

**CITY OF MACEDONIA
BOARD OF ZONING AND BUILDING CODE APPEALS
MEETING AGENDA
July 21, 2021**

Location:

Macedonia City Hall Council Chambers, 9691 Valley View Road

Time: 6:30 p.m.

1. Call to Order
2. Roll Call: Mr. Pilato, Mr. Ferraro, Mr. Shellko, Ms. Metzler, Mr. Ioffreda
3. Approval of Minutes
 - a. Case 655

4. NEW BUSINESS:

Case #656 - Curt Smock on behalf of Dominion Energy
Four Points Architectural Services
2850 S. Arlington Road, Suite 200
Akron, OH 44333

The Board of Zoning and Building Code Appeals will hear a request for a variance at 9796 Shepard Road. The variance is to section 1163.02(a): permitted uses in an R-1 residence district. The applicant is requesting a use variance to allow the expansion of industrial activity on Parcel#33-03023 as a natural gas terminal and routing facility.

Case #657 - Curt Smock on behalf of Dominion Energy
Four Points Architectural Services
2850 S. Arlington Road, Suite 200
Akron, OH 44333

The Board of Zoning and Building Code Appeals will hear a request for a variance at 9796 Shepard Road. The variance is to section 1171.11(e)(4)(A): all parking areas and driveways shall be hard surfaced bituminous concrete or concrete. The applicant is seeking a variance to allow gravel areas to be used for maintenance zones.

Case #658 - Calvin and Ann Jefferson
8786 Smokerise Drive
Macedonia, OH 44056

The Board of Zoning and Building Code Appeals will hear a request for a variance at 8786 Smokerise Drive. The variance is to section 1171.16(d)(1)(5): privacy fences, open fences, and chain link fences are not permitted in front yards. The applicants are requesting a variance to have a fence in a front yard on a corner lot.

Miscellaneous

If you approve of the above-mentioned use of said property, or, if such use is thought by you to be injurious to your premises or contrary to the public interest, you will have an opportunity to state your viewpoint at

the above-specified time and place. You may also file a statement by letter or email stating your viewpoint to the Building Department no later than **two** business days before the meeting. You may also contact the Building Department at 330-468-8364. All public comments received to the City will be discussed during the meeting.

If you know of any affected property owners who may be interested, but who may not have read this notice, please inform them of this meeting.

If you are not interested in this matter, please disregard this notice.

Macedonia Board of Zoning and Building Code Appeals



City of Macedonia

The Crossroads of Northeast Ohio

9691 Valley View Road • Macedonia, Ohio 44056
(330) 468-8360 • FAX (330) 468-8396

INTEROFFICE MEMO

To: Zoning Board of Appeals
From: Chris Hall
Subject: Area Variance Request to Allow Gravel Areas on Parcel #3303023, to be Used Primarily as Maintenance Zones
For Consideration by the Board on July 21, 2021
Cc: Mayor Molnar, Mark Guidetti, Bob Rodic, Rachael Gambatese
Date: June 29, 2021

Applicant: Curtis Smock, Four Points Architectural Services on behalf of Dominion Energy

Location: 9796 Shepard Road; Parcel #3303023

Zoning: South Portion (majority): R-1 Residence District
North Portion: R-P Residential Park District

Request: Applicant is seeking an “*area variance*” to allow gravel areas on Parcel #3303023, to be used primarily as maintenance zones.

Standards: **1171.11(e)(4)(A)**
All parking areas and driveways shall be hard surfaced bituminous concrete or concrete, free from dust and so drained that surface waters there from are not permitted to discharge over or onto public sidewalks or roadways or onto other premises, but must be discharged into the public drainage system.

Findings: Approximately 3.5 acres of new gravel surface is being proposed. Per 1171.11(e)(4)(A), all parking areas and driveways shall be hard surfaced. Reference City Planner Memorandum attached.

Ryan Smith, Dominion Energy, stated that the gravel area can be minimized to the north, and as needed. The Planning Commission approved the preliminary Dominion Energy proposal subject to the Zoning Board of Appeals approvals. Reference the June 21, 2021, Planning Commission Meeting Minutes attached.

Board’s Action: The Board is to consider the application by Dominion Energy for an area variance, as to Section 1171.11(e)(4)(A), allowing gravel areas to be used primarily for maintenance zones.



City of Macedonia

The Crossroads of Northeast Ohio

9691 Valley View Road • Macedonia, Ohio 44056
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INTEROFFICE MEMO

To: Zoning Board of Appeals
From: Chris Hall
Subject: Use Variance Request to Allow the Expansion of Industrial Activity on Parcel #3303023 as a Dominion Energy Natural Gas Terminal and Routing Facility
For Consideration by the Board on July 21, 2021
Cc: Mayor Molnar, Mark Guidetti, Bob Rodic, Rachael Gambatese
Date: June 29, 2021

