

**CITY OF CHARDON PLANNING COMMISSION**

*Meeting Minutes*

May 21, 2018

**Members Present:**

Andrew Blackley, Vice-Chairman  
Chris Grau  
Al Hunziker  
Kenneth Miller, Chairman

Dean Peska  
Hannah Sekas  
Mary Jo Stark

**Members Absent:**

**Also Present:**

Dave Barr, Barr Brother's Construction  
Stephen Bohm, Fire Inspector  
Kingsley Charles  
Richard and Terry Dietz  
Dominic Durante, City Architect  
Erika Hansen, Geauga Lyric Theater Guild  
Carmen Ursecti, Winner's Club  
Jim Gillette, Law Director  
Sandra Jesse, Winner's Club

Tim and Pat McCreary  
Michael Neu, Big Lots!  
Rebecca Repasky, Secretary  
Jeff Smock, Mayor  
Ann Wishart, Geauga Maple Leaf  
Steve Yaney, Planning and Zoning  
Administrator

Mr. Miller called the meeting to order at 6:30 p.m. The Pledge of Allegiance was said. Roll was called.

Mr. Miller said everyone received copies of the minutes from the April 16, 2018 meeting. He asked for any corrections or additions. The motion was made by Mr. Blackley to approve the minutes. It was seconded by Mr. Peska. The vote carried 6-0. Mr. Grau abstained.

Mr. Miller reminded all that were present to sign in for the meeting. Mr. Miller explained the procedure of the meeting and swore in City staff.

**OLD BUSINESS** - none

**NEW BUSINESS**

**PC Case #18-070:** Mr. Yaney explained the applicant, Vipdee, LLC, is requesting a sign deviation to allow for temporary use of a wall sign that is not located on their frontage. The sign will be located on the walls of the next door, vacant building, which used to be MC Sports. Mr. Yaney said Staff has no issues with the proposed signs and they are within size and scope limits. Mr. Yaney asked, if approved, if a new tenant moves in, the signs will need to be removed or re-approved by Planning Commission.

Mr. Hunziker made a motion to approve the sign deviation. It was seconded by Mr. Grau.

Mr. Blackley asked Mr. Gillette if the content is objectionable or if it implies gambling. Mr. Gillette said he does not see any illegal content.

Mr. Ursecti explained the signs have been approved and regulated by the State of Ohio and have the proper paperwork.

Mr. Blackley asked if the games shown are the actual games inside. Mr. Ursecti said yes.

The vote carried 7-0.

**PC Case #18-072:** Mr. Yaney explained the applicant, Augustine Kellis (Seventh Avenue Investments), is requesting Concept Site Plan approval for a lot split. The proposed lot split will allow for the existing 6.58 acre lot to be split into two (2) new lots. Mr. Yaney said Staff, the County Engineer and County Tax Department have no issues and recommends approval.

Mrs. Stark asked what can be done with the smaller parcel. Mr. Yaney said a small building can be built on it.

Mr. Blackley asked if there can be shared parking. Mr. Yaney said yes or a cross access easement can be done for parking.

Mr. Blackley made a motion to approve the Concept Site Plan. It was seconded by Mr. Hunziker. There was no further discussion. The vote carried 7-0.

**PC Case #18-074:** Mr. Yaney explained the applicant, Kim Rickman (Interplan), on behalf of Big Lots!, is requesting architectural review for a commercial exterior remodel at 540 Water Street which will include changes to the exterior materials. Mr. Yaney explained the outside material will be corrugated metal and if Big Lots! closes, the material can be removed. He said the City Architect recommends approval.

Mr. Blackley questioned if the black background behind 'Big Lots!' should be a sign deviation because it differs from the plaza. Mr. Yaney said no because the look and feel of the building is not changing and it matches the shingles.

Mr. Grau made a motion to approve the architectural review. It was seconded by Mr. Hunziker. There was no further discussion. The vote carried 7-0.

**PC Case #18-075:** Mr. Yaney explained the applicant, Kingsley and Elizabeth Dillon Charles, are requesting a variance from the Final Development Plan of Hidden Glen subdivision to install a patio on a property that does not have a principle structure. The property is owned by Elizabeth Dillon. Mr. Yaney said Staff does not have any issues, but asks additional development to the patio or property will need additional approval, and if a structure is built on the vacant property, the patio is either taken out or incorporated.

Mr. Gillette asked if the second condition is needed per the Zoning Code. Mr. Yaney said yes because the patio would not meet the required setbacks.

Mr. Grau asked if the City is ok with a letter of assurance from the other builder associates regarding the patio. Mr. Yaney said yes. Mr. Gillette explained since there is no HOA for Hidden Glen due to the required number of homes, the builders may act as the majority to make a decision.

Mrs. Terry Dietz of 202 Hidden Glen asked why she did not get a notice regarding this issue. Mr. Yaney said notification only goes to properties within 200'.

Mr. Hunziker made a motion to approve the variance with the conditions that additional development to the patio or property will need additional approval, and if a structure is built on the vacant property, the patio is either taken out or incorporated. It was seconded by Mrs. Sekas. There was no further discussion. The vote carried 7-0.

