

Planning Commission Caucus - 7:04 P.M. - Wednesday, December 12, 2007.
Present: Mayor Robert Stefanik, Chairman Tony Sandora, Victor Bull, Vice Chairman, Anne Reinkober, Don Willey, Council Representative to Planning Commission, Clark Merdes, P.E., City Engineer, Joe Hartman, Building Department, Donna Vozar, 2nd Assistant Prosecutor, Nick Cinquepalmi, Larry Antoskiewicz, Harry Hayes, Greg Alberty, Tom Koch, Paula Recker, Residents and Brenda L. Fashempour, Secretary.

Regular Meeting

Call to order.

Roll call.

Opening Ceremony - Pledge of Allegiance.

Organizational Meeting - Election of Chairman, Election of Vice Chairman.
Tabled.

Approval of minutes - December 5, 2007.

Old Business

C & C Management Group - Carlo Chiuchiarelli, tabled - no action.

Tony D'Abramo - tabled, no action.

Tony D'Abramo - tabled, no action.

Nick and Rosa Carosielli, no action.

Timberlane Estates Phase V - tabled, no action.

Ordinance No. 07-73 - tabled, no action.

York/Royalton LLC, Villas of Worthington, tabled, applicants should be present, remove table, vote, discussion, motion, second, vote.

Michael and Alice Walsh, tabled, no action.

Woodcroft Glen, Ext of Woodcroft Trace, Final Plat 2, tabled, no action.

Ordinance No. 07-103 - tabled, no action.

Stucco Inc., tabled, applicant may be present, if so remove from table, applicant make presentation, Mr. Merdes felt that the site plan needed additional work, re-table, motion, second, roll call.

New Business

None

Miscellaneous

Timberlane Estates Phase IV - motion to add to agenda, second, roll call. Discussion, motion, second, roll call.

Adjournment

Timber Ridge Plaza - new tenant coming to former TOPS. Property Owner is looking to reface façade, ARB and presentation to Planning Commission discussion.

Planning Commission Caucus ended 7:14 P.M.

Chairman Sandora stated Good Evening Ladies and Gentlemen, welcome to the North Royalton Planning Commission Meeting for Wednesday, December 12th.

The Planning Commission of the City of North Royalton met in the North Royalton Council Chambers, 13834 Ridge Road on Wednesday, December 5th 2007 in regular session. The meeting was called to order by Chairman Tony Sandora at 7:30 P.M.

Chairman Sandora stated Ms. Fashempour please call the roll.

Present: Mayor Robert Stefanik, Chairman Tony Sandora, Victor Bull, Vice Chairman, Don Willey, Council Representative to Planning Commission, Anne Reinkober, Donna Vozar, 2nd Assistant Prosecutor, Clark Merdes, P.E., City Engineer, Joseph Hartman, Building Department and Brenda L. Fashempour, Secretary.

Opening Ceremony - Pledge of Allegiance. Chairman Sandora stated please stand for the Opening Ceremony - Pledge of Allegiance. Pledge of Allegiance recited.

Organization Meeting - Tabled.

Election of Chairman
Election of Vice Chairman.

Ms. Fashempour stated the Organizational Meeting will remain tabled.

Approval of minutes: December 5, 2007. Ms. Fashempour stated approval of minutes, December 5th, 2007 if you so choose. So moved Don Willey. Second Victor Bull. Chairman Sandora stated it's been moved and seconded, Ms. Fashempour please call the roll. Roll call: Yeas: Five - Willey, Bull, Reinkober, Mayor Stefanik, Chairman Sandora. Nays: None. Motion carried. Chairman Sandora stated minutes are approved.

Old Business:

Ms. Fashempour stated no action on Numbers 1, 2, 3, 4, 5, 6.

C & C Management Group, LLC., **Carlo Chiuchiarelli**, 8959 Ridge Road, PPN 489-04-004/005, Local Business Zoning. Site Plan Approval. Tabled.

Ms. Fashempour stated no action.

Tony D'Abramo, **D-5 LLC**, Royalton Road, PPN 483-18-001 and PPN 483-18-017, General Industrial Zoning. Temporary Real Estate Sign Approval. Tabled.

Ms. Fashempour stated no action.

Tony D'Abramo, **D-5 LLC**, Royalton Road, PPN 483-18-001 and PPN 483-18-017, General Industrial Zoning. Site Plan approval. Tabled.

