

# RECORD OF PROCEEDINGS

Minutes of

Village of Valley View Planning Board

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held ~~Tuesday, November 20<sup>th</sup>, 2018~~

20

## Minutes

### Planning Commission – Village of Valley View

Tuesday, November 20<sup>th</sup>, 2018- Village Town Hall-5:30 p.m.

Caucus session begins at 5:15 p.m.

#### Roll Call:

Members: (\*) indicate present

Commissioner, Alan Sprague\*

Mayor Piasecki\*

Council Member, Dave Wingenfeld\*

Engineer, Todd Sciano\*

Building Commissioner Ellis\*

Law Director, Lambros\*

Commissioner, Joe White\*

Commissioner, Mike Bertovich\*

Architectural Member, Tony Fini\*

Recording Secretary, Mary Snyder\*

Public Attendance: Randy Baker, Architect. Doug Callahan, Ford. Joe Lombardo. Joe White

Mayor Piasecki started the caucus with showing the board the layout regarding the first request at 6050 Carey Drive. Mr. Joe White explained that his company sells packaging material and equipment. They also have a service center where they service machines such as shrink machines. They starting the business 35 years ago. They were looking at another building to expand to in the Village, but it didn't work out. They lease two other buildings in the village. With this new addition he would be able to consolidate and have more under one roof. The second request is for a lot split and consolidation at some parcels on Cloverleaf Parkway. The third one is a request for approval for construction of a new building, parking areas and variances on Granger Road. Mayor Jerry stated regarding item number 3 at the end of the sentence it should state automobiles and vehicles. Law Director Lambros advised it to say motor vehicles. The last item is planning commission business that was an issue with construction at 13640 Laurel Lane. Mayor Piasecki, White and Bertovich gave approval by phone for them to continue construction.

**Moved by Bertovich, seconded by Sprague** to accept the minutes of the September 18<sup>th</sup>, 2018 Planning Board meeting as prepared and put them on file.

#### Roll Call: Aye – Bertovich, Sprague, White, Wingenfeld, Piasecki

The meeting will start with Ford since representatives are present. Randy Baker an architect from Warren, Ohio has been designing dealerships for over 41 years around the state. Valley Ford has struggled finding property in Valley View. Randy Baker stated how mostly all the Ford dealerships are starting to look alike and have adopted the Ford trust look. The plans were also designed with Ford planning so they look like other dealerships. Mr. Baker said the building is big, but has a nice attraction to it. Mr. Baker said overall they have about 36,000 square feet on the ground floor and about 10,000 square feet in addition to that on the second floor office space for about a total of 46,000 square feet of enclosed building. There are three variances that are required to make this project work. The need parking for the display of vehicles. Mayor Piasecki stated he thinks the layout make a lot of sense and it's very nice and organized. He said that Valley Ford is always easy to work with and he is glad they are staying in the community.

**Moved by Piasecki, seconded by Bertovich** to approve the Request for Approval of construction of a new building, parking areas, and variances at Granger Rd. (P.P.N. 571-04-001) A request for variance from Ordinance Section 1254.02(a)(2) – a use variance for the sale of motor vehicles.

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**Roll Call: Aye – Bertovich, Sprague, White, Wingenfled, Piasecki**

The second one at this location is a request for 45.5 feet variance for setback parking. No questions or comments.

**Moved by Sprague, seconded by Bertovich** to approve the request for variance from Ordinance Section 1270.05(b) – a 45.5 feet front yard setback to parking variance

**Roll Call: Aye – Bertovich, Sprague, White, Wingenfled, Piasecki**

The third item is a request for a 23.5 side yard setback. No questions or comments.

**Moved by Bertovich, seconded by White** to approve the request for variance from Ordinance Section 1270.05(b) – a 23.5 feet side yard setback variance

**Roll Call: Aye – Bertovich, Sprague, White, Wingenfled, Piasecki**

The next variance request for this business is a corner lot request for side yard parking

**Moved by White, seconded by Wingenfled** to approve the request for variance from Ordinance Section 1270.05(b) – a corner lot front side yard setback to parking variance

**Roll Call: Aye – Bertovich, Sprague, White, Wingenfled, Piasecki**

The last item for Ford is a request for overall approval for the construction of a new building and parking area and the board had a very good explanation from Mr. Baker. Engineer Sciano stated this project is going to be similar to the recent Ferguson project that this is a conditional site plan approval as amended by the mayor. This represent the max build. Depending on the pond and retention this would be the maximum build possible. Councilman Wingenfled asked Mr. Baker if he is involved with the landscape? Mr. Baker replied yes that they would typically design the landscape plans. He stated it is a little premature to show that now, but they will be presenting a plan at a later date. They will be submitting a separate landscape plan. He said trees typically aren't friends of automobile dealerships because they attract birds and block vision. He said what they would propose would not be a lot of landscaping he would assume. He said he was aware of ordinance and they will be sensitive to it and would propose what they feel is reasonable for the project. Mr. Wingenfled stated having access to the Towpath will be great for their employees and customers. Mayor Piasecki asked if they have a certain milestone date? Mr. Baker answered that it is always ideal to start construction in the spring for an ideal situation, but that is about all he can answer at this point.

