

REGULAR MEETING
AGENDA

PLANNING COMMISSION
STATE OF OHIO
COUNTY OF CUYAHOGA

DATE: August 6, 2013
TIME: 6:00 P.M.

WORK SESSION – 5:30 P.M.

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **APPROVAL OF MINUTES**
 - a. Approval of Minutes of the Work Session of April 16, 2013
 - b. Approval of Minutes of the Regular Meeting of April 16, 2013
4. **NEW BUSINESS**
 - a. Chuck Miller, Doty & Miller Architects, 222 Broadway Ave., Bedford, OH - Randy Cohen, LCA Auto Wholesalers, LLC., - Site Plan Approval/New Structure
 - b. Gary Zillian 348 Broadway Ave., Bedford, OH - Adult Wellness Center – Addition to Building
 - c. Mark & Sarah Patsolic, 100 Harriman Ave., Bedford, OH – Site Plan Approval/New Structure
 - d. Rickeya Gilliam, Child Care Center – 619 Northfield Road, Bedford, OH – Conditional Use
5. **MISCELLANEOUS**
6. **ADJOURNMENT**

Bedford, Ohio

August 6, 2013

Bedford Planning Commission met in a Work Session at Bedford City Hall on Tuesday, August 6, 2013 at 5:31 p.m.

Present: Commission Members: Chairman Art Dickard, Harvey Dzomba, Robert Erdos, Helen Briggs and City Manager Henry Angelo. Administration: Building Commissioner Calvin Beverly, Building Inspector Larry Stouffer and Planning Secretary Lorree Villers. Absent: None.

The new Building Commissioner, Calvin Beverly, was introduced to the Planning Commission members. The Commission had no issues with the April 16, 2013 Planning Commission Work Session minutes or the April 16, 2013 Regular Planning Commission Meeting minutes as presented.

The application of Chuck Miller, Doty & Miller Architects, 222 Broadway Ave., Bedford, OH - Randy Cohen, LCA Auto Wholesalers, LLC., - Site Plan Approval/New Structure.

The Planning Commission reviewed the drawings. Mr. Stouffer explained this would be a single unit to replace two other units that were destroyed in a previous fire. The owner of LCA Wholesalers desired to place a 24 x 56 foot unit on their property, which was located in a B-2A Automotive Business District. Mrs. Briggs liked the idea of the stone finish; she thought it was a nice touch. It was determined both drives would be used as ingress/egress. The Commission did not see any issues with what was presented to them and the addition would be acceptable. It was noted that Mr. Miller always did a nice job.

The application of Gary Zillian 348 Broadway Ave., Bedford, OH - Adult Wellness Center – Addition to Building.

Mr. Stouffer explained Mr. Zillian desired to build a single story unit of 2,660 feet as an addition to the rear of the existing building as a multi-purpose room for their clients. He and Mr. Beverly both noted there was some confusion regarding the lots involved; one was zoned as I-1 and the other B-2A, which needed to be consolidated, which was another step that needed to be addressed during this process. Mr. Angelo asked if the lot consolidation would delay their request. Mr. Stouffer replied, no. Mr. Dzomba asked whether a fence could be installed to block some of the view because Mr. Erdos previously noticed people were walking around the facility. There was discussion that shrubbery, plastic, wood, metal or various materials could be used to be considered a fence. There were some safety concerns of blocking vehicle view of exiting the facility so this would have to be addressed accordingly.

The application of Mark & Sarah Patsolic, 100 Harriman Ave., Bedford, OH – Site Plan Approval/New Structure.

Mr. Stouffer explained this applicant desired to construct a 2,128 foot detached garage to replace the original structure of 100+ years old that was destroyed in a previous fire. This request was going to be a two-step process because it was located in an R-2 zoned district, however because

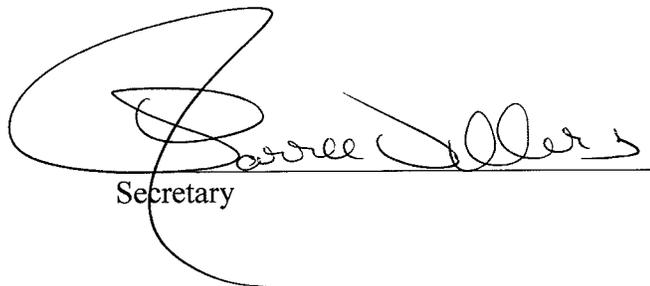
of the residential zoning the requested height of the structure would have to go before the Board of Zoning to seek a height variance of 24 feet; maximum residential height was 15 feet. In addition, the rules were since more than 50% of the structure was destroyed in the fire any of the non-conforming use approval did not exist. Planning was only concerned with the structure itself and not the variance. The structure was going to be used for both commercial and residential uses. There was discussion that the new structure should blend with the existing home so it was pleasing to the eye. The Commission did not see any issues with what was presented to them but they had some questions for the applicant.