Ms. Fashempour stated no action.

Nick and Rosa Carosielli, 13862-13872 Bennett Road, TCD-1 Zoning. Site Plan Approval for an Addition. Tabled.

Ms. Fashempour stated no action.

Harry Hayes, Timberlane Farms, **Timberlane Estates Phase V**. Revised Sketch Plan Approval. Tabled.

Ms. Fashempour stated no action.

Ordinance No. 07-73 - An Ordinance accepting the Dedication of 1,621 feet of Mahican Way, 649 feet of Shawnee Circle, and 822 feet of Chippewa Path in the proposed Indian Trails Subdivision, Phase 1 from Woodhill Properties, Inc., and Declaring An Emergency. Tabled.

Ms. Fashempour stated no action.

York/Royalton LLC, **Villas of Worthington**, PUD Zoning. Revision to the Final Plat, A Plan Amendment Request. Tabled.

Ms. Fashempour stated it is tabled, the Applicants are here this evening, she needs a motion to remove it from the table.

So moved Victor Bull.

Second Don Willey.

Chairman Sandora stated it's been moved and seconded to remove Villas of Worthington from the table, Ms. Fashempour please call the roll.

Roll call: Yeas: Five - Bull, Reinkober, Mayor Stefanik, Willey, Chairman Sandora. Nays: None. Motion carried.

Chairman Sandora stated the Applicant is here, step forward and please tell us what you would like to do.

Her name is Pat Rakoci, she is with Pride One Omni, and she would like to do a presentation this evening on a revision, a minor revision to Villas of Worthington.

Chairman Sandora stated well Mr. Merdes, he will let you go first.

Mr. Merdes stated Thank You Mr. Chairman.

Mr. Merdes stated a, he reviewed what was submitted and the first comment he had was that it it appears to resemble the first plan that was even bought to the Planning Commission in that you are now proposing to have a development of single family residential dwellings and the, the first, essentially application that was for this project contained only single family dwellings in the development and at that time it wasn't, it wasn't good enough for the the Planning Commission and that the discussion was had and there was essentially at that time we had a, a Planner Carol Thaler who worked for, works for the Cuyahoga County Planning Commission who a, who more or less bought up this point on behalf of North Royalton and on behalf of the developers there was a fellow named David B. Hart that helped he guessed as a Consultant and back in he thinks after a second meeting there was an approval given and that approval included, included single family and duplex homes.

Chairman Sandora stated is that it for now Mr. Merdes.

Mr. Merdes stated well, he means, he guessed you know, in order, he means, it seems as though there was back then a, a, a discussion and something that essentially lead to this PUD concept requiring those duplex units to be there a, now that was the first thing that he noticed, the second was that a in your current application materials, a there was a statement about since the amendment is now a departure from the intent of, of a prior approval, quoting the PUD Code, warranty a full blown reapproval of procedure, the Applicant respectfully request that the amendment be approved, a, according to everything he research every approval to this date always included duplex units a, then the a, the actual a, Phase One, has been built, a and in Phase One is the infrastructure which provides service for the, the two duplexes that are were, were planned and, and are there and what's in the ground now it doesn't accommodate this new proposal. Mr. Merdes stated and his last observation was that a again Mr. Gary Werner's letter contain a, contained the following statement, a, moreover the optimum development and use of the Applicant's land is considerably better served if the requested plan/plat amendment is allowed. Mr. Merdes stated on this point he would say that what the Planning Commission has in front of them is, has nothing to do with an amendment to the Plat, a Plat amendment requires has separate requirements and he doesn't think that any current action could be construed as in any way a having any thing

to do with the actual plat, a pending the outcome of the application, a change to the plat that may or may not be necessary and it could be pursued in the future but he was concerned about the use of that word plat in that, this application is for a PUD plan amendment, Thank You.

Chairman Sandora stated Thank You Mr. Merdes.