**PC Case #18-081:** Mr. Yaney explained the applicant, Barr Brothers Construction, is requesting an after the fact variance from the Final Development Plan of Hidden Glen subdivision to reduce the side yard setback from 12' to 9.2' to allow the home owner to keep a patio that was installed during construction of the house in the rear yard of the property. Mr. Yaney explained the walkout basement had to be flipped due to concerns of water coming into the basement on that side of the house. Mr. Yaney said this situation is not ideal, but Staff has no issues with it.

Mr. Blackley asked when the concrete was poured. Mr. Yaney said approximately two (2) weeks ago.

Mr. Barr apologized for the error and took full responsibility. He explained he had the home owner's best interest at heart and did not want water to enter the basement. He said he did not charge the home owner for the error.

Mr. Courtney said he did receive an updated site plan and has done a grade inspection. Mr. Courtney said the drainage patterns have been reviewed.

Mr. Blackley asked if the home owner is satisfied. Ms. Leann Giorgi said yes.

Mr. Blackley expressed frustration over the error and said the Commission could have asked Mr. Barr to remove and rebuild the patio to conform to the code.

Mr. Miller said errors happen and said a seasoned home builder should know better.

Mr. Tim McCreary of 201 Hidden Glen says he has no issue with the patio but would like frequent errors like this to stop in the future.

Mr. Richard Dietz of 202 Hidden Glen said he has no issue with the patio, but this frequent errors are systemic and can be avoided.

Mr. Barr agreed and offered to plant additional vegetation to screen the patio at no cost. Mrs. Stark asked if it will go to the fence. Mr. Barr said yes. Mr. Courtney said a final landscape inspection is still needed.

Mr. Grau made a motion to grant the variance. It was seconded by Mr. Hunziker.

Mr. Gillette said the additional vegetation condition is not needed and the City will take Mr. Barr at his word.

The vote carried 7-0.

**PC Case #18-082:** Mr. Yaney explained the applicant, Phil Smith (Maple Grove Residential/First Light Homecare), is requesting a Temporary Occupancy permit for 540 Fifth Avenue for the office portion of the building, prior to completion of the renovations. Mr. Yaney said the occupancy permit has been paid and the County Building Department has approved a 90 day temporary occupancy that went into effect April 26<sup>th</sup>. Mr. Yaney said both the County's permit and this permit will be for the office use only; not the residential care. Mr. Yaney said the Fire Department has given approval. Mr. Yaney said the work at the site is not complete and there is a list of items still needing to be done. Mr. Yaney asked if the permit is granted, it be retroactive to April 26<sup>th</sup> to the County's permit and there be no extension granted at the end of the 90 days. Mr. Yaney said any additional changes done to the site, will need to come before the Planning Commission.

Mr. Peska made a motion to grant the temporary occupancy permit for 90 days, retroactive from April 26<sup>th</sup>, with no extension. It was seconded by Mr. Hunziker. Mr. Blackley asked if there is a conflict of interest for him as a member of Chardon Tomorrow, as Mr. Smith is a board member of Chardon Tomorrow. Mr. Gillette said no.

The vote carried 7-0.

Mr. Miller congratulated Mr. Yaney on the amount of work done for this project.

**PC Case #18-079:** Mr. Yaney explained the applicant, City of Chardon, is requesting Concept Site Plan approval for an interior remodel of a municipal building to allow for the renovations at the Geauga Lyric Theater Guild. Mr. Yaney explained the City will be acting as the sponsor for the grant funding to remodel the theater and will run the project.

Ms. Erika Hansen of the Geauga Lyric Theater Guild explained the proposed upgrades to the building which include: a larger women's restroom, reinforced stage and orchestra area, and remodeled upstairs area. She said this remodel will greatly improve the building's infrastructure.

Mr. Grau asked what safety issues will be addressed. Mr. Dominik Durante said the ceiling will be patched, installation will be updated and added wood to the stage for reinforcement. He said mechanically, the building is good and the engineer will make sure everything is to code.

Mr. Miller commented the remodel is a stunning renewal and should be appreciated by everyone.

Mr. Stephen Bohm of the Chardon Fire Department said the improvements are much needed and will make the building much safer. He said this building as it currently is, worries the Fire Department greatly. He said the old fire equipment can be replaced with updated equipment now.

Mr. Hunziker made a motion to grant the Concept Plan. It was seconded by Mrs. Sekas.

Mr. Durante explained the future plans include outdoor lighting on the marquee and drama masks; and there will be the ability to advertise productions digitally. Mr. Yaney said those changes will come before Planning Commission.

Mr. Blackley said the updates are a great idea. Mr. Hunziker said he is for the updates.

Mr. Grau asked how often the digital production posters will change. Mr. Durante said every hour or so.

The vote carried 7-0.

**EXECUTIVE SESSION** – none

Mr. Blackley made a motion to adjourn the meeting. It was seconded by Mr. Grau. The meeting was adjourned at 7:48 PM.

Respectfully Submitted:

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KENNETH MILLER, CHAIRMAN

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Rebecca Repasky, Secretary