

BUILDING & BUILDING CODES COMMITTEE MINUTES
MAY 23, 2007

The Building & Building Codes Committee meeting was held on May 23, 2007, at North Royalton City Hall, 13834 Ridge Road. The meeting was called to order at 5:33 p.m.

PRESENT: Committee Members: Chair Don Willey, Kurt McKee, Lisa Uffman-Kirsch; Council: Bob Stefanik, Denise Bobulsky, Larry Antoskiewicz; Administration: Law Director Tom O'Donnell, Building Commissioner Rito Alvarez, Other Attendees: Nick Cinquepalmi, Don Harris, Joanne Dumound.

There was a correction to the minutes from April 19, 2007 to insert the word "was" in the second sentence of Item 1 Unfinished Business.

"Mr. O'Donnell *was* asked if he saw any problems..."

Mrs. Uffman-Kirsch wanted to pose additional amendments to the minutes. Mr. Willey said he did not receive the amendments in a sufficient time to review them and he is not willing to recognize the request to amend. Mrs. Uffman-Kirsch said that they were sent in time. The amendments were proposed as follows:

On the top of page 2, the last sentence Mrs. Uffman-Kirsch did not feel Mr. O'Donnell used the word "pre-meandering" and asked him if that is what he said. Mr. O'Donnell did not recall exactly his word and it was proposed to remove that word. Mr. O'Donnell felt that it would be ok to remove the word to read:

"He would prefer that it would be just general and not impose on any property a ~~pre-meandering~~ plan that could change."

The first paragraph of page 3 the sentence should read:

"Mrs. Uffman-Kirsch said that along the main roads walkways ~~roads~~ would be considered, *or* bike lanes."

The second last paragraph of page 3 the identity of the speaker should be inserted:

"John Polonye of the North Royalton Greenways Committee said the important part of the concept..."

Moved by Mrs. Uffman-Kirsch to approve the minutes from April 19, 2007 as amended, seconded by Mr. McKee. 3 yeas/0 nays. Motion carried.

UNFINISHED BUSINESS

1. Chapter 1282 Off-Street Parking and Loading (1282.05-1282.10—May)

Mr. O'Donnell has not been able to review the amendments proposed at the last meeting.

1282.05 Schedule of Parking requirements: The numbers reflect a minimum. Mr. Alvarez said he did not know what the zoning designations RM-E, R2-C and R3-C represented. Mr. O'Donnell recommended removing from the code the designations that no longer exist.

1282.05(b)(3) and (4): the minimum requirements seem small and it was thought that a more appropriate standard could be considered.

Mrs. Uffman-Kirsch asked what criteria is used to tell applicants how many spaces were needed. Mr. Alvarez said that acceptable engineering practices are followed to determine the actual number of parking spaces needed and that these are minimum requirements in this schedule. Mr. O'Donnell said that builders will build to the minimum standard and we need to be certain that the minimum is appropriate for today's standards. Mr. O'Donnell said that there is a standard available and they need to be checked and compared to what we have.

1282.05(b)(5)(B) should be changed to read: Institutions for children and for the aged, nursing homes and ~~sanitariums~~ mental health facilities.

1282.05(c)(1)(C): Mrs. Uffman-Kirsch asked how it related to big box stores with lots that are too large. Mr. Alvarez said that the big stores want many spaces or they are not interested in coming into the area.

1282.05(c)(c): was suggested to change mortuaries to funeral homes and that this seems to be a high standard.

With automotive repair services, Mrs. Uffman-Kirsch asked compared to 1282.09 if the service stations also provide repair service is the requirement cumulative and should it be stated. Mr. O'Donnell said a caveat should be added to state if there is a combined automotive repair or service station then the stricter standard shall apply. There seems to be a conflict with what Mr. Alvarez is recommending. Mr. O'Donnell said that a sub paragraph can be added to 1282.04 stating that where two or more uses in the following schedule apply on the same lot then the stricter standard shall apply. He did not think it needed to be listed in each individual section.

In the interest of getting through this code more quickly Council was asked to supply any changes prior to the next meeting to Mr. O'Donnell and the committee members. Mr. O'Donnell said this needed to be discussed in committee with everyone in order to know there was agreement to the recommended changes and suggested a work session to go over the specific code.

2. Sign approval process by Building Department and/or ARB

Mr. O'Donnell provided a draft of his recommendation. Mr. Willey questioned 1284.30(a) and Mr. O'Donnell explained that the appeal would go to BZA. This will be discussed further next month.

3. Public Hearing requirements

This is removed from the agenda.

4. Proposed Ordinance 07-10 Greenways Plan

Waiting for input from Mr. O'Donnell.

5. Lawn parking regulation

Mr. O'Donnell said he spoke with Mrs. Bobulsky since it is her proposal and he said that there may be issues with that since there is a number of front/side parking areas on properties. Homeowners have developed parking areas in the front of their home. The thought is to make definite parking areas as the only place to park. If other areas are used some mechanism of enforcement would be needed. He did not think it would be a police matter for enforcement rather it would be a building or zoning matter and difficult to enforce on weekends.

Mrs. Bobulsky said that the big problem was in the subdivisions where people are parking on the front lawns. Mr. O'Donnell said this would be difficult to legislate.

Mrs. Bobulsky asked if it would be over legislating. She presented an example from the code used in Middleburg Heights.

Mrs. Uffman-Kirsch felt it would be over legislating.

Mr. O'Donnell said it could be that no front yard parking be permitted unless there is a designated parking surface.

Mr. McKee would like to leave this on the agenda. He will check other communities for their regulations. Mr. Willey will also check for regulations in other communities.

NEW BUSINESS**1. Chapter 1468 Regulation of grade changes (Issuance of building permits and designation at the time of application as to removal from property or re-grading of dug foundation dirt.)**

Mr. Willey explained that a resident made an addition to their house and put the dirt from the excavation in their backyard causing a change of grade by about three feet. While the resident had a building permit, there was no permit to dump the dirt and there was no grading permit. The City Engineer is working on this problem. Mr. Willey said that he would like to propose to the Building Department and BZA that when a permit is issued to dig that it be determined at that time what will be done with the dirt. If a resident will re-grade their yard a grading permit should be issued.

Mr. Alvarez said it is automatic that grading is done with a new home. With a remodeling addition to an existing house, this is not regulated. Typically the dirt is hauled away. In this particular case the dirt was not hauled away and it now creates flooding in the property of the neighbors. The permit form should be changed to indicate what will be done so that a case of grade change does not occur.

Mr. O'Donnell said it is in the code. The application could have the necessary information to explain it. Mr. Alvarez is making the changes on the applications and can include the grading regulations on the building permit application as well.

Mr. Alvarez will make the changes needed on the application. The staff in the Building Department currently will explain what grading change means, in case the applicant does not completely understand this. Mr. O'Donnell recommended asking two questions on the application: 1.) Will there be excavation? and 2.) How will the excavated material or debris be disposed?

Mr. McKee moved to adjourn the meeting, seconded by Mrs. Uffman-Kirsch. 3 yeas/0 nays. Motion carried. Meeting adjourned at 6:37 p.m.