

The Olmsted Township Zoning Commission regular meeting of April 11, 2001 was called to order at 7:45 PM. Present was Vice Chairman Albert Arlow, Rick Witherspoon and Ronald Campanalie. Ryan Thomas arrived at 8:20 PM. Also, present was secretary Tammy Tabor. The secretary read the minutes of the special meeting of March 14, 2001. The members of the board required for a vote was not present at this time to approved these minutes. The secretary read the minutes from the meeting of March 19, 2001. Mr. Campanalie moved to approved as read, seconded by Mr. Witherspoon. Roll call, all approved.

#### Correspondence

The secretary read a letter from Board Chairman Michael Bajorek. Mr. Bajorek has resigned from the Olmsted Township Zoning Commission effective immediately.

#### Resolution C-00, Shaker Rezoning

Mr. Arlow stated that Resolution C-00 will be continued until the May meeting of the board pending recommendations from The Cuyahoga County Planning Commission.

#### Resolution D-00, E-00 and F-00, Olmsted Falls School Board Rezoning

Mr. Campanalie moved to table the regularly scheduled meeting and open the public hearing for Resolutions D-00, E-00 and F-00. Seconded by Mr. Witherspoon. Roll call, all approved.

Dr. Robert Kreiner was present representing the Olmsted Falls Board of Education. Dr. Kreiner stated that the school board has three areas that they are requesting to be rezoned from residential to commercial zoning. Dr. Kreiner stated that the rezoning is being requested to allow construction of billboards on school board property to increase revenue for the schools. The rezoning is necessary to receive state permits to erect these billboards. Dr. Kreiner stated that according to the contract entered into with Eller Media, the billboard company, the schools will receive 2 million dollars over 20 years.

Scott Christensen, Schady Road, is opposed to the billboards. Mr. Christensen lives next to the bus garage and feels that the residential neighborhood will not accept the billboards. Also, does the Ohio Turnpike allow billboards on properties along the road way.

Dr. Kreiner stated that there are no restrictive covenants on the bus garage property. Dr. Kreiner stated that the restrictive covenants not allowing signage that are on the other parcels can be dealt with legally.

Mr. Campanalie moved to table Resolution D-00, E-00 and F-00 until the May meeting of the Zoning Commission. Seconded by Mr. Witherspoon . Roll call, all approved.

#### Resolution C-01, Disanto Enterprises Plan Approval

Mr. Campanalie moved to open the public hearing for Resolution C-01. Seconded by Mr. Witherspoon. Roll call, all approved. Michael DiSanto and John Buckey were present representing DiSanto Enterprises. Mr. DiSanto discussed the judgment entry allowing RMFT Zoning on the parcel planned for development. Mr. DiSanto stated that under the judgment entry, he is permitted to build 150 units. He would like to construct 138 single family detached units on this parcel. Mr. DiSanto stated that along with Ryan Homes, a study done shows the desire for smaller lots, larger detached homes would be more desirable for the area.

Mr. DiSanto showed a design of townhouses. Mr. DiSanto stated that with the 4, 6 and 8 plex townhouse unit design, no variances are required to construct, however the buffer zone would only be 10 feet around the entire development. Mr. DiSanto stated that the townhouses are a nice development, the marketability of the detached units is more desirable. The detached development would provide a 25 foot buffer around the entire development. Mr. DiSanto showed a design of 2, 3 and 4 plex townhouse units. This design would require 2 variances to the zoning resolution.

Mr. DiSanto showed photos of what he is proposing for the area. The units are single family detached homes. Mr. DiSanto stated that this design will require minor variations to the zoning code. The zoning code requires 100 feet between 2 main walls and Mr. DiSanto is requesting 50 feet between main walls. Mr. DiSanto is requesting 27 foot front setbacks for all lots. Mr. DiSanto stated that the front setback variance allows for a 25 foot buffer zone around the entire development. The corner lots would need a front setback variance from 35 feet to 19 1/2 feet. he is also requesting a minimum distance between main wall and end wall instead of 60 feet, affecting 10 lots. A minimum distance of 15 feet between 2 end walls instead of 30 feet affecting all lots is also requested. The buffer zone would consist of 3-4 foot rolling mounds with 5-6 foot evergreens. Also existing vegetation would be left to create a buffer between surrounding areas. Mr. DiSanto stated that this type of development does not generally attract families with children. Most of these homeowners are couples with no children or preschool age children. The benefits of this development of detached units include less density, higher priced units creating a higher tax base for the Township, no children or preschool age creating no burden on the school system. Mr. DiSanto presented a breakdown of tax revenue from the proposed project. Mr. DiSanto also stated that this area would be private and no Township maintenance would be required. Mr. DiSanto also stated that, at the request of the trustees, he would be willing to donate \$300.00 per unit to a police and fire station fund provided this plan is approved. Mr. DiSanto stated that he has met individually with the Trustees and 2 of the Trustees have approved of this plan and one Trustee has remained neutral so that the Zoning Commission and the Board of Zoning Appeals can render their decisions.