Chairman Sandora stated you know Ms. Rakoci, um, this started back in 2004 okay with the, the previous owner there okay and this Planning Commission looked at this long and hard from 2004 to where we are this year okay, there was numerous concessions on both the City and both that Developer okay, that property originally was zoned residential property they wanted to to make it a PUD to put in there what was approved and what is a basically has been before us and was approved, it has gone before this Board numerous times, it has gone before Council and it was, it was um, there were things hammered out on both sides okay, there was a lot of concession on the City's part, there was a lot of concessions on the, on the builders part at that time, a, now you have come in and you have purchased this property and, and maybe he is wrong but you know you purchased the development the way that it was and the way that it was approved okay, and it just seems very hard for him to, to see why or, or why it even should be changed today okay, a you know personally he didn't like to see the townhouses there, he will be honest with you but there was a great, great, a great work went into that development, there was a lot of talk and a lot of suggestions and the previous developer came forward with presenting a very good a design as to the entire development with those duplexes and the biggest part was the fact that we wanted to make sure that those duplexes would not be lower in price that they had to be the same or higher then the, the other homes that were going to be built around there a you know your, your the roads are in, the infrastructures in, your utilities are in, a you know you have one lateral to each one of these duplex homes there are so many things that would have to be changed there okay, a and he, he really don't know why that it has to be done he means, for for basically what reason just because you don't want to see the duplexes there, you figure that it's going to lower the quality of that development a, he means what, what is the main reason.

Ms. Rakoci stated are you ready for her to respond now, she didn't want to interrupt you. Ms. Rakoci stated she does have some handouts, she is not sure if everyone, what everyone is looking at so if she may approach she would like to pass these out.

Chairman Sandora stated sure.

Ms. Rakoci stated she also has some larger boards but she doesn't have an easel but she can lay them out there if the public would like to look at them.

Ms. Rakoci stated she will speak to your questions and comments and then the, the builder Tim, from Ryan Homes to, naturally, she is going to ask him to make a few comments as well.

Ms. Rakoci stated um, to your first point, well it may not be your first point but to one of your points about the infrastructure being in, each of the attached units have their own laterals, all three, a she believes that her Engineer indicated that where the laterals, where the laterals were put in if we do split those two attached units and make them two

separate lots, she believes that the laterals are in the correct place if they are not, they can be moved and in other, some of her other projects she has had to do that before so it was, it's a cost to her, it's not any cost or any imposition to the City um, she can, she just wants you to know that she, she is sure there was a lot of work put into this three or four years ago, she was not involved in that so she appreciates the fact that you spoke to that a it's, we do not want to make the change because we are concerned, well let me ask you a question, what is, what was the importance of having the duplexes within the project when she reads your Code your Code talks, you know the intent of a PUD is to allow more creativity with design and to a be able to require if you will a certain amount of open space so that the land is not a, more land is saved if you will and the PUD as it's, as it's written a Chapter 1280 it talks about a the fact that to encourage more skillful planning on the parts of the community, to allow the best arrangement of buildings for open space, to utilities, topography and then it talks about land planning criteria and, and what has to occur in a PUD and while it talks about the different types of uses it doesn't specifically require any use a the reason for that we are requesting a change is, it's not because we are concerned that the duplexes will bring down the value a, in today's market we, she thinks we can all agree on one thing and that residential has slowed up significantly and as a develop, and, and, and things have changed dramatically since this plan was approved three years ago um, we are, we are responding to what the market is demanding a, the market, the homes that are being built by Ryan are lifestyle homes, and they, those people that move in there they may be empty nesters, they may be couples with no children, they want very small yards, they don't want to be married to, to managing a their, their yards and, and so on, that being said, the majority of the, of the homeowners that would purchase these do not like attached units they prefer single family units that's just a fact. Ms. Rakoci stated a, and that's, and with the market being as slow as it is we want to be able to give what demand there is and the demand is for single family attached units not the attached, detached and a if you want to come up and say a few things from, from Ryan Homes.

Hi, just to repeat my name is Tim Rash, he is a North Royalton resident and he is the manager for the west side of Ryan Homes here. Mr. Rash stated he has prepared a few pages that he didn't, he doesn't have enough copies for everyone but for the Board.

Mr. Rash passed out a handout.

