

**CAUCUS PRIOR TO STRONGSVILLE BOARD OF ZONING &
BUILDING CODE APPEALS
Meeting of
May 8, 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:

JEVONTAE FREEMAN, (OWNER)

Requesting a 15' setback variance from sidewalk on a corner lot from Zoning Code Section 1252.17 (c), which requires a 16' setback variance from sidewalk on a corner lot and where a 1' setback variance from sidewalk on a corner lot is proposed to install a fence, property located at 18836 West 130th Street PPN. 399-32-119, zoned R1-75

Mr. Hayden – Item number one on the agenda is for Jevontae Freeman at 18836 West 130th Street, which is for a setback variance to install a fence. The code requires a 16' setback and this fence looks as if it will be 1' off the property line. We did have an officer go out and review all angles of this project and the report was distributed to all of us. The police officer's recommendation is that there would be several safety concerns regarding the placement of this fence, which include the line of sight, sidewalk, neighbor's driveway at 13184 Cheryl Drive and a diminished ability to see any vehicles traveling on Cheryl Drive.

Mr. Rusnov – Also, there would be difficulty seeing when you are making a left or right turn onto West 130th Street.

Mr. Houlé – Will the proposed fence extend into the front yard, too?

Mr. Molnar – No, just on the side.

Mr. Kolick – That is why we have a 16' setback requirement on a corner lot, for this very reason. This is to ensure that there are not any obstructions of view. That is what Council approved, unless there is some real reason for the variance.

Mr. Baldin – We have reviewed many of these over the years and just recently there was someone who cut a piece of his fence off because of sight issues. I agree with the report that the CPTED Officer gave us after looking at the site and I am personally not in favor of this request.

Mr. Evans – I reviewed the site before we received the CPTED Officer's report and I was going to call Mitzi and say I think we need to have this reviewed. As Rich said, there have been a lot of people on corner lots that have requested variances similar to this and anytime you compromise the safety of people either walking, driving or anything else it is a real problem. For us as a Board to go directly against the recommendation of a Safety Officer would be sort of foolish.

Mr. Kolick – You are also talking about a major road on West 130th Street, this is not an interior cul-de-sac.

Mr. Hayden – Thank you for your comments and we will address some of the concerns with the homeowner on the floor.

BRIAN AND KELLY JUNGERBERG (OWNER), Steve Bella, Agent

Requesting a 272 SF floor area variance from Zoning Code Section 1252.12 (b), which permits a 120 SF floor area and where a 392 SF floor area is proposed in order to install a patio in the front yard, property located at 21511 Meadows Edge Lane, PPN 392-09-033, zoned R1-100

Mr. Hayden – Item number two on the agenda is for Mr. & Mrs. Jungeberg on Meadows Edge Lane. As mentioned earlier in the meeting, we do have a revised agenda and we have received several revisions of this project because the homeowner was trying to appease the Board and neighbors. The variance being requested is for a 60 SF floor area variance and our code allows for 120 SF, where they are proposing 180 SF, this also includes the walkway next to the driveway and they will be adding some nice river rock around the edges.

Mr. Rusnov – This is a big difference from what was originally proposed.

Mr. Hayden – His drawings shows 12' x 12' on the pad and the remaining square footage is reserved for the walkway.

Mr. Rusnov – What does the Building Department think, does it meet your expectations?

Mr. Molnar – Obviously the Board will vote on it and come to a decision.

Mr. Houlé – There are a lot of driveways on that street that are two cars wide.

Mr. Rusnov – The zoning code has changed multiple times since those properties were built. Also, the zoning code should be changed to bring us into the twenty-first century.

Mr. Baldin - In reviewing the neighborhood, I saw a few homes that have extended concrete pads out front. This does not look bad and their original drawing incorporated the sidewalk but they have since revised it.

Mr. Houlé – The pad they are proposing is 12' x 12', which is 144 SF.

Mr. Baldin – I don't have a problem.

Mr. Houlé – I don't either.

