



## City of Mentor-on-the-Lake

5860 Andrews Road, Mentor-on-the-Lake, OH 44060-2827

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The regular meeting of the Planning and Zoning Commission for the City of Mentor on the Lake, Ohio was called to order by Ms. Cason on June 7, 2021 at 6:58 p.m. in the Community Room of City Hall, 5860 Andrews Road.

### PLEDGE OF ALLEGIANCE

#### ROLL CALL:

Suzanne Cason, Chair  
Rob Johnson, Council Representative  
Mike Sweeney  
Ralph Boomer  
Al Buescher

#### ALSO PRESENT:

Dave Eva, Mayor  
Jim Lunder, Council Vice President  
Brent Moore, Service Director

#### APPROVAL OF MINUTES:

May 3, 2021

#### MOTION:

Mr. Boomer – Approve  
Mr. Sweeney – Seconds Approval

Suzanne Cason - Aye  
Rob Johnson - Aye  
Mike Sweeney – Aye  
Ralph Boomer – Aye  
Al Buescher – Aye

#### OPEN TO THE PUBLIC:

7:00 p.m.

Leland Smerdel/5872 Springwood Dr. – Driveway Expansion

Mr. Smerdel tells the commission that he found his property line pins. Mr. Smerdel has provided a new drawing of his driveway plans and is not requesting to go all the way to the property line but he does want to go as close as 18 inches. Mr. Smerdel explains that he figured the driveway dimensions and has made sure that it is within the size requirements and does not exceed 40% of the front property; he has

provided his figures with his new drawing. He has also provided pictures of driveways in his neighborhood that are similar to what he is requesting.

Ms. Cason questions the elevation and the water runoff.

Mr. Smerdel says that his neighbor's property is slightly higher than his and no water from his property would runoff to her property. He says that the pitch would cause the water to runoff into the street.

Mr. Moore questions the concrete pad from the drawing that is located in the back of the property next to the deck.

Mr. Smerdel would like that to be an extension of the deck such as a patio slab.

Mr. Moore points out that if he uses that as a patio that it would have to be 5 ft. off the property line, otherwise he will need to be seen by the BZA board for variance approval.

Mr. Smerdel asks if he could use it instead as an extension of his driveway.

Ms. Cason asks about his property size in the back. She also asks if his property is fenced in.

Mr. Smerdel says that he has one of the largest properties on his street. He also says that his entire property is fenced in. Mr. Smerdel also explains that he has a gate that allows access to the back yard.

Ms. Cason explains that the commission will be choosing to approve the entire length of the driveway, which includes the back slab as an extension of the driveway. The request submitted by Mr. Smerdel will be to extend the driveway to the northeast property line as close as 18 inches.

**MOTION TO APPROVE:**

Mr. Boomer – Approve

Mr. Sweeney – Seconds Approval

Suzanne Cason - Aye

Rob Johnson - Aye

Mike Sweeney - Aye

Ralph Boomer – Aye

Al Buescher – No

Shane Novak of Novak Construction - 19A094C000030 Lot Size Approval for New Build, 19A094C000010 & 19A094C000020 Approval to build with existing accessory building after lots have been combined by the property owner.

Mr. Novak explains that he spoke with our law director about the 2 parcels on Lake Shore. He was informed that those two lots could possibly already be combined as one but it would be best to check with the recorder's office to confirm.

Mr. Novak says that the small lot is short by 250 square ft. and there is only a 50 ft. frontage instead of 60 ft.

Mr. Moore explains that the shed should be either 5 ft. or 3 ft. off the property line depending on whether this lot will be considered a Lake Shore address or a Granada address.

Mr. Novak would like the property to be a Lake Shore address but would like the driveway to be on the Granada side.

Ms. Hathaway, on behalf of Law Director, Jim Lyons, explains that the parcels to be combined are two separate tax parcels but the legal description states as only one parcel. Ms. Hathaway also states that it will be the responsibility of Mr. Novak to fix the documentation of the parcels as to state as one parcel. Ms. Hathaway also expresses the fact that the wording of the parcels will have no bearing on the decision of the commission as to whether or not they will approve or deny the request to build.

Ms. Cason explains that what the commission will be discussing is the fact that an accessory building is on a lot without a main structure.

Mr. Novak says that with commission approval, he plans to build a new home on that lot this calendar year.

Mr. Buescher asks Mr. Novak what side the front of the house will be facing. Mr. Novak states that the front of the house will be facing Lake Shore.

Motion to approve parcels 19A094C000010 & 19A094C000020 to build a main structure on the lot with the remaining accessory building once Mr. Novak has the parcels legally combined. Start date to build must be before the end of the 2021 year. If the build does not start by December 31, 2021, the accessory building must be removed.

Mr. Buescher tells the commission that he plans to abstain from voting as he lives in the area of the property. Also, he is a builder as well and has a project that would fall into the same category as Mr. Novak's.

**MOTION TO APPROVE:** Mr. Johnson – Approve  
Mr. Boomer – Seconds Approval  
  
Suzanne Cason - Aye  
Rob Johnson - Aye  
Mike Sweeney - Aye  
Ralph Boomer – Aye  
Al Buescher – Abstain

Parcel 19A094C000030 is 250 square foot shy of the required 7500 square foot for the lot size. In addition the frontage is only 50 feet instead of the required 60 foot frontage.