Mr. Rash stated first and foremost there are a number of reasons that we do think it is advantageous to have single family homes there, a again, he was not present when this went through Planning Commission you know a number of years ago, a, we opened for sale in July, we opened our model in September, we sold 8 homes since then we canvassed those homeowners, those buyers to date, he was able to get in contact with six of them, one was in Singapore, one is in the hospital a, a 100% of them would prefer single family detached homes in that community, he has also done a market study here in North Royalton and the attached product in North Royalton in 2007 is selling at a very large discount to detached homes the a the sales to date are at \$85.00 dollars per square foot, we have averaged \$122.00 dollars per square foot in the community to date, \$251,000.00 is our average sales price, a we, we would not want the

attached product to be at a lower price but we believe it just will out of necessity, it will be at a lower price that really translates into much lower tax revenue for the City, if you look at that he, he has detailed there he would estimate that it's approximately \$15,000 a year just on those eight units the difference between the detached units that we have been selling and those eight duplex unit that would be, that would include both Phase One and Phase Two but the eight duplex units of the entire community so what we are talking about now tonight, would be have of that, would be \$7500.00 annually so over 30 years you know that's a quarter of a million dollars that would be approximately \$125,000.00 that would not go to the school system from the customers that we have seen that we have sold to this community so far, only one of the eight current customers has any children so there is a very low impact on the schools whereas there is also a very large benefit for the schools from those tax revenues. Mr. Rash stated we also believe that the more cohesive arrangement of the community would not only make it more appealing but would also help speed up sales and help us finish the community so that the, the City isn't encumbered with doing the permit approval processes all of the different things that happen while a community is under construction verses once it's finished out. Mr. Rash stated another thing that we've a, we have looked out in, in this community is the a job impact of it and the faster we sell and are able to market our product the more local jobs we are able to create and more quickly that we can have new residents come into the City and provide that buying power and a, he detail that on the last couple of pages there in the presentation where we believe this is worth about 12 to 20 jobs on a, a somewhat functionality basis and we also believe that it will add about a million dollars of disposal income to North Royalton just from the incomes of the 80 residents you know earning 8, \$60,000.00 or more for the attached project, we have a very large community up in Berea right now where we are selling attached product, the average sales price there is \$163,000.00 and the incomes are considerably lower than the incomes of the people that we have been selling to so far to date a since here in July so we do believe that it's in the best interest of the City a to approve this change, we didn't talk about it but these lot sizes are fully conforming in all respects to the other lots there in the community so it's not that we are trying to make a change and in fact if you, he believes it's detailed.

Ms. Rakoci stated on the lower, on the bottom of the page.

Mr. Rash stated on the lower right, these lots even after this lot split, these lots would be larger in size then the other lots in the community so it would be a very good addition and it would be a positive boost not only for the current you know eight residents most of whom are already North Royalton residents but the current eight buyers from us but also for the City as a whole.

Ms. Rakoci stated she would also like to add that what she passed out was a plan that shows that proposed splits and then a detail of that and then third page was what was approved and as you can see the, the intent of the plan of conserving the land and the clustering of the lots has not changed at all she means, if you just put, if you didn't really know what you were looking at you would say that it was probably this exact same plan because we are just splitting up a couple lots.

Mayor Stefanik stated Mr. Chairman.

Chairman Sandora stated Mayor.

Mayor Stefanik stated he thinks a going back to when this was first approved he thinks he sat on Planning Commission at the time and he knows there was a pretty lengthy discussion about duplexes and coffee shops and a few other things they wanted in this development and he knows he was not in favor of the duplexes at that time, we did pass it at that time he thinks that was probably, three, three and half years ago and a personally he would like a little more time to take a look at it with some of the information that you gave us this evening we could a maybe get into a little more detail, um, just looking at it quickly he, he kind of likes what he sees compared to the duplexes there is just something about a duplex, that driving through North Royalton we have a few duplexes around the city and he can tell you they are not appealing at all and when people look at them they know, they know it's a duplex and a he thinks a development like this is more deserving then to have these duplexes especially when you know at the very beginning of the development.

Chairman Sandora stated Thank You Mayor.

Don Willey stated Mr. Chairman.

Chairman Sandora stated Mr.

Don Willey stated oh he is sorry.

Chairman Sandora stated a, he was going to ask Mr. Merdes a question.

Don Willy stated oh, go ahead, he is sorry.

Chairman Sandora stated Mr. Merdes a, putting 2 homes verses the duplex will that in any way have any impact on the, to the drainage, on the retention system a, retention basin there large enough that it would be able to handle this do you know off hand, the increase via a second roof and a so forth.