Mr. Evans - There are a number of communications that we have received from residents but I would like to also point out that we have received a letter of approval, from Meadowood Association, for the original submission of 448 SF and my tendency is to rely on Homeowners Associations as a non-committal judgement. There were a number of residents who sent letters and talked about the natural area and the way that Schmidt developed houses but driving through Meadowood and particularly driving through Ledgewood, which is a little bit older, there are a lot of large porches that are out in front of houses and no two are the same because they are all built differently. Meadowood tends to conform a little more to a particular style and layout than the cluster homes but the stamped concrete is not like putting a solid concrete pad out there, it is a little bit different. They are still landscaping around it, the fact that we have Meadowood Association's approval on it and they have mitigated the size of it, those are things that we need to keep in mind as we look at the request.

Mr. Kolick – Mr. Chairman, I don't know if the approval from Meadowood Association is based on the original or the most recently revised drawing because the letter is dated May 5, 2024.

Mrs. Anderson – It is based on the original request.

Mr. Baldin – We use the HOA letter as a guideline but it is not something that is cut in stone and we have to adhere to the codes of the City.

Mr. Rusnov – Our driving force is the Code, the Homeowners Association has no sway with us because they are not following Code they are following the restrictions that are in their deeds for what they can put up, like sheds or fences.

Mr. Baldin – It is a guideline that gives us an idea of what the Homeowners Association thinks.

Mr. Rusnov – If it meets the Code we can't stop them.

DANNY CALVERT SR. (OWNER)

Requesting a 7' Side Yard Setback variance from Zoning Code Section 1252.29 (b) (1), which requires a 15' Side Yard Setback and where an 8' Side Yard Setback is proposed in order to install a swimming pool, property located at 16907 Lanier Ave, PPN. 397-13-009, zoned R1-75

Mr. Hayden – The last item on the agenda is for 16907 Lanier Avenue, which is a side yard setback request for a swimming pool. Mr. Rusnov, you and I discussed this earlier.

Mr. Rusnov – In that area is a sidewalk that will give you access to the pool, so the variance is not really accurate because it includes the sidewalk. I reviewed it and we have granted variances similar to this in the past and this is a smaller lot with easements.

Mr. Houlé – It is a narrow lot that slopes down to the side.

Mr. Rusnov – I have no issues with this.

Mr. Houlé – Me either.

Mr. Baldin – I agree.

Mr. Rusnov – In the new Code, we should eliminate the sidewalk so that we get a true picture of proximity.

Mr. Kolick – There is a problem with that and Council has reviewed this because, someone brought a little pool and concreted the whole yard and that is the reason that Council included that in the definition because, otherwise someone comes in with an idea like that. I'm not suggesting that this is anyway related to this one but that is why they include the concrete around the pool and it needing to comply with the side yard setback.

Mr. Rusnov – Thank you for your enlightenment.

Mr. Kolick – You are welcome.

The Board members approved the minutes for April 24, 2024.

**STRONGSVILLE BOARD OF ZONING & BUILDING CODE APPEALS
MINUTES OF MEETING
May 8, 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 May 8, 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 – We will need a motion to adopt the revised agenda for this evening.

Mr. Baldin – Mr. Chairman, motion to adopt the revised agenda for this evening.

Mr. Evans – Second.

Mr. Hayden – Thank you, Mr. Baldin for the motion and Mr. Evans for the second. May we have a roll call please?

ROLL CALL:

MR. RUSNOV	YES
MR. HOULÉ	YES
MR. EVANS	YES
MR. HAYDEN	YES
MR. BALDIN	YES

MOTION APPROVED

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 24, 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) JEVONTAE FREEMAN, (OWNER)

Requesting a 15' setback variance from sidewalk on a corner lot from Zoning Code Section 1252.17 (c), which requires a 16' setback variance from sidewalk on a corner lot and where a 1' setback variance from sidewalk on a corner lot is proposed to install a fence, property located at 18836 West 130th Street PPN. 399-32-119, zoned R1-75

Mr. Hayden – Item number one on our agenda this evening is for 18836 West 130th Street. If a representative could step up to the microphone and give us your name and address for the record.

