

**THE CITY OF MAYFIELD HEIGHTS  
PLANNING COMMISSION  
MINUTES**

**September 19, 2016**

Mayor DiCicco, Chairman called the meeting to order at 7:00 p.m.

ROLL CALL: PRESENT: Councilman Bob DeJohn, Mayor Anthony DiCicco,  
Mr. Jack Gallucci, Mrs. Darcy Horvat, Mr. Chris Schmidt  
ABSENT: None

Also present were Tom Jamieson, Director of Building and Anne Weiland, Secretary.

The Pledge of Allegiance was said.

Mayor DiCicco welcomed Mrs. Horvat as a new Planning Commission Member.

Mr. Schmidt, seconded by Mr. DeJohn moved to suspend reading the minutes of the September 8, 2016 meeting and approve as written. All in favor, except Mrs. Horvat who abstained as she was not present at that meeting. Motion carried.

**CORRESPONDENCE:** None

**OLD BUSINESS:**

***Report of Director of Building:*** No report.

***Report of Council Representative:*** Mr. DeJohn reported that Council passed an Ordinance imposing a six month moratorium on granting a building permit or certificate of occupancy that would enable the cultivation, processing or retail sale of medical marijuana.

Council approved the purchase of the property at 1672 Woodhurst Avenue. The house will be demolished and the city parking lot expanded.

**TABLED ITEMS:** None

**NEW BUSINESS:**

**PC-16-09 Ruff Neon Signs**  
**Konstantin Pavolotsky, DDS/KLF Dental Group**  
**5843 Mayfield Road**  
**Requests approval of an illuminated monument sign for a new occupant.**

Present was Jessica Ruff, Ruff Neon Signs. Ms. Ruff stated that she became aware she needs a variance for this type of sign, and therefore, withdrew her application.

**PC-16-10 Smartland Construction**  
**Konstantin Pavolotsky, DDS/KLF Dental Group**  
**5843 Mayfield Road**  
**Requests preliminary site plan approval for the addition of four parking spaces in front of the building for a new occupant.**

Present was Steven Gresis, Smartland Construction. Mr. Gresis explained that the new occupant wants to expand his parking area in front of the building. There is currently green space in this area adjacent to the access drive off Mayfield Road.

He received copies of reports from TMS Engineers, the Fire Department and the Police Department. The Fire Department asked for a better egress path which he believes they have. Mayor DiCicco pointed out that TMS Engineers noted a concern that vehicles exiting the parking spaces closest to the building may be restricted in their ability to see oncoming vehicles traveling southbound along the east edge of the building. The Fire Department report notes that clear access from the front door to a public way must be provided. He believes that this could be resolved if the planter to the right of the front door was removed and made into a walkway, if it is wide enough.

Mrs. Horvat thought that parking in front and the elimination of green space in the front goes against what is outlined in the Commercial Corridor Design Manual and is not what is wanted for Mayfield Road. Mr. Gresis pointed out that they will be using some of the existing pavement and will add a 14' x 40' section of new pavement. He pointed out that they will be keeping the trees and the remainder of the existing lawn. It will not be a substantial impact.

Mr. Gresis stated that they can install concave mirrors to assist those backing out of the parking spaces to see oncoming vehicles traveling south on the east side of the building, to address the note in the TMS Engineer's report.

Mayor DiCicco asked how many spaces are currently on the site. Mr. Gresis said there are 21. Fifty-percent of them are for staff. The additional parking is to prepare for future growth. It is a nice added feature, a convenience and will be a necessity down the road. Mr. Jamieson pointed out that they have more than enough parking to meet the code.

Mayor DiCicco reiterated that the City has new guidelines outlining a vision for Mayfield Road. Reducing parking in front of buildings is one of them. Mr. Jamieson suggested submitting this to the Architectural Board of Review. Mayor DiCicco suggested revising the plan to show the walkway against the building and recommended presenting it to the Architectural Board of Review to see how this fits in with the guidelines.

Mayor DiCicco, seconded by Mr. Gallucci, moved to table the site plan pending a revised plan. All in favor, motion carried. Mayor DiCicco clarified that the applicant should go to the Architectural Board of Review before revising the plan and resubmitting to the Planning Commission.

- **Review amendments to Chapter 1183; Fences, ORD. 2016-27.**

The Commission reviewed Ord. 2016-27 and the memo prepared by Mark Majewski, Northstar Planning & Design LLC dated May 19, 2016.

Mr. DeJohn mentioned that he would like to move forward with this and address some things that can hurt property values.

Mrs. Horvat questioned the references in Definitions to more than 50% obstructed or 25% open, which she found to be confusing, and wondered if it will be easily interpreted and enforced. Mr. Jamieson understood the reference to 50% open as an open ornamental fence and the reference to 25% open as a board-on-board fence.

Mayor DiCicco mentioned that the Building Department will start having consultations and site visits with applicants before a permit is issued. This will help implement the new code and clear up a lot of confusion.

Mr. Schmidt stated that maybe there should be a setback for an invisible fence in a front yard so dogs cannot run too close to the sidewalk and scare passersby. Mr. Jamieson stated that a permit is not required for an invisible fence. The distance from the sidewalk could be defined. Mayor DiCicco stated that that could be suggested.

Mrs. Horvat wondered why all fences in rear yards are permitted to a height of six feet except chain link that is restricted to four feet. It was not clear why chain link is four feet. No one objected to allowing six foot chain link fences.

Mr. Schmidt wondered how the vision-impairing hedge section will be enforced. Mr. Jamieson stated that the Building Department will have people trim bushes that are safety concerns or overgrown. Mr. Gallucci thought that the primary purpose of this section is so hedges do not obstruct for safety purposes. Mayor DiCicco agreed that complaints or eyesores should be addressed. Mr. DeJohn thought that safety was more the concern.

Mayor DiCicco thought that someone on a corner lot should be able to put a fence in their side yard, beyond the side door, if they do not have a back door.

Mayor DiCicco mentioned that swimming pool fences (Section 1369.09; Swimming Pools; Fences) has been added to the fence code and pointed out that the swimming pool code needs to now refer to the fence code. It was agreed by all to leave it in Section 1369.09. The fence code should then refer to swimming pool fences in 1360.09.

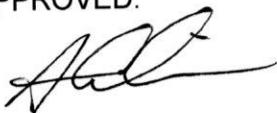
Mayor DiCicco pointed out that the fee for a fence permit needs to refer to the fee schedule, Chapter 1335.

Section 1183.06(l); Fences on Slopes was discussed briefly. Mayor DiCicco believed that a consultation and site visit will be helpful with this section.

As there were no further comments, Mr. Gallucci, seconded by Mr. Schmidt moved to make the following recommendations to Council: define invisible fence, allow six foot chain link in a rear yard, move pool fences back to the swimming pool ordinance and note the permit fee is in Chapter 1335. All in favor, motion carried.

As there was no further discussion or business, Mayor DiCicco adjourned the meeting at 8:07 p.m.

APPROVED:



Mayor Anthony DiCicco  
Chairman

Respectfully submitted,



Anne Weiland  
Secretary