Applicant: Curtis Smock, Four Points Architectural Services on behalf of Dominion Energy
Location: 9796 Shepard Road; Parcel #3303023
Zoning: South Portion (majority): R-1 Residence District
North Portion: R-P Residential Park District
Request: Applicant is seeking a “*use variance*” to allow the Expansion of Industrial Activity on Parcel #3303023 as a Dominion Energy Natural Gas Terminal and Routing Facility. This will include the addition of two buildings, 384 sq. ft. and 2112 sq. ft., respectively.
Standards: **1163.02 R-1 Residence District**
(a) Uses Permitted
(1) Single-family dwellings, playgrounds and publicly owned parks.
(2) The following accessory uses are permitted: home occupations, including residential professional offices, as defined in Section [1133.02\(12\)](#) and (19) and regulated in Section [1171.17](#); and roadside stands as defined in Section [1133.02\(20\)](#).
(3) Churches, schools, public buildings, provided such uses do not substantially depreciate property values in the neighborhood or are not out of harmony with the uses established in the neighborhood, and do not create a public hazard and are in conformity with (a)(1) and (2) hereof. Parking space must be provided for off street parking for all users of such building.
(4) Certain retail stores, restaurants, administrative offices, recreational uses and community facilities, in existing residential structures, may be approved as conditional uses when complying with all the criteria and standards of Section [1171.15](#) and approved according to the procedures of Section [1137.04](#).



City of Macedonia
The Crossroads of Northeast Ohio
 9691 Valley View Road • Macedonia, Ohio 44056
 (330) 468-8360 • FAX (330) 468-8396

CITY OF MACEDONIA
 ZONING DEPARTMENT
 JUN 25 2021
 RECEIVED

Building/Engineering/Zoning/Planning Department

APPLICATION FOR HEARING BEFORE THE MACEDONIA ZONING BOARD OF APPEALS

See instruction page for more information. Appellant is to provide NINE (9) copies of site plans, pictures, etc., and a written statement. (Residential fee: \$100.00; Commercial fee: \$200.00)

Address of Property Involved: 9796 Shepard Road

Nature of Request: Variances for land use in a Residential District and use of Non-paved areas

Applicant Name or Agent Therefore: Curt Smock, Four Points Arch .Services on behalf of Dominion Energy

Applicant Address: 2850 S. Arlington Rd., Suite 200

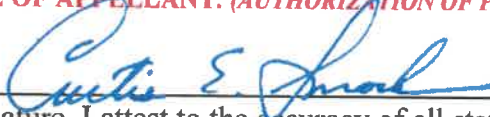
Applicant Phone: (216) 513-8235 Applicant Email: csmock@4points.net

Property Owner Name: Dominion Energy Ohio - Ryan Smith
 (if different from applicant)

Property Owner Address: 1201 E. 55th Street, Cleveland, Ohio 441q03

Property Owner Phone: (330) 203-7560 Property Owner Email: ryan.j.smith@dominionenergy.com

SIGNATURE OF APPELLANT. (AUTHORIZATION OF PROPERTY OWNER REQUIRED IF DIFFERENT FROM APPLICANT)

 Date: 06/25/2021
 By my signature, I attest to the accuracy of all statement on this form

OFFICIAL USE ONLY

Received Date: _____ Case Number: _____

Variance Requested: _____

**The Zoning Board of Appeals meets at 6:30 p.m. on the third Wednesday of each month
 in Council Chambers at Macedonia City Hall located at 9691 Valley View Road.
 Meeting dates are subject to change.
 Contact the Building Department at (330) 468-8364.**

June 25, 2021

City of Macedonia
9691 Valley View Road
Macedonia, Ohio 44056

ATTN: **Mr. Chris Hall**

RE: BZA Meeting July 21, 2021
Dominion Energy 9796 Shepard Rd. Variance Requests



Dear Chris,

This letter of intent will convey Dominion Energy's request for a land use variance for the southern Dominion parcel (3303023) and a variance for paved surface requirements. Dominion Energy is actively pursuing the consolidation of the two parcels. Currently Dominion has been granted a land use variance for the northern parcel.

1. Dominion seeks to add to the land use variance from the north parcel to include the south parcel as well. Dominion is currently working on consolidating the two parcels as one. The land use variance would be used to keep the site functioning as an industrial use within the R-P and R-1 districts. Dominion is currently using the site in a commercial capacity as a natural gas terminal and routing facility. The function of the new buildings corresponds with the current use of the site.
2. Dominion seeks a technical variance from the current code that states that all drives must be paved with asphalt or concrete. The gravel areas depicted on the current plan are not driveways or parking areas and have been reduced per Planning Commission requests and are needed for safety reasons. If Dominion needed to dig up their lines to do an emergency repair, it would be time consuming and unsafe to have to remove the pavement first. The gravel areas are primarily for maintenance zones.

On behalf of Dominion Energy, we appreciate your consideration of this variance request, that would allow us to move forward with this project.

