



**VILLAGE OF OAKWOOD
ZONING BOARD OF APPEALS
REGULAR MEETING MINUTES**

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MEETING DATE: WEDNESDAY, DECEMBER 8, 2021

TIME OF MEETING: 7:00 P.M. MEETING

PLACE OF MEETING: OAKWOOD VILLAGE - COUNCIL CHAMBERS

PRESENT: Marschelle Head - Chairperson
Thomas McWillaims (*New Temporary Member 11/29/2021*)
Joseph Swaton

Ross Cirincione: Assistant Legal Counsel
Allen Hagan: Representing C2 Construction
Paul Anderson: C2 Construction (*via Zoom*)
Drew Messmer: Lowry Engineering (*via Zoom*)

ABSENT: Dan Stanton

The Meeting was called to order at approximately 7:05 P.M. by Marschelle Head, Chairperson.

NEW BUSINESS:
CASE # ZBA21-02:

APPLICANT: C2 CONSTRUCTION LLC.
REPRESENTING C2 CONSTRUCTION:
ALLEN HAGAN, HANNA COMMERCIAL OPERATIONS
PROPERTY OWNER - C2OW
24197 BROADWAY AVENUE, OAKWOOD VILLAGE,
OH 44146 PP #795-19-020 Mr. Hagan is coming before
the Board to request approval for the following variances:
1. Space Variance - Ord. # 1181.05
2. No Loading Variance - Ord. # 1181.10
3. 180-Sq. Ft. Stall Variance - Ord. # 1181.02
4. 35-foot Front Yard Parking Variance* - Ord. # 1169.03
**Grandfathered to Existing Building*

In attendance at tonight's meeting are: Mr. Allen Hagan, Representing C2 Construction Hanna Commercial Operations - 24197 Broadway Avenue - Oakwood Village, OH 44146

(Via Zoom)

Mr. Paul Anderson, C2 Construction, 25146 28th Avenue South, Hawley, MN 56549

Mr. Drew Messmer, Lowry Engineering, 5306 51st Avenue South #A, Fargo, ND 58104

Ms. Marschelle Head, Chairperson: C2 Construction LLC is coming before the Zoning Board of Review to request four (4) variances. Please walk us through the process.

Mr. Anderson, for the owner of C2 Construction: We are asking for a parking lot variance, and we have four variance requests. **(1.) 13 Space Variance (Ordinance 1181.05)** This is an existing parking lot, and the VA has some standards and requirements. We feel that we are meeting the needs of the VA. This 13-space variance that we currently have is 30 spaces, 27 regular spaces and 3 ADA (American Disability Acts) spaces.

Mr. Cirincione, Assistant Legal Counsel: Under 1181.05 I wasn't sure about the square footage of your building and how many spaces you would otherwise need before the variance.

Mr. Anderson: The total building square footage when it's done looks like it maps out to 5,300-sq. ft. The use is General Business and offices for the VA.

Mr. Cirincione: So that would be 8 spaces per 1,000-sq. ft. under the Code I believe; 4,000 to 10,000-sq. ft. per unit, 8 spaces per 1,000-sq. ft. So that would be 42 or 43 parking spaces.

Mr. Anderson: Yes, it came out to 42 point something, so that would equal out to 43 parking spaces per the local ordinance.

Mr. Cirincione: What are the dimensions of the ADA spaces?

Mr. Drew Messmer, Lowry Engineering: That would be 8' X 18'.

Mr. Anderson: There will be two access aisles; one for van accessible, and one for regular ADA compliant access.

Mr. McWilliams, ZBA Member: How many parking spaces will you have once the construction is completed?

Mr. Messmer: There will be a total 30 spaces including the 3 ADA spaces.

Mr. McWilliams: I see. So that's why you need the 13-space variance.

Mr. Anderson: Are we good with the first variance?

Ms. Head: Yes. Thank you very much! We're ready for the second variance, and don't forget to give your name of who is speaking to the recording secretary.

Mr. Anderson: (2.) No Loading Variance (Ordinance 1181.10) For this ordinance, we are working with an existing parking lot. This is not the type of business that has shipping and receiving docks. We're meeting the needs of the VA so, there will be limited delivery at the facility. There may be some paper product and FedEx delivery but that's about it. There will be sufficient amount of access in the driveway aisle for them to stop and drop those packages. Any questions from the Board?

Ms. Head: No, that was very clear. Please explain the 180-sq. ft. stall size variance.

Mr. Anderson: (3.) 180-Sq. Ft. Stall Size Variance (Ordinance 1181.02) In order to obtain the number of stalls, and use the existing parking lot with the standard size stalls to meet the needs of the VA, it would call for a 9' X 18' standard size for 30 spaces.

Mr. Cirincione: So that would be 162-sq. ft. rather than 180-sq. ft. Is that the nature of the variance?

Mr. Anderson: That's correct. So, we're mapping this out for a 9' X 18' stall to make that 30 parking spaces for the VA.

Ms. Head: So, that would be a 162-sq. ft. variance?

Mr. Anderson: That's correct.

Ms. Head: (4.) 35' Front Yard Parking Variance * (Ordinance 1169.03)
***Grandfathered to existing building**

Mr. Anderson: This is an existing parking lot "grandfathered" in that we didn't want to chop up. It works well with the placement of the building and the greenspace in keeping the trees on the property.

Mr. Cirincione: So, this is a 15-foot variance, correct?

Mr. Messmer: It's actually 14.5-feet.

Mr. Cirincione: Is the variance itself 15-feet or is it 35-feet?

Mr. Anderson: Drew, can you pull up our site plan?

Mr. Messmer: Yes.