**Moved by Bertovich, seconded by Wingenfled** to approve the request for overall approval of construction of a new building and parking areas.

**Roll Call: Aye – Bertovich, Sprague, White, Wingenfled, Piasecki**

On the second item on the agenda regarding a lot split and consolidation on the east side of Cloverleaf Parkway. Joe Lombardo presented a drawing and report that goes with it. Engineer Sciano stated the only changes and the reason he is back on the agenda tonight is because a dedication piece has been added for future widening. Mayor Piasecki stated it would be where Cloverleaf Parkway meets Granger Road. Engineer Sciano stated there is an alignment issue there and when you pull up to see the cars coming from the left the traffic movement can turn behind you. The alignment issued needs to be fixed and a traffic study needs to be done to see if a signal is necessary with these new businesses coming. Mr. Lombardo believes that the last traffic study that was done was just short of meeting the requirements for a light. He believes that with these two additional users in the park he thinks it would be warranted from the last one 10 – 15 years ago.

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**Moved by Bertovich, seconded by White** to approve the request for lot split and consolidation for various parcels on the east side of Cloverleaf Pkwy, South of Grangers Rd. and north of West Canal Rd.

**Roll Call: Aye – Bertovich, Sprague, White, Wingenfled, Piasecki**

Law Director Lambros stated a motion is needed for the dedication.

**Moved by Wingenfled, seconded by White** to approve the dedication for the various parcels north of West Canal at Cloverleaf Parkway.

**Roll Call: Aye – Bertovich, Sprague, White, Wingenfled, Piasecki**

Moving back to the first item on tonight's agenda 6050 Carey Drive. No questions or comments.

**Moved by Bertovich, seconded by Sprague** to approve the request for approval of a building addition, additional drives, parking areas, and variances at 6050 Carey Drive (P.P.N. 571-22-017). A Request for Variance form Ordinance Section 1254.03(b) – a 21 feet side yard variance.

**Roll Call: Aye – Bertovich, Sprague, Wingenfled, Piasecki**  
**Abstain: White**

No additional comments or questions.

**Moved by Wingenfled, seconded by Bertovich** to approve the request for variance from Ordinance Section 1262.06(d) – a 2 feet driveway setback variance

**Roll Call: Aye – Bertovich, Sprague, Wingenfled, Piasecki**  
**Abstain: White**

No additional comments or questions.

**Moved by Bertovich, seconded by Sprague** to approve the request for variance from Ordinance Section 1270.05(b) – a 6 parking space variance

**Roll Call: Aye – Bertovich, Sprague, Wingenfled, Piasecki**  
**Abstain: White**

No additional comments or questions.

**Moved by Bertovich, seconded by Wingenfled** to approve the request for variance from Ordinance Section 1270.05(b) – a 44 feet front yard setback to parking variance.

**Roll Call: Aye – Bertovich, Sprague, Wingenfled, Piasecki**  
**Abstain: White**

The next one is not a variance is a request for overall approval of building addition, additional drives and parking areas.

**Moved by Bertovich, seconded by Sprague** to approve the request for overall approval of a Building Addition, additional drives, and parking areas.

**Roll Call: Aye – Bertovich, Sprague, Wingenfled, Piasecki**  
**Abstain: White**

Mayor Piasecki told Mr. White he is glad to have Pakrite in the village. Mr. White thanked the board.

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Building Commissioner Ellis stated that regarding the planning business he would like to submit his report to the planning minutes.

**Moved by Bertovich, seconded by White to adjourn.**

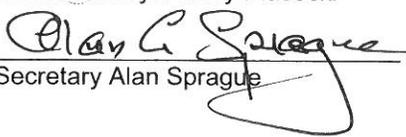
**Roll Call: Aye – Sprague, Bertovich, Wingenfeld, White, Piasecki**

Meeting adjourned at 6:15 p.m.