Sincerely,

Curtis E. Smock, Architect/Vice-President
Four Points Architectural Services, Inc.

cc: Trevor Roth, Dominion Energy
Ryan Smith, Dominion Energy

Enclosure

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JUN 25 2021

CITY OF MACEDONIA
BUILDING DEPARTMENT

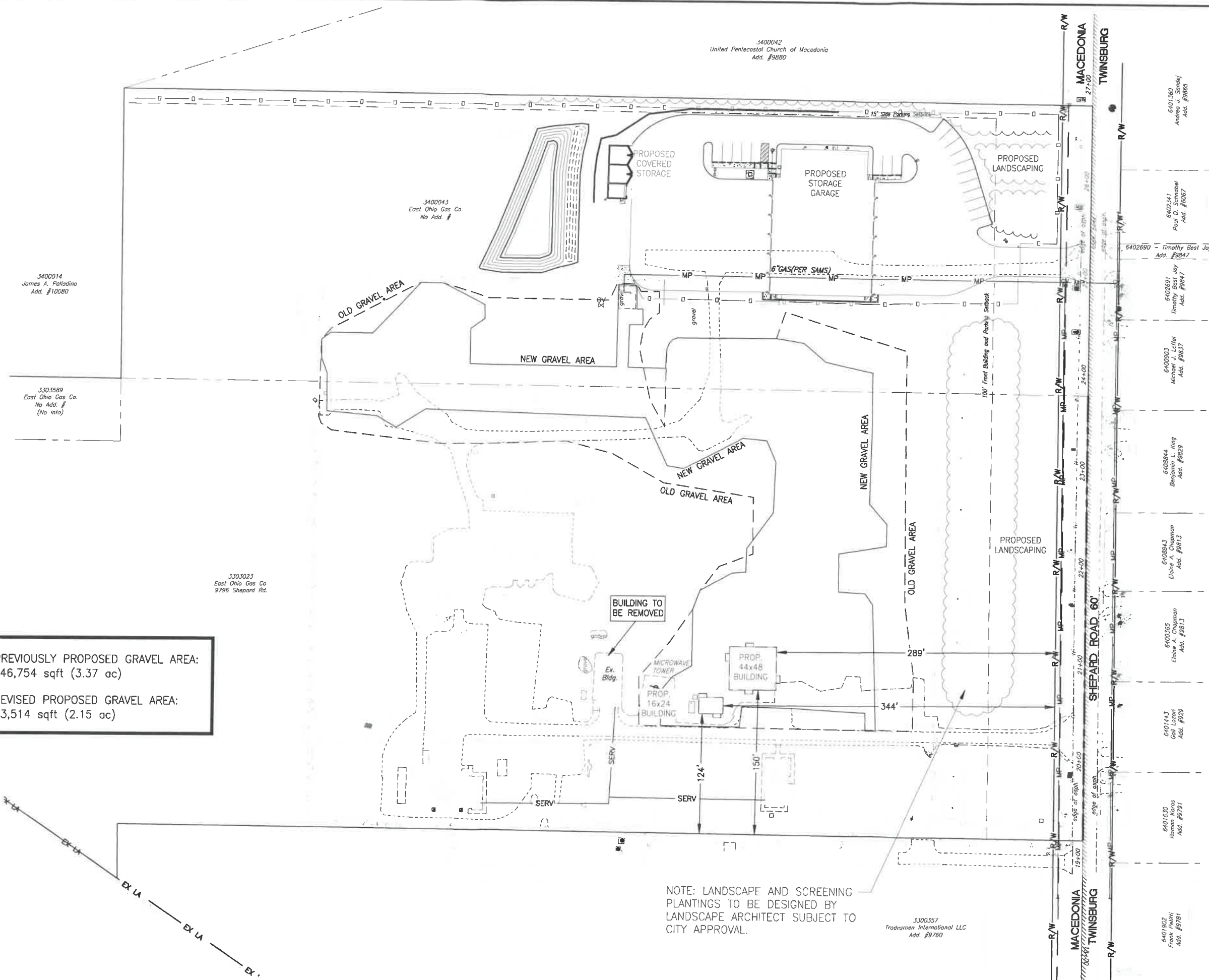
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JUN 25 2021

CITY OF MACEDONIA
BUILDING DEPARTMENT

THE OWNER DOES NOT WARRANT THE ACCURACY, SUFFICIENCY, OR COMPLETENESS OF THIS DRAWING OR MAP FOR ANY PURPOSE, AND RELIANCE HEREON AND USE HEREOF IS AT THE RISK OF THE USER, WHO AGREES TO HOLD HARMLESS AND INDEMNIFY THE OWNER AGAINST ANY AND ALL LIABILITY IN CONNECTION WITH ITS USE.

[---] PREVIOUSLY PROPOSED GRAVEL AREA:
 146,754 sqft (3.37 ac)
 [] REVISED PROPOSED GRAVEL AREA:
 93,514 sqft (2.15 ac)



NOTE: LANDSCAPE AND SCREENING PLANTINGS TO BE DESIGNED BY LANDSCAPE ARCHITECT SUBJECT TO CITY APPROVAL.

