

Village of Richfield

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BOBBIE BESHARA, Mayor
RICK HUDAK, Council President

SANDY TURK, Finance Director
MELANIE A. BAKER, Service Director

Memorandum

TO: Bobbie Beshara, Mayor
and the Richfield Village Council

FROM: Brian M. Frantz, AICP, Planning and Zoning Director

SUBJECT: Annual Report – Planning and Zoning Department

DATE: February 26, 2013

I am pleased to submit the 2012 annual report for the Planning and Zoning Department.

For specific information or questions about this report, please do not hesitate to contact me.

**VILLAGE OF RICHFIELD
PLANNING AND ZONING DEPARTMENT
ANNUAL REPORT
FOR 2012**

PLANNING AND ZONING DIRECTOR

Brian Frantz, AICP

ADMINISTRATIVE ASSISTANT

Mindi Schaetzle

For current and archived Planning and Zoning Commission and Board of Zoning Appeals meeting agendas and minutes log onto: www.richfieldvillageohio.org

OVERVIEW

The Planning and Zoning Director has been providing the Mayor and Council an annual report that outlines the casework and projects that were completed during the year 2012. The following items are covered in the report:

- ✓ Planning Commission reviews and special projects
- ✓ Board of Zoning Appeals cases
- ✓ Permit activity
- ✓ Zoning enforcement

Moreover, this report explains the responsibilities of the Planning and Zoning Commission and the Board of Zoning Appeals.

The Village of Richfield, in the interest of promoting the public health, safety, convenience, comfort, prosperity and general welfare in Richfield, enacted a Zoning Code to zone within the limits of the Village of Richfield, Summit County, Ohio. The code regulates and promotes the orderly development of the community and the structures within the community in accordance with the Village's Comprehensive Plan and Thoroughfare Plan.

Authority of the Planning and Zoning Director: The Planning and Zoning Director is the administrative officer for the purpose of administering and enforcing the zoning code. The Planning Director shall have the power to issue zoning certificates for uses in residential districts.

PLANNING AND ZONING COMMISSION

The Planning and Zoning Commission consists of one member of Council and 4 appointed electors of the Village to serve 4-year terms. The Mayor shall be an ex officio member but shall have no vote. The Commission meets in public on the second and fourth Tuesdays of the month. Generally, the first meeting of each month is considered a “planning session,” the second meeting of the month typically entails requests made by applicants that require Planning Commission approval. Examples of items the Planning Commission acts on are conditional zoning certificates, non-residential zoning certificates, rezoning, amendments to the Zoning Code and Comprehensive Plan text.

The Planning and Zoning Commissions powers and duties are outlined in the *Charter Section 9.05* but, at minimum, shall plan the overall growth, development, redevelopment, rehabilitation and renewal of the Village. They may also inaugurate studies, conduct surveys, hold public hearings and develop plans and maps. Commission members interpret all zoning and platting ordinances, and make recommendations to Village Council concerning capital improvement programs, subdivision expansions, platting, zoning ordinances, and regulations.

Current Board Members: Rick Alkire – Vice-Chair (term expires December 31, 2013)
Charles Boester – Chair (term expires December 31, 2014)
Dan Holahan – (term expires December 31, 2015)
C. Pat Norris – (term expires December 31, 2016)
Ralph Waszak, Council Representative

