

REGULAR MEETING

PLANNING COMMISSION
STATE OF OHIO
COUNTY OF CUYAHOGA

DATE: November 17, 2015

AGENDA

TIME: 6:30 P.M.

~AMENDED~

WORK SESSION – 6:00 P.M.

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **APPROVAL OF MINUTES**
 - a. Approval of Minutes of the Work Session of October 20, 2015 (roll call)
 - b. Approval of Minutes of the Regular Meeting of October 20, 2015 (roll call)
4. **NEW BUSINESS** (Swear- in applicants)
The Chairman shall inform those present that according to a ruling by the Law Department, anyone wishing to speak at a public hearing is to rise, raise their right hand and the following oath administered. "Do you solemnly swear or affirm that the statements you are about to make are the truth." - Please give your name and address for the record.
 - a. Aleks Rybak, 380 Solon Road, Unit 10, Bedford, OH /Marina Rybak, 1970 Winchester Road, is seeking to construct a 12' x 29' storage addition – Ref: 1305.09 (roll call)
 - b. Jake Friedl, 445 Lamson Ave., Bedford is requesting permission to exceed the 30% allowable for the maximum permitted square footage to construct a 1,882 square foot two story dwelling with an attached two car attached garage – Ref: 1927.05 (roll call)
5. **MISCELLANEOUS**
6. **ADJOURNMENT**
(roll call)

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(Planning Commission Minutes and Agendas posted at www.bedfordoh.gov)

Bedford, Ohio

November 17, 2015

Planning Commission met in a work session at Bedford City Hall on Tuesday, November 17, 2015 at 6:00 P.M.

Present: Dickard, Dzomba, Powers, Briggs, Mallis. Absent: None.

Also Present: Secretary Michelle Hollo, Law Director John Montello and Building Commissioner Calvin Beverly.

Mr. Beverly requested the agenda be amended to add an application from Jake Friedl. The members agreed to amend the agenda to add this application.

Aleks Rybak, 380 Solon Road, Unit 10, Bedford, OH /Marina Rybak, 1970 Winchester Road, is seeking to construct a 12' x 29' storage addition – Ref: 1305.09

Mr. Beverly stated Rybak & Associates is proposing to construct a 12' X 29' storage addition on the rear of the facility. Discussion held that the masonry construction will be the same as the current structure. The storage addition will not be seen from the street.

Jake Friedl, 445 Lamson Ave., Bedford is requesting permission to exceed the 30% allowable for the maximum permitted square footage to construct a 1,882 square foot two story dwelling with an attached two car garage – Ref: 1927.05

Mr. Beverly stated that Mr. Friedl is proposing a new dwelling at 445 Lamson Avenue. Mr. Friedl is requesting permission to exceed the 30% allowable for the maximum permitted square footage. The lot is 5,760 square feet and 1,728 square feet is allowable. Mr. Friedl is proposing a 1,882 square foot two-story single family dwelling with an attached two car garage. The new dwelling will exceed the allowance by 154 square feet. Mr. Beverly stated he has no opposition to this request, but he is not able to approve it.

Mr. Friedl has already appeared at the Board of Zoning Appeals (BZA) and received the necessary variances for frontage and setbacks. The BZA requested the dwelling be moved forward so it would be in line with the other homes on the street. The BZA also requested approval from the City Engineer because the back portion of the property is located within the flood plain. Mr. Beverly referred to the memo from City Engineer Joe Ciuni recommending Mr. Friedl be approved to continue the development of plans for the property. The applicant wants to start construction as soon as possible.

Work session adjourned at 6:12 P.M.


Secretary


Chairman

Planning Commission met in Regular Session at Bedford City Hall on Tuesday, November 17, 2015 at 6:33 P.M. The roll was called. Present: Dickard, Dzomba, Powers, Briggs, Mallis. Absent: None. Also in attendance was Building Commissioner Calvin Beverly and Law Director John Montello.

Motion made by Dzomba and seconded by Briggs to amend the agenda to add letter "b" for Jake Friedl, 445 Lamson Avenue, Bedford who is requesting permission to exceed the 30% allowable for the maximum permitted square footage to construct a 1,882 square foot two story dwelling with an attached two car garage.

The roll was called. Vote – Yeas: Dickard, Dzomba, Powers, Briggs, Mallis. Nays: None. Motion carried unanimously.

Motion made by Briggs and seconded by Mallis to approve the minutes of the Work Session of October 20, 2015. The roll was called. Vote – Yeas: Dickard, Powers, Briggs, Mallis. Nays: None. Abstain: Dzomba. Motion carried.

Motion made by Briggs and seconded by Mallis to approve the minutes of the Regular Meeting of October 20, 2015. The roll was called. Vote – Yeas: Dickard, Powers, Briggs, Mallis. Nays: None. Abstain: Dzomba. Motion carried.

Aleks Rybak was not present at the beginning of the meeting. Mr. Montello excused himself in order to contact him. Chairman Dickard re-arranged the agenda and the Commission moved to consider letter "b" on the agenda.