3300357
Tradesmen International LLC
Add. #9780

3400014
James A. Palladino
Add. #10080

3303589
East Ohio Gas Co.
No Add. #
(No info)

3303023
East Ohio Gas Co.
9796 Shepard Rd.

3400043
East Ohio Gas Co.
No Add. #

3400042
United Pentecostal Church of Macedonia
Add. #9880

6401360
Andrea J. Sancek
Add. #8885

6402341
Paul D. Schnabel
Add. #6067

6402690
Timothy Best Joy
Add. #9847

6402691
Timothy Best Joy
Add. #9847

6400903
Michael J. Leffel
Add. #9537

6408844
Benjamin King
Add. #9529

6408843
Elaine A. Chapman
Add. #9813

6400365
Elaine A. Chapman
Add. #9813

6401443
Gail Lizon
Add. #929

6401630
Ruth Lizon
Add. #9791

6401923
Frank Pahl
Add. #9781



DRAWING SCALE
0 50' 100'

DATE	BY



**M&R REPLACEMENT
TWINSBURG STATION**

**BUILDING
PLOT PLAN**

DATE: MAY 2021
PROJECT ID #: P400364614


DATE	NOTES
6/18/21	LANDSCAPE PLAN
6/22/21	REVISION #1

LANDSCAPE PLAN
DOMINION ENERGY
 9796 SHEPARD RD.
 MACEDONIA, OHIO 44056



Suncrest Gardens
 Landscape Development • Management • Garden Center
 5157 Akron-Cleveland Road, Peninsula, OH 44264
 www.SuncrestGardens.com • 330.650.4969

