

**CAUCUS PRIOR TO STRONGSVILLE BOARD OF ZONING &  
BUILDING CODE APPEALS  
Meeting of  
April 24, 2024**

**Board of Appeals Members Present:** Dustin Hayden, Ken Evans, John Rusnov, Dave Houlé, Richard Baldin

**Administration:** Assistant Law Director, Daniel Kolick

**Assistant Building Commissioner:** Steve Molnar

**Recording Secretary:** Mitzi Anderson

The Board members discussed the following:

**JOSHUA AND LISA CANTWELL, OWNER/Jeff Dempsey, Agent**

Requesting a variance from Zoning Code Section 1252.29 (b) (1), which prohibits a swimming pool from being located in a side yard and where a 16' x 38' inground swimming pool in a side yard is proposed, property located at 20219 E. Donegal Lane, PPN 394-30-082, zoned R1-100

Mr. Hayden – Item number one on the agenda is for 20219 E. Donegal Lane and is a request for an inground swimming pool, which is a side yard variance request. I had a chance to speak with Mr. Rusnov regarding this request and this seems to be a topographical issue.

Mr. Rusnov – This property is on a cul-de-sac lot and this is the only place where they can locate the pool. We have approved requests like this before.

Mr. Houlé – Is there common land behind them and on the side?

Mr. Kolick – No, it is not common land but it backs up to a lot on Cottage Grove and they abut another home in their side yard.

Mr. Houlé – Yes, to the south of them there is another home.

Mr. Hayden – We will address this on the floor but, I believe up until now we have not received Homeowner Association (HOA) approval.

Mrs. Anderson – No, not yet.

Mr. Baldin – I agree that is probably the only location for a pool but, I still have some questions because it is out there in the open.

Mr. Kolick – We usually defer action for one meeting if we have not heard from the Homeowners Association and if we do not hear from the HOA by the next meeting then we can act on the variance request. We will see where he is at and hopefully he has started the process.

Mr. Rusnov – Has the zoning changed since the house was built?

Mr. Kolick – No, this request is in Waterford Crossing.

Mr. Evans – I am surprised about the Architectural Review approval because they have a management company that they pay to review all of the requests.

Mr. Kolick – We can talk to them on the floor about it.

Mr. Baldin – I was curious if the house was built that way or if they had it constructed that way.

Mr. Rusnov – When I looked at the commercial survey, I don't see anywhere else they could have built the house because the cul-de-sac is an irregular shape to begin with and you have to be a certain distance from the curb and the side line for the setback requirements.

Mr. Houlé – There is also a sewer easement behind it, which is the bigger issue.

The Board members approved the minutes for April 10, 2024.

**STRONGSVILLE BOARD OF ZONING & BUILDING CODE APPEALS  
MINUTES OF MEETING  
April 24, 2024  
7:00 PM**

The meeting was called to order at 7:00 PM by Mr. Hayden.

Present:

Mr. Baldin  
Mr. Rusnov  
Mr. Houlé  
Mr. Evans  
Mr. Hayden

Also Present:

Mr. Daniel Kolick, Assistant Law Director  
Mr. Steve Molnar, Assistant Building Commissioner  
Mrs. Anderson, Recording Secretary

Mr. Hayden – I would like to call this April 24, 2024 meeting of the Strongsville Board of Zoning and Building Code Appeals to order. May we have a roll call please?

ROLL CALL:	MR. BALDIN	PRESENT
	MR. RUSNOV	PRESENT
	MR. HOULÉ	PRESENT
	MR. EVANS	PRESENT
	MR. HAYDEN	PRESENT

Mr. Hayden – I hereby certify that this meeting has been posted in accordance with Chapter 208 of the Strongsville Codified Ordinances.

Mr. Hayden - Before us we also have minutes to approve from our meeting on April 10, 2024. We discussed this in caucus and there were no corrections or changes and we will file those accordingly.

Mr. Hayden - If you are here this evening and you plan on addressing the Board, I would ask that you stand and be sworn in by our Assistant Law Director, as well as our Secretary and Building Department representative.

Mr. Kolick administered the oath to those standing.