The application of Rickeya Gilliam, Child Care Center – 619 Northfield Road, Bedford, OH – Conditional Use.

Mr. Stouffer explained the applicant was located in a B-1 local retail business zoned district on Northfield Road. He pointed out this was not a residential zoned area and Section 1935.03 provided that Day Care Centers were a conditional use required by the approval of the Planning Commission. Mr. Angelo questioned whether there was a moratorium from Council regarding Day Care Centers. Mr. Stouffer clarified this was not a residential area and he was not aware of a moratorium. Mr. Dzomba had concerns because the drawings only showed two bathrooms. The Commission was not sure of all the steps/rules the applicant had to comply with to open a facility like this. Mr. Stouffer noted there were other items Ms. Gilliam had to address through the Cuyahoga County Health Department. The Commission did not have any issues with what was presented.

No other discussion was had.

Work Session was adjourned at 5:59 p.m.



Secretary



Chairman

Planning Commission met in Regular Session at Bedford City Hall on Tuesday, August 6, 2013 at 6:01 P.M. The roll was called.

Present: Dickard, Dzomba, Erdos, Angelo, Briggs. Also in attendance were Building Inspector Larry Stouffer, Building Commissioner Calvin Beverly and Planning Secretary Lorree Villers. Absent: None.

Motion made by Angelo seconded by Dzomba to approve the minutes of the Work Session of April 16, 2013. The roll was called. Vote – Yeas: Dickard, Dzomba, Erdos, Angelo, Briggs. Nays: None. Motion carried unanimously.

Motion made by Angelo seconded by Erdos to approve the minutes of the Regular Meeting of April 16, 2013. The roll was called. Vote – Yeas: Dickard, Dzomba, Erdos, Angelo, Briggs. Nays: None. Motion carried unanimously.

Chairman Dickard informed those present that according to the ruling by the Law Department, anyone wishing to speak at a public hearing was 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.

Chuck Miller, Doty & Miller Architects, 222 Broadway Ave., Bedford, OH - Randy Cohen, LCA Auto Wholesalers, LLC., - Site Plan Approval/New Structure.

Present: Chuck Miller, Doty & Miller Architects, 222 Broadway Avenue, Bedford, Ohio.

Mr. Miller, having previously been sworn in, was present for questions this evening from the Planning Commission. He explained the unit was previously used as an office at one of the Automile dealerships and was purchased by Mr. Cohen at LCA Auto Wholesalers. Mr. Cohen would relocate it at his location. He had lost his previous trailers in a fire. This unit would be upgraded with new windows, siding and a stone face on the front of the unit. He pointed out the unit would have two doors; one in the front and the one in the back would be ADA compliant with a ramp. He showed the matching materials that were going to be used to upgrade the unit. He showed the green space and paved areas on the property with rear employee parking and dumpster area. Mr. Dzomba questioned if there were any changes to the entrances. Mr. Miller stated there were no changes to the entrances. There were no other questions.

Motion made by Angelo seconded by Dzomba to approve the described site plan and new structure as submitted by Chuck Miller, Doty & Miller Architects, 222 Broadway Ave., Bedford, Ohio on behalf of Randy Cohen, LCA Auto Wholesalers, LLC subject to compliance with all City Codes and Ordinances.

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

Secretary Villers informed Mr. Miller that this issue had to go before Council at the Monday, August 19, 2013 Regular Council Meeting at 8:00 p.m.

Gary Zillian 348 Broadway Ave., Bedford, OH - Adult Wellness Center – Addition to Building.

Present: Gary Zillian 348 Broadway Avenue, Bedford, Ohio.

Mr. Zillian, having previously been sworn in, was present for questions this evening from the Planning Commission. He noted this was his second addition to the property. This 2,600 foot addition would match the first building as questioned by Mrs. Briggs. Mr. Zillian passed out one copy of pictures for the Commission to review this evening. Mr. Dzomba suggested a fence type divider between the neighbor's driveway and Mr. Zillian's parking lot. Mr. Angelo noticed in the pictures Mr. Zillian submitted this evening the very nice shrubbery on the property. The Commission was happy with the shrubbery type fencing. Mr. Zillian had no issues with installing some type of privacy fence.

Mr. Stouffer pointed out to Mr. Zillian there was some confusion regarding the lots involved; one was zoned as I-1 and the other B-2A, which needed to be consolidated, which was another step that needed to be addressed during this process. Mr. Zillian thought it was all zoned the same and the lot had already been consolidated.

Mr. Erdos questioned the poor condition of the parking lot. Mr. Zillian explained the pavement was going to be addressed; the rubbish trucks had damaged the parking lot over the last couple years.

Motion made by Erdos seconded by Angelo to approve the building addition as submitted by Gary Zillian, 348 Broadway Avenue, Bedford, Ohio with condition Mr. Zillian install some type of privacy fence and subject to compliance with all City Codes and Ordinances.

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

Chairman Dickard informed Mr. Zillian that this issue had to go before Council at the Monday, August 19, 2013 Regular Council Meeting at 8:00 p.m.