2012 PLANNING COMMISSION ACTIVITY

SIGNS

- 1) Allstate Insurance was approved in February 2012 to install a 1.33'x6.16' (approximately 8.20 sq.ft.) wall sign (individual 1/2" black PVC letters) and a 1.92'x2.5' (approximately 4.8 sq.ft.) internally illuminated window sign at their tenant space located at 3807 Brecksville Road.
- 2) Clear Channel Outdoor received approval in March 2012 to repair a non-conforming billboard located at 3019 Brecksville Road.
- 3) In April 2012, Construction Mechanics received approval to install a 0.66'x13.60' (approximately 9.1 sq.ft.) wall sign (individual 1/2" black plastic letters) on their tenant space located at 4816 Brecksville Road.
- 4) In May 2012, Holly's received approval to construct a 3.16'x8.5' (approximately 26.9 sq.ft.) wall sign on the front of their tenant space located at 4174 Wheatley Road.
- 5) In January 2012, POC's Pierogi Market received approval to construct a 9'x10.45' (7.84 sq.ft.) wall sign on their tenant space located at 4131 West Streetsboro Road.
- 6) In October 2012, Ricoh USA received approval to remove their existing wall sign (IKON) on their tenant space at 4816 Brecksville Road and replace it with a new 3' x 16.66' (50 sq.ft.) wall sign.
- 7) In June 2012, the Planning Commission discussed possible amendments to the Sign Code to permit the Director of Planning and Zoning to review certain sign request administratively.
- 8) In May 2012, Z's Donut & Eatery received approval to add a 20.25"x41.5" (approximately 6 sq.ft.) sign panel in the existing ground sign located in front of their tenant space located at 3031 Brecksville Road.

CONDITIONAL ZONING CERTIFICATES

- 1) American Roadway Logistics received a conditional zoning certificate in February 2012 to permit outdoor storage in connection with their business located at 3920 Congress Road (the Selby Building).
- 2) American Tower received a conditional use approval in April 2012 to add one new antenna to their existing communications tower located at 2915 Brecksville Road.
- 3) Appliance Warehouse is received a conditional zoning certificate in April 2012 to permit a transfer terminal in the building located at 2755 Brecksville Road (the Milan Terminal).

- 4) In July 2012, Legacy Senior Care Group, LLC received a one-year extension of their 2010 conditional zoning certificate approval, which approved an assisted living facility on their property located at 3975 Everett Road.
- 5) In January 2012, National Polishing Systems received a conditional zoning certificate to permit a warehouse use in the building located at 5145 Brecksville Road (Richfield Office Park).
- 6) In August 2012, Ruan Logistics Corporation received a conditional zoning certificate to permit a truck and transfer terminal in the building located at 3024 Brecksville Road.

BUILDING ADDITIONS

- 1) In June 2012, Michael Gerbasi received approval to construct an addition to the existing porch on an existing non-conforming building located at 3930 Broadview Road.

ACCESSORY STRUCTURES

- 1) Jeff Campbell received approval in July 2012 to construct a 10' x 12' (120 sq.ft.) shed on the south side of his property located at 4578 West Streetsboro Road.
- 2) Dave and Cathy Clay received approval in February 2012 to demolish two existing sheds and construct a new 12' x 16' (192 sq.ft.) shed on the south side of their property located at 4025 Broadview Road.
- 3) In June 2012, FedEx received approval to construct a 20' x 30' (600 sq.ft.) accessory building (salt storage shed) at their 3201 Columbia Road property.
- 4) In November 2012, FedEx received approval to construct a 22' x 32' (704 sq.ft.) accessory building (salt storage shed) at their 2977 Brecksville Road property.

CHANGE OF GRADE PERMITS

- 1) In September 2012, Empaco received a five year extension of their 2004 change of grade permit approval. The approval authorized the applicant to crush concrete and change the grade of the property by utilizing the crushed material on-site for erosion control. The permit is valid through September 2017.

PLAT AMENDMENTS

- 1) In September 2012, the Planning Commission approved a request to replat subplot nine off of Deer Creek Trail in the Olde Orchard Subdivision. The purpose of the replat was to correct the actual location of the riparian corridor as it relates to Sublot nine.

MISCELLANEOUS

- 1) In September 2012 the Planning Commission - through the Planning and Zoning Director - performed a complete analysis of the recently adopted Zoning Code to determine the extent of the changes made to all the District regulations. As a result of the analysis, the Planning Commission initiated text changes to the Code.

