

**MINUTES OF A VIRTUAL MEETING
ARCHITECTURAL BOARD OF REVIEW
CITY OF INDEPENDENCE
September 3, 2020**

The Meeting was called to order by Acting Chairman Michael Gero at 3:06 p.m. and the following responded to Roll Call:

PRESENT: **Michael Gero, Building Official
Don Ramm, City Engineer
Steve Rega, Fire Chief
Don Reis, Fire Lieutenant
Jeff Markley, City Planner**

ABSENT: **Norm Casini, Chairman**

New Business:

- 1. 6360 Mackenzie Drive, Timothy & Margaret Trombetta** - Represented by American Construction Group for the construction of an in ground pool and accessory building.

Acting Chairman Gero stated that he wanted the Minutes to reflect that the Chairman has been excused.

Acting Chairman Gero asked if there were any corrections or additions to the Minutes of the August 20, 2020 Architectural Board of Review meeting. There were none.

A motion was made by Building Official Gero, seconded by City Engineer Ramm, to approve the Minutes of the Architectural Board of Review meeting of August 20, 2020.

ROLL CALL: **Yeas: Gero, Ramm
Nays: None
MOTION CARRIED**

6360 Mackenzie Drive, Timothy & Margaret Trombetta - Shane Heckert of American Construction Group was in attendance via Zoom along with homeowner Margaret Trombetta.

Acting Chairman Gero stated that around noon he received another set of updated drawings for the project which included the site plan along with the topography. He stated that he didn't believe the City Planner didn't receive the drawings that included the elevations of the pool house. He stated that late last week they received some updated drawings that showed a pool house. They were very basic. He stated that the pool house will have to go to Zoning for size.

**MINUTES OF A MEETING OF THE ARCHITECTURAL BOARD OF REVIEW
CITY OF INDEPENDENCE, OHIO
September 3, 2020**

He was not sure about the height. The Acting Chairman checked, and the pool house would also need a variance for the height of the pool house.

Acting Chairman Gero asked Mr. Heckert to give the Board an overview of the project.

Mr. Heckert stated that the Trombettas went out to purchase a little bit more of another parcel for an in ground pool project. He stated that the in ground pool will be located in the new parcel. They were going to put it in as tight as they could. He stated that the pool itself was within the setbacks. He stated that the coping was something that they might have to get a variance on. Mr. Heckert stated that the project consisted of an in ground pool and shed combo.

City Planner Markley stated that Mr. Heckert had mentioned the coping potentially being outside of the setback. He asked about the pavement, the portable gazebo and all the fencing.

Mr. Heckert stated that those were the pieces that would mainly be outside of the setbacks for the property.

City Planner Markley stated that it would be the slide as well. He stated that he couldn't tell what the square was to the right of the slide.

Mr. Heckert stated that it was a proposed fire pit.

City Planner Markley asked how far was the fence from the property line.

Mr. Heckert stated that the fence was directly on the property line. He stated that on the east side and south side it was on the property line, and on the west side it was off the property approximately 12 feet in one area and 6 feet in a different area. He stated that the fence would be on the property line for most of the project except when it would come back around the concrete in the front.

City Planner Markley asked how the pool would drain. He asked if there would be a drain required at all, or it would maintain water all year round and then siphon the water out. He asked if there would be a bottom drain to the pool.

Mr. Heckert stated that the pool would hold water all year round. He stated that it would have an automatic cover to cover it up to avoid any rain water from getting in. He stated that all the water would be technically draining off the concrete towards the east side of the pool. He stated that they currently do not have any drains in the concrete itself. He stated that it would be something that would be added so they would have property runoff.

City Planner Markley asked if there would be any bottom drains for the pool itself.

**MINUTES OF A MEETING OF THE ARCHITECTURAL BOARD OF REVIEW
CITY OF INDEPENDENCE, OHIO
September 3, 2020**

Mr. Heckert replied no.