Chairman Dickard informed those present that according to a ruling by the Law Department, anyone wishing to speak at a public hearing is to rise, raise their right hand and the following oath administered. "Do you solemnly swear or affirm that the statements you are about to make are the truth." Then give your name and address for the record.

Jake Friedl, 445 Lamson Ave., Bedford is requesting permission to exceed the 30% allowable for the maximum permitted square footage to construct a 1,882 square foot two story dwelling with an attached two car garage – Ref: §1927.05

Present: Jake Friedl, 37 North Oviatt Street, Hudson, Ohio 44236.

Mr. Beverly stated for the record the request for the allowance of exceeding the 30% allowed was for the dwelling unit only; it did not include the attached garage. Chairman Dickard asked Mr. Friedl if he was aware of that. Mr. Friedl replied yes. Mr. Dzomba asked Mr. Beverly if he received all the documents. Mr. Beverly explained Mr. Friedl still needed to submit documents to the City and the City Engineer for review and approval prior to issuance of a building permit. The variances for setbacks and frontage on the property was approved by the Board of Zoning Appeals and Council, and Mr. Friedl was before the Commission requesting permission to exceed the 30% allowable for the maximum permitted square footage.

Jake Friedl, previously sworn in, was present for questions but the Commission had none.

Motion made by Mallis and seconded by Dzomba to approve Jake Friedl, 445 Lamson Avenue, Bedford who is requesting permission to exceed the 30% allowable for the maximum permitted square footage to construct a 1,882 square foot two story dwelling with an attached two car garage subject to compliance with all city codes and ordinances. Mr. Beverly clarified the new dwelling will exceed the allowance by 154 square feet.

The roll was called. Vote – Yeas: Dickard, Dzomba, Powers, Briggs, Mallis. Nays: None. Motion carried unanimously.

Mr. Beverly informed Mr. Friedl the mechanical, electrical and plumbing was required to be above the flood plain so the furnace and hot water tank would have to be relocated. Mr. Beverly suggested a platform be built in the garage to relocate the furnace and hot water tank, and the electrical panel in the garage as well. Mr. Beverly suggested Mr. Friedl submit his information prior to the next Council meeting so he could move forward immediately after Council consideration.

Secretary Hollo stated this item would be before Council for consideration on December 7, 2015.

[Mr. Montello informed the Planning Commission that Mr. Rybak would be a few minutes late.]

Meeting resumed at 6:51 P.M.

Aleks Rybak, 380 Solon Road, Unit 10, Bedford, OH /Marina Rybak, 1970 Winchester Road, is seeking to construct a 12' x 29' storage addition – Ref: §1305.09

Present: Aleks Rybak, 380 Solon Road, Unit 10, Bedford, Ohio.

Aleks Rybak, previously sworn in, said it was an addition to Unit 10 to be used as storage space. He said he had been working with Mr. Pozar who recommended he hire an architect to draw up the blueprints to come before the Commission. Mr. Mallis understood the addition was for extra storage so he wanted to know what type of business was at this location. Mr. Rybak said it was a mechanical shop owned by Rybak & Associates located in Bedford Heights specializing in special units transportation. At 380 Solon Road is where they are servicing cars and vehicles. It was a small storage space for tools and other items.

Mr. Mallis said he visited the location and noticed vehicle lifts and people power washing cars and wondered if people were working at this unit. Mr. Rybak said there were people working at the location and he referred to the left side of the building. He said the requested addition was actually located in the back of the unit by the railroad tracks. Mr. Rybak said the unit was being utilized for washing cars, oil changes and vehicle maintenance for day to day operations for transportation uses.

Mr. Montello asked for the record if Mr. Rybak had permission from the condominium owners. Mr. Rybak replied absolutely, 70% of the Condo Board members voted approving the addition. Mr. Beverly said he had a copy of the Condo Board's approval.

Mr. Mallis asked what the traffic was and how many employees worked at the facility. Mr. Rybak stated there were about 5-10 vehicles in need of maintenance on a day to day basis being worked on at this facility. Unit 10 is an end unit and causing minimal traffic.

Motion made by Mallis seconded by Dzomba to approve Aleks Rybak, 380 Solon Road, Unit 10, Bedford, OH /Marina Rybak, 1970 Winchester Road who was seeking to construct a 12' x 29' storage addition subject to compliance with all city codes and ordinances.

The roll was called. Vote – Yeas: Dickard, Dzomba, Powers, Briggs, Mallis. Nays: None. Motion carried unanimously.

Secretary Hollo stated the decision of the Planning Commission was not final. This item would be placed on the December 7, 2015 Council agenda for consideration at 8:00 p.m. Mr. Rybak apologized for being late.

ADJOURNMENT

There being no further business to come before the Board, it was moved by Briggs and seconded by Mallis to adjourn. The roll was called. Vote – Yeas: Dickard, Dzomba, Powers, Briggs, Mallis. Nays: None. Motion carried unanimously.

Meeting adjourned at 6:56 P.M.


Secretary


Chairman