JEVONTAE FREEMAN, 18836 WEST 130TH STREET, STRONSVILLE, OH

Mr. Hayden – I believe you were here for Caucus and heard some of the comments of the Board Members surrounding the request and the need for the variance. Please take us through the project and give us an understanding of why you need the variance and address some of the things discussed in Caucus.

Mr. Freeman – I wanted to install the fence 1' from the sidewalk for my dogs and kids but after hearing the safety concerns, I am unsure.

Mr. Rusnov - What might be in your best interest is to table this and revise your placement of the fence. You would have to say you would like to table this and present the new drawing and placement of the fence that goes with the Code and that will take care of that.

Mr. Kolick – For the applicant, if you comply with the Code you will not have to come back here and you can talk to the Building Department next week.

Mr. Rusnov – You should talk with Steve or the Building Commission and if you conform with the Code you don't have to come back.

Mr. Freeman – I figure that I would show up since I paid my money.

Mr. Kolick – If you withdraw your request, I'm sure that they can probably return your funds to you.

Mr. Rusnov – The average resident does not know what the building codes are, it may seem like a good idea to keep your four great danes in this confined area. If you would like to table the request, all you have to do is ask us.

Mr. Freeman – I am asking to table it.

Mr. Hayden – You can get in touch with the Building Department and they can guide you from there.

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.

Mrs. Springer, 13184 Cheryl Drive, Strongsville, Ohio

Mrs. Springer – I am going to keep this really short because I believe most of my concerns have been met. The safety concerns have already been addressed and I ask that the 16' setback ordinance on the corner lot be in place if there is any type of revision.

Mr. Kolick – Keep in touch with the City, if there is going to be a revision they will let you know or if he complies with the 16' then they won't come back here.

Mr. Rusnov – If it complies with the Code he is not required to come back.

Mr. Kolick – If they do that Mitzi, just have them give us a letter to withdraw the application altogether, if he is going to comply with the Code, so that we have something in writing.

Mr. Hayden - Is there anyone else in the audience that wishes to speak against the granting of the variance. Hearing none and seeing none, I will declare the public hearing closed

Mr. Hayden – Mr. Freeman you are all set, thank you. This variance has been tabled by the Board at the request of the applicant.

2) BRIAN AND KELLY JUNGBERG (OWNER), Steve Bella, Agent

Requesting a 60 SF floor area variance from Zoning Code Section 1252.12 (b), which permits a 120 SF floor area and where a 180 SF floor area is proposed in order to install a patio in the front yard, property located at 21511 Meadows Edge Lane, PPN 392-09-033, zoned R1-100

Mr. Hayden – Item number two on our agenda this evening is a request for 21511 Meadows Edge Lane. If a representative could step up to the microphone and give us your name and address for the record.

Mr. Steve Bella, 12588 South Churchill Way, Strongsville, OH

Mr. Hayden – For anyone in the audience who may be here for this variance request, the original request was for a 328 SF floor area variance but the homeowner has revised the request to a 60 SF floor area variance, which is a pretty sizeable decrease. Mr. Bella please take us through the project with a brief description.

Mr. Bella – We want to install a 12’ x 12’ pad, off the side of the front door around 2’ off the house and they plan to put in landscaping.

Mr. Hayden – I will be abstaining from this vote because I have a professional relationship with Mr. Jungeberg and I will limit my comments.

Mr. Houlé – Mr. Chairman we have several letters from neighbors that were against the original proposal. We received a revised letter from one of the residents on the street that said that they are now in agreement with the revised plan and we also have the Homeowners Association letter of approval.

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.

Mr. Kolick administered the oath to Ms. Reid.

Ms. Jackie Reid – 21452 Meadows Edge Lane, Strongsville, Ohio

Ms. Reid – I am across the street from the subject property and I sent a letter to Mitzi agreeing that I am okay with the revised plan; however, my concern is what people put on their patios because they have a tendency to acquire things like grills, umbrellas, furniture, tables and you name it. I just don’t want to see stuff on it but once it is approved I guess they can put whatever they want there.