Mark & Sarah Patsolic, 100 Harriman Avenue, Bedford, OH – Site Plan Approval/New Structure

Present: Mark & Sarah Patsolic, 100 Harriman Avenue, Bedford, Ohio.

Mr. Patsolic, having previously been sworn in, was present for questions this evening from the Planning Commission. Mr. Patsolic explained the original structure was 150 years old and was damaged during a fire and they were requesting to rebuild. The cause of the fire was undetermined. Mr. Stouffer explained the regulations/rules stated since more than 50% of the structure was destroyed in the fire any of the non-conforming use approval did not exist. He thought the structure was going to be used as a commercial application. Mr. Patsolic stated 1/3 of the unit would be considered commercial use to park two trucks; the upstairs would be a recreation area for the children and small wood shop. It was determined the new structure would be replacing the original structure in size. Mr. Angelo pointed out this issue would have to go to the August 19, 2013 Regular Council meeting for approval then to the Board of Zoning Appeals for the height variance of 24 feet. Mr. Beverly added any structure over 15 feet in height had to be heard by the Board of Zoning Appeals.

Mr. Angelo thought this type of structure in a commercial area would not be a bad looking building but he was not sure about it being built in a residential area. Mr. Patsolic noted the drawings he submitted resembled the original structure. Mr. and Mrs. Patsolic showed the Planning Commission a picture of the previous building they had on her laptop. Mr. Patsolic thought the new structure was a nicer looking building than the original barn. He explained the original way the property was designed in accordance with the streets many years ago was not the same case today because of the way the roads were switched; the house was not facing the same direction. He added the barn/garage sat off the street 100 feet and the lay of the land did not allow him to change the direction of the structure. The Commission compared both the drawing and the laptop picture and they decided it was very similar. Mr. Angelo asked if the footprint matched the original structure. Mr. Patsolic replied, yes. There was discussion the house was wood siding and the barn would be white siding. Mr. Angelo asked how he thought the neighbors would react to his request. Mr. Patsolic did not think there would be an issue with the neighbors; the original structure was two-story plus the one neighboring lot only had a garage on it. Mr. Angelo suggested some type of trim to make it blend with the age of the home. The Commission agreed with Mr. Angelo and it was a request from the Commission and not part of the motion or approval. It was discussed that the structure was not visible from the street because of the large mature plantings. Mr. Angelo reiterated this issue would have to be addressed by the Board of Zoning Appeals for the height variance.

Motion made by Angelo seconded by Briggs to approve the site plan and new structure as presented by Mark & Sarah Patsolic, 100 Harriman Avenue, Bedford, Ohio and subject to compliance with all City Codes and Ordinances. Mr. Stouffer would discuss the process and paperwork that was to be submitted for the Board of Zoning Appeals meeting. Mr. Dickard stated for the record that the Planning Commission did not have any issues with the height of the new building.

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

Rickeya Gilliam, Child Care Center – 619 Northfield Road, Bedford, OH – Conditional Use

Present: Rickeya Gilliam, Child Care Center – 619 Northfield Road, Bedford, Ohio.

Mrs. Gilliam, having previously been sworn in, was present for questions this evening from the Planning Commission. Mrs. Gilliam proposed a child care center as follows for the ages: 0 to 18 months – 2 children, 18 months+ - 5 children, pre-school to kindergarten – 5 children, up to age 12 – 7 children; this was about half the capacity of a normal child care center. She had already met with Mr. Stouffer, a representative from the Fire Department and Jim Armstrong from the Cuyahoga County Health Department. She just graduated with her bachelor's degree in Early Childhood Education at Cleveland State University. She was currently a mother of three children. Mr. Angelo asked who handled the licensing and certification for a center like this. Mrs. Gilliam explained the ODJFS would make sure everything was accurate with a calculation of the available square footage of the building. The requirement was 35 feet per child not including the main used areas such as a hallway. ODJFS gave her a check list to ensure nothing would be overlooked. Mr. Armstrong would visit the site approximately one (1) month prior to the opening. The facility will not have a full kitchen, therefore, there was no fire hazards; only a refrigerator. She was instructed to keep the Building Department informed of their progress. Mrs.

Briggs asked if the outside play area had to be fenced. Mrs. Gilliam replied, yes. Mr. Erdos questioned the sloped yard as a possible hazard. Mrs. Gilliam explained ODJFS was not concerned with the slanted yard, only trip hazards were a concern.

Motion made by Angelo a seconded by Dzomba to accept the conditional use request for Rickeya Gilliam, Child Care Center – 619 Northfield Road, Bedford, Ohio, subject to compliance with all City Codes and Ordinances.

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

Mr. Angelo informed Mrs. Gilliam that this issue had to go before Council at the Monday, August 19, 2013 Regular Council Meeting at 8:00 p.m. Mrs. Gilliam said she would be present.

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

Meeting adjourned at 6:36 PM.



Secretary



Chairman