

Meeting Minutes – Olmsted Township Board of Zoning Appeals

Date: January 20, 2016

Attendance: Thomas Cole, John Phillips, Cindy Kelly, Gregory Paradis, David Gareau
Kristin Hopkins, Interim Zoning Commissioner
Tammy Tabor, Acting Secretary

Meeting was called to order at 7:05 PM

Pledge of Allegiance and Roll call

Motion to approve minutes of November 18, 2015 by Mr. Cole. Second by Mr. Phillips. Roll call: all approved.

New Business

Application no. 20160026 Galway Bay Phase 2
William Thomas Homes

Thomas (Tom) Simon was sworn in representing William Thomas Homes.

Mr. Simon: The Galway Bay subdivision was approved as a residential cluster home development in approximately the year 2000. The development is at the corner of Schady and Jennings Roads with an entrance/exit on both roadways. The overall plan was approved for 66 homes in the residential multi family home district. (RMFT). There are 26 remaining lots that are vacant. Two previous builders have attempted developing the site and have both failed at completing the project. William Thomas Homes would like to re-activate the development and construct new homes on the remaining 26 lots.

The proposed plan would be to create single family detached cluster homes. The exterior elevations would comply with the standards set by the Township and the existing structures. The plan would be for single story ranch homes that are detached.

Tom Simon: The RMFT district allows for detached homes, however the code points to single family districts that do not pertain to cluster type lots. The development has all of the infrastructure installed for cluster homes. The single family requirements are for 100 foot lots. The roads and utilities are installed for much smaller lots.

Tom Cole: What is the hardship to build as previously approved.

Tom Simon: The development has tried and failed twice with attached units. At this time there is a very small market for attached homes. The price point is higher for detached units and would bring surrounding property values up. The infrastructure is already installed and constructing 100 foot wide lots would not be possible. For attached units if you sell one you must build two units and hope that the house you build sells. Banks are not eager to finance projects that have failed in the past.

David Gareau: What is the square footage of the homes.

Tom Simon: 1400 square feet up to 1700 square feet. With units that have sunrooms the square footage is more.

Tom Cole: are all of the houses single floor?

Tom Simon: We used to offer a cape cod style, I am unsure if that will be offered in this development.

Cindy Kelly: What is the cost of the homes?

Tom Simon: The model home is approximately \$180,000. The prices will vary based on model and options, probably \$150,000 – \$180,000.

Cindy Kelly: Will they be slabs or have basements?

Tom Simon: They will be slabs. If someone really wants a basement, they can build them. Basements do cost more and the grading is different for homes with basements.

Greg Paradis: Going back to the hardships. Why did the previous builders fail?

Tom Simon: Unsure. The builders walked away from these developments and large investments. The banks and investors are not financing projects now as they did in the past. Banks are not financing building spec homes that you hope to sell.

Cindy Kelly: Have there been any other builders interested in the development?

Tom Simon: None that I am aware of.

Greg Paradis: Are the water lines been installed?

Tom Simon: Water, sewer, cable TV, phone, electric, gas, all have been installed.

Cindy Kelly: What is the target market?

Tom Simon: People looking for a limited maintenance community. Folks that want to downsize or people that do not have children. Ranches fit this type of development. Empty nester, retiree. A fee is paid and the maintenance is done for you.

Greg Paradis: What is the proposed separation and lot width?

Tom Simon: There is approximately 12 feet between houses and the lots are between 50 – 55 feet wide.

Greg Paradis: The code requires 20 feet between units and the R-15 requires 15 feet.

Kristin Hopkins: The R-15 requires 15 feet total, no less than 5 feet on either side of the house to the property line.

Daviid Gareau: How big are the rear yards?

Kristin Hopkins: Four of the lots have rear yards that are approximately 10 feet to the property line. All other lots are greater than that.

Discussion of rear yard setbacks on the four yards

Tom Simon: The area that is already constructed in the development has the same configuration.

Tom Cole to Kristin Hopkins: Any comments on this request.

Kristin Hopkins: I can give you a history of the development. The RMFT district did not allow for detached homes. The developer went with a lower density project. The RMFT was designed for 6-8 unit attached buildings. Based on a previous development, Westfield Park, that was part of a court judgement, single family homes were built in an RMFT district. That was designed for families and caused problems for the Township. Parking, smaller lots, traffic has caused more issues. The Township did not want a new development like Westfield. The update to the Township Zoning Resolution in 2013 did not study the RMFT. That designation in the zoning update would only apply to new developments.

