

MINUTES

Orange Village Planning & Zoning Commission
Architectural Board of Review
Tuesday, October 15, 2024 - 6:30 pm

Members Present: Kathy Moran, April Skurka, Staci Vincent, Anthony Lazar, Brian Hitt, and Mayor Kline

Absent: Scott Lewis

Others Present: Steve Byron, Law Director
Robert McLaughlin, Chief Building Official
Brandon Hughes, Building Inspector
Danette Gembarski, PZ/ABR Secretary
Brian Mader, Village Engineer
Brent Silver, Council President

Mayor Kline called the meeting to order at 6:30p.m.

#1 4909 WEST WOODCREST DRIVE – CONVERTING GARAGE AND BUILDING NEW GARAGE

PZ/ABR Discussion:

Mr. McLaughlin stated the applicant has requested to move this item to the next meeting on November 5th.

#2 3930 BEECHMONT TRAIL – ROOF OVER EXISTING DECK

PZ/ABR Discussion:

While waiting for Mr. Rodriguez to arrive Mr. McLaughlin explained that the deck was already approved by the Building Department. This agenda item is to build a roof over the deck and this needs to be approved by the Board. Mr. McLaughlin stated there are no zoning issues.

Mr. Rodriguez did not show up for the meeting.

Mayor Kline inquired if the Board would consider reviewing the roof without the applicant being present since the deck has already been approved. After discussing prior situations when applicants did not show up it was decided that this agenda item will be moved to the November 5th meeting.

Ms. Vincent made a joint motion to move this case of building a roof over an existing deck at 3930 Beechmont to the November 5th meeting.

Seconded by Ms. Moran

Ayes: Ms. Moran, Ms. Skurka, Ms. Vincent, Mr. Lazar, Mr. Hitt and Mayor Kline

No: None

The joint motion was approved 6-0

#3 229 LAKE BALATON, LOT #44 – NEW SINGLE FAMILY DWELLING

Present: **Mitch Davic- Pulte Homes**

PZ/ABR Discussion:

Mr. McLaughlin stated this was approved by the Village Architect.

Mr. Mader was in attendance and told the Commission this was approved as noted. He added that a variance was approved back in July of 2022 for this lot and the two neighboring lots.

Mr. Davic stated this is a Bourges model, 3,607 square feet, 4 bedrooms, 3 ½ bathrooms, walk out unfinished basement with rough plumbing, and a 2 car garage. Features include first floor master bedroom, laundry room, and sunroom.

The exterior selections are as follows:

Horizontal Siding – Pearl Gray

Shake Siding – Aged Pewter

Trim – Extra White

Roof Shingle – Moire Black

Shutter – Tuxedo Gray

Garage Door – Essential Gray

Entry Door – Urbane Bronze

Brick Veneer – Coral Blend

Cultured Stone – Gola Ledgestone

Both Ms. Moran and Ms. Skurka questioned the color scheme to the home located next door. Mr. Davic stated they are both Bourges style homes but the color palette is different.

Ms. Vincent asked about the door located off the sunroom on the rear elevation. Mr. Davic stated the drawing is missing the protective gate. It is designed so the homeowner is able to add a deck if they decide to in the future.

A joint motion was made by Mr. Hitt to approve 229 Lake Balaton.

Seconded by Ms. Skurka

Ayes: Ms. Moran, Ms. Skurka, Ms. Vincent, Mr. Lazar, Mr. Hitt and Mayor Kline

No: None

The joint motion was approved 6-0

Mr. Lazar drew attention to the sketch showing the right side elevation. He pointed out the two windows toward the back of the house not having a dormer above them. He suggested adding a dormer to make it more consistent to the previous homes they have approved in Lake Balaton and matching the left side elevation.

Mr. Moran made a motion to reconsider the approval for 229 Lake Balaton based on the suggestion from Mr. Lazar.

Seconded by Mr. Lazar

Ayes: Ms. Moran, Ms. Skurka, Ms. Vincent, Mr. Lazar, Mr. Hitt and Mayor Kline

No: None

The joint motion was approved 6-0

The Commission discussed eliminating the middle dormer, increasing the size of the existing dormer, moving the windows, and adding another dormer.

