

Meeting of the Planning Commission
Monday, January 25, 2021 ~ 6:00 p.m.

Board Members Present: Mr. Brown, Mr. Ciraldo, Mr. Lapolla,
Mr. Stoiber, Courtney Zimmerman
Board Members Absent: none
Officials Present: Bernie Hovey, Mayor, Robert Heydorn, Village Solicitor
Council Members Present: Tim Nichols, Dann Nivens
Others in Attendance: Marsha Schultz, Administrative Services Clerk
Residents in Attendance: Michael Thorson, Fred Johnson

For the record, the January 25, 2021, sign-in sheet is attached to the minutes. The Zoom meeting credentials were made available for the public to join. Two resident attendees joined via Zoom.

Call to Order

Chairman, Mr. Stoiber called the meeting to order. Five members were present. Mr. Stoiber confirmed a quorum was present. Mr. Stoiber welcomed everyone to the virtual Zoom meeting of the Planning Commission. The Zoom meeting credentials were made available for the public to join. There were two resident attendees who chose to attend via Zoom.

Approval of Minutes

Approval of the minutes from January 11, 2021.

Mr. Lapolla made a motion to approve the Planning Commission minutes from the January 11, 2021 meeting. Mr. Brown seconded the motion. Roll call was taken. All members signified their approval by saying aye. Motion carried. The minutes were approved.

Commission Discussion

Plan No.: 2021-003

Michael & Linda Thorson, 2863 Lakeland Pkwy., Lot #297, all, 296 W 5Ft, Silver Lake Estates

Application for a proposed new 17' x 22' kitchen/living addition above the existing garage. To propose a new 21.6' x 26' two-car garage at grade level. The proposal indicates there will be a total of three car garages: a 1-car and a 2-car garage. MIC was included. Plans were submitted.

The Commission discussed the MIC percentages and that a solution for the overage is needed. Mr. Thorson indicated that the property lines are to be confirmed on February 4, 2021 with a

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survey. The Commission indicated to observe the required setback measurements and to include a solution to the drainage connections on the plans. The Commission noted that a landscape plan is not needed at this time. A materials list was discussed. Mr. Thorson will include more details.

There being no further discussion by the Commission, Mr. Brown made a motion to table Plan No. 2021-003 with the understanding that the Mr. Thorson will need the additional requirements to include: submit a revised engineer plan with a solution for the MIC overage, the plan to confirm property lines with observed setback measurements, the plan to indicate a solution for connection points for down spout and roof drainage, and the approval of said plans to receive Village Engineer, Gary Rouse's approval. Mr. Thorson will also need a building permit from Summit County. Mr. Ciraldo seconded the motion. Roll call was taken. All members signified their approval by saying aye. The motion carried. Plan No. 2021-003 was tabled.

Plan No.: 2021-004

Tom & Kelli McKenna, 3134 Orchard Rd., Lot #377, all, Silver Lake Estates

Application for a proposed new 11' x 9' deck and pergola added to the front of the house. MIC was included. A sketch was included.

The Commission noted that the sketch indicates the project is going over top of existing pavement. The Commission discussed that additional information is needed to proceed. The Commission noted there was no one in attendance to represent the application. The Commission could not determine the list of materials being used for the project, no indication of colors that would match the existing color of the house.

There being no further discussion by the Commission, Mr. Ciraldo made a motion to table Plan No. 2021-004 due to the lack of information needed. The Commission requests that a list of materials with a narrative and to include a description of colors to match existing house. Mr. Lapolla seconded the motion. Roll call was taken. All members signified their approval by saying aye. The motion carried. Plan No. 2021-004 was tabled.

Commission Housekeeping

The Commission discussed Plan No. 2021-002. This item is scheduled for the next meeting agenda. Neighbors have been notified via US Mail of the application to store a 27' travel trailer on the property located at 2905 Elmbrook Dr. The public will have access to the meeting via Zoom credentials.

The Commission discussed that each member is asked to schedule a visit to Village Hall to return the correspondence folders used to deliver the packets to their homes. Commissioners

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were also reminded to return the original plans that were included in the packet regarding Mr. Thorson's Plan No. 2021-003. It was noted to scheduled appointment times through Marsha Schultz, so that in-person social distancing is observed due to Covid-19 pandemic.

The Commission discussed the next scheduled meeting will be held on Monday, February 8, 2021, with preparation to meet in Village Hall with the understanding that this may change to a Zoom virtual meeting. New tabletop plexi-shields have been installed on the tables in Village Hall for additional safety. As always, the public will be provided credentials to access the online meeting via Zoom.

