

City of Bay Village  
PLANNING, ZONING, PUBLIC GROUNDS AND BUILDINGS COMMITTEE  
March 24, 2014  
City Hall Conference Room 5:30 p.m.

Member Present: Councilwoman Karen Lieske, Chairman  
Councilman Steve Lee  
Councilman Paul Vincent

Others Present: Bela Persanyi, Chairman of the Planning Commission  
Planning Commission members Mark Barbour, Dick Majewski

Audience: Clete Miller, Conda Boyd, Marty Mace

Councilwoman Lieske, Chair of the Committee, called the meeting to order at 5:30 p.m. in the Conference Room of Bay Village City Hall, and the meeting was open to the public. Mrs. Lieske thanked everyone for their time this evening, and expressed appreciation to the three members of the Planning Commission for their attendance at this meeting.

**Review of Intent Section of Chapter 1158 (Section 1158.01)**

CHAPTER 1158

Attached Residence District

1158.01 Intent.

1158.01 INTENT.

An Attached Residence District and its regulations are established in order to achieve, among others, the following purposes:

(A) To regulate bulk and location of buildings in relation to the land in order to obtain proper light, air, privacy and usable open spaces on each zoning lot appropriate for the district; and

(B) To regulate density and distribution of population in accordance with a plan to avoid congestion and to maintain adequate services; and

(C) To protect the desirable characteristics of both existing and planned residential development, to maintain stability; and

(D) To promote the most desirable and beneficial use of the land based on the Master Plan and directed to bring about the eventual conformity with said Master Plan as it may be amended.

(Ord. 74-51. Passed 7-1-74.

Mrs. Lieske asked for comments regarding the Intent Section of the Attached Housing Code.

Mr. Lee stated that Section 1158.01 does not look to be out-of-date or inappropriate. We do not have an up-to-date Master Plan, as referred to in Item (D), but a more recent version might not be much different than the 1999 version.

Mr. Majewski stated that it would be easier if the Planning Commission knew where Council wants to go with this to rewrite the Attached Residence regulations, or make suggestions for the code. Are we trying for senior housing? That is what the Master Plan was written for. The Quality of Life survey sent to the residents at that time included responses indicating a preference for housing with ADA accessibility and at a certain price point. The recent housing that Council placed zoning on the ballot to accommodate had nothing to do with seniors.

Mr. Lee stated that he would look to expand the tax base of the city. He also has heard requests from residents for alternate housing. The townhomes at Crocker Park adjacent to the retail area are attractive, as are the recent developments in Rocky River. The opportunities in Bay Village are limited due to lack of land available for development. There is also a concern of any attached residence development in Bay Village detracting from the value of neighboring residential property.

Mr. Persanyi stated that the three models proposed by John Cheatham of SAFEbuilt would provide for nice looking developments and would accomplish both senior housing as well as up-scale housing. The developments should be no smaller than ten units to make them more viable from an association standpoint.

Mr. Majewski stated that having different models for different zoning classifications is appropriate. Mr. Persanyi has offered an alternative plan based on a certain number of square feet per unit. He used 4500 square feet in Model C, which corresponds to 9 units per acre, and allows for adequate green space. Mr. Cheatham's proposal of 12 units per acre in Model C is usually used for apartment buildings.

Mr. Barbour commented that in 2009 the Planning and Zoning Committee's recommendations were similar and minimum acreage was reduced from five acres to three acres. The overall length of a building was recommended as 100 feet.

Mrs. Lieske referred to a zoning map of Rocky River and commented that most of the attached residence developments are in small areas around the city and are centered around main thoroughfares. Mr. Majewski noted that in order to build a walkable community development around commercial areas might be preferable. Land acquisition may also be easier from these areas.

Mr. Vincent suggested that a timeline be developed for potential developers to present their proposals prior to placing rezoning on the ballot.

Mrs. Lieske summarized by noting that the Planning Commission and this committee have three proposals before them.

1. The proposal of John Cheatham, of SAFEbuilt, as amended.
2. The alternate proposal of Bela Persanyi
3. The recommendations of the Planning and Zoning Committee in 2009.

Mrs. Lieske will report to Council this evening regarding the comments heard at this meeting. President of Council Koomar will be asked to reserve time on the agenda of the Council of the Whole meeting in the near future to hear the final result of the work of this committee and of the Planning Commission as they complete their review on April 2, 2014.