Mr. Merdes stated a Mr. Chairman. Mr. Merdes stated he doesn't, he can't say for sure generally the storm sewer system is designed and then pipes only come in certain sizes and you are going to be, choose the conservative pipe size so that because you are certainly not going to be approved if you are choosing a, a pipe that not going to convey the flow that's required and a basin is also usually has a little bit of factor of safety in it's design so that there's so that your not a you essentially have a little bit of of room.

Chairman Sandora stated wiggle room.

Mr. Merdes stated to, to be conservative and he would think that it probably would not have a, make a large difference, his, his, he didn't put in his report that it's a smaller concern the, the, the, our other concern is, is the service, essentially the duplex lots have a set of, of service that is installed a in Phase One already and, and to split the one lot into two lots each of those second lots would need a second set of services.

Chairman Sandora stated right.

Ms. Rakoci stated no that's not, that's not true, each, each unit whether being attached has it's own separate laterals there not one lateral like for the sanitary going into both houses, they each have their separate services.

Mr. Rash stated it is already set up for two water meters for example.

Ms. Rakoci stated yes.

Mr. Merdes stated um uh.

Don Willey stated uh um.

Mr. Rash stated each, each of those duplex units would have it's own individual water meter, gas meter, etc., so there are single lines.

Ms. Rakoci stated these are not condos these are single, fee simple.

Mr. Merdes stated what about storm lateral, sanitary lateral.

Ms. Rakoci stated there are three laterals, she believes as she said before that her Engineer said that the way that home, that, that, they way they were installed we would not have to move them if we had to move them then that would be at her cost and she would do that, she has had to do that before in fact Ryan Homes um, builds at one of her projects in York Township, Shallow Creek and a we had a situation where we also as a builder, we also build them to, we also build homes and in, in phase that we were in inaudible Phase One, we had a couple units that were attached and because, for the reasons we are here this evening, we decided to split those up and so she did have to move a few laterals and this is in Medina County, it's not in this County but it has been done and it can be done.

Chairman Sandora stated so are, you saying then because he was under the assumption that there was one lateral for each one of those duplexes, you are saying that each one of those duplexes has two laterals there.

Ms. Rakoci stated each of the duplexes has, is, was engineered as if they were single family so they each have their own water, storm and sanitary running into their house, it has to be that way because they are not condos, there single, they are fee simple.

Don Willey stated Mr. Chairman.

Chairman Sandora stated Mr. Willey.

Don Willey stated he, he went back and read the notes and the fact that he was at those, those two meetings earlier on before he was on Planning Commission, he specifically asked that question about a fee simple because of concerns of separate utilities, separate sewers and so forth a the, the original intent as he recalls and in reviewing the notes of setting it up as a PUD was to set up a development where there was more common area, more open space and to reduce the a, the normal R1B Zoning and a he thinks Mr. Chairman they accomplished that with, with their design and so forth, he personally has no problem as long you know the wheel is not reinvented and apparently it isn't he personally prefer and he has stated this before, to see single family, rather than duplexes in a development like this for now and in the future, so those are his comments.

Chairman Sandora stated Thank You Mr. Willey.

Chairman Sandora stated anybody else on the Board have anything, Mr. Hartman do you have anything.

Mr. Hartman stated no Mr. Chairman.

Chairman Sandora stated anybody else on the Board having anything.

Chairman Sandora stated anybody in the audience have anything.

Mr. Rash stated if it, if it pleases the Board he can also, he has a few photos of typical product from one of are other similar communities, we've got, if you would be interested in seeing that he can, he can display these.

Photos passed out.

Anne Reinkober stated are these lot sizes similar to what we have or.

Mr. Rash stated actually slightly smaller.

Anne Reinkober stated okay.

Mr. Rash stated yes, those are in Richfield on a slightly smaller footprint about 4' narrower on that footprint.

Anne Reinkober stated okay.

Mrs. Vozar stated Mr. Chairman, if she can maybe add something that might help clarify and avoid the necessity of, of tabling it.

Chairman Sandora stated Mrs. Vozar go ahead.

Mrs. Vozar stated she thinks, she thinks it really comes down to a rather simple question of the Board to consider and since obviously the Board has had all, all the documentation, the question is when you look at this, this plan, this development and, and the large number of homes the question really is, is rather simple, whether or not eight duplexes really turn this development and really has a signification affect on whether this is a PUD and whether it's sufficient enough, there is a substantial enough a change and, and in her opinion it's a minimal amount and a but that's obviously up to the Board to, to make that determination but again we are talking about eight duplexes.

