

VILLAGE OF CUYAHOGA HEIGHTS  
PLANNING COMMISSION & ZONING BOARD OF APPEALS  
May 16, 2007

Mayor Contipelli called the meeting to order at 6:00 p.m. Clerk Lepkowski called the roll. Those present were Ralph Faragone, Russell Hartman, Michael Mallos, Oliver Vaccher and Mayor Ralph Contipelli. Also present was Village Engineer Paul Dey, Building Commissioner Norm Casini and Attorney Robert Mansour.

**MINUTES:** None at this time.

**COMMUNICATIONS:**

From Norm Casini:

A letter to Members of the Zoning Board regarding an appeals application for a new garage at 4680 East 71<sup>st</sup> Street in the Village of Cuyahoga Heights, OH.

Mr. Mallos moved, seconded by Mr. Hartman that the communications be accepted and placed on file.

**DISCUSSION:**

Mayor Contipelli opened the floor for discussion on a size variance. Mr. & Mrs. Volek were present for questions.

Mr. Mallos asked about the need for the size request, relocation of existing garage, utilities in the garage, and drainage. Mr. Volek replied that the existing garage is too close to the house, there is a need to store four vehicles and lawn equipment, the utilities will be for lighting, hot water tank, etc. and drainage is need for the water. Mr. Volek stated that there are no current plans for a bathroom facility in the garage. The shed will be moved back and encroach 4 feet onto the light industrial zoning.

Mr. Mallos commented on the oversized garage request and the problems it could lead to if the property is ever sold and a new homeowner begins a business out of the garage. Mr. Mallos asked if the size could be reduced, Mr. Volek said no because of his storage needs. Mayor Contipelli questioned Mr. Casini on the size of the house versus the proposed garage size. Mr. Casini stated that the proposed garage would probably be larger than the house based on the first floor square footage.

Mr. Vaccher asked Mr. Volek if the neighbors object to the size. Mr. Volek stated that he spoke to them and they said no. The garages on both sides of Mr. Volek are already oversized. Mayor Contipelli reviewed the drawing and the garage will be three (3) feet from the property lines as stated in the Code.

Mr. Hartman moved, seconded by Mr. Vaccher to approve a size variance for a proposed garage per Chapter 1246.02 requesting a 32' x 40' garage which exceeds the code of 24' x 35' by Dave Volek at 4680 East 71<sup>st</sup> Street in the Village of Cuyahoga Heights. Yes - Mr. Hartman, Mr. Vaccher, Mayor Contipelli, No – Mr. Faragone, Mr. Mallos. The variance was approved with the condition that scaled drawings must be submitted to Mr. Casini before the garage will be approved. The variance will go before Council at the June Meeting.

Mr. Mike Billek and Mr. Mike Robbins were present to discuss the variance on the propane tank. Mayor Contipelli stated that Council's and the Board's main concern was what the propane tank would be used for. Village Council does not want propane sales to the general public. Mr. Billek stated that they provide a service to their industrial customers where they fill propane tanks for tow motors. This sale is only to their industrial customers, not the general public and represents only 2 % of their total sales. The tank will be located near the back of the property, asphalt base and surround by fencing and pylons.

Mr. Faragone questioned Mr. Dey and Mr. Casini about the retail sales of propane. Mr. Dey stated that the code prohibits retail propane sales in the Village. Mr. Casini continued that the tank would be located far enough away from the building for aesthetic purposes. The use of the propane will be incidental to the use based on the Code. Because the code does prohibit retail propane sales, he always brings this type of request to the Zoning Board for review.

Mr. Mallos moved, seconded by Mr. Vaccher to approve a variance to distribute propane from a 1000-gallon propane tank for Cleveland Welding, Inc. at 5324 Grant Avenue in the Village of Cuyahoga Heights with the conditions to improve the parking lot and clean up the exterior of the building. This is a repeat request to the Board and was once again referred back to the Planning and Zoning Commission by the Village Council at the May 9, 2007 Council Meeting.

#### **OTHER BUSINESS:**

The Board members tabled discussion on the Metro parks memorandum of understanding for further review until the June meeting.

Mr. Mallos asked Mr. Casini about the offsite advertising at a Social Club on Harvard Avenue. Mr. Casini stated that he has sent notification twice with no response from the owners. He will be following up soon and will submit the information to the Law Director when necessary. Mr. Casini also stated that code violations for both industrial and residential properties have been sent out.

The Board reviewed the existing sign ordinance and how to change it for the businesses on the I-77 corridor. Mr. Casini stated that he is reviewing other communities' sign ordinances and will present his ideas to the Board in June.

WHEREFORE, there is no further business to come before this Board, Mr. Vaccher moved, seconded by Mr. Mallos to adjourn the meeting. All voting aye, none opposed; motion carried.

Passed: June 20, 2007

Attest:

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Mayor and Chairman

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Clerk of Council