Mr. Rusnov – This Board has no control over what they can put on their patio. You may want to talk to the resident.

Ms. Reid – I did send in a letter originally voicing my objection to it.

Mr. Rusnov – He has tremendously changed his request from his original proposal.

Ms. Reid – I know that and I was given the plan because I went to see Mitzi to get the original plan and when we saw the size of it that was too big for us and I was pretty sure it would be for you as well. I am okay with the size of the new revised plan but I am concerned with what they may put there.

Mr. Rusnov – Talk to the resident.

Ms. Reid – Okay and we will see what they do.

Mr. Hayden - Is there anyone else in the audience that wishes to speak against the granting of the variance. Hearing none and seeing none, I will declare the public hearing closed and entertain a motion.

Mr. Rusnov – Mr. Chairman, I make a motion to approve the request for a 60 SF floor area variance from Zoning Code Section 1252.12 (b), which permits a 120 SF floor area and where a 180 SF floor area is proposed in order to install a patio in the front yard, property located at 21511 Meadows Edge Lane, PPN 392-09-033, zoned R1-100

Mr. Houlé – Second.

Mr. Hayden – Thank you, Mr. Rusnov for the motion and Mr. Houlé for the second. May we have a roll call please?

ROLL CALL:

MR. EVANS	YES
MR. HAYDEN	ABSTAIN
MR. BALDIN	YES
MR. RUSNOV	YES
MR. HOULÉ	YES

MOTION APPROVED

Mr. Hayden – Mr. Bella, this variance has been approved by this Board and you are all set for this evening.

3) DANNY CALVERT SR. (OWNER)

Requesting a 7' Side Yard Setback variance from Zoning Code Section 1252.29 (b) (1), which requires a 15' Side Yard Setback and where an 8' Side Yard Setback is proposed in order to install a swimming pool, property located at 16907 Lanier Ave, PPN. 397-13-009, zoned R1-75

Mr. Hayden – The last item on our agenda this evening is a request for 16907 Lanier Avenue. If a representative could step up to the microphone and give us your name and address for the record.

Danny Calvert, 16907 Lanier Avenue, Strongsville, Ohio

Mr. Hayden – Please take us through the project.

Mr. Calvert - When I purchased the home I had a 24' round pool and I would like to replace it but I have a sewer easement so I revised the plan. I want to install a 15' x 26' pool but I would still need a variance for the 15' from the side yard setback requirement.

Mr. Hayden – Some of the comments discussed in Caucus were that this is a narrower yard, there is an easement that runs through the property and it is kind of the only place in the yard that the pool can be located.

Mr. Rusnov – The variance is needed due to the topographical layout of the lot.

Mr. Evans – Mr. Chairman, I think that it is good to note that since the pandemic we have encouraged people to use their lots more by entertaining and having family members over. Certainly, swimming pools have been a part of that as well as pavilions and things like that so it is not unusual that we have looked at variances on some of our older properties in the City that are a little bit smaller than the newer lots.

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 I will declare this public hearing closed and entertain a motion.

Mr. Houlé - Chairman, I make a motion to approve the request for a 7' Side Yard Setback variance from Zoning Code Section 1252.29 (b) (1), which requires a 15' Side Yard Setback and where an 8' Side Yard Setback is proposed in order to install a swimming pool, property located at 16907 Lanier Ave, PPN. 397-13-009, zoned R1-75

Mr. Baldin – Second.

Mr. Hayden – Thank you, Mr. Houlé for the motion and Mr. Baldin for the second.
May we have a roll call please?

ROLL CALL:

MR. HAYDEN	YES
MR. BALDIN	YES
MR. RUSNOV	YES
MR. HOULÉ	YES
MR. EVANS	YES

MOTION APPROVED

Mr. Hayden – Mr. Calvert your variance has been approved by this Board and you are all set for this evening.

Mr. Hayden – If there is no further business to come before this Board?

Mr. Houlé – Just a reminder that I will not be in attendance for the next meeting.

Mr. Hayden - This meeting will stand adjourned.

Mr. Hayden, Chairman

Mrs. Anderson, Secretary

Approval Date