Chairman Sandora stated Thank You Ms. Vozar.

Mayor Stefanik stated Mr. Chairman.

Chairman Sandora stated Mayor.

Mayor Stefanik stated a to the Engineer, a would you need time to take a look at the utilities to see if they would work the way the developer has said they would work.

Mr. Merdes stated well, it's either one or two situations, either they are there currently or there's one set present and the second set would

have to be added a, she's stated there at their cost and, and he, he means that's absolutely true he would assume that they would be held to the same standard as everyone else a as far as you know this brand new road even on our old roads we don't allow them to be open cut so if you are looking at bringing a service from one side of the road to other a it would have to be bored underneath the pavement or pushed if it's a smaller service.

Ms. Rakoci stated it's already there, she is not concerned about that.

Mrs. Vozar stated but just for the record if she could Mr. Chairman, obviously you understand all that cost would be at your cost.

Ms. Rakoci stated she totally understand.

Mrs. Vozar stated great and agree.

Ms. Rakoci stated somewhat agree, laughs, no, she agrees the cost would be her's, she understands that, any change that would occur because we are requesting a change to the plan is a developer's cost to change that she totally understands that, if there is any additional inspection that are required because of that, she knows that they are responsible of that as well.

Chairman Sandora stated okay.

Mr. Merdes stated a, let me just also ask Applicant that again pending on the outcome of this, there are, especially in regard to the plat, other steps that would have to be taken.

Ms. Rakoci stated she would probably have to do a replat.

Mr. Merdes stated yeah you.

Ms. Rakoci stated and that would be fine, she has done them before.

Mr. Merdes stated uh um.

Ms. Rakoci stated so as part of this approval she would, she would have to do a replat and she could get that done as quickly as possible, they would have to be replatted before we could issue, before she could sell those lots anyway so that would be up to her.

Mr. Merdes stated right.

Ms. Rakoci stated so that would be up to her to make sure that she got that done.

Mr. Merdes stated right.

Ms. Rakoci stated and she understands that.

Mr. Merdes stated those are his concerns Mr. Chairman.

Chairman Sandora stated Thank You Mr. Merdes.

Chairman Sandora stated so what's the consensus on the Board.

Don Willey stated Mr. Chairman, he make a motion that we a accept this as a amended to a allow them to put single family homes there rather then the duplexes.

Chairman Sandora stated with the conditions set forth by the Engineer.

Don Willey stated with, a, yes, with the conditions set forth by the Engineer and of course.

Chairman Sandora stated and agreed, and agreed upon by the Developer.

Don Willey stated by the Developer and in accordance with all the Building Codes of the City of North Royalton.

Mayor Stefanik stated second.

Chairman Sandora stated it's been moved and seconded, Ms. Fashempour please call the roll.

Roll call: Yeas: Five- Reinkober, Mayor Stefanik, Willey, Bull, Chairman Sandora. Nays: None. Motion carried.

Ms. Rakoci stated Thank You very much.

Mr. Rash stated Thank You.

Don Willey stated you want your marketing tools back.

Chairman Sandora stated Good Luck to you.

Photos retrieved.

Ms. Fashempour stated no action on Number 8, 9, 10.

Michael and Alice Walsh, York Road Rear Property, PPN 482-03-005, R1-A Zoning. Lot Split and Consolidations Approval. Tabled.

Ms. Fashempour stated no action.

Woodcroft Glen, Royalton Road, RMD Zoning. Woodcroft Glen Phase 2 Final Plat - Approval. Tabled.

Ms. Fashempour stated no action.

Ordinance No. 07-103 - An Ordinance amending the Codified Ordinances of the City of North Royalton, Part 12 Planning and Zoning Code, Chapter 1284 Signs, Section 1284.01, 1284.03, 1284.05, 1284.07, 1284.10, 1284.13, 1284.14, 1284.15, 1284.16, 1284.17, 1284.21, 1284.23, 1284.24 and creating new sections 1284.25 through 1284.29, and Declaring an Emergency. Tabled.

Ms. Fashempour stated no action.

Stucco Inc., 16330 York Road, PPN 485-03-015, Local Business Zoning. Site Plan Approval for a Storage Building. Tabled.

Ms. Fashempour stated is there anyone present from Stucco Inc. Ms. Fashempour stated and no action on number 11.

