

STOW PLANNING COMMISSION

Minutes of the Stow Planning Commission meeting held on Tuesday, September 11, 2018, at 6:00 p.m.

MEMBERS PRESENT: Mr. Brauer, Mrs. Harrison, Mr. Miller, Mr. Ross, Mr. Sprungle

MEMBERS ABSENT: None

ALSO PRESENT: Rob Kurtz, Director of Planning
Jill Janson, Secretary

PRESS REPRESENTATIVE: Stow Sentry

Mr. Brauer called the meeting of the Planning Commission to order at 6:00 p.m. and asked the audience to stand and say the Pledge of Allegiance. Roll call was taken.

BUSINESS ITEMS:

1) P.C. 2018-015 – C-Nail & Spa – Site Plan and Conversion of a Residential Structure for Business Use; 3616 Darrow Road

Chairman Brauer introduced Rob Kurtz to provide comments.

Mr. Kurtz: Thank you. Just as a review from the last Planning Commission meeting, Mr. Andy Nguyen, who is the property owner, is requesting approval for site plan and residential building conversion to utilize the existing garage as a nail salon and spa at 3616 Darrow Road. The property is zoned R-B Residential and nail salons are permitted by right in this district. The applicant intends to reside in the existing dwelling and the proposed spa will be located in the existing garage. The proposed parking lot will accommodate 17 vehicles and will be behind the existing dwelling. The applicant is proposing to retain several large trees on the property and buffer the parking lot with evergreen plantings. There is also an existing fence along a portion of the lot. To the south is a business use; to the west is residential and to the north is also residential. At the last meeting, there was some discussion about the potential odors emitting from the nail salon. I did speak to Bud Carey, he is the chief building official for the City of Stow. He indicated that the building code requires that each manicure/pedicure station in the spa itself has an exhaust system; right at the station. And there are also regulations on how it can be exhausted from the building depending on what other buildings are around and what type of stuff is being exhausted. In this case, he suggested that if Planning Commission can consider requiring that the exhaust be exhausted through the roof away from adjacent properties to mitigate any potential effects of any potential odors on the property. Again, if were higher and further away from any residential property, again, if there is any issues that would mitigate those

potential issues so the applicant is amenable to this condition. It is not a significant change in the construction so anything else, I'd be happy to answer any questions.

Mr. Brauer: Great; thank you. Commission. Concerns or questions?

Mr. Sprungle: I noticed this parking area and I apologize I was not able to make the last meeting but, the parking area is that paved parking area?

Mr. Kurtz: It is.

Mr. Sprungle: And so that is what requires then the basin area?

Mr. Kurtz: Yes, right exactly.

Mr. Sprungle: You're adding hard surface.

Mr. Kurtz: Yes, the hard surface that is correct.

Mr. Sprungle: If it wasn't hard surface, and there is no basin there now, it wouldn't change it. I see that.

Mr. Kurtz: There is a similar one down the street of a similar size that is a dry detention basin.

Chairman Brauer: Are there any other comments or concerns? Okay. Mr. Nguyen?

Mr. Nguyen declined to address the Commission.

Chairman Brauer: Anyone else in the audience would like to speak on behalf of this proposal? (No one came forward).

Mr. Ross moved and Mr. Sprungle seconded to approve P.C. 2018-015, subject to the conditions identified by Mr. Kurtz and subsequent compliance with the building code.

Yea: Mr. Brauer, Mrs. Harrison, Mr. Miller, Mr. Ross, Mr. Sprungle.

Nay: None. The motion passed 5-0.

Chairman Brauer: Okay, Mr. Nguyen your proposal has passed through the Planning Commission. Your next meeting will be September 27th between 5:30 p.m. and 6:00 p.m. Okay? Good luck! Thank you.

2) P.C. 2018-017 – Ann Voris – Variance for a Lot Split; 1926 & 1932 Liberty Road

Chairman Brauer introduced Rob Kurtz to provide comments.

Mr. Kurtz: Thank you. This request by Ms. Ann Voris, who is the property owner of both 1926 and 1932 Liberty Road, for your approval of a variance in order to subdivide and recombine the lots that are associated with both of these dwellings. The dwelling at 1926 Liberty is located three feet (3') from the side property line. This received a variance from the BZA back in 1993. The dwelling at 1932 Liberty is currently located ten feet (10') from the side property line. The applicant is requesting a variance to take four feet (4') from 1932 and join it to 1926. The result will be that 1932 will be six feet (6') from the property line and 1926 will be seven feet (7') from the property line. It's a little unusual. The variance requested would be for the dwelling at 1932 to be located six feet (6') from the side property line, where normally eight feet (8') would be required; and a variance from 1191 to extend the non-conformity in regard to the lot width for 1932 Liberty Road. The existing lot width is 66.76 and will be reduced to 62.76. Again, this lot already is non-conforming in terms of its lot width and so the variance is to extend that non-conformity; subtle difference between giving a variance. Again, the dwelling at 1926 since it received a variance, the result is well, the variance regarding 1932 and 1926. 1926 will be affected but, they don't need the variance for that. So, I hope I made that clear. If I didn't, I apologize. You have your maps in front of you. Again, if there are 13' between the dwellings. The applicant is desirous of evening it out if you will. I would be happy to answer any questions.

Mr. Sprungle: So, this currently is two (2) lots.

