

**Board of Zoning Appeals Meeting Minutes
December 8, 2010**

Chair Joe Weinstein convened the Board of Zoning Appeals meeting at 6:00 p.m. Present were Joe Weinstein, Dave Robinson, Paul Wilkerson, Russell Hose, Neal Call and Naureen Dar. Zoning Inspector Matt Springer was present.

NEW BUSINESS:

PUBLIC HEARING

APPLICANT: **ROGER HASS (WINDSONG CARE CENTER)**

LANDOWNER: **WS HOLDINGS , LLC**

LOCATION: **120 BROOKMONT DR.**

ZONING DISTRICT: **C-3 COMMERCIAL**

VARIANCE: **ART. XV – RIPARIAN SETBACK**

Chair Weinstein opened the public hearing.

Chair Weinstein swore in all persons that wished to speak.

Chair Weinstein swore in Zoning Inspector Matt Springer.

Mr. Springer stated that the applicant was before the Board requesting a variance to construct a gravel parking lot and a water detention basin within a riparian setback area.

Mr. Springer stated that the Windsong Care Center meets the minimum parking requirements but would like to add additional overflow parking to the rear of the building. There are 44 existing parking spaces on the site and the applicant is proposing to install an additional 24 gravel parking spaces. Mr. Springer stated that although the gravel parking spaces will not encroach into the riparian area, grading will occur within the riparian area and is necessary for the installation of a detention basin.

Mr. Springer continued by saying that the Summit Soil and Water Conservation District (SCSWCD) reviewed the application and had no objections to the request and felt that the installation of a detention basin would actually help to improve storm water quality. The SCSWCD requested that after the grading is completed and the detention basin is installed, that a floodplain seed mix be used to stabilize the soil banks.

Mr. Wilkerson asked if the applicant would agree to this.

Mr. Roger Hass agreed to install floodplain seed mix for bank stabilization.

Mr. Gary Rouse stated that is an engineer from GBC Design and was responsible for the proposed parking and detention basin. Mr. Rouse stated that the area in which the parking will be placed is rather flat but grading will be necessary to achieve a low point for the detention basin. Furthermore, grading will be necessary to rebuild portions of the stream bank. Mr. Rouse agreed that using a floodplain seed mix would be a good solution for soil stabilization.

Mr. Springer stated that the Copley Fire Department also reviewed the proposed parking area and had no objections but requested that the drive to the proposed parking area be marked as "Fire Lane – No Parking". In addition to the striping, the Fire Department is requesting that the drive be a minimum of 20' in width so that the fire ladder truck is able to access the rear portion of

Windsong and be stabilized on a solid surface.

Mr. Weinstein asked if the applicant would agree to these conditions.

Mr. Michael Demagall stated that he was Windsong's administrator and he was in full agreement to the conditions set forth by the SCSWCD and the Copley Fire Department.

Mr. Hass stated that he believed the drive was at least 20' wide at the moment but would check to make certain that this request was satisfied.

Mr. Wilkerson asked if the gravel parking would be paved with hard surface in the future.

Mr. Hass stated that they would like to see how the gravel surface works during the cold winter months before exploring any other options.

Chair Weinstein asked for additional comments from the floor. None were offered.

Mr. Robinson moved to close the public hearing, Mr. Call, second. Mr. Weinstein called for the vote. Mr. Wilkerson, aye, Mr. Robinson, aye, Mr. Hose, aye, Mr. Call, aye. The motion carried.

Mr. Robinson moved to approve the variance request as submitted, Mr. Wilkerson, second. Mr. Weinstein called for the vote. Mr. Robinson, aye, Mr. Wilkerson, aye, Mr. Weinstein, aye, Mr. Call, Mr. Hose, aye. The motion carried.

Mr. Weinstein asked the Board to review the minutes of November 18, 2010.

Mr. Robinson moved to approve the minutes from November 18, 2010 as submitted, Mr. Hose, second. Mr. Weinstein called for the vote. Mr. Robinson, aye, Mr. Wilkerson, aye, Mr. Call, Mr. Hose, aye. The motion carried.

Next meeting date: January 12, 2011.

With no further business to come before the Board, the meeting was adjourned at 6:25 p.m.

Approved By:

Submitted By:

Joe Weinstein, Chair

Matt Springer, Zoning Insp.