- 2) In October 2012, the Planning Commission initiated a zoning text amendment to change the rear yard setback requirement for main structures in the R-1 Zoning District from 100 to 60 feet.
- 3) In November 2012, the Planning Commission initiated a zoning text amendment to Section 1107.11 Condition and Safeguards to add a referral of use variance decisions to the Planning and Zoning Commission.
- 4) In September 2012, the Planning Commission considered an amendment to Chapter 1107 of the Code to allow an automatic review by Village Council of use variance approvals made by the Board of Zoning Appeals.
- 5) In May 2012, the owners of the new Hindu Temple received approval to remove an existing 36” Tulip tree that was previously listed as “to remain” on the approved site plan for the development.
- 6) In the fall of 2012, over the course of several months the Planning Commission analyzed where higher density housing (particularly senior housing) should be planned for in the Village. Ultimately, in October 2012 the Commission initiated a rezoning of several parcels along West Streetsboro and Humphrey Road from their current R-2 designation to the R-4 Zoning District. After the public hearing in November 2012, the Planning Commission amended their proposal to rezone the properties to the R-3 District.

SUBDIVISION ACTIVITY

- 1) Prairie Vista – Petros Homes
In 2006, final approval was granted for a major subdivision for 20 new homes. The development was dedicated in 2007. The final homes are currently under construction and the development should be completed in 2013.
- 2) Olde Orchard Phase I of II– Petros Homes
In 2006, final approval was granted for Phase I and II of this housing development for 12 new homes. Recent activity has picked-up for this development and several new homes will be under construction in 2013.

BOARD OF ZONING APPEALS

The Board of Zoning Appeals powers and duties are outlined in the *Charter Section 10.02* but, at a minimum, shall hear appeals by any person aggrieved by any action of the Zoning Inspector and determine whether an exception or a variance to the zoning code can be granted.

The Board of Zoning Appeals consists of 5 electors of the Village to serve 5-year terms. The Board schedules 5 meetings on the second Wednesdays of a month during the year. An applicant may request a special meeting of the Board on the remaining 7 months.

Current Board Members: Bart Sauer – Chair (term expires December 31, 2013)
Tessa Torowski – Secretary (term expires December 31, 2014)
Roger Swan – (term expires December 31, 2015)
Jason Lorenzon – Vice-Chair (term expires December 31, 2016)
Jim Turk – (term expires December 31, 2017)

2012 BOARD OF ZONING APPEALS ACTIVITY

- 1) In March 2012, LTC Realty IV, LLC was denied a use variance pursuant to Section 1107.07 of the Planning and Zoning Code. The request was made in connection with the applicant's desire to construct an assisted living facility and a separate skilled nursing home on the property located at 4315 West Streetsboro Road (formerly Richfield Elementary).
- 2) In May 2012, Mr. Hujer received a variance pursuant to Section 1107.05 of the Richfield Planning and Zoning Code to permit a pool within the rear yard setback of the property located at 3510 Five Oaks Drive. In addition, two other variances were approved: 1) a variance pursuant to Section 1124.07 (d) of the Code to permit the pool closer to the Harold Drive street right-of-way than the main building and; 2) a variance pursuant to Section 1181.13 of the Code to permit a small section of six foot tall privacy fencing in the front yard of the property facing Harold Drive.
- 3) In June 2012, Mr. Hlavin received a variance request pursuant to Section 1107.05 of the Richfield Planning and Zoning Code to increase the width to depth ratio of a non-conforming parcel located at 3560 Broadview Road.
- 4) In May 2012, Ward Trucking received a variance pursuant to Section 1107.05 of the Richfield Planning and Zoning Code to permit a 10' x 12' building (guard shack) within the front yard setback of the property located at 2800 Brecksville Road.
- 5) In July 2012, Michael Gerbesi received a variance pursuant to Section 1107.05 of the Richfield Planning and Zoning Code to permit the extension of an existing porch into the side yard setback. The building is an existing non-conformity located at 3930 Broadview Road.
- 6) In December 2012, Carrara received a variance pursuant to Section 1107.05 of the Richfield Planning and Zoning Code to permit a 10' x 20' (210 sq.ft.) wall sign on their building located at 3774 Congress Parkway.
- 7) In September 2012, Tammy Lang received a variance pursuant to Section 1107.05 of the Richfield Planning and Zoning Code to permit a building addition within the front yard setback of the property located at 3145 Southern Road.
- 8) In December 2012, Jim Smith received two variances pursuant to Section 1107.05 of the Richfield Planning and Zoning Code for 5219 Brecksville Road. The first variance permitted a reduction of the rear yard setback from 30 to approximately 15 feet and the second variance reduced the minimum landscaped area from the required 30 percent to approximately 21.75 percent. These two variances were related to the applicant's desire to construct a building addition to the existing Exit 11 Tire.

