



SHAKER HEIGHTS

**Board of Zoning Appeals and City Planning Commission
Tuesday, March 5, 2019
7 P.M.
City Hall Council Chambers**

Members Present: David Weiss, Mayor, Chair
Rob Zimmerman, Council Member
John J. Boyle III, Member
Kevin Dreyfuss-Wells, Member
Joanna Ganning, Member

Others Present: William M. Gruber, Director of Law
Dan Feinstein, Senior Planner

The meeting was called to order by Mayor David Weiss at 7:00 p.m.

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Approval of the February 5, 2019 Meeting Minutes

It was moved by Mr. Boyle and seconded by Mr. Zimmerman to approve the Minutes.

Roll Call: Ayes: Weiss, Zimmerman, Boyle, Ganning
Nays: None

Motion Carried

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BOARD OF ZONING APPEALS

#2014. Around the Table Yarns – 20085 Chagrin Boulevard:

A Public Hearing was held on the request of Elizabeth Billings, Around the Table Yarns, LLC, 20085 Chagrin Boulevard, to the Board of Zoning Appeals for a variance to the sign regulations. The applicant proposes a wall sign for this new business on the Chagrin Boulevard side of Shaker Plaza. The sign is 35 square feet in size. Code allows a primary wall sign to be 24 square feet in this instance. The 3 foot by 11 foot 8 inch sign consists of 10 inch individually illuminated letters with a logo integrated into the design.

Mr. Feinstein showed slides of the site. He stated this is a request for a variance to the size of a primary wall sign. The applicant proposes a 35 square foot illuminated wall sign for their new business. The sign faces the Chagrin Boulevard side of Shaker Plaza. Code allows a 24 square foot wall sign based on the width of the storefront. The proposed sign, without the crochet hook, does meet the 24 square foot requirement. The Architectural Board of Review approved the sign design and expressed support for the variance. Staff supports the request.

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Mr. Dreyfuss-Wells arrived at the meeting.

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Elizabeth Billings, 14718 Shaker Boulevard, said she started a new business with a partner. Their permanent space is on the Chagrin Boulevard side of Shaker Plaza. They need a sign that is easily legible from Chagrin Boulevard. They are hard to find as there is not a direct entry into their side of the building, even though they explain on their website, and talk to people on the phone. Their sign is appropriately sized, with the exception of the crochet hook which sticks out of the letters as part of their logo. If the crochet hook were not a part of the sign design, then the sign would meet the regulations. They request approval so they can have an appropriately sized sign on their storefront.

Mr. Dreyfuss-Wells said the crochet hook is a small element. It does not make the sign look oversized. He asked how large the crochet hook element is.

Ms. Billings said the hook is approximately 2 inches by 12 inches.

Mr. Zimmerman said he is glad he learned the difference between a crochet hook and a needle. In his opinion, this is an appropriately designed sign.

Mr. Boyle said that between the small crochet hook and the location of the sign, he supports the idea of a variance for this sign size.

Mr. Dreyfuss-Wells complimented the sign design. He said it is artistically pleasing. It is appropriate in this location.

Dr. Ganning said the sign is pleasant. She expressed her thanks for the new business in the community.

Mayor Weiss opened the Public Hearing. No one was present to speak in regard to this application.

It was moved by Mr. Boyle and seconded by Mr. Dreyfuss-Wells to approve the request based on the findings of fact and conclusions of law as set forth in the Action Sheet.

Roll Call: Ayes: Weiss, Zimmerman, Boyle, Dreyfuss-Wells, Ganning
Nays: None

Motion Carried

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#2015. Shaw Residence – 14206 South Woodland Road:

A Public Hearing was held on the request of Trevor Shaw, 14206 South Woodland Road, to the Board of Zoning Appeals for a variance to the height and setback requirements for front yard fences. The Shaw property extends from South Woodland Road through to Van Aken Boulevard. The applicant has installed a 6-foot tall wood board-on-board fence. The fence is set back 15 feet from the Van Aken Boulevard property line. The maximum height for a front yard fence is 3 feet. A 33 foot setback is required for a fence in the front yard of Van Aken Boulevard. The existing landscaping of bushes and trees is proposed to remain to soften the view of the fence from Van Aken.

Mr. Feinstein showed slides of the site. He stated this is a request for a variance to the front yard fence location and height regulations. The existing fence is located in the front yard of the Van Aken Boulevard fronting yard of this through property. The applicant's house faces South Woodland Road. The 6 foot tall board-on-board fence was installed around the rear yard to within 15 feet of Van Aken Boulevard. Code allows only a 3 foot tall fence in the Van Aken Boulevard front yard, which must be set back 33 feet. The existing landscaping remains to soften portions of the fence. Staff suggests continuation in order for the owner to obtain an evergreen landscape plan.

