

BUILDING & BUILDING CODES COMMITTEE
MINUTES
May 16, 2005

The Building & Building Codes Committee meeting was held on May 16, 2005, at North Royalton City Hall, 13834 Ridge Road. The meeting was called to order at 8:24 p.m.

Present: Committee Members: Chair Vincent Gentile, Robin Zaccardelli, Lisa Uffman-Kirsch; Council President Robert Stefanik, Denise Bobulsky, Don Willey, Tom Koch; Building Inspector Joe Hartman, Second Assistant Prosecutor Donna Vozar, Law Director Tom O'Donnell, Neil Price, John Cossel, Paula Recker, Pete Maizitis, Irene Maizitis, Daila Maizitis.

Moved by Mrs. Uffman-Kirsch to amend and approve the April 18, 2005 minutes Unfinished Business Item 4 to read Committee is exploring a zero density *increase* for R1A ..., seconded by Ms. Zaccardelli. 3 yeas/0 nays. Motion carried.

NEW BUSINESS:

1. Decks: relationship to main building and rear yard set back

Building Department currently considers the requirement of a 50-ft. rear yard setback from a deck. Mr. Gentile said a resident, Mr. Maizitis, came to him regarding a variance he is required to obtain for deck construction. There appears to be a problem with the compliance to the rear yard setback of our codes for a portion of the proposed deck. Mr. Gentile wondered if the 50-ft. rear yard setback is too restrictive.

Discussion occurred regarding the restrictions posed by our codes. Mr. Hartman reviewed the code as it relates to the situation. Mr. O'Donnell and Mrs. Vozar said that BZA can hear a request for a variance. Mr. Maizitis has an irregular shaped lot and a 6-ft. variance would be required. There are not a lot of requests for variances to the 50-ft. rear yard setback that would suggest a need to change the code.

2. Abandoned homes in residential districts

Mr. Gentile asked of the Law Department if there is something more that could be done by the city or Council to insure that these abandoned homes are maintained.

Mr. O'Donnell and Mrs. Vozar explained that the process involved in some instances is with foreclosure and bankruptcy and allowing due process under the law. Going through foreclosure is a lengthy process; add to that the bankruptcy issue as with the home on Bunker Road, and the process lengthens. This process is not one that Council or the city can fix. The bank is the contact in most of the instances and the city can work with the bank or the court.

Foreclosure does not stop the right of the city to enforce the codes. The city continues to cut grass and place a lien on property. The bank often pays to have the grass cut. A house can be condemned and the process would go forth for this. The city is proceeding through the courts.

UNFINISHED BUSINESS:

1. Temporary banners and pennants. Section 1284

Mr. Hartman feels that our restrictions are not business friendly. Mrs. Uffman-Kirsch proposed that for seasonal businesses we change from 30 days to 120 days, a reduction from \$40 to \$20 per sign, and not require that these go to Planning Commission. Mr. Hartman said he agrees with the recommended changes. The committee discussed not making changes to the fee and keeping it at \$40.

Mrs. Uffman-Kirsch moved to change the draft legislation fees from \$20 to \$40 and recommend approval of the draft legislation regarding temporary banners and pennants to Council, seconded by Ms. Zaccardelli. 3 yeas/0 nays. Motion carried.

All of Council wish to sponsor this legislation. This is removed from the agenda.

2. Temporary window signs. Section 1284.18

Mr. Hartman said that most of the smaller businesses are above the currently allowed signage. Most cities currently permit these types of signs. The look of the business if the signs are permitted was discussed. Also discussed was the overall look desired and that it might be self-policed if people do not take the time to read signs and visit businesses that do not have an appealing exterior look about their business. It was determined to not change the current code. This is removed from the agenda.

3. Chapter 1282 Off-Street Parking and Loading

Still waiting for Mr. Arrendale from the Building Department to make recommendations.

4. Proposed amendments to Chapter 1440 Department of Buildings

Mrs. Uffman-Kirsch asked Mr. Hartman if there were any comments to the proposed changes. Mr. Hartman asked for a copy of the information being discussed so he can review it.

5. Proposed changes to Zoning Codes Village concept for R1A per RRZ

Discussion began regarding proposed changes with information as provided by Mrs. Uffman-Kirsch dealing with the different sections pertaining to the concept of rural residential in general and rural residential village in particular.

6. Political Signs

Mr. Hartman distributed information regarding political signs and said that the only thing in our Code that would be enforceable with regard to these signs is that they are not permitted in the right-of-way.

7. Low impact development (LID)

Some of this was discussed in Item 5 above.

Discussion occurred regarding the Clean Ohio Fund. Mr. Gentile said the fund may be able to assist in protecting land for riparian setback and wetlands. Mrs. Uffman-Kirsch said that this fund was the same one she was discussing for the Parkland Acquisition legislation that Council did not approve and asked her to put a plan together that might be discussed. She is in the process of doing so.

NEW BUSINESS:

1. Abandoned homes in residential districts

See above.

2. Decks: relationship to main building and rear yard set back

See above.

Mr. Gentile moved to adjourn the meeting, seconded by Mrs. Uffman Kirsch. 3 yeas/0 nays. Meeting adjourned at 10:09 p.m.