The regular meeting of the Olmsted Township Board of Appeals was called to order October 17, 2012 at 7:10 PM. Present were Brian McElroy, James Prosek and Louise Veverka. Also present was secretary Tammy Tabor.

Pledge of Allegiance

Mr. McElroy stated that the minutes would be held until the end of the meeting.

Application # 20120886
27420 Sprague Rd. Hodges

Robert Schiavoni was sworn in representing Mrs. Hodges. Mr. Schiavoni stated that his daughter, Shawna Hodges, wants to purchase the property. Mrs. Hodges submitted three possible plans for a lot split and consolidation. Mr. Schiavoni stated that Mrs. Hodges wants to construct a new home on the rear parcel.

Mr. McElroy stated that at the previous meeting a variance was being considered based on the reconfiguration of the parcels located at 27420 Sprague Rd.
Mr. Prosek stated that there are currently 2 houses on one lot and a third house was proposed on the landlocked parcel in the rear.
Mrs. Tabor corrected, there are 2 lots, a dwelling on each. The first parcel has frontage on Sprague Road, the second does not have road frontage and a third house proposed for the rear lot.

Dawn Balog was sworn in as the realtor for the property owner. Ms. Balog state that the house on the front parcel is 1700 square feet and is 177 feet x 193 feet, .7842 acres.
Ms. Balog stated that the second house is 1100 square feet on a 10.3 acre parcel.

The Board discussed that once the lots are reconfigured, they must comply with current requirements for septic system approval and acreage.
Mr. Prosek stated that at the last meeting the Board requested drawings to scale including measurements of setbacks and driveways. Mr. Prosek stated that these drawings do not provide for that.
Mrs. Veverka stated that none of the three options proposed meet the minimum requirements. A 90 x 208 foot parcel does not meet the minimum requirements for a septic system. If the second house wanted to remain, to be used as an agricultural parcel 5 acres would be required. Ms. Veverka stated that if a second parcel was proposed for a flag lot, a variance would be necessary for the frontage.

Mr. McElroy stated that between 2-5 acres the property could be used for agriculture if the setbacks for the property and structures comply. The Board discussed the possible use of the property that may include the conversion of the second house to be used as an accessory building. Mr. McElroy stated that the drawings do not contain any dimensions as requested. Mr. Prosek stated that the location of the septic system, building setbacks and driveways are not marked.

Mr. Schiavoni asked what would work. Mr. Prosek stated that a flag lot on the west of the parcel that would open up in the rear to allow for a dwelling on that lot. A variance would be required, the lot width at the road would be less than the required 100 feet. Mr. Prosek stated that the lot to the east would need to be at least 2 acres. The setback requirements

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would need to be determined if the second house was to remain. The setbacks would provide information if the house was to be used as an accessory building.

Mr. Prosek stated that there may be an implied easement to the rear property, however that would need to be recorded in order for a permanent easement if the properties were to remain as they are. Ms. Veverka stated that the parcel to the rear is land locked and has no legal access.

Ms. Veverka stated that the properties may remain the same as they currently are without changes. Ms. Veverka stated that when changes are made the properties must conform to the current requirements.

The Board discussed the possible lot dimensions to create two conforming lots. Mr. Prosek stated that a lot that has 143 feet of frontage and approximately 608 feet deep would satisfy the 2 acre minimum for septic system approval. Ms. Veverka stated that the structures would need to meet the setback requirements for a dwelling and an accessory structure if a new parcel was proposed. Ms. Veverka also stated that if the second dwelling was used as an accessory building, it would need to comply with the size requirement for accessory structures of not more than 1% of the total lot size.

Mr. Prosek stated that the second lot would require a variance to allow for a decrease in the frontage and allow for a “flag” lot where the new house would be located.

Mr. Prosek stated that he would like a site survey, showing the distances of the setbacks, location of the septic systems and the location of the proposed structures.

Also, Mr. Prosek requested a specific use plan for the existing and proposed structures.

Mr. Prosek moved to table the application pending further information. Seconded by Ms. Veverka.

Tina McCullough, owner of the property was sworn in. Ms McCullough asked if additional plans were submitted. Mr. McElroy stated yes, there was a drawing submitted of three possible plans. Ms. Veverka stated that she advised Mrs. Hodges on what may be considered for a possible solution. Mrs. Veverka stated that none of the drawings were similar to the suggestions that were given.

Roll call, all approved.

Application #20120894
Gates Village Setback Variance

Robert Dyer was sworn in representing CG Olmsted, LLC. Mr. Dyer stated that Gates Village is the last undeveloped cluster subdivision in Woodgate Farms. Mr. Dyer stated that the previously developed cluster sites in Woodgate Farms consist of single family detached houses. Mr. Dyer stated that the Harvest Village cluster development has a few attached single family units.