NORTH ARROW

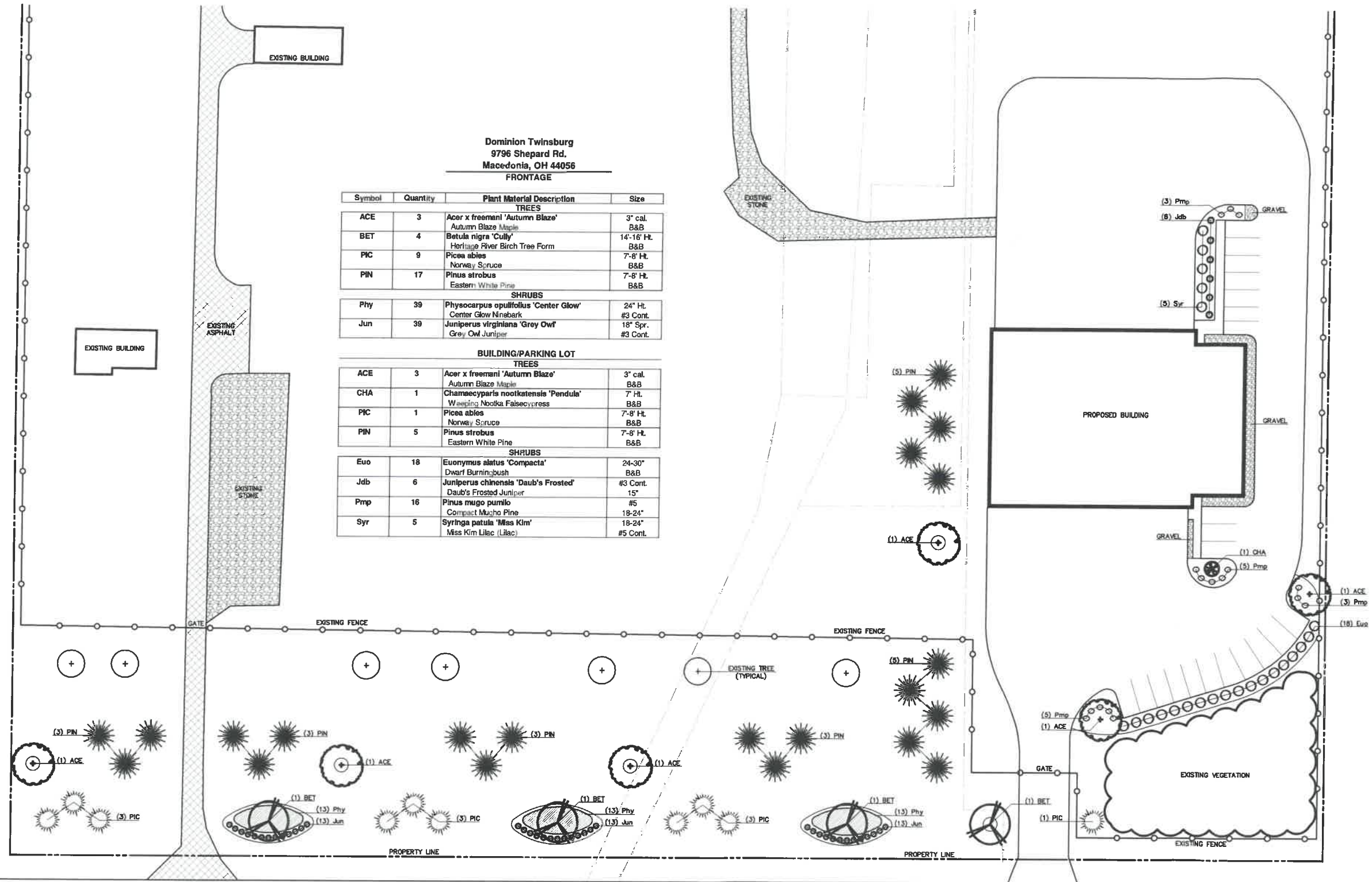


SCALE: 1" = 30'-0"
 DESIGNER: SERAFIN

L-1

Dominion Twinsburg
 9796 Shepard Rd.
 Macedonia, OH 44056
 FRONTAGE

Symbol	Quantity	Plant Material Description	Size
TREES			
ACE	3	Acer x freemanii 'Autumn Blaze' Autumn Blaze Maple	3" cal. B&B
BET	4	Betula nigra 'Cully' Heritage River Birch Tree Form	14'-16" Ht. B&B
PIC	9	Picea abies Norway Spruce	7'-8" Ht. B&B
PIN	17	Pinus strobus Eastern White Pine	7'-8" Ht. B&B
SHRUBS			
Phy	39	Physocarpus opulifolius 'Center Glow' Center Glow Ninesbark	24" Ht. #3 Cont.
Jun	39	Juniperus virginiana 'Grey Owl' Grey Owl Juniper	18" Spr. #3 Cont.
BUILDING/PARKING LOT			
TREES			
ACE	3	Acer x freemanii 'Autumn Blaze' Autumn Blaze Maple	3" cal. B&B
CHA	1	Chamaecyparis nootkatensis 'Pendula' Weeping Nootka Falsecypress	7' Ht. B&B
PIC	1	Picea abies Norway Spruce	7'-8" Ht. B&B
PIN	5	Pinus strobus Eastern White Pine	7'-8" Ht. B&B
SHRUBS			
Euo	18	Euonymus alatus 'Compacta' Dwarf Burningbush	24-30" B&B
Jdb	6	Juniperus chinensis 'Daub's Frosted' Daub's Frosted Juniper	#3 Cont. 15"
Pmp	16	Pinus mugo pumilo Compact Mugo Pine	#5 19-24"
Syr	5	Syringa patula 'Miss Kim' Miss Kim Lilac (Lilac)	19-24" #5 Cont.



SHEPARD ROAD

RECEIVED
 JUN 25 2021
 CITY OF MACEDONIA
 BUILDING DEPARTMENT



City of Macedonia

The Crossroads of Northeast Ohio

9691 Valley View Road • Macedonia, Ohio 44056
(330) 468-8360 • FAX (330) 468-8396

INTEROFFICE MEMO

To: Zoning Board of Appeals
From: Chris Hall
Subject: Variance Request for a Fence in a Front Yard on a Corner Lot
For Consideration by the Board on July 21, 2021
Cc: Mayor Molnar, Mark Guidetti, Bob Rodic, Rachael Gambatese
Date: July 2, 2021

Applicant: Calvin and Ann Jefferson
Location: 8786 Smokerise Drive
Zoning: R-1 Residence District
Request: Applicant is seeking an “*area variance*” to allow a fence in a front yard on a corner lot.
Standards: **1171.16(d)(1)(5) Standards for Residential Districts.**
Privacy fences, open fences and chain link fences are not permitted in front yards.
1133.02(27)(B) Definitions.
For the purpose of 1171.16, Fence Regulations, a corner lot shall be considered to have two front yards; one such front yard for each of the yards abutting an adjacent street.
Findings: The fence will be located approximately 16 feet from the sidewalk and 33 feet from the road installed at an angle with Berkshire Drive (see map).
Board’s Action: The Board is to consider the application for a variance as to Section 1171.16(d)(1)(5), allowing a fence in a front yard on a corner lot.

RECEIVED

JUN 28 2021

CITY OF MACEDONIA
BUILDING DEPARTMENT

June 25, 2021

From: Calvin and Ann Jefferson
8786 Smokerise Drive
Macedonia, OH 44056
4109-610-8612

To: City of Macedonia
Zoning Board of Appeals

Board Members and City Officials:

We request a variance for placing a fence on the southern portion of our property at the above address, which runs alongside Berkshire Drive, at which we have lived for more than 16 years.

This variance is required as it is not possible to place a fence straight back from the south-west corner of our home because of a sidewalk, large trees and landscaping that already exists (see photos). It would similarly allow us to place a fence on our corner lot as the new fence recently placed on the corner lot at 1050 Brookpoint Drive in Macedonia, two blocks to the north of our property.

We propose to install a 4-foot-high, green-vinyl-covered chain-link fence on this side and across the back of our property, well within our property lines. (On the north-east side, which will connect to our neighbor's fence, for which we have written permission, we will use the same shadow box wooden privacy fence.)

The variance would allow us to place the fence 20 feet out from the house; this would still leave the fence 20 feet from the sidewalk and 37 feet from the road. What's more, it will be behind already existing trees and will NOT obstruct views of traffic.

What's more, we will place greenery, trees and bushes on the outside of the fence that will mostly conceal it from passers-by while also NOT obstruct views of traffic.

Thank you for your consideration and your service.

