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.
Mr. Feinstein showed slides of the site. He stated this is a request for a variance to the front yard setback requirements for this house at the corner of Parnell and Shelley Roads. The applicant proposes an outdoor kitchen on the rear corner of the house. The outdoor kitchen is 3 feet tall, 2 feet long, and extends 3 feet beyond the side of the house in to the Shelley Road front yard, 42 feet from the sidewalk. The required setback is 45 feet. An existing fence and landscaping screen the view from the street. The Architectural Board of Review has approved the design. Staff supports the request.

Brooke Slater, Busy B Design Studio, said she is representing the homeowners as they renovate their rear yard patio. The driveway and garage dominate the rear yard of this corner lot. The existing patio is the only available location. The new outdoor kitchen is located just off the rear corner of the house to avoid the door to the patio. The structure is low at 3 ft. tall and only 3 ft. beyond the house wall. It is hidden from street view by a fence and landscaping.

Mayor Weiss asked about the existing trees next to the house.

Ms. Slater said the existing pine tree is in poor health and will be replaced with a new tree.

Mr. Dreyfuss-Wells said the chimney on that side of the house already extends out from the house wall into the required setback.

Mr. Feinstein said yes, the chimney extends at least 18 inches out from the side of the house. A chimney is allowed to encroach up to 3 feet into the required setback.

Mayor Weiss commented that the fence, the existing landscaping and the proposed new tree effectively screen the view of the whole yard and this new outdoor kitchen from the street view.

Mayor Weiss opened the Public Hearing. No one was present to speak in regard to this application.

Mr. Dreyfuss-Wells said he supports this proposal due to the existing chimney, small encroachment and the abundance of screening.

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 condition of the addition of two arborvitae shrubs, one on each end of the fence line, as approved by staff.

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

Motion Carried

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#2050. Seguin Residence – 3369 Grenway Road:

A Public Hearing was held on the request of Ellen Seguin, 3369 Grenway Road, to the Board of Zoning Appeals for a variance to the fence location regulations on a corner lot. The applicant proposes to install a 3-foot tall black aluminum ornamental fence on this corner lot at Grenway and Glencairn Roads. The fence is proposed to be located 31 feet behind the Glencairn Road sidewalk.
Code requires that fences located in corner side yards not extend in front of the setback line of the principal building on the adjacent lot. The adjacent house on Glencairn Road is set back 40 feet. The fence is proposed to enclose the rear yard and nine (9) additional feet of the Glencairn Road side yard to contain the applicant’s dog. The fence is proposed to be located behind an existing line of 5-foot tall arborvitae bushes.

Mr. Feinstein showed slides of the site. He stated this is a request for a variance to the fence regulations at the corner of Grenway and Glencairn Roads. The applicant proposes a 3 foot tall black aluminum ornamental fence behind a line of arborvitae bushes on the Glencairn side of the lot. The fence is proposed 31 feet from Glencairn Road. The next door neighbor’s house is set back 40 feet from Glencairn. The fence is needed to contain a dog. Staff supports the request with the addition of two additional bushes.

Ellen Seguin, homeowner, said the fence location makes the most sense behind the existing line of evergreen bushes. To move the fence back from the bushes and comply with the setback requirements would cut up her yard space. The line of bushes also exists at the natural extent of the flat portion of the yard before it descends to the sidewalk.

Dr. Ganning asked how the line of bushes and gate were installed in the first place.

Ms. Seguin said a former owner of their house must have installed them.

Mayor Weiss asked if the applicant had spoken with their neighbor about their proposal.

Ms. Seguin said they have been collaborating with their neighbor on that side, Kyle Reddick. He supports the request. They are working with him on the placement of other portions of fence that divides their yards.

Mr. Dreyfuss-Wells said the fence is well screened and set back quite a distance from the street.

Mayor Weiss opened the Public Hearing. No one was present to speak in regard to this application.

Dr. Ganning indicated that it appears two shrubs have died and need to be replaced.

Ms. Seguin said she intends to replace the two dead bushes.

It was moved by Dr. Ganning and seconded by Mr. Malone to approve the request based on the findings of fact and conclusions of law as set forth in the Action Sheet.

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

Motion Carried

* * *
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 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;
2. Submission of design and materials of the brick wall for approval by the Architectural Board of Review;
3. Provision of a radius on the left side of the driveway to allow easier access to the first parking space;
4. Redesign of the landscaping around the driveway to ensure a clear visibility triangle to pedestrians on the sidewalk;
5. Removal of the existing trees along the north property line and replace with evergreen shrubs, as approved by staff;
6. Addition of two (2) arborvitae shrubs to the Cheshire Road landscape areas, one on each side of the driveway;
7. Addition of lower shrubs in front of both the arborvitae bushes and 3 pine trees to add depth and interest to the landscape screening from the street;
8. Provision of a revised, detailed landscape plan to be approved by staff;
9. Widening of the handicap accessible space striped access zone from the proposed 7 to 8 feet wide to meet code; and
10. Submission of the design of one parking control sign. The sign can be no larger than 4 square feet and 5 ½ feet tall.