Miscellaneous

Ms. Fashempour stated she needs a motion to add Timberlane Estates IV for a revised record plat approval.

So moved Don Willey.

Second Victor Bull.

Chairman Sandora stated it's been moved and seconded, Ms. Fashempour please call the roll.

Roll call: Yeas: Five - Mayor Stefanik, Willey, Bull, Reinkober, Chairman Sandora. Nays: None. Motion carried.

Timberlane Estates Phase IV, Revised Record Plat Approval.

Chairman Sandora stated the Applicant is here, step forward state your name, home address and what you would like to do.

My name is Greg Alberty and he is from a Sublot 115 Buckeye Trail.

I am Nick Catanzarite, he is Greg's cousin and happens to be an Attorney that is kind of helping him with the process.

Chairman Sandora stated what would you like to do there Greg.

Mr. Alberty stated we are here to request approval to amend the Temporary Reciprocal Easement located on the back of his property, he has a reciprocal, we all do actually on, on that street, so that he can install a swimming pool and patio area on his property and then whatever questions you guys have for us, that's what, that's what we are trying to do though.

Chairman Sandora stated okay, Thank You Mr. Merdes.

Mr. Merdes stated Thank You Mr. Chairman.

Mr. Merdes stated a, maybe he will just a expand a little bit on, on the background, a, this is actually puts in place a, a, a surface drainage easement, takes, it, it, in a, well some of the Reciprocal Easement he believes remains another portion is vacated and in it's place is a smaller drainage easement granted to the Homeowners Association, it involves the applicant's property, it involves the neighboring lot and Homeowners Association property, a, the, requirements that are in our Code and a the, the other requirements that our Code brings about being a some water quality issues have been worked through, we have the proper approvals a leading up to this point since this has to do with a previous approved plat and it's a plat revision a it needs to come before the Planning Commission for your approval it does not involve a the dedicated right of way or the any of the City, property so he believes that this Board once it acts the plat, the revised plat can be recorded. Mr. Merdes stated the Engineering Department has reviewed all of the documents, the, the plat has a signature, blocks for all the owners of property involved and a we believe it has everything that's required and he would recommend approval.

Chairman Sandora stated Thank You Mr. Merdes, Mr., Mr. Hartman do you have anything.

Mr. Hartman stated no comment, we received his permit application and he has all the setbacks on that so it's not shown on these particular plans but he does have a copy of that.

Chairman Sandora stated okay, Thank You Mr. Hartman, anybody else on the Board have anything.

Mrs. Vozar stated Mr. Chairman if she could just ask as a condition that a.

Chairman Sandora stated Mrs. Vozar.

Mrs. Vozar stated the Law Department review and approve any final documents.

Chairman Sandora stated Thank You Ms. Vozar.

Chairman Sandora stated he will make a motion then for a revised record plat for Timberlane Estates, Greg, Greg Alberty and that they give the copies and make sure everything is okay with our Law Department.

Don Willey stated second.

Chairman Sandora stated it's been moved and seconded, Ms. Fashempour please call the roll.

Roll call: Yeas: Five - Willey, Bull, Reinkober, Mayor Stefanik, Chairman Sandora. Nays: None. Motion carried.

Chairman Sandora stated Good Luck.

Mr. Alberty stated Thank You.

Mr. Catanzarite stated Thank You.

Ms. Fashempour stated could she get your spelling of your last name just for the record.

Mr. Catanzarite stated C A T A N Z A R I T E.

Mr. Alberty stated Thanks.

Ms. Fashempour stated she has nothing else under Miscellaneous.

Chairman Sandora stated Thank You Ms. Fashempour.

Adjournment

Chairman Sandora stated have a motion to adjourn.

Don Willey stated second.

Chairman Sandora stated it's been moved and seconded, Ms. Fashempour please call the roll adjournment.

Roll call: Yeas: Five - Bull, Reinkober, Mayor Stefanik, Willey, Chairman Sandora. Nays: None. Motion carried.

Chairman Sandora stated we are adjourned.

Chairman Sandora stated have a nice Christmas everybody.

Board Members responded back same to you.

Planning Commission adjourned at 8:10 P.M. Wednesday, December 12, 2007.

**Approved: Tony Sandora
Chairman - Planning Commission**

**Attest : Brenda Lynn Fashempour
Secretary - Planning Commission**

Date : January 2, 2008