Sincerely,



Calvin and Ann Jefferson





City of Macedonia
The Crossroads of Northeast Ohio
 9691 Valley View Road • Macedonia, Ohio 44056
 (330) 468-8360 • FAX (330) 468-8396

Building/Engineering/Zoning/Planning Department

**APPLICATION FOR HEARING BEFORE THE
 MACEDONIA ZONING BOARD OF APPEALS**

See instruction page for more information. Appellant is to provide NINE (9) copies of site plans, pictures, etc., and a written statement. (Residential fee: \$100.00; Commercial fee: \$200.00)

Address of Property Involved: 8786 Smokerise Drive, Macedonia 44056

Nature of Request: Fencing Variance

Applicant Name or Agent Therefore: Calvin and Ann Jefferson

Applicant Address: 8786 Smokerise Drive, Macedonia 44056

Applicant Phone: _____ Applicant Email: _____

Property Owner Name: _____
 (if different from applicant)

Property Owner Address: _____

Property Owner Phone: _____ Property Owner Email: _____

SIGNATURE OF APPELLANT. (AUTHORIZATION OF PROPERTY OWNER REQUIRED IF DIFFERENT FROM APPLICANT)

Ann W. Jefferson Date: 6/25/21
 By my signature, I attest to the accuracy of all statement on this form

OFFICIAL USE ONLY

Received Date: _____ Case Number: _____

Variance Requested: _____

The Zoning Board of Appeals meets at 6:30 p.m. on the third Wednesday of each month in Council Chambers at Macedonia City Hall located at 9691 Valley View Road. Meeting dates are subject to change. Contact the Building Department at (330) 468-8364.



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Building/Engineering/Zoning/Planning Department

FENCE AGREEMENT

I, Mike Kuriinsky, owner of property located at 8794 Smokerise Drive, agree with the proposed fence and property line location marked by my neighbor at 8786 Smokerise Drive.

I will, in the future, grant my neighbor access on my property if required to maintain the proposed fence and the land beneath the fence along our common property line. They also agree to allow access to their property for maintenance. I also allow them to connect their fence to my southern fence.

I understand that by signing this agreement my neighbor may place the fence as agreed without a property line survey and that the fence may be closer than three feet (3') to the common property line if made out of maintenance-free materials, or may be easily dismantled from the neighbor's side for maintenance.

Mike Kuriinsky
Adjacent Owner

6/24/21
Date

Ann W. Jefferson
Fence Owner

6/24/21
Date



CITY OF MACEDONIA

The Crossroads of Northeast Ohio

9691 Valley View Road • Macedonia, Ohio 44056

330 / 468-8360 • Fax: 330 / 468-8396



**Building Department
Engineering/Zoning Department**

RESIDENTIAL ZONING CERTIFICATE APPLICATION

*****ALL APPLICATIONS MUST BE ACCOMPANIED BY A DRAWING*****

LOCATION OF JOB: 8786 Smoke Rise Dr.

OWNERS NAME: Calvin & Ann Jefferson OWNERS PHONE: _____

JOB TYPE: (CHECK ALL THAT APPLY:

____ SHED SIZE _____ SQ.FT

____ DECK/GAZEBO/OPEN PORCH

____ POOL ABOVE GROUND _____ BELOW GROUND _____

FENCE

____ OTHER: _____

ALL CONTRACTORS AND/OR SUBCONTRACTORS MUST BE REGISTERED WITH THE CITY PRIOR TO BEGINNING WORK

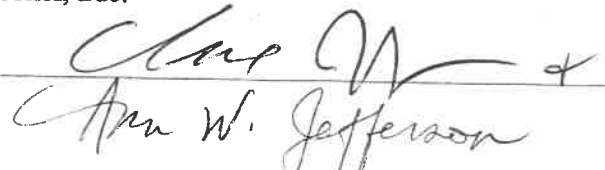
CONTRACTOR: (TBD) CONTRACTOR PHONE: _____