City Planner Markley stated that he didn't have any other questions right now.

Acting Chairman Gero asked Mr. Heckert how he determined the side yard setback of 10 feet.

Mr. Heckert stated that he based it off of another project they were currently doing in Independence. He stated that was where he got the setback for the property. He stated it was from a different project they had in Independence that was not too far from this address.

Acting Chairman Gero stated that the setback should be 15 feet for the side yard. He stated that he couldn't really read the site plan that was submitted. He stated that a side yard on a 100 foot lot, the side yard would be 15 feet, unless it was deemed something different and a variance was granted.

Mr. Heckert asked if the 100 foot wide be from the front or the rear.

Acting Chairman Gero stated that it would be at the building line. He stated that they will have to get a site plan to determine that. He stated that he did see there was an easement that runs along the rear of the yard. He stated that concrete of the pool slab and the shed, it was not only an easement, but a swale that would run back there right through those items. The Acting Chairman asked the City Engineer for his thoughts on that.

City Engineer Ramm stated that unfortunately the Power Point for the meeting was put together from yesterday from the information that was submitted. He stated that the site plan that was just submitted was superimposed with the project; unfortunately, he did not have that one uploaded. He stated that there was a 20 foot drainage easement in the back on the existing swale that would appear that the pool house and the sidewalk, the swale would come right through there. He stated that it didn't appear that the current plan accounted for or provided for the flow of the water through that easement. That was something they would need to work on.

Mr. Heckert stated that they would install a yard drain or trench drain through that area just to help keep the flow of the water fluent.

City Engineer Ramm stated that it would allow it to keep moving from west to east through the area. He stated that it would be either a catch basin and some piping or a culvert underneath the sidewalk. He stated that there was a small gap between the concrete around the pool and the equipment pad. He stated that he believed it could be facilitated, they would have to incorporate it into the request.

Mr. Heckert stated that was something that they can throw into it.

**MINUTES OF A MEETING OF THE ARCHITECTURAL BOARD OF REVIEW
CITY OF INDEPENDENCE, OHIO
September 3, 2020**

City Engineer Ramm stated that it showed really well on the plan that was in the most current packet. He stated that you could see the swale. He stated that he just could not bring it up on the screen.

City Planner Markley asked Mr. Heckert if the land was pretty flat back there, would the pool be elevated in some way.

City Engineer Ramm stated that there was a clear amount of fall from west to east. He stated that it would be something else that would get identified in the site plan in terms of any need for any sort of landscape walls to take up the elevation difference. He asked Mr. Heckert if he could speak to that at all. He asked if Mr. Heckert was accounting for that?

Mr. Heckert stated that he was trying to see exactly how much of a drop there was on the topo.

City Planner Markley stated that he presumed there would be a lot consolidation that would have to happen on the property too.

The Secretary stated that it had already been done.

Acting Chairman Gero stated that on the west property line, there was a 20 foot drainage easement there also on either side of the property line. The City Engineer would have to keep that in mind when looking at this. He stated that they didn't have anything going on right there, it was all in the back where they were putting the concrete for the pool. He stated that there was an easement there to get back to that. He asked if there was piping back there.

City Engineer Ramm stated that he had the site plan from when the house was built. He stated that there was no piping back there. He stated that there was a swale running through the side that ultimately turns and heads easterly.

Mrs. Trombetta asked if she could ask the City Engineer a question. She stated that the City Engineer knows that they have been working on it for six years. She stated that when the City Engineer sent her the paperwork, she had thought he had said the side yard was 10 foot. She asked if it was 15 or 10 because she stated that she had stuff to show that he said 10 foot.

City Engineer Ramm stated that he thought they referred to a lot of the pool packet, the original pool packet that he thought established all those side yards.

Mrs. Trombetta asked if it was 15 foot or 10 foot.

City Engineer Ramm stated that he would have to look at the pool packet to see.