1) **JOSHUA AND LISA CANTWELL, OWNER/Jeff Dempsey, Agent**

Requesting a variance from Zoning Code Section 1252.29 (b) (1), which prohibits a swimming pool from being located in a side yard and where a 16' x 38' inground swimming pool in a side yard is proposed, property located at 20219 E. Donegal Lane, PPN 394-30-082, zoned R1-100

Mr. Hayden – Item number one on our agenda this evening is for 20219 E. Donegal Lane. If a representative could step up to the microphone and give us your name and address for the record.

**Joshua Cantwell, 20219 E. Donegal Lane, Strongsville, Ohio**

Mr. Hayden – Please take us through the project, you heard some of our comments during Caucus regarding the topography and Mr. Baldin had questions concerning the property itself. If you could address those concerns as well.

Mr. Cantwell – My wife and I are trying to put a pool in and we have looked at putting it in the back yard because we understand that is normal in Strongsville and that the side yard would require a variance. There really isn't any space in the back yard behind the house so, the hardship would be to locate it in the side yard. We are working with Jeff Dempsey from Pro Edge Pools to try and get things mapped out and we had a survey ordered. The side yard is the best location for the pool and we have spoken with a bunch of neighbors, there is a neighbor that lives on Donegal Lane at the end of the street and they have nearly an identical lot as we do and they are on a turn, not a cul-de-sac, and have a pool in their side yard, which is almost identical to our request. We considered this as a template of where our pool would go and how it would look and are hoping to receive an approval for a variance.

Mr. Kolick – Mr. Cantwell, have you talked to the Homeowners Association to get their sign off on this?

Mr. Cantwell – Yes, we have sent all of the paperwork to them and Mr. Golden, who is the Director of the Waterford Crossing Homeowner Association under Lawrence Management. My understanding is that they have received everything but based on timing they have not been able to send the paperwork back, which has to come before the Board.

Mr. Rusnov - The reason for locating the pool in the side yard instead of the backyard is because of the topography or the shape of the lot, it is on a cul-de-sac and it is an irregular shape and you have an easement in the back of the property.

Mr. Cantwell – There is a swale in the back yard for drainage.

Mr. Rusnov – That is why it falls into our purview because of the topography and the easement.

Mr. Cantwell – It is really the only place that I can put it.

Mr. Baldin – Does your neighbors have any problems with it or are they looking forward to using the pool?

Mr. Cantwell – They are looking forward to using it and my neighbor to the side is the Middle School Principal, Ms. Boytim, who you guys probably know. We are pretty good friends with them, her husband is my doctor and my kids doctor and they are looking forward to using it. The neighbor on the other side has young kids and they are looking forward to using it to, I think if they had an objection they would be here.

Mr. Evans – Mr. Cantwell will this have one of the automatic covers on it?

Mr. Cantwell – Absolutely, we understand that it is required and we want that anyway for safety.

Mr. Baldin – I believe you have to fence it in?

Mr. Cantwell – I don't believe that Waterford Crossing allows fences so we will install an automatic pool cover for sure and that is already something we are working on. Again, looking at one lot in particular that is nearly identical to ours, where they already have a pool and they don't have a fence but they

have done a really nice job with landscaping and trees to block the view from the street and create a natural boundary between the neighbors and we are planning to do the same thing. I have some pictures here if you would like to see them.

Mr. Kolick – Sure, bring them up.

Mr. Cantwell – The pictures are of a lot at the other end of Dongegal and they have a pie shape lot like us and a driveway that pulls into the side, a side loader garage just like us and their pool is directly behind the driveway in the side yard and is almost identical to what we want to do.

Mr. Hayden – Are there any additional comments?

Mr. Hayden – You may have heard Mr. Kolick’s comment in Caucus regarding the HOA letter so we will hold our public hearing and keep it open until next meeting once we receive the HOA letter, we can then close that out and act on the request.

Mr. Hayden – This is a public hearing, is there anyone in the audience that wishes to speak for the granting of the variance. Is there anyone in the audience that wishes to speak against the granting of the variance. Hearing none and seeing none, we will leave the public hearing open and once you receive the HOA letter we will see you at the next meeting.

Mr. Kolick – Mr. Cantwell, if you receive it earlier bring it up to City Hall or if you get it the night of the meeting you can bring it to the meeting too, either way.

Mr. Cantwell – I think we are at their mercy because they meet at certain times and timing just didn’t work out for this meeting but otherwise I think we would have it.

Mr. Hayden – If there is no further business to come before this Board, this meeting is adjourned.