

The regular meeting of the Olmsted Township Zoning Commission was called to order May 26, 2004 at 7:00 p.m. Present were Richard McMakin, Steve Kilo and Richard Gebhard. Also present was secretary Tammy Tabor.

Mr. McMakin moved to approve the minutes of April 28, 2004 as submitted. Seconded by Mr. Gebhard. Mr. Gebhard- yes, Mr. Kilo- yes, Mr. McMakin-abstain.

Wheaton Development – Plan Approval

Mr. McMakin stated that the Board had just received recommendations from the Cuyahoga County Planning Commission regarding the requested rezoning by Wheaton Development for Sprague Road. Mr. McMakin moved to table Resolution R-03 until June 23, 2004 at 7:00 p.m. Seconded by Mr. Gebhard. Mr. McMakin asked for comments from the audience. John Slater, legal representative for Wheaton Development was recognized. Mr. Slater stated that he was unclear as to what issue the Board was tabling. Mr. Slater stated that Wheaton Development was approved by the Olmsted Township Board of Zoning Appeals for a variance to develop the site as a (PRD) Planned Residential Development with less than 100 acres. Mr. Slater stated that he was unclear as to what was being discussed. Mr. McMakin stated that the development plan was the issue currently being discussed. Mr. McMakin stated that the development plan would not be approved until the rezoning issue was determined.

Bill Bishop was recognized representing Wheaton Development. Mr. Bishop stated that 9 months ago he submitted to the Olmsted Township Board of Zoning Appeals for a variance to the PRD regulation requiring a minimum of 100 acres. He was then told to submit to the Olmsted Township Zoning Commission for development plan approval. He was unaware that rezoning would be required. Mr. Bishop stated that he was then told 3 months ago by Olmsted Township's Building Commissioner that rezoning would be required before a plan could be approved. Mr. Bishop stated that he was unsure as to what would be required to move forward with this project and why the rezoning is required.

Mr. McMakin stated that a meeting with the Board chairman and building official could be set up to discuss the procedures for developing this project. Mr. McMakin stated that to get the best service from the Township, the applicants should know what is required and the Board should know what the applicant wants.

On the motion to table until June 23, 2004. Mr. Gebhard-yes, Mr. Kilo-yes, Mr. McMakin-yes.

Sharp Development

Sharp Development did not have a representative present. Mr. McMakin moved to table the application until June 23, 2004 at 7:30 p.m. Seconded by Mr. Kilo. Mr. McMakin asked for comments or questions. Jeff Dubecky, Maurer Dr., Mr. Dubecky presented a letter to the Board from residents that are unhappy about the changes that have been done to the mound behind the homes on Maurer Dr. in Woodgate Farms. Mr. Dubecky stated that the residents want the mound to be constructed according to the original development plan. Mr. Dubecky asked who has the authority to require the developer to comply with the approved plans.

Mr. Dubecky stated that the Olmsted Township Zoning Commission has the authority to compel the developer to comply with the development plan. The enforcement of that would be with the building official for Olmsted Township or ultimately the court.

Mr. Dubecky stated that Mr. Gerber with Sharp Development has stated that the HOA is \$60,000 in debt and the added expense of maintaining the grass could not be done.

Mr. Vichill, Maurer Dr, asked if the township could prevent any landscaping being done until the amended plan was approved or denied by the Township.

Mr. McMakin stated that the Township could not prevent any landscaping from being done. Mr. McMakin stated that there is an enormous amount of dirt to be moved and it may seem easy to do to us, the engineering and disposal of the soil may take longer.

Karen Dubecky asked if the removal of the dirt is a matter of cost.

Mr. Vichill stated that the contractors were dumping the dirt there on purpose and don't intend to move it.

Mr. McMakin stated that he understood the residents frustration. Hopefully they will have the information and make a decision next month.

Mr. Gebhart asked if they could have copies of the approved plan at the next meeting.

Mr. Vichill stated that the weather is not an issue any more.

Mr. Dubecky stated that Mr. Gerber is a snake and should not be trusted.

On the motion to table until June 23, 2004, Mr. Kilo-yes, Mr. Gebhard-yes, Mr. McMakin-yes.

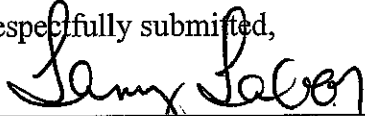
Wheaton Development Rezoning

Mr. Kilo moved to table the application on the request for rezoning submitted by Wheaton Development for Sprague Rd. until June 23, 2004 at 7:00 p.m. Seconded by Mr. Gebhard. Roll call, all approved

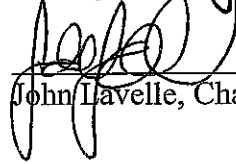
Mr. McMakin moved to approve a Resolution acknowledging Mr. Dan Gargas' time as Building Commissioner for Olmsted Township and his accomplishments and guidance to the Olmsted Township Zoning Commission. Seconded by Mr. Gebhard. Roll call, all approved.

Mr. McMakin moved to adjourn. Seconded by Mr. Kilo. Roll call, all approved.

Respectfully submitted,



Tammy Tabor, Secretary



John Lavelle, Chairman

Date