Discussion

Mr. Stoiber provided an overview of tonight's suggested amended revisions to Ordinance 2020-62. The original language change was submitted to Council in December 2020.

The language change is reference to Chapter 1133.03 and 1133.04 (f). Ordinance 2020-62 has had two readings during Council meetings.

The proposed text changes to Chapter 11 are intended to accomplish several goals:

1. Close a potential loophole in the present code language pertaining to rear yard setbacks that could negatively affect the lakes and ponds in the Village of Silver Lake.
2. Provide reference to other code restrictions that might also apply to development in rear yards.
3. Remove the language reference to Chapter 1169; presently known as the Riparian Development requirements.
4. Remove the language reference to the two ponds on Silver Lake Country Club's property, as it could have an impact on the relationship between Crystal Park Development Corporation who is the owner and Club Corp is the lessee of the property which is currently the Country Club. If the owner decided to sell the property to someone wanting to develop it for a residential property, it would require that the zoning change from Park and Recreational to being zoned Residential. At that point the Commission, would be able to make the changes here. To continue in this section, Solicitor Heydorn suggested the language from 'third party' to read 'the entity which owns the lake'.
5. Clarify language relating to yard setbacks dimensions that will make it consistent with the language in Chapter 1135, Park and Recreational District and Chapter 1137.

Mr. Stoiber made note to 1133.03(k) as not being a new revision; meaning the confusion in this section had been in the ordinance prior to the Commission's language request in Ordinance 62-2020. Solicitor Heydorn emphasized the role communication plays into factors such as the topic

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of a zoning change as discussed tonight. Mr. Heydorn noted that the invitation to attend Planning meetings has been extended. He recommends that Council representatives and the Commission continue to stay in contact when topics of changes are being discussed which would help get around some of the communication problems that tend to exist.

The sections discussed (above) appeared to have caused confusion as indicated by Council members during the January 18, 2021 Council meeting. Therefore, with this assumption, Council member Mr. Tim Nichols was asked to attend tonight's meeting. Mr. Nichols is one of the Council representatives from the Planning, Zoning, and Insurance Committee. Mr. Nichols offered support to the amended revisions as indicated tonight to Ordinance 2020-62. Mr. Nichols said he is willing to bring the amended revisions out at the next Council meeting.

Solicitor, Mr. Heydorn brought to the discussion that the amended revisions being suggested tonight are not significant enough to start over. Therefore, Mr. Heydorn indicated to submit the amended revision to Clerk, Sean Housley prior to the next Council meeting.

Mr. Stoiber shared the statement provided by Solicitor Heydorn. Mr. Heydorn's legal opinion statement suggests the amended language as follows:

- The requirements herein and as amended are established to be an addition to requirements elsewhere in the code and not a repeal thereof.
- Remove reference to Chapter 1169; presently known as the Riparian Development requirements. The removal of language reference to Chapter 1169 is being removed because this section appeared to cause confusion as indicated by Council members.
- Remove the referencing language in 1133.04 (f),3,1 that included text regarding properties abutting the two ponds on property located at Silver Lake Country Club.
- To change the language in Chapter 1133 from 'third party' to read 'Intervening Property' as discussed.

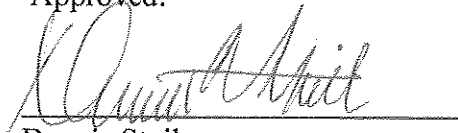
There being no further discussion by the Commission, Mrs. Zimmerman made a motion to approve the amended revisions to Ordinance 62-2020 and to present the amendment to Council. Mr. Brown seconded. Roll call was taken. All members signified their approval by saying aye. Motion carried. The revisions were approved. Mr. Stoiber will provide a copy of the amended revisions to Clerk, Sean Housley prior to the upcoming Council meeting scheduled for February 1, 2021.

There being no further items on the Commission's agenda and there being no further discussion, Mr. Brown made a motion to adjourn. Mr. Lapolla seconded. Roll call was taken. All members signified their approval by saying aye. The meeting was adjourned at 6:46 p.m.

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The next meeting of the Planning Commission will be held on Monday, February 8, 2021, at 6:00 p.m. The public will be notified as to the location of the meeting along with credentials for access to a Zoom meeting.

Approved:



Dennis Stoiber
Chair

Prepared by Marsha Schultz
Reviewed by Suzanne Lipan
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