**MINUTES OF A MEETING OF THE ARCHITECTURAL BOARD OF REVIEW
CITY OF INDEPENDENCE, OHIO
September 3, 2020**

Mrs. Trombetta stated that what she was sent, she was almost positive that it was 10 foot, but she didn't know what the Acting Chairman was talking about. She asked if it was something different. She stated that they needed to figure that out because that was what she had told the contractor. She stated that the pool people were operating under that assumption as well.

City Engineer Ramm stated that he would definitely look at that. He stated that he thought they were going right off of the schematic drawing and the sample permit application packet.

Mrs. Trombetta asked if the City Engineer thought it was 10 foot or 15 foot, or he was not recalling either.

City Engineer Ramm stated that he thought whatever it was Mrs. Trombetta represented that on her project with her plan.

Fire Chief Rega asked if the side yard would be bound by the size of the lot. He stated that if the lot was under an acre it would be 10 foot, and if they were over an acre it was 15 foot.

Several people replied no.

Acting Chairman Gero stated that every pool must be located not less than 10 feet from a property line, not less than 10 feet from any residence. He stated that 10 foot was the correct side yard. He stated that the 15 foot would have come into play if it would have been a building, an accessory structure. He stated that the pool would have the specific 10 foot. He stated that the 10 foot was correct.

Mrs. Trombetta replied thank you.

Mr. Heckert stated that the 15 foot would only apply to the shed.

Acting Chairman Gero stated that a shed could be 10 foot from the rear line, which it was indicated.

Mr. Heckert stated that they would need a variance for the size and height.

City Planner Markley asked Acting Chairman Gero if pavement would constitute a structure from his perspective.

Acting Chairman Gero stated that the only pavement that would be referenced in any way from a property line was a driveway which would have to be 3 foot from a property line. He stated that the concrete around the pool could go right up to the property line, and there was nothing to restrict that.

**MINUTES OF A MEETING OF THE ARCHITECTURAL BOARD OF REVIEW
CITY OF INDEPENDENCE, OHIO
September 3, 2020**

He stated that the only concerns that the Board had, if he could summarize it, would be the variances required for the shed, and the swale, how the swale would be handled.

City Planner Markley asked what would the neighbor's perspective be on that shed. He stated that it would be the eastern exposure of the shed. He was curious to see what the elevation would look like from the neighbor. He stated that he didn't know if there would be any landscape screening that would go around the shed, or if there were windows involved on the shed to dress it up. He asked if the shed would match the home as far as siding and shingles.

Mr. Heckert stated that he noted that the siding and roofing will match the existing home on the elevation drawings. He stated that as far as looking at the east side, there will be one small window for the bathroom itself. He stated that the rest of the windows and doors will be facing the west elevation which would be looking back towards the walkway.

City Planner Markley stated the west elevation would face the walkway, and the east elevation would be the opposite side. He stated that it would facing one of the neighbors.

Mr. Heckert stated that it would be a small window.

City Planner Markley asked if the owner would be willing to put some landscape plantings around that to soften that appearance.

Mrs. Trombetta replied yes.

Acting Chairman Gero stated to Mr. Heckert that he noticed on the drawing, the window that he stated was in the bathroom doesn't match up with the plan view.

Mr. Heckert stated that he had it on the wrong side.

Acting Chairman Gero asked if it was the window or the bathroom.

Mr. Heckert stated it was the window. He stated that the actual plans have the window correctly located.

City Planner Markley stated that the same would apply on the landscape screening for the equipment pad because he would imagine that would not be housed in any way. He stated that the tanks would be exposed, the filters and things like that would all be exposed on the equipment pad.

Mr. Heckert agreed.

**MINUTES OF A MEETING OF THE ARCHITECTURAL BOARD OF REVIEW
CITY OF INDEPENDENCE, OHIO
September 3, 2020**

City Planner Markley stated that perhaps some degree of screening could be worked out into that as well. He stated that it might even benefit the homeowner to look at doing, he didn't know the height of it, but maybe even a small fence or something like a low garden wall or something that would mirror the shed in terms of siding or whatnot. He stated that maybe screening that would be a good way of separating that from the pool area as well as the neighbor's view.

