



**Board of Zoning Appeals & City Planning Commission Minutes
Tuesday, January 5, 2021
7 P.M.
Via Zoom Webinar**

Members Present: David E. Weiss, Mayor
Sean P. Malone, Council
Joseph J. Boyle III, Member
Kevin Dreyfuss-Wells, Member
Joanna Ganning, Member

Others Present: Joyce G. Braverman, Director of Planning
William M. Gruber, Director of Law
Daniel Feinstein, Senior Planner

The meeting was called to order by Mayor Weiss at 7 p.m.

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Approval of the December 1, 2020 Meeting Minutes

It was moved by Mr. Boyle and seconded by Dr. Ganning to approve the minutes.

Roll Call: Ayes: Weiss, Malone, Boyle, Dreyfuss-Wells, Ganning
Nays: None

Motion Carried

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BOARD OF ZONING APPEALS

#2091. Shaker Heights Animal Hospital – 3505 Lee Road:

A Public Hearing was held on the request of Lisa and Jeremy Welsh, Shaker Heights Animal Hospital, 3505 Lee Road, to the Board of Zoning Appeals for a variance to the number, size and location of signs in order to install a third primary sign on this corner lot at Lee and Kenyon Roads. The applicant proposes to install a third primary sign in the front landscape bed of their new location for this veterinary business. Code allows two primary signs on this corner lot. The proposed monument sign is a metal cutout of the business logo that is 7 feet wide by 4 feet tall for a total of 28 square feet. A monument sign is allowed to be 24 square feet in size. The sign is located 3 feet

CITY OF SHAKER HEIGHTS

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from the sidewalk and from the building. Code requires a 5-foot setback from the property line and 10-foot separation to the building.

Mr. Feinstein showed slides of the site. He stated this is a request for variances to the sign regulations to the number, size, and location. The applicant proposes a third primary sign in the landscape bed near the front door. Code allows two primary signs at this corner lot at Lee and Kenyon Roads. The proposed metal cutout of the business logo is 7 feet wide by 4 feet tall, for a total of 28 square feet. Code allows a maximum of 24 square feet for a monument sign. The sign is located 3 feet from the sidewalk and 3 feet from the building. Code requires a 5 foot setback from the property line and 10 feet from the building. The Architectural Board of Review approved the sign at their December 7, 2020 meeting. Staff supports approval of this request.

Elicia Gibbon, architect, said this is a heavily used corner at Chagrin Boulevard and Lee Road. It is a unique site, visible from three streets. This sign location is more of an opportunity for public art than signage that adds to the pedestrian experience of the corner. The nearby utility box is wrapped in art portraying cats and they have a dog weathervane. The sign itself is cut out of a 4 x 8 sheet of metal. The open design can be seen through so the size is not much of a presence. The Architectural Board of Review was excited about the sign design.

Mayor Weiss said even though this sign exceeds the monument sign size, the total signage for the site is still within the maximum size allowed.

Mr. Feinstein said the other wall signs are located above the front door and on the Lee Road wall, not on the ground like this one.

Mr. Malone asked if there are any other signs like this in the area. He asked the durability of the material.

Ms. Gibbon said it is cut out of metal and painted specifically for the metal material. Maintenance would just be to re-paint.

Ms. Braverman noted the metal banners that have a similar powder-coated finish on Chagrin Boulevard have already lasted 15 years.

Mr. Dreyfuss-Wells asked if the sign is anchored in concrete.

Ms. Gibbon said they would have metal tubes anchored into the soil in the planter. The intent is to have it sit within the landscaping.

Mayor Weiss said he likes the idea of the metal emerging out of the growing plants.

Mr. Dreyfuss-Wells said a hole like for a fence post would be an appropriate anchor.

Mayor Weiss opened the Public Hearing. No comments were received in regard to this application.

Mr. Dreyfuss-Wells said it is important to note that this is more a piece of sculpture or artwork than a sign and does not repeat other signage on the site. The design is nice and transparent.