Mr. Dyer stated that the previously approved development plan was approved and extended by the Olmsted Township Board of Trustees and the Cuyahoga County Planning Commission. Mr. Dyer stated that when the recent request for an extension to the development plan was requested, the OT Board of Trustees requested that that changes be made to accommodate the construction of public roads rather than the existing plan for private roads.
Mr. Dyer stated that he has worked with the County and the OT Board of Trustees to make changes to the development that will conform to the requirements for public roads as described in the Cuyahoga County subdivision regulations. Mr. Dyer stated that the measurement from the center line of the roadway to the front of the houses will remain the same. Mr. Dyer stated that the difference in the plan allows for a wider roadway and shorter front yard. Mr. Dyer stated that he has also met several times with the Trustees and county engineers to provide the requested changes to open space and public roads.

Ms. Veverka asked who would maintain the open spaces. Mr. Dyer stated that there would still be a home owners association that would be required to maintain the entryway and open space that is controlled by the HOA.

Sherri Lippus was sworn in. Mr. McElroy asked if Mrs. Lippus was testifying on behalf of the Trustees or a as resident. Mrs. Lippus stated the Board of Trustees. Mrs. Lippus stated that as part of the Master Land Use update, the Board of Trustees is requesting the elimination of any further development of private roads. Mrs. Lippus stated that requests from the HOA of Harvest Village and residents of Seton Village have requested relief from the additional cost and requirements and responsibilities of roadway maintenance and repair. Mrs. Lippus stated that the residents have stated the costs in addition to the property taxes currently being paid by residents. Mrs. Lippus stated that the requests were made after meetings with the Cuyahoga County Department of Public Works, legal council and the Townships engineering firm, CT Consultants.

Mr. Dyer stated that the distance from the center line to the front of the property is not changing. Mr. Dyer stated that the distance from the center line to the curb is larger. The tree lawn is smaller.

Mrs. Veverka stated that she is concerned that the distance from the garage to the sidewalk will not be large enough. Mrs. Veverka stated that she wants to assure that vehicles parked in the driveway will overhang the driveway onto the sidewalk.

Mr. Dyer stated that he verified the length of a Ford F-150 pick up truck> Mr. Dyer stated that the truck measures 20 feet. Mr. Dyer stated that the driveways are proposed at 23 feet from the garage to the sidewalk.

Mr. McElroy stated that a variance was not required for the driveway.

Mr. Dyer stated that there were 75 lots on the original plan. There are 71 homes planned for Gates Village and 4 larger home sites on Tuttle where the entrance driveway originally was.

Mr. Prosek stated that the Township is amenable and encouraging the maintenance of the roadways located in the Township.

Mrs. Lippus stated that the roadways would be constructed according to the County subdivision requirement for roads.

Mr. McElroy asked if the Olmsted Township Zoning Commission has approved the changes. Mr. Dyer stated that the plan will be submitted to the Olmsted Township Zoning Commission next.

Mrs. Lippus stated that the Board of Appeals grant the changes that are outside of the resolution and the Olmsted Township Zoning Commission grants approval of the layout and design.

Mr. Dyer stated that the Olmsted Township Zoning Resolution is poorly written, the incentive to construct private roads is more attractive to developers.
Mr. Prosek asked if the radius's at the corners comply with the County requirements. Mr. Dyer stated that the radius is fine. The roadway expands at the curves and is designed for 25 MPH.

Mrs. Veverka stated that the change is requested by the Trustees to appease some homeowners that don't want to pay association fees. Mrs. Lippus stated that the Olmsted Falls Fire Truck will not provide mutual aid to Westfield Park because of the design of the private roads. Mrs. Lippus stated that the roads and curves are not wide enough for the fire truck.

Mrs. Veverka asked if maintaining the roadways will be additional burden to the Township. Mrs. Lippus stated that preventative maintenance on the roadways will allow the Township to extend the life of the roads.

Mr. McElroy asked for any further questions. Hearing none, Mr. Prosek moved to approve application # 20120894 as submitted. Seconded by Mrs. Veverka. Roll call: Prosek-yes, Veverka-no, McElroy-yes.

Mr. McElroy asked if there were any pending requests for copies of the minutes. Mrs. Tabor stated no. Mr. McElroy stated that the minutes will be held until the next meeting.

Mr. McElroy moved to adjourn. Seconded by Mrs. Veverka. Roll call: all approved.

Respectfully submitted,

Tammy Tabor, Secretary

Brian McElroy

1-16-13

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