Mr. Heckert stated that he could definitely work with the homeowners to get a good landscape plan to keep that screened or soften it up.

Acting Chairman Gero stated that he didn't see any gutters or anything on the pool house. He asked what Mr. Heckert's intention was as far rain water.

Mr. Heckert stated that it was noted on the elevation views. He stated that they were going to put steel gutters and downspouts.

Acting Chairman Gero asked Mr. Heckert if he was planning to tie those in or what was his intention. He asked the City Engineer if they would be needed to be tied into the storm sewer.

City Engineer Ramm stated that it would likely just dump out into the swale.

Mr. Heckert stated that they will have them dump out there then.

Acting Chairman Gero asked the City Planner if he had anything else, any other questions or comments.

City Planner Markley stated that he didn't see a section on the fence detail. He didn't know if he missed that.

Mr. Heckert stated that it was on the last page.

Acting Chairman Gero asked if the fence would be 6 foot or 5 foot.

Mr. Heckert stated that the fence would be 4 foot black aluminum.

City Planner Markley stated that it looked like Mr. Heckert had a security gate. He asked if Mr. Heckert was doing an alarm on there or just the standard lock set.

Mr. Heckert stated that it would be the standard latching and lock.

City Planner Markley asked if the fence would be black.

Mr. Heckert agreed.

**MINUTES OF A MEETING OF THE ARCHITECTURAL BOARD OF REVIEW
CITY OF INDEPENDENCE, OHIO
September 3, 2020**

Acting Chairman Gero asked Mr. Heckert what was the portable gazebo.

Mr. Heckert stated that the portable gazebo was just a pop up gazebo. They could go out there and set it up. He stated that it was nothing that would be mounted into the concrete.

Acting Chairman Gero stated that it would be nothing permanent as far as a seasonal type thing.

Mr. Heckert agreed.

Acting Chairman Gero asked the City Engineer if he had anything else.

City Engineer Ramm stated that he had one last question. He asked Mr. Heckert when he was looking at the lay of the land, knowing that it would be a pretty flat concrete surface, and the ground elevation would drop a foot or two. He asked if it would be a small landscape wall.

Mr. Heckert stated that if it would drop down a foot because of the grade, he wouldn't see them putting in a wall. They might have a step down to the pool terrace level if needed.

City Engineer Ramm stated that whatever would be done there to negotiate the terrain, it would have to be within the parcel limits.

Mr. Heckert agreed.

The City Engineer stated it would be something that would be addressed during the final site plan review and approval, similar to the drainage issues. He stated that was all he had.

A motion was made by Acting Chairman Gero, seconded by City Engineer Ramm, to approve the in ground pool project, fence and pool house, subject to the granting of the requested variances by the Board of Zoning Appeals for the pool house, the City Engineer approving the site plan for drainage and swale conditions, and the execution of easement documents between the City and the homeowners.

**ROLL CALL: Yeas: Gero, Ramm
 Nays: None
 MOTION CARRIED**

Acting Chairman Gero stated that he just noticed the optional equipment pad. He asked if the equipment pad was going out there by the pool or would it be located by the shed.

Mr. Heckert stated that it was going by the shed. He stated that it was their initial placement for it. He stated that the optional placement was if the location by the shed got rejected.

**MINUTES OF A MEETING OF THE ARCHITECTURAL BOARD OF REVIEW
CITY OF INDEPENDENCE, OHIO
September 3, 2020**

There being no further business, the Architectural Board of Review virtual meeting of September 3, 2020 was adjourned at 3:34 p.m.

Acting Chairman Michael Gero

**Debi Beal, Secretary,
Unapproved at Time of Release 09/04/20**