Date:

4/16/2017

  
Chairman Mayor Jerry Piasecki

  
Secretary Alan Sprague

Office of the Residential Building Official / Village of Valley View  
6848 Hathaway Rd.  
Valley View, OH 44125

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**Adjudication Order No. P002220**

Residential Code of Ohio, Section 109

October 10, 2018

Project: Petel Addition  
13640 Laurel Ln.  
Valley View, OH 44125

Owner/Owner's  
Authorized Agent: Bryan R. & Nicole E. Petel  
13640 Laurel Ln.  
Valley View, OH 44125

In response to the findings of non-compliance for inspection dated 10/10/2018 it has been determined that violation(s) exist to the following section(s) of the law or rules adopted by the Ohio Board of Building Standards pursuant to Chapters 3781 and 3791 of the Ohio Revised Code.

Item#	Law/rule violation <i>RCO Section 109.1(1)</i>	Finding of Non-Compliance	Specific revision required
1	108.6	Nonconformance with the approved residential construction documents	Exterior walls shall be 2x6 framing per the approved residential construction documents. Insulation in the exterior walls shall be R-19 per the approved residential construction documents. The window in the bedroom shall meet egress requirements.
2	109.1.2(2.1)	Stop Work Order: Installation of gypsum board shall cease immediately.	Work may resume when these items are corrected and brought into accordance with the approved residential construction documents and re-inspected.

Provide a correction letter indicating how items of non-compliance are to be resolved. The review for compliance shall be limited to the items of non-compliance. The owner shall bring these items listed into compliance within 30 calendar days.

An appeal may be requested to the appeals board listed below within 30 days of this certified mailing notice.

Notify the building department of your appeals request. You have the right to be represented by counsel, present arguments or contentions orally or in writing, and present evidence and examine witnesses appearing for or against you.

File a request to:

The Valley View Planning Commission  
6848 Hathaway Rd.  
Valley View, OH 44125  
Phone: (216) 524-6511

In addition to the provisions of the Revised Code, the municipal, county, or state board of building appeals, as the agency conducting the adjudication hearing, may reverse or modify the order of the enforcing agency if it finds that the order is contrary to the Revised Code or to a fair interpretation or application of such laws or rule, or that a variance from the provisions of such laws or any rule, in the specific case, will not be contrary to the public interest where a literal enforcement of such provisions will result in unnecessary hardship.

If an appeal is waived, failure by the owner to respond to the order to comply per RCO 109.2 could result in prosecution and subject to a fine of a maximum of \$500.00 as provided for in section 3791.04 of the Ohio Revised Code.

Residential Building Official Signature: \_\_\_\_\_

*Larry Ellis, RBO*

Cert. # 420



November 6, 2018

Honorable Jerry Piasecki, Mayor  
Carol L. Tomasko, Clerk-Treasurer  
Members of Council  
Members of Planning Commission  
Solicitor David A. Lambros  
Architect Tony Fini  
Engineer Todd Sciano  
Clerk Mary Snyder  
Village of Valley View  
6848 Hathaway Rd.  
Valley View, OH 44125

Re: Petel Appeal of Non-Compliance  
13640 Laurel Ln.  
P.P.N. 572-28-060  
Valley View, OH 44125

Dear Mayor, Clerk-Treasurer, Members of Council, Members of Planning Commission, Solicitor, Architect, Engineer, and Planning Commission Clerk:

The home owner at 13640 Laurel Ln. was issued a plan approval on August 30, 2018 to construct a second floor addition above the garage. On October 10, 2018 the construction was found to be non-compliant with the approved plans. Enclosed please find the following information regarding an appeal:

1. One copy of the Certificate of Plan Approval for the Addition at 13640 Laurel Ln.
2. One copy of the approved exterior wall envelope section submitted by the home owner for plan review.
3. One copy of Section 1102 from the 2013 Residential Code of Ohio (RCO) entitled Building Thermal Envelope.
4. One Copy of Table 1102.1 from the 2013 Residential Code of Ohio (RCO) entitled Insulation and Fenestration Requirements by Component.
5. One copy of the Adjudication letter sent to the home owner.



6. One copy of the appeal letter from the home owner(s) sent to the Building Department.

Please note the following comments regarding this appeal:

1. Pursuant to Section 105.5 of the 2013 RCO after review of the application and plans a certificate of plan review was issued.
2. Upon inspecting the addition in conformance with the approved plans it was discovered that R-13 insulation was used in the exterior wall cavities instead of R-19 as presented in the approved plans.
3. An Adjudication letter was sent by certified mail to the home owner describing the issues of non-compliance and informing the property owner that they have a right to an appeal.
4. The Homeowner sent a letter requesting an appeal.

In summary, the homeowner has requested an appeal of findings of non-compliance which requires a Request for Variance from Chapter 11 of the 2013 Residential Code of Ohio (RCO) entitled Energy Efficiency – Variance from insulation requirements.

Please review the enclosed information and the above comments regarding the appeal. Please feel free to contact me if you have any questions or comments.

Respectfully,

*Larry Ellis*

Larry Ellis  
Residential Building Official

Enclosures