Trevor Shaw said he lives at 14206 South Woodland Road. He and his wife moved into the home in January of last year. The house just came with a great yard, with a double lot. They then got a dog and now have recently had their first child. They decided that after chasing the new dog after the dog chased deer across Van Aken Boulevard into Cleveland that they needed a fence. He apologizes that the permit and review does not seem to have happened in the correct manner. He would have rather had this conversation with the City before the fence was installed. The fence is not very visible when the leaves are on the trees. But now that it is winter, it is visible from Van Aken Boulevard. They do intend to install landscaping around the fence so that it cannot be seen in the summer, as well. They will plant evergreen bushes. They have contacted several landscapers to give them quotes. They did submit one preliminary design to the Board that was submitted by a landscaper.

Mr. Zimmerman said he is concerned that this case is not fully ripe for discussion this evening as there is not a final landscape plan. Staff is suggesting continuance. At this point, his concern is that the applicant and the Board are reviewing this application without all of the facts.

Mr. Feinstein said the case was put on the agenda as the applicant and staff were discussing landscape options. Staff knew the applicant was working on options before the meeting. This has not come together in the short time between submission and meeting date, as was hoped.

Dr. Ganning said a 4 foot tall fence is more usual for this Board to approve for a fence in a front yard. A four foot tall fence should be able to enclose a dog at most times.

Mr. Shaw said that he fears that his dog, when chasing a deer, would certainly need a 6 foot tall fence in order to not jump over it. All of the fence contractors with which he consulted said only a 6 foot tall fence would keep deer out of his yard.

Mr. Boyle asked if he had spoken with his neighbors regarding the fence.

Mr. Shaw said he spoke with his side neighbors on South Woodland. They support the variance and the fence. He did speak once with the neighbor on Van Aken Boulevard and he was accepting of the fence. He had just moved in after the fence was completed. That owner is now installing a fence in his own yard.

Dr. Ganning asked about the fence that is located on Aldersyde. She asked how that came about.

Mayor Weiss said he remembers that case. It was erected without a permit, due to circumstances with the owner of the property.

Mr. Feinstein said that fence was erected as a 6 foot tall fence. After the variance process, it was approved to be scalloped. This scalloping was done to the existing fence and did not turn out well.

Dr. Ganning said that if the fence was black metal it would be much less visible and possibly much easier to approve.

Mr. Dreyfuss-Wells asked about the color. Had the applicant thought of changing the color of the fence with stain so that it is not as bright?

Mr. Shaw said they could consider staining the fence a darker color. He said they absolutely want a 6 foot tall fence to contain the dog and to keep the deer out, as well as because they do back up to Van Aken Boulevard, which is a busy street with a parking lot across the street. They hope to have quotes for landscaping to completely hide that 6 foot tall wood fence with evergreen landscaping in the near future.

Mr. Zimmerman said the Board certainly needs to see a detailed landscape proposal in order to consider this application further. He asked if the 6 foot tall fence is really needed. He would like to see something shorter, and certainly a landscape plan which shows evergreens to hide the fence.

Mr. Shaw said 6 feet tall is necessary for he and his family, for their rear yard. He completely agrees about the landscaping. Their intent is to hide the fence as completely as possible. He wants to add evergreen landscaping to obscure the view in the winter.

Dr. Ganning said there are several things for the applicant to consider. The setback from the street, the color of the fence, the additional landscaping, and the height of the fence. Some or all of those things may need to be revised before the Board reviews the application again.

Mr. Dreyfuss-Wells made the point that the mature landscaping that is already in place is very helpful in the summer. He would hope that any new landscaping would not get rid of the existing landscaping. He thinks a dark stain on the fence would help, as well as evergreen landscaping. He thinks that a combination of darkening the fence as well as hiding it will make a better application request.

Mr. Shaw said he will work with the landscapers and his fence company to discuss both color of the fence and landscaping the fence in order to bring back a full proposal to the Board.

Mayor Weiss opened the Public Hearing. No one was present to speak in regard to this application.

Mr. Feinstein said the next meeting is in April, but will work with the applicant to assure that full details are submitted for that next review.

Mayor Weiss said the applicant now has a list of options to work with in order to bring back a detailed, revised plan for further review.

The request was continued for the following:

- Consider a combination of the following factors before submitting a complete revised submission: the fence height, style and color, evergreen and existing deciduous landscaping, and the setback from Van Aken Boulevard.
- Submission of a detailed landscape plan of evergreen shrubs to screen the fence while maintaining the existing deciduous landscaping. The plan needs to include the species, location and installation height of proposed landscaping.

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There being no further business, the meeting was adjourned at 8:00 p.m. The next meeting will be April 2, 2019.



David E. Weiss, Chair
Board of Zoning Appeals
City Planning Commission



Daniel Feinstein, Secretary
Board of Zoning Appeals
City Planning Commission