Mr. Anderson: I think we are going back to the fact that this is an existing parking lot, and we are asking for this to be grandfathered so that we can make this parking lot work with the amount of parking spaces in it. Is it a 50-foot set-back?

Mr. Cirincione: Yes. The current requirement is 50-foot minimum front yard.

I just wasn't sure if you're going to have a front yard of 15-feet or 35-feet? I want to get that straight.

Mr. Anderson: What I'm seeing is 15.4-feet. Drew, can you speak about how far we're set back off the street curb?

Mr. Messmer: The more controlling piece of the property looks like where the eastern entrance of the site is. It should actually be 14.6-feet from the property line (*inaudible*).

Mr. Anderson: What I wrote down coming into this was 35-foot front yard parking variance.

Mr. Cirincione: So, it would be a 35.5-foot variance, which matches what was there before.

Ms. Head: All the plans have gone through the Planning Commission and ABR?

Mr. Cirincione: You appeared previously in front of the Planning Commission?

Mr. Anderson: Our group met with the Village prior to purchasing the property. I believe they brought up an idea and overlay.

Mr. Cirincione: I've seen the plans before so, I know that our Village Engineer, Ed Hren went over them. My recollection is that they were approved.

Ms. Head: Are there any abutting property owners with questions or concerns?

ABUTTING PROPERTY OWNER:

Ben & Darlene Harris - 24435 Tryon Road - Oakwood Village, OH 44146

Mr. Harris stated that no one said anything to them about this project, and they came here tonight to see what's going on with it.

Mrs. Harris asked: What are they building?

Mr. Anderson: We are constructing a Professional Services Office for Veterans Affairs. The project entails demolishing the existing store front space, keeping the warehouse space, and add to the front of the building repurposing it for General Business & Offices for the VA.

Mr. Harris: We are located behind the greenspace of the building parking lot.

Mrs. Harris: Are you going to put up a [privacy] fence or something?

Mr. Anderson: I believe the west face of the building is 11-feet from the property line. Currently, I do not believe there are any plans for a fence.

Mr. Messmer: We didn't have anything planned for a fence. Are you referring to the property just to the north of this building or to the adjacent western lot?

Mrs. Harris: We're right behind the building (*inaudible*).

Mr. Harris: We are in between the lots (*inaudible*).

Mr. Messmer: We are not changing the back portion of the building so we didn't intend to add any fencing.

Mr. Anderson: There are a bunch of mature trees in the back of the building, and that will offer quite a bit of privacy in the summer months. Due to the caliper of the trees, that will provide some privacy whether winter or summer. The trees are going to remain there. We are not going to clear cut any of those trees. We plan on keeping what is there now and improve the site with some landscaping and additional plantings.

Mrs. Harris: (*Referring to the map on screen*) That is not our house because our back yard is wide open.

Mr. Harris: On the side of the screen where your hand is pointing is "open" to the area behind the parking lot.

Mr. Swaton: You can't see the parking lot from your house, can you?

Mrs. Harris: We can see the parking lot from our backyard. We have grandkids that live with us; that is why I'm concerned.

Mr. Cirincione: Mr. Anderson and Mr. Messmer, in view of the concern of the residents, can we at least take a look at adding some additional screening, so that when they are in their backyard, they won't have the view of the parking lot.

Mr. Messmer: I believe that is possible. We could put in additional trees and shrubs to provide more screening.

Mr. Anderson: Right now, we don't have anything planned for a privacy fence back there. I believe it would be tough to put a straight-line fence back there with the trees that are there now. It looks like a good separation and a good number of trees in the background. The hours of operation for this VA center will basically be 8 A.M. to 5 P.M. We don't anticipate any privacy issues coming from the VA side. We definitely can consider some other things to provide additional screening.

We do have a landscape architect working on this as well. When we resubmit our plans, we will definitely consider adding some new plantings that might help to screen it better.

Mr. Cirincione: I believe that would alleviate the concerns of Mr. & Mrs. Harris.

Ms. Head: So, we are ready for the motions. We will make each motion separately.

MOTION TO APPROVE CASE # ZBA21-02: #1. TO GRANT A 13 SPACE VARIANCE (CODIFIED ORDINANCE 1181.05) was made by **Thomas McWilliams**, seconded by **Joseph Swaton** and upon roll call the **MOTION PASSED** unanimously.

MOTION TO APPROVE CASE # ZBA21-02: #2. TO GRANT A NO LOADING VARIANCE (CODIFIED ORDINANCE 1181.10) was made by **Thomas McWilliams**, seconded by **Marschelle Head** and upon roll call the **MOTION PASSED** unanimously.

MOTION TO APPROVE CASE # ZBA21-02: #3. TO GRANT A 162-SQUARE FOOT STALL SIZE VARIANCE (CODIFIED ORDINANCE 1181.02) was made by **Thomas McWilliams**, seconded by **Joseph Swaton** and upon roll call the **MOTION PASSED** unanimously.

MOTION TO APPROVE CASE # ZBA21-02: #4. TO GRANT A 35.5-FOOT FRONT YARD PARKING VARIANCE* (CODIFIED ORDINANCE 1169.03) *GRANDFATHERED TO EXISTING BUILDING was made by **Thomas McWilliams**, seconded by **Marschelle Head** and upon roll call the **MOTION PASSED** unanimously.

Ms. Head stated: Please note, there is a concern regarding the greenspace in the rear, abutting the property owner. The builder has considered reviewing the greenspace plan so that the abutting property owners will not see the parking space, parking lot.

MOTION TO ADJOURN MEETING was made by **Marschelle Head**, seconded by **Thomas McWilliams** and upon roll call the **MOTION PASSED** unanimously.

Meeting Adjourned at approximately 7:46 P.M.

Marschelle Head
Chairperson

Cynthia Hines
Recording Secretary