CONTRACTOR EMAIL ADDRESS: _____

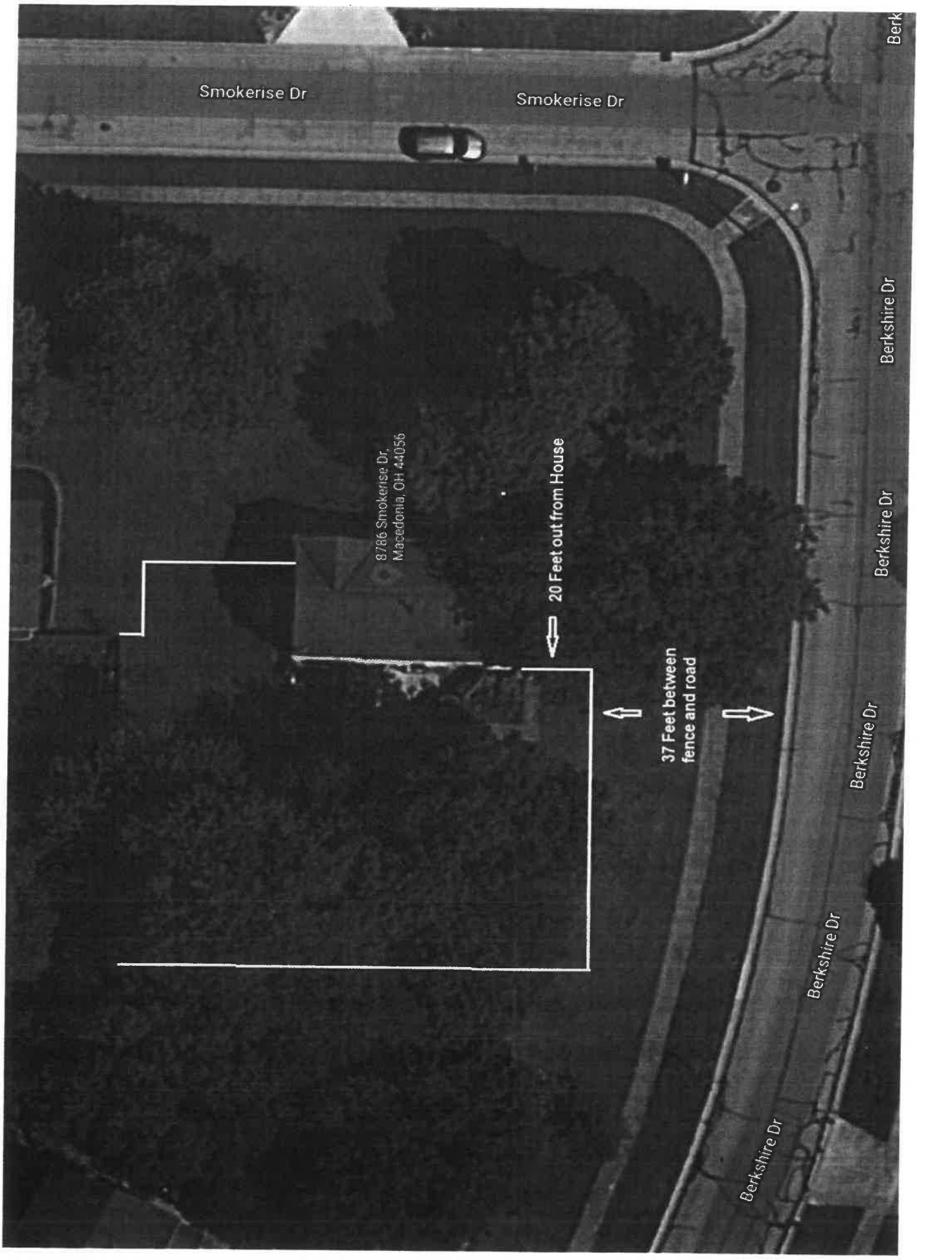
SUBCONTRACTOR: _____ SUBCONTRACTOR PHONE _____

The acceptance of this application constitutes an agreement to abide by all conditions herein contained and to comply with all Ordinances of Macedonia and Laws of the State of Ohio relating to the structure herein described and/or the work to be done hereunder.

I hereby declare, under the penalties provided for in the Zoning Ordinance of Macedonia for violation thereof, that the statement made in connected with this project in this application for a Permit or Certificate are to the best of my knowledge and belief, true.