OTHER DATA

ZONING PERMIT ACTIVITY SUMMARY

	2012	2011	2010	2009	2008	2007	2006
Total # of permits issued:	52	50	47	68	54	82	70
Permit fees collected:	\$9,565	\$7,065	\$7,351	\$21,952	\$15,251	\$9,430	\$21,005

PERMIT ACTIVITY BREAKDOWN

	2012	2011	2010	2009	2008	2007	2006
New Homes:	6	6	7	17	17	9	9
Commercial buildings/additions:	3	1	1	3	3	5	5
Occupancy permits:	8	12	9	9	7	16	8
Sign permits:	5	5	3	11	7	13	8
Lot splits:	1	1	1	0	0	3	2
Cell tower co-locations:	1	1	1	0	0	0	0
Major/minor subdivisions:	0	0	0	0	0	0	1
Demolition:	0	0	0	1	1	0	0
Remaining permits*	29	24	23	27	18	38	37

*Includes additions, fences, accessory buildings, porches, decks, culverts, pools.

NOTIFICATIONS FOR ZONING/PROPERTY ENFORCEMENT

Total number of notices sent: 15

Commercial

Residential

Successful commercial enforcements:	3	Successful residential enforcement:	12
Pending commercial enforcement:	3	Pending enforcement:	2

ECONOMIC DEVELOPMENT ACTIVITY

In January 2012, economic development activities for the Village were transitioned from Mr. Ralph Waszak to Mayor Beshara and Brian Frantz. Since that time, the two have been reaching out to Richfield Businesses to inform them of the transition and determine what, if any, needs the local businesses have and if there is any potential for expansion in the near future. These business visits continue into 2013.

In addition to meeting with businesses, the Mayor and Brian have been working on several economic development leads. In doing so, the Village submitted a response to the following business leads generated by the State of Ohio:

- 1) Project Chuck
- 2) Project Collaborate
- 3) Project Cutler
- 4) Project Furniture
- 5) Project Hibiscus
- 6) Project Medical
- 7) Project Next
- 8) Project Ranger
- 9) Project RX
- 10) Project Think
- 11) Project Tire

**OTHER 2012 PROJECTS UNDER DIRECTION OF THE DIRECTOR OF
PLANNING AND ZONING**

- 1) Phase II Environmental Analysis for the Soni Property. This project is nearing completion and the Phase II report should be accepted by Ohio EPA in 2013.
- 2) Reimbursement for the Phase II Analysis. The Village was reimbursed \$262,100 for the work completed for the Phase II Analysis.
- 3) Carter/Pedigo Trail Construction. The 1.2 mile long trail was completed in September 2012 and the Village has received reimbursement of State funds for the project.
- 4) Hindu Temple Construction. This project started construction in spring of 2012 and occupancy of the building will likely occur in May 2013.
- 5) Retail Market Analysis. The Village contracted with MB3 Consulting to complete a retail market analysis. The analysis was completed in 2012 and is awaiting final adoption from Village Council, which is anticipated in 2013. This project was completed in connection with the Crossroads of Commerce study that was also completed in 2012.