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

Motion Carried

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Mr. Dreyfuss-Wells recused himself from the meeting and left the room.

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#2052. RDL Architects – 16102 Chagrin Boulevard:

A Public Hearing was held on the request of Crystal Gray, RDL Architects, 16102 Chagrin Boulevard, to the Board of Zoning Appeals for a sign variance. The applicant proposes to celebrate their 25-year anniversary with a window sign and graphic. The temporary event sign is proposed to be displayed for the remainder of 2020. The sign is 9 feet 9 inches by 5 feet 11 inches, and is located on one section of windows facing Chagrin Boulevard. Code allows an event sign to be a maximum of 6 square feet in size. The proposed window sign and graphics are 58 square feet in size.

Mr. Feinstein showed slides of the site. He stated this is a request for a variance to the event sign requirements for a temporary event sign in the window. The applicant proposes a window sign celebrating the firm’s 25-year anniversary. The vinyl window graphics cover one section of the first floor windows and measure 5 feet 11 inches by 9 feet 9 inches. Code allows a 6 square foot event sign. The applicant propose the sign to be up for the remainder of 2020. The Architectural Board of Review approved the design at their meeting on March 2, 2020. Staff supports this request with a time limit to the end of 2020.

Dr. Ganning asked how long the sign is planned to remain in the window.
Crystal Gray, RDL Architects, said the window cling temporary sign is proposed to remain for the rest of 2020. The artist that created the image included a scene to celebrate the firm’s anniversary and show off some Shaker Heights architecture. It is not a sales installation but an art or celebratory piece. There is no front yard for a more traditional event sign to be placed on this property. The window is proportional to the overall size of the building as 25% of the first floor windows.

Mayor Weiss asked the allowed event sign size per the zoning ordinance.

Mr. Feinstein said an event sign is allowed to be 6 square feet in size while this sign is 58 square feet in this window.

Mr. Malone noted that the Board did approve a 3,000 square foot temporary sign for the Upstairs apartments in the Van Aken District. This sign is in proportion to this building as the other one was to that apartment building. The sign is celebratory in nature.

Mayor Weiss open ended the Public Hearing. No one was present to speak in regard to this application.

It was moved by Dr. Ganning and seconded by Mr. Malone to approve the request based on the findings of fact and conclusions of law as set forth in the Action Sheet with the condition of the removal of the sign at the end of 2020.

Roll Call: Ayes: Weiss, Malone, Ganning
Nays: None

Motion Carried

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Mr. Dreyfuss-Wells returned to the meeting.

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#2048. Kalan Residence – 3714 Glencairn Road:

A Public Hearing was held on the request of Timothy Kalan, 3714 Glencairn Road, to the Board of Zoning Appeals and City Planning Commission for subdivision of land and a variance in order to join a city-owned vacant lot with the property on which their home is located. The applicant is purchasing the vacant lot behind their house at 3713 Strandhill Road. The house parcel (736-15-108) is proposed to be combined with the vacant lot behind them (736-15-092). The applicant proposes to integrate the vacant lot into their yard with landscaping and trees. This combined lot meets code requirements in the SF-3 Single Family Residential zoning district for size and width, but becomes a through lot from Glencairn to Strandhill Road. A variance is required, as the subdivision regulations do not allow the creation of a through lot between two streets. Subdivision of land requires City Planning Commission approval.

Mr. Feinstein showed slides of the site. He stated this is a request for subdivision of land and a variance to combine two residential lots. The applicant proposes to purchase a vacant city-owned lot and combine it with their house lot. Their house faces Glencairn Road and the vacant lot is behind them facing
Strandhill Road. The combined lot creates a through lot between streets. Code does not allow through lots. City council has approved the sale of the lot. Staff supports the request with the condition that there is no vehicular access between streets.

Dr. Ganning asked if the side neighbors had inquired about this property.

Mr. Gruber explained the City’s side lot program was instituted several years ago to enable owners to take possession of and incorporate vacant, city-owned lot into their own home lots.

Tim Kalan, property owner, said he spoke with the owner of one property on Strandhill, Kevin Dixon. Mr. Dixon said he does not want the extra side lot. He has never met the owner on the other side of this lot, which is a rental house. He lives behind the lot. He would like to “green” this property. He would have a hedgerow at the front of the neighbor’s houses on Strandhill, add trees, and eventually have a garden.

Dr. Ganning said she appreciates the applicant’s stewardship of the property.

Mayor Weiss opened the Public Hearing.

Brent Dolman, 3694 Glencairn Road, said he is excited to see this vacant lot become part of a yard. He is sure Mr. Kalan will do a great job. He walks by this property often. It is a great thing to make this vacant space into a positive asset for the neighborhood.

Mr. Malone said he reviewed this project as part of the review by City Council. It is a great use of a vacant lot.

It was moved by Mr. Malone and seconded by Mr. Dreyfuss-Wells 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. A final plat is submitted to the City and filed with the County; and
2. No vehicular access is created through the lots between the public streets.

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

Motion Carried
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