SIGNATURE  DATE 1/25/21

*** Service * Commitment * Pride ***



Smokerise Dr

Smokerise Dr

Berk

8786 Smokerise Dr,
Macedonia, OH 44056

20 Feet out from House

37 Feet between
fence and road

Berkshire Dr

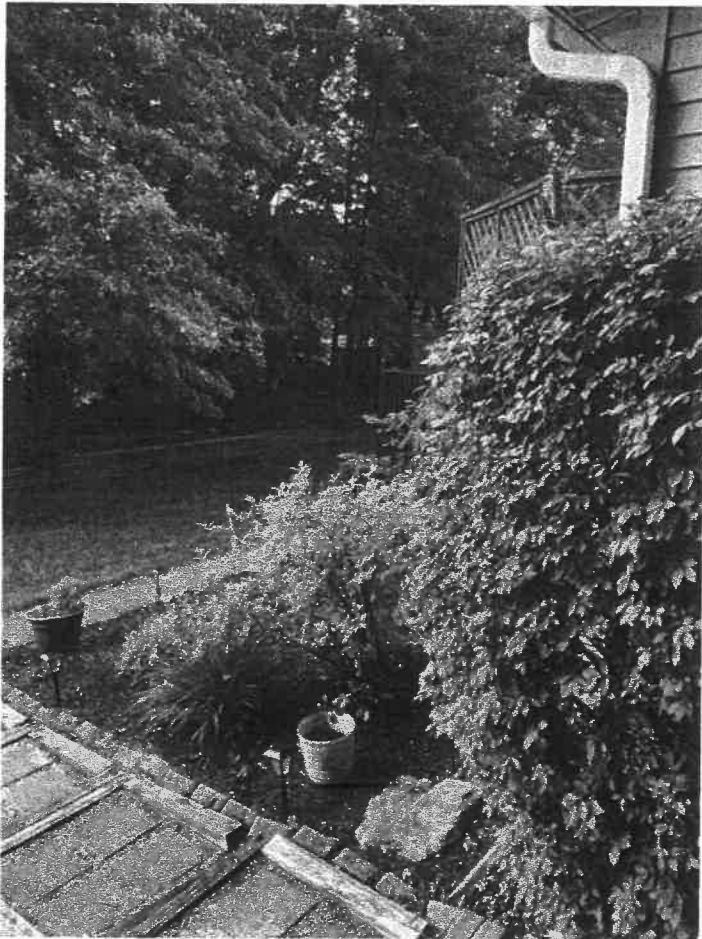
Berkshire Dr

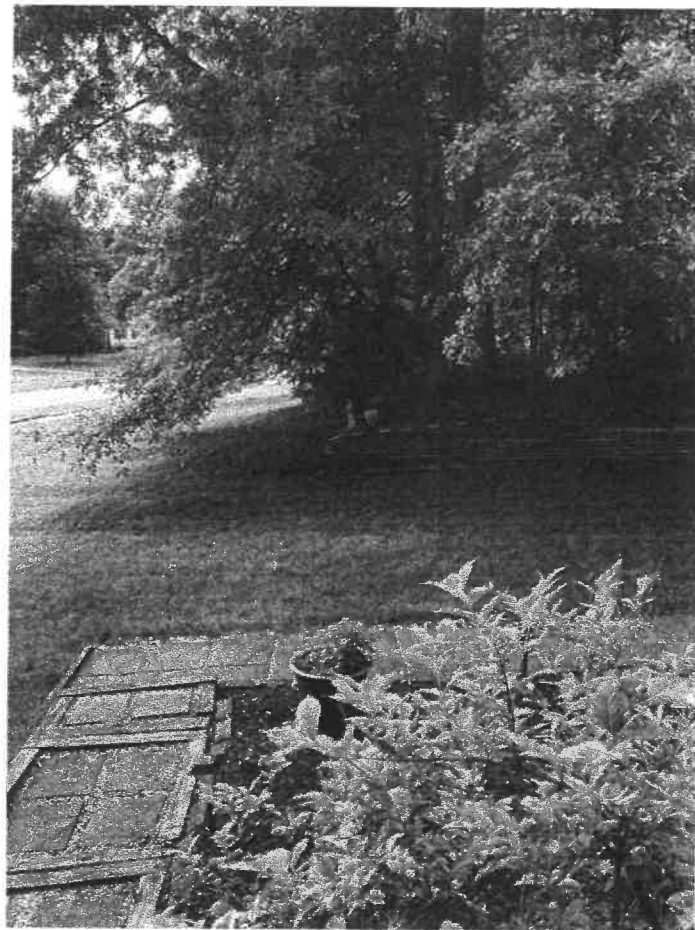
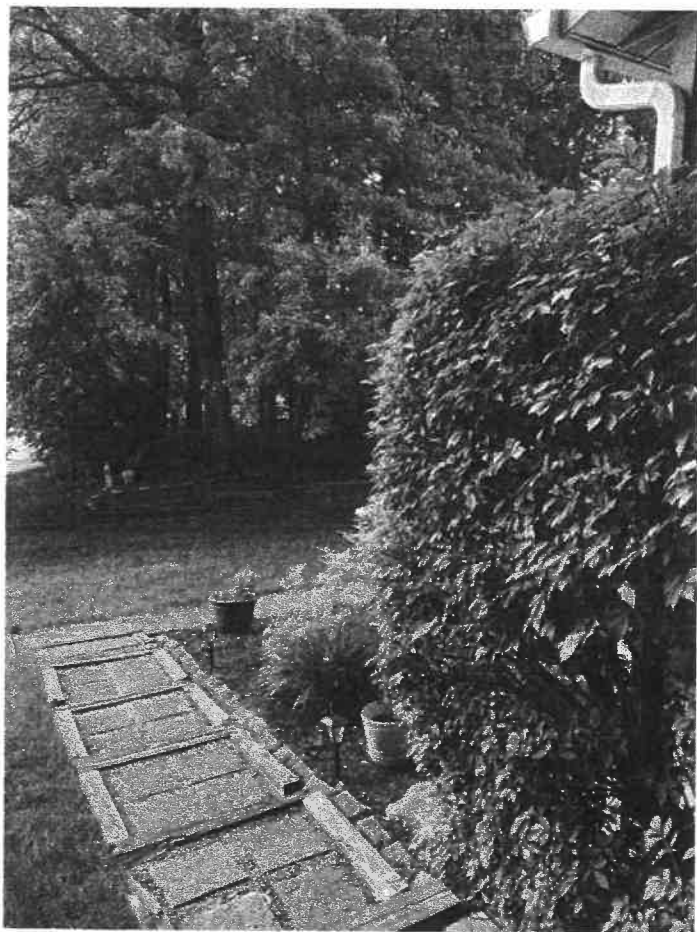
Berkshire Dr

Berkshire Dr

Berkshire Dr

8786 SMOKERISE DRIVE – VIEWS OF SOUTHWEST CORNER OF THE HOUSE





8786 SMOKERISE DRIVE – VIEWS ALONG BERKSHIRE DRIVE





Smokerise Dr

Smokerise Dr

Berkshire Dr

Berkshire Dr

Berkshire Dr

Berkshire Dr

Berkshire Dr

8786 Smokerise Dr
Macedonia, OH 44056

24 Feet Out from House

33 Feet between Fence and Street