CITY PLANNING COMMISSION

#2093. Shaker Heights Country Club – Parkland Drive:

A Public Hearing was held on the request of Michael Abdalian, President, Shaker Heights Country Club, Parkland Drive, to the City Planning Commission for a subdivision of land to combine two single family lots into one. The Country Club rezoned land to SF-1 Single Family Residential zoning at the western end of their property on the north side of Parkland Drive, at the intersection with Attleboro Road to create two single family parcels in 2019. The two new parcels are proposed to be combined into one larger single family lot. The Country Club intends to sell the combined parcel for an individual single family home construction.

Mr. Feinstein showed slides of the site. He stated this is a request to subdivide property in order to combine two approved single family lots into one parcel. The City Planning Commission approved two (2) single family residential lots in May 2019. The applicant proposes a single parcel now instead of the two lots. The lots meet the lot and block standards for lots in the SF-1 Single Family Residential, zoning district. Staff supports the request for one parcel and suggests revised language, which also maintains the approved two lot configuration to remain an approved option.

Mr. Gruber explained that the City Planning Commission approved the subdivision request and recommended approval of the rezoning. Council then approved the rezoning on October 28, 2019 to create the SF-1 zoning. A number of conditions were required before rezoning and transfer. The contaminated soil that included lake dredge fill has been removed from the site. Then further environmental testing was done with a report issued.

Mr. Feinstein said they have completed the environmental study and additional testing and the site now meets Ohio EPA requirement for residential use. The Club is working with the City on language of the conservation easement, access agreement, and deed restrictions.

Mayor Weiss said this is an explanation of where the overall project stands, but is not directly relative to this request. All the rezoning conditions apply whether there is one lot or two.

Mr. Abdalian said they requested to have the 2.5 acres split into two parcels originally. They would now like to make it all one parcel. They agree with the staff proposal to keep both one and two parcels as approved options. They have a single buyer who proposes a single family house, which explains their request to change to one parcel.

Mr. Boyle asked if there is a sale agreement.

Mr. Abdalian said a contract is in place for the whole parcel.

Dr. Ganning said one part of her support for the rezoning was that two homes increase the tax base. It is regrettable to only have one house.

Mr. Dreyfuss-Wells said he can support the request based on previous action and that two lots could still be developed.

Mr. Feinstein said regular Architectural Board of Review design review and site plan review by the City Planning Commission is required of either one or two homes.

Dr. Ganning said the property was approved for a residential use. There is precedent for a residential use of a lot this size, and 18700 South Park Boulevard is the recent precedent for either approval.

Ms. Braverman said that while this is not a normal situation, staff does support either one or two lots for the flexibility of eventual development of the site.

Mayor Weiss opened the Public Hearing.

Mr. Feinstein summarized two public comments received via email.

Rita Bryce, 16500 Parkland Drive, was concerned with development, design and construction of the house.

Doug and Gail Johnston, 17210 Parkland Drive, were concerned with a storm water drain that drains their property that crosses the new lot.

Mayor Weiss said the questions raised by Ms. Bryce are premature and unable to be determined at this time. There is discussion but no resolution yet regarding the drainage pipe comment over residential land. The City is aware and in communication with the resident and Country Club.

Trent Meyerthoffer said the he is a member of the Country Club and on the School District Finance committee. There is no guarantee this proposal will be more or less property value. He thinks one lot fits into the neighborhood somewhat better than two houses. The potential sale of this property size and price point is similar to this neighborhood.

Mr. Gruber said the storm water lateral drain line appears to run from the Johnston property, under the street and across property. Per city records, it has been in place at least more than 50 years.

Mayor Weiss said it is premature to comment on any impact on construction. The gas well was removed.

Mr. Gruber said the gas well and tanks were removed. They have the State report and are reviewing it now.

Mr. Boyle said based on the revised staff position, he supports the request with the conditions per staff review.

It was moved by Boyle and seconded by Mr. Dreyfuss-Wells to approve the request for combination of the two previously approved lots into one lot, while affirming that the approved configuration of two separate lots remain as approved, such that the property may be developed into one or two lots at the option of the applicant, with the following conditions, based on the findings of fact and conclusions of law as set forth in the Action Sheet:

1. Comply with all the conditions of the property rezoning.
2. Final subdivision plat submitted to the City and filed with the County.