Lou Kemock, 27225 Emerald Oval. Disagree that these were poorly managed. The market was bad. What is the minimum square footage?

Tom Simon: Approximately 1400 square ft. All on one floor.

Lou Kemock: With sunroom are large.

Tom Simon: No some are larger and the sunrooms are additional.

Lou Kemock: Lorain County

Tom Simon. Want to build larger houses with sunrooms. That is the goal.

Lou Kemock: Variance granted to Gross Builders

Kristin Hopkins: Variance was granted to Summer Hill Homes after the development plan was approved. The variance was granted for a front yard setback and from 35 to 20 and for distance between houses from 30 feet to 20 feet.

No variances granted to Gross Builders.

Tom Simon: Did not want to insult the existing project. The market has changed since the previous builders. The market conditions have changed. Under contract contingent on the variances being granted.

Cindy Malkus: Gross builders had nice looking homes. Values have depreciated. Taxes are high. Higher than Olmsted Falls.

Tom Cole: Please keep comments to the current issue.

Cindy Malkus: what makes it a cluster home?

Tom Cole: Terminology. Home owners association generally take care of all of the property in cluster home sites.

Cindy Malkus. This was previously approved 26 homes, how many are proposed?

Tom Simon: Same , the number of units will not change.

Cindy Charlotte: 27226 Emerald Oval Gross Builder home owner. I am very pleased with the project. The house looks adorable. Would like to see the development completed.

Lou Kemock: Where does the storm water go?

Tom Simon: that will not change, the infrastructure is already installed for that.

Kristin Hopkins: To regional sewer.

Tom Cole: Individual variances. What is the best approach for approval?

Kristin Hopkins: Variances granted were based on the plan. I provided the minimum and maximums needed.

Tom Cole: Would that allow for a blanket variance on that site?

Kristin Hopkins: You could set minimum, averages. Setting minimums would be easier for the building department to regulate.

Tom Simon: This would not change what was previously approved.

Kristin Hopkins: There are 2 blocks that have not been platted approved at The Township, the developer will go back to county level and then a final plat would be recorded.

Tom Cole: there would be 6 lots to each open block not platted.

Kristin Hopkins: There are 12 lots to be platted.

Tom Simon: Lot lines that are platted are not changing the density. The plat will be submitted as need to space the houses accurately. The plan is complying with the existing setback, although requesting the front yard, the non-garage side, separations, working with the existing.

Tom Simon: The setback is about 44-45 feet to the Jennings Right of Way. The mound is already constructed and landscaped. The setback would not be visible.

Dorothy Dixon sworn in: 27268 Emerald Oval last home, across from Schady Rd entrance. Will the driveway be against lot line or on other side of the property?

Tom Simon: We are showing the driveway on the opposite side. We are trying to keep the utilities away from the driveway when possible.

Dorothy Dixon. I was told these are wetlands. Is that true and can anything be done with them?

Tom Simon: There are no wetlands in that area, there is a storm sewer and retention basin.

Dorothy Dixon: Do you have a timetable to begin?

Tom Simon: Want to build a model and will go from there. We would like to begin in the spring.

David Gareau: Where will the model will be?

Tom Simon: I don't know at this point.

Lou Kemock: Are there any restrictions from Forest City?

Tom Simon: There are no changes from the original developer. No changes to home owners association. The builders is bound by the original covenants for the development.

Lou Kemock: How many years to build up development?

Tom Simon: That is hard to predict. I can show you spreadsheets, but the market time is unknown.

Dorothy Dixon: You can pull out like other builders did.

Tom Simon: I have to write a check to acquire these lots. That is not our plan. We want to be successful

David Gareau: I have a concern that the requested variances are not articulated. Kris Hopkins has done a great job noting the requirements. We want to know what you are doing on each lot. Clarity is not expressed in the request. The specific variances requested are not on the initial plans.

Tom Simon: I wasn't sure what exact approach would be here. That's why my letter stated requested general variances. I was concerned that if I began with too many items it would look terrible and confusing. If I could take ten minutes I could put that all together. I could come up with calculations. I was looking for direction from you as to how to proceed.