Mr. Hitt made an amended joint motion to approve 229 Lake Balaton subject to the addition of the dormer over the two windows toward the back of the right side elevation, slide the two front windows on the right side elevation forward and make the dormer above them larger.

Seconded by Ms. Skurka

Ayes: Ms. Moran, Ms. Skurka, Ms. Vincent, Mr. Lazar, Mr. Hitt and Mayor Kline

No: None

The joint motion was approved 6-0

#4 4240 CAMBRIDGE COURT– GARAGE VARIANCE – 1 YEAR EXTENSION REQUESTED

PZ/ABR Discussion:

Mr. McLaughlin stated Mr. Jacobs, the homeowner, emailed a request to extend the approved variance for adding an attached garage. Mr. Jacobs' email explained that he is currently receiving bids from contractors and plans to begin the project in the spring.

Ms. Vincent expressed her concerns that the homeowner might not complete this project in the spring and will have the same circumstances next year and will request another extension.

Mr. McLaughlin explained that you can only request an extension once, after that you will need to resubmit your request for the variance. It would come before the Commission again and they would need to vote on it.

Mayor Kline made a motion to approve the 1 year extension of the garage variance for 4240 Cambridge Court.

Seconded by Mr. Lazar

Ayes: Ms. Vincent, Mr. Lazar, and Mayor Kline

No: Mr. Hitt

The motion was approved 3-1

#5 LAKES OF ORANGE PHASE 8 - REPORT AND RECOMMENDATION TO COUNCIL REGARDING THE ADOPTION OF ORDINANCE NO. 2024-23 AND APPROVING THE PLAT

Present: **Randy Kertesz – Kertes Enterprises**
 Jordan Berns - Represents Kertes Enterprises
 Jeff Plautz – Neff & Associates

Mayor Kline stated he will remove himself from participating and voting on this agenda item. Council President, Mr. Silver, will be voting on this issue in his place and Vice Chairperson, Mr. Hitt, will lead the discussion.

Mr. McLaughlin told the Commission the item being presented tonight is only approving the plat. It is not addressing the preliminary development plan. This will come at a later date.

Mr. Mader said there is a conditional approval of the plat. There were some minor issues but none of these issues would change the plat.

Mr. Kertesz explained this phase will have 23 attached and detached homes consisting of duplexes, triplex and fourplexes on a private street off of Miles Road. He stated that this will be the last phase of Lakes of Orange and will only be a residential development.

Ms. Vincent wanted to confirm that approving this plat today does not automatically approve the preliminary development plan. Mr. McLaughlin stated, that is correct.

Mr. Hitt questioned if approving this plat approves the private street. Mr. McLaughlin stated, yes.

Mr. Silver asked if Mr. Kertesz planned on adding sidewalks in this development. Mr. McLaughlin stated that would be discussed with preliminary development plan not in the plat approval.

Mr. Silver inquired if there will be a path connecting this phase to the other Lakes of Orange developments. Mr. Kertesz said, no. There is a large grade difference and a creek that runs on the eastern side which prevents a connection.

Mr. Silver asked if there is an existing sidewalk on Miles Road. Mr. Kertesz said he would be putting in a sidewalk across his property in the right of way on Miles Road. He pointed out that the area in front of Swedish Solutions does not have a sidewalk. Mr. Silver clarified that if residents wanted to walk to the club house there would be areas without sidewalks and the answer was yes.

Ms. Vincent asked if Mr. Kertesz would be willing to put into writing that this will be the last phase and he would not be adding any commercial buildings at a later date. Mr. Kertesz stated yes, he would sign the document listing these points.

Mr. Hitt opened the discussion to the audience. The residents spoke about the following:

- The removal of trees. One resident feels that trees should not be removed until the lot is sold and construction begins.
- The noise from the freeway. They feel the trees act as a sound barrier and if they are removed the noise level will increase.
- The detention ponds causing stagnant water to occur. This can cause health issues not to mention the insects that breed in this kind of environment.
- Sidewalks versus trails were debated.
- The request for a signed document stating this is the last phase for Lakes of Orange and no future commercial development would be constructed in this neighborhood.