Mr. Kurtz: It is. Oh, it is two (2) lots, yes. I'm sorry if that wasn't clear. It's currently two (2) lots. Two (2) separate lots.

Mr. Sprungle: I guess I don't completely understand.

Mrs. Harrison: I feel like we all have the same questions.

Mr. Ross: What's accomplished by this?

Mr. Kurtz: The applicant can probably speak for herself; there is no construction proposed. This is just moving the lot line further away from 1926.

Mr. Sprungle: So we have 2 non-conforming lots.

Mr. Kurtz: Exactly, we would have 2 non-conformings. But, 1 would be less non-conforming than it currently is.

Mr. Miller: Does the requester own both lots?

Mr. Kurtz: Yes

Mr. Ross: Do you know what the variance request was for 1926 Liberty Road when it was granted in 1993? It's water over the bridge but, I'm just curious.

Mr. Kurtz: I don't know if there was a reason for it. I'm not sure, sorry, I don't know that. The justification for the 1993 variance, I'm sorry I don't have that.

Mrs. Harrison: Rob, what occupies both of these buildings?

Mr. Kurtz: These are single family dwellings.

Mrs. Harrison: It's hard to tell.

Mr. Brauer: Any other questions? Okay, Mrs. Voris? Mr. & Mrs. Voris would you like to please come to the mike. I'm going to ask you to please state your name, your address and we'll swear you in.

Mr. Voris: My name is George Voris. I live at 1926 Liberty Road. Ann Voris. 1926 Liberty Road.

(Mr. & Mrs. Voris were sworn in by the Secretary)

Mr. Brauer: Great. If you could please use the microphone as much as possible.

Mr. Voris: The reason we are asking for variances is that we really don't have an access to the back yard at this time. The three foot (3') variance to the house we can't get a tractor back and forth. In the past it wasn't as issue because my parents-in-law lived there and so, no big deal. But, we have no idea what is going to happen in the future and we're just trying to split the difference between the two houses. This would give us a little leeway to get a tractor or lawn equipment or something into the back yard..to and from. Because the other side of the house has a steep incline to it and is a very wooded area, a lot of trees and bushes and shrubs on that side..on the west side of the house. So that was the main purpose so that we have access to the back yard at this time. So we're trying to split the difference between the two (2).

Mr. Ross: Do you recall, did you own the property when the variance was given for 1926?

Mr. Voris: Yes. So we were here when they built the house but, I can't remember all that, 20 some years ago.

Mr. Sprungle: So, you own both houses now?

Mr. Voris: At this particular time, what had happened was that my wife's parents had passed away and she inherited the house with her sister and brother so actually the 3 of them own the house. And we're in the process of emptying it out and selling it and when

we do so, we don't know what's going to happen. We could have wonderful neighbors or we could have not so wonderful neighbors and we would be locked out of our back yard basically. So if we split the difference as best as we can for 1926 that would give us about seven feet (7') to get a tractor back and forth into the back yard. 1932 has a lot more room, especially on the east side of the garage where you can fit a car through there. They have a lot more room to get to the back yard so that wouldn't affect them to their access to the rear of the property.

Mr. Sprungle: Is the house up for sale right now?

Mr. Voris: No, not yet.

Mr. Sprungle: So there's not a potential buyer out there that is unaware that you're trying to make this change at this point?

Mr. Voris: No

Mr. Miller: All parties are aware of this change that own 1932?

Mr. Voris: Yes. Her sister and brother are aware of it.

Mrs. Voris: And they have no problem.

Mr. Brauer: I don't see any issues here. At first, we were confused. But, there's some logic there.

Mr. Ross: But, we're creating a non-conforming lot. Where currently one doesn't exist except for the frontage under the current code. It appears as though 1926 was overbuilt to begin with and created the problem.

Mrs. Voris: We do have a handicap ramp . we do have a handicap daughter . on the west side of the house.

Mrs. Harrison: I mean it's not changing the fact that the property that the buildings are that close or anything like that it's a matter of where the dividing line is. Like you said while you own both properties it's probably better to split it than worry about sharing some lines.

Mr. Brauer: Any other questions for the applicant? (None were posed)

Mr. Brauer moved and Mr. Sprungle seconded the motion to approve P.C. 2018-017 for a variance to take four feet (4') from the side property at 1932 Liberty Road and join it to the side property at 1926 Liberty Road.

Yea: Mr. Brauer, Mrs. Harrison, Mr. Miller, Mr. Ross, Mr. Sprungle.

Nay: None. The motion passed 5-0.

Chairman Brauer: Okay, Mr. & Mrs. Voris it's been passed through this Commission. Your next meeting will be September 27th at 5:30-6:00 p.m. Thank you.

3) P.C. 2018-018 – Rezone from R-2 Residential to O Conservation; 5077 Young Road

Chairman Brauer introduced Rob Kurtz to provide comments. Mr. Kurtz indicated that he would provide a brief summary; however, since the applicant was not in attendance at this meeting, no formal action of this Commission would be able to be made.

NEXT MEETING: Scheduled for September 25, 2018

With no further business to discuss, Mr. Brauer moved and Mr. Sprungle seconded the motion to adjourn. It was unanimously approved and the meeting adjourned at 6:27 p.m.

Chris Brauer
Planning Commission Chairman

Jill Janson
Secretary