Michael Stallard, Schady Road, stated that his home is next to the development site. He stated that the buffering does not seem to be adequate. What Mr. DiSanto is describing will not be sufficient to keep children and residents of the development from surrounding properties. Mr. DiSanto stated that he is willing to discuss the buffer area around Mr. Stallard's property. Mr. Stallard requested that the board table this public hearing until more information is available on the plan.

Michelle Alai, Schady Road, asked if fencing will be allowed in this development and who would own the buffering area and mounds. Mr. DiSanto stated that the homeowners association will own the buffer and fencing will be allowed on the property inside the mounding.

A resident on Stearns Road stated that along the west border there is vegetation, however, not many trees or tall vegetation exists.

Mr. King, , feels that single family homes will be better than townhouses. He feels that Mr. DiSanto's plan will provide less density.

Michelle Alai, Schady Road, feels that the height of 4 feet does not create much of a buffer zone. Also, what type of lighting would be used in the development. Mr. DiSanto stated that the street lighting would be handled by CEI or Ohio Edison. Each home will probably have a photo cell lamp post at the driveway.

Mr. Stallard would like to see additional buffering to help preserve the value of his land. Mr. Witherspoon asked if the buffering would stay the same for either the townhouse plan or the single detached units.

Mr. DiSanto stated that the buffer zone would only be 10 feet wide for the townhouses and 25 feet wide for the detached units.

Mr. DiSanto stated that he will continue the buffering around the entire soccer field.

Mrs. Alai stated that currently her back acreage is not used, however what would keep children and residents from coming onto her property. Would some type of fencing be provided along the mounds. She stated that they bought the property to keep development from coming behind her home.

Mr. Witherspoon asked how sidewalks would be designed. With a sidewalk the setbacks would be much less. With a sidewalk you would lose approximately 7 feet from the setback. The corner lots would lose even more from the setback.

Mr. DiSanto stated, that is not uncommon in cluster type housing. It is very common in private streets.

Mr. Thomas asked why Mr. DiSanto is before the board with this type of plan. If the zoning is RMFT for this property, this doesn't seem to comply with the regulations.

Mr. DiSanto stated that this is RMFT < he is only asking for minor variations from the zoning resolution.

MR. Coyne stated that they are going to the Board of Appeals for variances. Your board is strictly advisory to the board of trustees.

Mr. Thomas stated that this type of development seems to be single family housing.

Mr. Coyne stated that it is not uncommon to have a cluster development where you don't have detached zero lot line units. Legally it's the same thing. You don't have attached walls, you have separations, you have windows. In the clusters you have more attractive, more expensive, separate units. You still meet the code requirements, but it is not as dense, you have less units, greater buffer and you have more green space and better units.

MR. Thomas asked how many units. They are allowed 150 townhouses. What are they requesting. It seems that they are putting in single family.

Mr. Coyne stated that they are permitted 150 units, they are only requesting 138 units. They are detached cluster homes. Mr. Thomas stated that Mr. Coyne is saying cluster homes and the zoning is for townhouses. Mr. Coyne stated that they are the same thing. Only a better product. Each unit has a separate legal description. they are all separate with attached walls. All units are zero lot lines according to the law. no matter how you look at it, the cluster homes will be better.

Mr. Stallard asked if there is required open space.

Mr. DiSanto stated no .

Mr. Witherspoon asked if sidewalks would be in the development. Mr. Coyne stated that currently there are no sidewalks planned for this development. Mr. Coyne stated that it will be a private road and no side walks were planned.

If necessary the sidewalks could be added. the sidewalks would only be 4 foot wide.

Mr. Thomas asked what the side setbacks are?

Mr. DiSanto stated that the side setbacks are 7 1/2 feet on each side. Mr. Thomas asked if they are going to the BZA

Mr. DiSanto stated that in the RMFT zoning the requires side setbacks are 30 feet for attached units.

Mr. Witherspoon asked when the court's judgment was granted. Mr. DiSanto stated that the decision was granted in 1999.

Mr. Thomas moved to table Resolution C-01 until the next meeting of the Zoning Commission. Seconded by Mr. Campanalie. Roll call, all approved.


Mr. Thomas moved to reopen the regular meeting of the Zoning Commission at 7:45 PM. Seconded by Mr. Campanalie. Roll call, all approved.

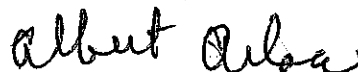
Mr. Thomas moved to change the date of the regularly scheduled meetings of the Zoning Commission to the fourth Wednesday of every month at 7:30 PM. Seconded by Mr. Witherspoon. Roll call, all approved

Mr. Thomas moved to set the date for public hearing for Resolution D-01 application for rezoning, for May 23, 2001 at 8:00 PM. Seconded by Mr. Witherspoon. Roll call, all approved.

Mr. Witherspoon moved to adjourn. Seconded by Mr. Campanalie. Roll call, all approved.

Respectfully submitted,

  
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Tammy Tabor, secretary

 5/23/01  
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Albert Arlow, Vice Chairman Date