There being no further discussion, the meeting adjourned at 6:30 p.m.

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Karen Lieske, Chairman

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Joan Kemper, Secretary



Building Department Services

February 10, 2014

Proposed Considerations for Chapter 1158; specifically establishing new and/or amended criteria for Attached Residence District:

**Note:** In the place of "Attached Residence" the term used in the Building Codes is "Townhouse" which is defined: "TOWNHOUSE. A single-family dwelling unit constructed in a group of three or more attached units in which each unit extends from foundation to roof and with a yard or public way on at least two sides."

I offer for your consideration having three (3) models:

1. Model A which would be allowed ONLY in Residence District #3
2. Model B which would be allowed in either Residence District #1 or #3
3. Model C which would be allowed adjacent to Commercial/Retail Business District

	MODEL A	MODEL B	MODEL C
<b>Minimum Lot Size</b> (square foot)	80,600	130,680	65,340
(Acreage)	1.85	3	1.5
(Approximate number of existing lots)	10 – 11	9	N/A
<b>Density per acre</b>	8	6	12
<b>*(Density Bonus when providing Accessibility per ICC/ANSI 117.1 in Buildings with less than 4 Dwelling Units)</b>	2	2	2
<b>Minimum open space</b>	35%	50%	30%
<b>Maximum lot coverage</b>	30%	25%	40%
<b>Maximum impervious area</b>	50%	50%	60%
<b>Maximum height</b>	35'	35'	35'

(Note: The maximum height allowed is to reflect the existing character of the surrounding parcels. The applicant would be required to determine the average height of all the buildings on adjoining parcels and then submit a maximum height no greater than 15% higher than the average. This is designed to keep the project compatible with the neighborhood. The inclusion of church steeples and other unusual design features shall not be included in the calculations of average height.)

<b>Maximum length per structure</b>	160'	160'	180'
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(Note: No plane of wall shall be greater than 40' without an offset of at least 12' and the front elevation shall be multi-faceted in order to present an architecturally and aesthetically pleasing appearance in keeping with the general atmosphere of Bay Village.)



Building Department Services

<b>Minimum # of Bedrooms allowed</b>		1, 2, 3	1, 2, 3	1, 2, 3
<b>Minimum square footage living space</b>		1 BR = 800 2 BR = 1,100 3 BR = 1,400	1 BR = 900 2 BR = 1,200 3 BR = 1,400	1 BR = 750 2 BR = 1,100 3 BR = 1,400
<b>Garages required</b>	(Maximum) (Balance to be...)	50% 1-car 2-car	30% = 1-car 2-car	70% = 1-car 2-car

**Storage required:** All buildings must have a minimum of 80 square foot of storage per dwelling unit incorporated into the building structure

<b>Maximum residences per structure</b>		5	4	6
<b>Accessory Structures Allowed</b>		No	No	No
<b>Clubhouse and or pool allowed</b>		Yes	Yes	Yes

**\*Note:** All buildings with 4 or more units must have **every** ground floor unit Adaptable with some being Accessible. Therefore a density bonus for these buildings would be a moot point.

All other relevant issues; such as building line setbacks, minimum front/side/rear yards, distances between buildings, distances from accessory structures, etc., would need to be determined once these proposals were discussed.

If the City were to make use of an overlay district in the majority of the city, the setbacks and other zoning issues would be predicated by the regulations in that district.

*It should be noted that structures containing 3 residences are treated differently under the building code than structures containing 4 or more residences. Once a building has 4 or more residences, it becomes subject to the Ohio Building Code (commercial) as opposed to the Residential Code of Ohio. This would have a financial impact on the developer and might dictate the size of the buildings and the number of residences contained in each building.*

Respectfully Submitted:

John R. Cheatham  
Chief Building Official  
SAFEbuilt/Bay Village

A PROPOSAL FOR CHANGES TO CHAPTER 1158

DENSITY WOULD BE DETERMINED BY SPECIFYING MINIMUM LAND AREA PER UNIT AND THE MINIMUM NUMBER OF UNITS PER DEVELOPMENT

- MODEL A: 5500 S.F. PER UNIT (7.92/ACRE)
- MODEL B: 7300 S.F. PER UNIT (5.97/ACRE)
- MODEL C: 4500 S.F. PER UNIT (9.68/ACRE)