Kristin Hopkins: Yes, I missed that in the review. The maximum bldg. coverage I measured to include the building and garage. The numbers mentioned by Mr. Simon are well below what I have measured.

Tom Cole: The 60 foot setback on Jennings Road isn't mentioned.

Kristin Hopkins: The table they are referring to is on Page 3 table 2

Tom Cole: Lot width depth and size are the main variances 4 that have a rear yard of 10 feet. What if every lot has 10 feet? So I would rather know that we are granting variances for specific lots.

Kristin Hopkins: Each is built on an individual basis. If it came down to it, additional variance would be required when the applications are submitted.

Gregory Paradis: Would there be blanket variances set by least desirable situations?

Tom Cole: I would like to designate lots that require variances by lot number.

Tom Simon: I agree with that determination. I think with a few minutes I could go through the lots that would accommodate the houses that we need to build.

Dorothy Dixon: Do you expect difficulty selling homes with small setbacks? What is the separation?

Tom Simon: In cluster sites homeowners don't seem as concerned with property lines. Corner to corner 16 feet between. Not too different from the existing side of the development.

8:30 PM Break to allow time to expand on the requested variances.

8:55 PM Resume meeting

Tom Simon: This is how the variances come out according to this plan. Please ask any questions if you have them.

1. The entire plan dated January 6, 2016, be approved for lot area, width and depth as shown.
2. Rear setback of lot nos. forty-one, forty-two, forty three and forty-four, (41 – 44), allow a variance to permit a minimum of six (6) feet to the property line.
3. Rear setback of lot nos. thirty-eight, thirty-nine, forty, forty-five, forty-six, forty-seven, (38-40, 45-47), allow a rear yard setback of not less than forty (40) feet.
4. Allow a front yard setback of eighteen (18) feet on all lots.
5. Allow a setback for lot no. sixty-one, (61) to the Jennings Road right of way, be not less than forty four (44) feet.
6. Allow a corner side setback for lot no. sixty-six (66), to be no less than twelve (12) feet.
7. Allow building separation on all lots to be no less than eleven feet six inches (11 feet 6 inches).
8. Allow lot coverage on all lots except forty-one, forty-two, forty three and forty-four, (41–44), not exceed forty percent (40%).
9. Allow lot coverage on lots forty-one, forty-two, forty three and forty-four, (41 – 44), not exceed fifty percent (50%).

Gregory Paradis: These are all of the variances required to complete the development?

Tom Cole: To Kristin Hopkins, Are you satisfied with the request, it seems accurate.

Kristin Hopkins: Yes and the variances requested may vary based on the model of the home. These are the maximum variances that would be needed.

Gregory Paradis: Before I make the motion, to review that this is what was discussed: The entire plan dated January 6, 2016, be approved for lot area, width and depth as shown. Rear setback of lot nos. forty-one, forty-two, forty three and forty-four, (41 – 44), allow a variance to permit a minimum of six (6) feet to the property line. Rear setback of lot nos. thirty-eight, thirty-nine, forty, forty-five, forty-six, forty-seven, (38-40, 45-47), allow a rear yard setback of not less than forty (40) feet. Allow a front yard setback of eighteen (18) feet on all lots. Allow a setback for lot no. sixty-one, (61) to the Jennings Road right of way, be not less than forty four (44) feet. Allow a corner side setback for lot no. sixty-six (66), to be no less than twelve (12) feet. Allow building separation on all lots to be no less than eleven feet six inches (11 feet 6 inches). Allow lot coverage on all lots except forty-one, forty-two, forty three and forty-four, (41–44), not exceed forty percent (40%). Allow lot coverage on lots forty-one, forty-two, forty three and forty-four, (41 – 44), not exceed fifty percent (50%).

Motion to approve as described.

Tom Cole: Second the motion

Roll Call: All approved. David Gareau : yes, Gregory Paradis: yes, John Phillips: yes, Cindy Kelly: yes, Tom Cole: yes.

Floor Discussion

Tom Cole will remain as Chair to the Board and David Gareau will be Vice Chair for 2016 Board of Appeals.

Meeting Adjourned at 9:06 PM.