Mr. Kertesz responded that this development will be cleared similar to the previous phases, the detention pond will not cause stagnant water and he is not putting in sidewalks to connect this phase.

Ms. Vincent wanted the residents to be aware that the Commission is in the process of revising the tree preservation code. Part of the plan addresses the percentage of trees that come down and the number that would need to be replaced.

Mr. McLaughlin explained that along with the preliminary development plan, the applicant will need to include a tree preservation plan. This plan will be reviewed and approved by the Commission.

Mr. Hitt wanted the residents to know that the way this property is zoned the developer has the ability to build according to the plat and that is what is being presented and voted on tonight.

Mr. Silver mentioned that the last meeting there were two agenda items related to Lakes of Orange Phase 8. One was for the plat and one for the approval of adding Phase 8 into the HOA. The item approving Phase 8 into the HOA is not listed. Mr. Byron said the approval into the HOA will be presented to Planning and Zoning Commission at a later date as part of the preliminary development plan. Mr. Silver asked if that would be brought to Council. Mr. Byron stated, it would only be presented to the Planning and Zoning Commission.

Mr. Hitt made a motion to recommend for Council to pass Ordinance 2024-23 and approve the plat.

Seconded by Mr. Lazar

Ayes: Ms. Vincent, Mr. Lazar, Mr. Hitt and Mr. Silver

No: None

The motion was approved 4-0

Ms. Vincent thanked the residents for attending and stated the Commission will keep in mind all their concerns and issues when reviewing the preliminary development plan.

Mr. Kertesz made a final comment that this new development will be built with the same standards as the existing homes in Lakes of Orange.

#6 CHIEF BUILDING OFFICIAL'S REPORT

Mr. McLaughlin stated the two items from tonight's meeting, 4909 W. Woodcrest Road and 3930 Beechmont Trail, along with the tree preservation plan will be on the November 5th agenda.

Mr. McLaughlin wanted to review the status of the tree preservation plan. He stated they have all the functional pieces of the plan in place. Mr. Majewski is currently writing the code, and Ms. Moran is working on the tree canopy calculations. They have also worked on the percentage of trees, and applying the new plan to existing developments as well as proposed developments and to new dwellings being built. But the Commission will need to supply input and make the final decision on these issues.

Mayor Kline would like the plan to be finished quickly in order to recommend it to Council for approval. He would like the new plan in place for all the new proposed projects.

Mr. Hitt expressed the new ordinance should make it easier to keep the trees on the property rather than replacing them. Mr. McLaughlin replied, they are creating a highly functional and clear tree preservation plan.

Ms. Vincent asked if the plan will be retroactive. Mr. McLaughlin explained that the tree preservation plan we have in place was used for all the previous projects and those development plans were approved. Once the new ordinance is approved it will be applied to all future projects.

Ms. Vincent wondered the recourse if the tree preservation plan is not followed. Mr. McLaughlin said that would be a legal issue that will need to be discussed and determined.

#7 ANY OTHER TOPIC FOR DISCUSSION

None

#8 MINUTES FROM SEPTEMBER 17, 2024 TO BE APPROVED

A joint motion was made by Mr. Hitt to approve the minutes from the September 17th meeting.

Seconded by Ms. Vincent

Ayes: Ms. Moran, Ms. Vincent, Mr. Lazar, Mr. Hitt, and Mr. Silver

Abstained: Ms. Skurka and Mayor Kline

No: None

The motion was approved 5-0.

#9 MINUTES FROM OCTOBER 1, 2024 TO BE APPROVED

A joint motion was made by Ms. Vincent to approve the minutes from the October 1st meeting.

Seconded by Mr. Lazar

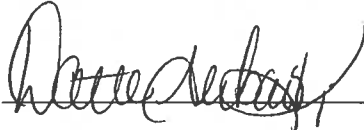
Ayes: Ms. Moran, Ms. Vincent, Ms. Skurka, Mr. Lazar, and Mayor Kline

Abstained: Ms. Hitt

No: None

The motion was approved 5-0.

There was no further business and the meeting was adjourned at 7:45 PM.

Danette Gembariski  Date: 11/6/2024