THE TABLE BELOW SHOWS DEVELOPMENT ACRES BY VARIOUS MINIMUM UNIT NUMBERS

	10 UNIT	12 UNIT	15 UNITS
MODEL A	1.26 ACRES	1.52 ACRES	1.89 ACRES
MODEL B	1.68 ACRES	2.01 ACRES	2.51 ACRES
MODEL C	1.03 ACRES	1.24 ACRES	1.55 ACRES

1211.09 SCHEDULE OF AREA, YARD AND HEIGHT REGULATIONS.

W 537 2000

Dwelling Type	Permitted Use District	Lot Area/Dwelling Unit (sq. ft.)	Minimum Development Area	Min. Lot Width at Bldg. Line (ft.)	Min. Lot Width at Street Line (ft.)	Main Bldg(s)	Accessory Buildings & Uses	Front Yard (ft.)	Minimum Yard Dimensions (ft.)			Rear Yard (ft.)	Max. Hgt. Stories	Min. % Open Space
									(a)	(b)	(c)			
One-Family	All residential Districts	20,000 (k)(d)	20,000 (k)	100	45	20	30(a)	50	15	30	30	30	2-1/2	50
One-Family Detached Cluster	R-1F Cluster	20,000 (i)	4 acres	100	60	20	100(j)	50/30 (f)	(e)	(f)	(f)	(f)	2-1/2	50
One-Family Detached Cluster	R-MF-40, 24, 15 or PUD	15,000 (i)	4 acres	100	60	20	100(g)	50/30 (f)	(e)	(f)	(f)	(f)	2-1/2	50
Two Family	R-2F-100	10,000	20,000 sq. ft.	100	60	25	30(a)	50	10	25	40	40	2-1/2	50
Multi-Family Townhouse	R-MF-40, R-MF-24, R-MF-15	7,000 (h)	1 acre	100	60	30	N/A	50	See Sec. 1211.19	25	25	25	2-1/2	50
Apartment (3 stories or less)	R-MF-24, R-MF-15	Minimum 2,400 to 3,000 (g)	2 acres	100	60	30	N/A	75	See Sec. 1211.19	50	50	50	3	40
Apartment (more than 3 stories)	R-MF-15	Minimum 1,500 to 2,100 (g)	5 acres	300	240	20	40	100	See Sec. 1211.19	100	100	100	6	40

1211.09 SCHEDULE OF AREA, YARD AND HEIGHT REGULATIONS.

DEVELOPMENT CODE  
1143.03 SCHEDULE OF AREA, YARD AND HEIGHT REQUIREMENTS

*ROCKY RIVER (old)*

DISTRICT	DWELLING TYPE	LOT SIZE		OPEN SPACE		YARD DIMENSIONS					
		MINIMUM LOT AREA PER DWELLING UNIT (SQ. FT.)	MINIMUM WIDTH OF LOT (FT.)	MAXIMUM LOT COVER-AGE BY BLDG. (%)	MINIMUM LIVABLE OPEN SPACE (%)	FRONT SETBACK (FT.)	SIDE YARDS WIDTH ONE (FT.)	TOTAL (FT.)	REAR WIDTH (FT.)	HEIGHT OF MAIN BUILDING (FT.)	
IF-R1	1 Fam. Dw.	10,000	75	25	50	(a)	8	16	25	25	25
	Cluster Housing	12,000	n/a	n/a	n/a	(d)	(d)	(d)	(d)	(d)	25
2F-R2	2 Fam. Dw.	6,000	60	25	50	(a)	8	16	25	25	25
TH-R3	Townhouse										
R3A	Class A	7,000	100	20	50	40	(b)	(b)	(b)	(b)	25
R3C	Class C	4,500	100	20	50	40	(b)	(b)	(b)	(b)	25
MF-R4	Multi Family (c)	2,000	100	20	60	40	(b)	(b)	(b)	(b)	25
MF-R4A	Multi Family (c)	2,000	100	20	60	40	(b)	(b)	(b)	(b)	35
MF-R5	Multi Family (c)	1,500	150	15	60	40	(b)	(b)	(b)	(b)	50
MF-R6	Multi Family (c)	1,200	250	10	65	40	(b)	(b)	(b)	(b)	100
MF-R7	Multi Family (c)	900	400	10	65	40	(b)	(b)	(b)	(b)	150
GA-R8	Golden Age	2,200	250	20		40	(b)		(b)	(b)	50
n/a	Not Applicable										
(a)	Front yard depth to be derived from SetBack map										
(b)	Yard Dimensions determined by formula, Chapter 1145 (Ord. 117-77 Passed 11-14-77).										
(c)	Lot area and coverage for conditional senior citizen and congregate care housing is listed in Section 1143.11										
(d)	Cluster Housing - See Section 1145.07										