Mr. Novak points out that the property across has the same 50 foot frontage.

Ms. Cason states that with approval of the build that the setbacks and size requirements must be met.

**MOTION TO APPROVE:** Mr. Johnson – Approve  
Mr. Boomer – Seconds Approval

Suzanne Cason - Aye  
Rob Johnson - Aye  
Mike Sweeney - Aye  
Ralph Boomer – Aye  
Al Buescher – Aye

New Business/Conditional Use Permit for Pelican’s SnoBalls at 5816 Andrews Rd.  
Representatives: Ryan and Emily Findak

Mr. and Mrs. Findak will be leasing the location for the purpose of selling snow cones. Pelican’s SnoBalls is a franchise. They have provided pictures that show what the new location will look like on the outside. There will be a walk up window to order and picnic tables on the property for the customers.

Mr. Findak says that the only construction inside the building will be to remove one non-load bearing wall to open the space up to make it more accessible for the business.

Mr. and Mrs. Findak have also provided an image that shows how the bushes will be installed along the fence. They will be planting 6 foot arborvitae which will be spaced 5 feet apart and a distance of 3 feet in front of the fence.

Pelican’s SnoBalls will be seasonal. Mr. and Mrs. Findak are planning the season to be open from March until October. The business hours will be noon to 9:00 p.m. seven days a week.

This will be a one year Conditional Use Permit which will expire on June 7, 2022 with the option for renewal.

**MOTION TO APPROVE:**

Mr. Sweeney – Approve  
Mr. Buescher – Seconds Approval

Suzanne Cason - Aye  
Rob Johnson - Aye  
Mike Sweeney - Aye  
Ralph Boomer – Aye  
Al Buescher – Aye

**CLOSE TO THE PUBLIC:**

7:31 p.m.

**REPORTS:**

**Mayor**  
of 2022.

Aqua Ohio will be increasing their rates by 12% starting the first quarter

The Mayor is very thankful for the work that the Service Department, the Police Department, and Fire Department put in to help with the storm damage.

Wendy Zele of First Energy will be attending the July 13th council meeting with a presentation and to answer questions. Anyone who has questions regarding First Energy should submit their questions in writing to the Mayor no later than June 25<sup>th</sup>.

**Council Representative** Council has passed the ordinance that is now requiring anyone who is applying for a conditional use permit must have their taxes paid in full for approval.

**Service Director** Mr. Moore would like to thank his service department crew for the job that they did with the storm damage. Mr. Moore says that there were about 3-4 trees down and the service crew worked from 7:00 a.m. until after midnight. The service crew came back the following day, Saturday, to continue working.

**OLD BUSINESS:** Decision on Ordinance 1036.04 Tree Preservation

Mr. Boomer tells the commission that he went to Wyatt's Nursery and discussed with an employee some ideas as to how to help the businesses, such as Giant Eagle whose property is mostly paved, insert some greenspace. The employee suggested that they could use the large concrete planters and put in items such as begonias, portulaca, or other flowering plants that are easy to care for. He was told that adding greenspace to large parking areas is feasible.

Ms. Cason supplied the commission the link to the City of Willoughby's tree ordinance for some ideas. She gives some examples as to how much they require as greenspace per location and why they require the greenspace.

The commission feels that the required percentage of greenspace should be based on property size and not based on parking spaces.

Some proposed ideas from the commission would be to base the amount of greenspace to 5% of the property size. Greenspace does not have to be limited to the parking area of the business' lot. The type of plants suggested would be a mixture of perennials, trees, and shrubbery. They would like 50% of the greenspace to be perennials.

**NEW BUSINESS:** The commission has agreed to change the meeting time from 7:00 p.m. to 6:00 p.m. The Planning and Zoning rules may possibly need to be amended. Ms. Hathaway has been asked to look into the rules of the meeting time.

**MOTION TO APPROVE:**

- Mr. Sweeney – Approve
- Mr. Boomer – Seconds Approval
  
- Suzanne Cason - Aye
- Rob Johnson - Aye
- Mike Sweeney - Aye
- Ralph Boomer – Aye
- Al Buescher – Aye

Mr. Buescher has brought up the issue of street parking on Granada. He says that cars are being parked on both sides of the street which is causing issue for vehicles to pass. The mayor has suggested that if he notices that someone is parking on the hydrant side of the street, that he should contact the police department. Mr. Buescher says that the woman that parks in front of the hydrant has a permit to do so. The mayor says that no one should be authorized to park in front of a fire hydrant and he will look into it.

**ADJOURNMENT:**

8:27 p.m.

Mr. Boomer – Approve

Mr. Sweeney – Seconds Approval

Suzanne Cason - Aye

Rob Johnson - Aye

Mike Sweeney - Aye

Ralph Boomer – Aye

Al Buescher – Aye

**APPROVED**

\_\_\_\_\_ Date

\_\_\_\_\_ Chairman

**ATTEST**

\_\_\_\_\_ Planning and Zoning Clerk