



**Board of Zoning Appeals & City Planning Commission Minutes
Tuesday, March 3, 2020
7 P.M.
Council Chambers**

Members Present: David E. Weiss, Mayor
Sean P. Malone, Council
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 7:00 p.m.

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Approval of the February 4, 2020 Meeting Minutes

It was moved by Dreyfuss-Wells and seconded by Mr. Malone to approve the minutes.

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

Motion Carried

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#2049. Carfagna Residence – 22226 Parnell Road:

A Public Hearing was held on the request of Brooke Slater, Busy B Design Studio, representing Alyson and Michael Carfagna, 22226 Parnell Road, to the Board of Zoning Appeals for a variance to the front yard setback in order to construct an outdoor kitchen. The applicant proposes to build an outdoor kitchen on the rear corner of the house, on this corner lot at Shelley and Parnell Roads. The wall of the outdoor kitchen is proposed to extend 3 feet beyond the house into the front yard, and is set back 42 feet from Shelley Road. The required front setback is 45 feet. The three (3) foot tall brick outdoor kitchen is proposed to be 12 feet long and include a grill, pizza oven, and seating, adjacent to the existing patio. Existing arborvitae landscaping and fencing are proposed to screen the view from the street.

CITY OF SHAKER HEIGHTS

#2051. G & J Realty Property – 13001-05 Larchmere Boulevard:

A Public Hearing was held on the request of Paul Hummer, Hummer Paving Company, representing Louis Jacobs, G&J Realty, 13001-05 Larchmere Boulevard, to the Board of Zoning Appeals for variances in order to construct a parking lot in the rear yard of this commercial property at the corner of Larchmere Boulevard and Cheshire Road. A 7-space parking lot is proposed to serve the apartments over the commercial space on the property. The parking spaces are set back 6 feet from the front property line on Cheshire Road with 3 foot tall evergreen landscaping to screen the street view. Code requires parking spaces to be set back 20 feet when located across from a residential use. The parking lot is proposed 3 feet off the commercial building to the east. Code requires a 5-foot setback adjacent to a commercial property. The applicant proposes a 19-foot long, 6-foot tall brick wall along the north side property line and extending up to the front wall of the adjacent house on Cheshire Road. Code requires a brick wall extending the full length of the landscape buffer area adjacent to a residential use. The applicant does not propose any interior parking lot landscaping. Code requires one (1) interior landscape island.

Mr. Feinstein showed slides of the site. He stated this is a request for variances in order to construct a parking lot in the rear yard of this commercial property at the corner of Larchmere Boulevard and Cheshire Road. The applicant proposes a 7 space parking lot that is 6 feet from Cheshire Road where a 20 foot landscape setback is required across from a residential use. The lot is 3 feet off of the east property line, where a 5 foot setback is required adjacent to a commercial use. The rear (or north) property line is adjacent to a house, which requires a 6 foot tall brick wall along the entirety of the property line. The applicant proposes a 19 foot long brick wall from the rear corner to the front of the house. There is no interior parking lot landscaping. Code requires one landscape island. Staff supports the request with conditions including extending the wall 5 feet, additional landscaping, and widening the handicap accessible space striped area to 8 feet wide. The Architectural Board of Review has not yet reviewed the design of the brick wall. Mr. Feinstein then read an email from the north neighbor into the public record.

Mr. Malone asked why the street tree was removed.

Mr. Feinstein explained that he worked with the applicant to redesign the parking lot layout, which necessitated the driveway moving toward the south toward the building in order to maximize the setback and landscaping toward the neighboring house. The city's Forrester was consulted about the street trees. The Forrester noted that these street trees are close to the end of their life span, and a replacement tree would be appropriate.

Mr. Dreyfuss-Wells asked if the existing trees are the neighbor's or on the applicant's property. Has the applicant spoken with that property owner?

Rick Brown, project architect, said he is representing Paul Hummer, the applicant in this case. Mr. Hummer did speak with the next door neighbor. He indicated that the neighbor is ok with the brick wall proposal but would prefer a wood fence as it would blend in better with the trees. Mr. Hummer feels the wood fence would work better and do less damage to the existing trees. He asked the Board to consider allowing a 6 foot tall board-on-board wood fence instead of a brick wall along the north property line.

Mayor Weiss asked about the need for and use of the parking lot.

Mr. Brown said the parking lot would serve the 4 residential apartments on the second floor of the building. There could also be some parking of the commercial tenants. A private parking sign in the landscaping is proposed at the entrance to restrict use. The tenants of the building have complained about tight and dangerous on-street parking on Cheshire Road. They want safe, secure parking as well as a handicap accessible space and ramp.

Mr. Dreyfuss-Wells suggested rounding the inside corner of the parking lot to enable access to the first parking space.

Mr. Brown said he agrees that would be a good idea.

Dr. Ganning said she favors a brick wall on the north property line as a more substantial barrier to the neighboring house.

Mr. Dreyfuss-Wells said a brick wall is certainly a more durable and long lasting barrier. He also encourages the addition of some lower landscaping in front of the bushes and trees to provide some depth and variety to the landscape plan from Cheshire Road.

Mayor Weiss opened the Public Hearing.

Kevin Lovas, property owner of the adjacent house at 2587 Cheshire said he lives at 2567 Kendall Road. He spoke with Mr. Hummer and supports the parking lot request. The Catalpa street trees are near the end of their life. The trees along the driveway are volunteers and need frequent trimming to keep them off the driveway. He wants them removed as part of this project. Either a brick wall or a fence is acceptable, but he does not want the wall to extend behind the front porch of the house to allow visibility.

Mr. Dreyfuss-Wells said he would support removing the trees along the driveway with the neighbor's consent and replacement of some landscaping.

Dr. Ganning said she would support removal of those trees as long as replacement landscaping was installed to soften the view from that side.

Mr. Brown said the trees could be removed and replaced with a few taxus evergreen bushes.

Mr. Feinstein noted additional public comment was received. There is concern for visibility from the parking lot to the sidewalk that is used by children walking to the school bus stop.

Mr. Dreyfuss-Wells said he supports the proposal, making sure the conditions of the brick wall being extended to the front column of the porch, removal of the trees along the north property line, lower landscaping at the parking lot entry drive, along with the staff conditions that are appropriate.

It was moved by Mr. Dreyfuss-Wells and seconded by Dr. Ganning to approve the request based on the findings of fact and conclusions of law as set forth in the Action Sheet with the following conditions:

1. Extension of the brick wall 5 feet to the front of the neighbor's front porch, for a total length of approximately 24 feet;

There being no further business, the meeting was adjourned at 8:30 p.m. The next meeting will be April 7, 2020.



David E. Weiss, Chair
Board of Zoning Appeals
City Planning Commission



Daniel Feinstein, Secretary
Board of Zoning Appeals
City Planning Commission