Metric Measures and Equivalents

Feet	Square Feet
5	1.52m
8	2.44m
16	4.88m
25	7.62m
40	12.19m
50	15.24m
60	18.29m
75	22.86m
100	30.48m
150	45.72m

## MEMORANDUM

To: City Council

DATE: July 22, 2009

From: Planning, Zoning, Public Buildings & Grounds Committee  
David L. Tadych, Chair  
Mark Barbour  
Scott Pohlkamp

Re: Codified Ordinance Chapter 1158  
Attached Residence District Zoning Regulations

As requested, we have continued review of Codified Ordinance Chapter 1158. This committee submits the following statements and recommendations:

- A. Development Area: A minimum acre development site in an attached residence district shall be three acres of buildable land.
- B. Density: The density for attached residence district shall not exceed eight units per acre city wide.
- C. Height of Building: Attached residences shall in no case exceed 5% of the average height of immediately adjacent structures. And in no event, shall the height exceed two and one-half ( 2 ½) stories or 30 feet, whichever is less.
- D. Attached Residences per Building: Four (4) dwelling units, or a lesser number, may be attached one to another, by common or joining walls and shall be regarded as constituting a single building (but not as a single dwelling unit). All measures of residences so attached shall be made as a single building. No building shall exceed 100 feet in length and no outside wall shall be more than 45 feet of continuous length without an offset (either recessed or protruded) of at least two (2) feet.
- E. Gross Floor Areas of Dwelling Units:
  - One or two bedroom units – Minimum of 1100 square feet
  - Three bedroom unit – Minimum of 1400 square feet
  - Four bedroom unit – Minimum of 1600 square feet

The following restrictions should apply:

The total units shall be divided so as approximately one-third contain two bedroom units, one-third contain three bedroom units, and the remaining one-third consist of a choice of any mix of approved bedroom units.

F. Open Space: A minimum of fifty percent (50%) using current measurement criteria and standards in a residential district. In a business district, twenty-five percent (25%) open space may be acceptable.

In all cases, it is imperative that the development for attached residences have no unreasonable or adverse impact on adjacent single-family residential areas. Although Council may consider these newer ideas as acceptable, concerns may exist in making them without citizens' approval.

During our committee meetings, discussions of concerns arose:

1. The Bay Village Master Plan of 1999 is, by its own authors written suggestions, overdue in being updated. Compiled more than 10 years ago, needs, recommendations, and survey studies have likely changed. A committee relying on data and surveys of 11 years ago may reach mistaken conclusions. Our city deserves better.
2. In reviewing the Kent State study it was somewhat disconcerting to read "Before deciding whether to define new zoning districts or grant variances for the deviations from the existing code, all the areas of the plan need to be developed in greater detail to verify proposed density and setback dimensions, and conformance with the more detailed provisions of the existing code." We were asked to learn from this plan but the plan cautioned that additional work and study needs to be completed before implementation.
3. Latest census data is almost ten years old. A new government census is planned for 2010. It may be considered wise to wait for new and additional information about possible changes in our citizenry and their needs. Census data is like a snapshot that helps define who we are as a city. Fresh data about changes in our community, we believe, is crucial to revising planning decisions.
4. It is doubtful that with the current financial downturn, immediate or short term development in our city will be forthcoming. However, even initial but cautious

steps may be looked upon as a welcoming beginning to attached housing development.

The committee reached a conclusion that development decisions using overlays in any area need to be highly complimentary to that area of our city being considered for change. Any changes should be completely in tune with residents' interests and objectives.

In conclusion, we heard testimony over and over again that Bay Village is primarily a single family residential city, was planned that way more than sixty years ago, and that any changes to that mantra should come from its voting and taxed residents.