wall, identification sign for Star Sports, 7033 Mill Road, Brecksville, Ohio as described in the application dated March 30, 2021 by John Starinsky, and attached pictures.

ROLL CALL: Ayes: Michael Harwood, Mayor Hruby, Eric Lahrmer, Ron Payto,
Kirk Roman, Dominic Sciria
Nays: None
MOTION CARRIED

HARDING CONCORDIA LODGE #345 – CITY ENTRANCES (4 locations)

Mr. A. J. Kinney was present for Harding Concordia Lodge #345's request to add an information sign for their organization to existing poles at the City entrances that currently have signs on them for Kiwanis and Theodore Breck Lodge. Their proposed signs would be located below the Kiwanis and Theodore Breck signs. Mr. Kinney confirmed that they have had a physical presence in the City for over five years in the Breck Building where the Theodore Breck Lodge was located.

MINUTES OF REGULAR MEETING
BRECKSVILLE PLANNING COMMISSION
Council Chambers – Brecksville City Hall
April 22, 2021 Page 2

Mayor Hruby pointed out that, located in the third position on the existing sign poles would put their sign too low to read so they would need new, higher poles. Mr. Wise commented that Harding Concordia Lodge would need to supply the longer poles and consult with the Service Department to have that department install them.

It was moved by Mr. Roman and seconded by Mr. Sciria that the Planning Commission give **Preliminary** and **Final** approval for the installation of information signs, 3.1 square feet each, for the Harding Concordia Lodge #345 to be installed in the road right-of-way at locations within the city limits of the City of Brecksville as described in the application from the Harding Concordia Lodge dated March 25, 2021 and attached sign drawing and proposed location details, with the condition that the sign installation with respect to the height of the pole on which any and all signs are located and how they are arranged and the number of signs and locations, will be approved by the City of Brecksville.

ROLL CALL: Ayes: Michael Harwood, Mayor Hruby, Eric Lahrmer, Ron Payto,
Kirk Roman, Dominic Sciria
Nays: None
MOTION CARRIED

REPORT OF COUNCIL REPRESENTATIVE

Mr. Harwood reported that City Council, at their last meeting, approved the Verizon Antenna Upgrade to the communications tower on Brecksville Road.

REPORT OF MAYOR HRUBY

The Mayor reported on the retirement of a number of City employees: Tom Tupa – May 7th, the Police Chief – May 4th, Fire Lieutenant – May 15th, and a longtime part-time police officer the end of May. Mayor Hruby reminded Commission members of the upcoming election May 4th with the single issue on rezoning Valor Acres land from R-8 to Office Lab. There was some concern for low voter turnout for this single issue ballot.

REPORT OF CITY ENGINEER No Report

The Regular Meeting recessed into the Work Session, and reopened to make a motion.

GRAU FRONT YARD SETBACK – 6582 OLD ROYALTON ROAD

It was moved by Mr. Roman and seconded by Mr. Sciria that the Planning Commission establish a Front Yard Setback of 0 feet at 6582 Old Royalton Road, Brecksville, Ohio, PP #601-28-011 as described in the application dated March 5, 2021 and shown on the two drawings titled G1 and G2, pending approval of City Council.

ROLL CALL: Ayes: Michael Harwood, Mayor Hruby, Eric Lahrmer, Ron Payto,
Kirk Roman, Dominic Sciria
Nays: None
MOTION CARRIED

The Regular Meeting recessed into the Work Session, and reopened to make a motion.

PALGUTA REVISED FRONT YARD SETBACK – 4900 EDGERTON ROAD

It was moved by Mr. Roman and seconded by Mr. Sciria that the Planning Commission establish a Front Yard Setback of 165 feet at 4900 Edgerton Road, Brecksville, Ohio, PP #604-03-104 as described in the application

MINUTES OF REGULAR MEETING
BRECKSVILLE PLANNING COMMISSION
Council Chambers – Brecksville City Hall
April 22, 2021 Page 3

dated March 8, 2021 and shown on the drawing titled Site Plan dated March 10, 2021, by Gutoskey & Associates Inc. pending approval of City Council.

ROLL CALL: Ayes: Michael Harwood, Mayor Hruby, Eric Lahrmer, Ron Payto,
Kirk Roman, Dominic Sciria
Nays: None
MOTION CARRIED

The Regular Meeting closed at 7:30 p.m.

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MINUTES OF WORK SESSION
BRECKSVILLE PLANNING COMMISSION
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Present: Michael Harwood, Mayor Hruby, Eric Lahrmer, Ron Payto, Kirk Roman, Dominic Sciria
Absent: Michael Bandsuh
Others: Eric Hall, Gerald Wise, and approximately 8 guests

Mr. Roman opened the Work Session at 7:25 p.m.

GRAU FRONT YARD SETBACK – 6582 OLD ROYALTON ROAD

Mr. Andrew Grau was present seeking a zero foot frontyard for a new home to be built on Old Royalton Road. The house would actually be approximately 110 foot from the road, but would fall under an old right-of-way designation still in force since the street was relocated. The proposed location of the house was chosen to avoid a flood plain and also to align with other homes along the street. Mr. Wise commented that he had no objection to the setback request. This item was discussed at a public hearing earlier in the evening and Commission members had no questions. The Work Session recessed into the Regular Meeting for a motion.

PALGUTA REVISED FRONT YARD SETBACK – 4900 EDGERTON ROAD

Mr. Calvin Palguta, property owner, and Mr. Ted Otero, Otero Signature Homes, were present to request a 165 foot frontyard setback to be established for a new home on Edgerton Road. Mr. Otero commented a setback of 200 feet was established for the home previously by the Commission. A wetlands delineation revealed depression wetlands on the rear of the property. While the wetlands would not require an Army Corps permit, it was determined to move the frontyard setback up to 165 feet. The actual home location might be at 175 foot which would still provide adequate room for a back yard deck or patio. Mr. Wise advised that he had no objection to the setback request. Commission members had no questions. The Work Session recessed into the Regular Meeting for a motion.

The Work Session closed at 7:30 p.m.

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