

**CAUCUS PRIOR TO STRONGSVILLE BOARD OF ZONING &
BUILDING CODE APPEALS**

**Meeting of
March 10, 2021
7:30 p.m.**

Board of Appeals Members Present: Kenneth Evans, David Houlé, Richard Baldin, Dustin Hayden
Administration: Assistant Law Director Daniel J. Kolick
Assistant Building Commissioner: Brian Roenigk
Recording Secretary: Kathy Zamrzla

The Board members discussed the following:

1) JASON AND JODI JANUSZEWSKI, OWNERS

Requesting a 64 SF Floor Area variance from Zoning Code Section 1252.15, which permits a 192 SF Floor Area Accessory Structure and where a 256 SF Floor Area Accessory Structure is proposed in order to construct a Pavilion; property located at 14118 Basswood Circle, PPN 398-10-158, zoned R1-75.

Mr. Evans stated that Pine Lakes sent a letter approving the pavilion. Mr. Houlé stated that the owner will be removing the existing deck and small pavilion and replacing it with what they are proposing here. Mr. Baldin stated that the proposed project will be nicer. Mr. Evans asked Mr. Roenigk if he advises applicants that they can't screen or wall in a pavilion and Mr. Roenigk stated that the applicant is not told that. Mr. Evans stated that he wants that stated on the recording since the structures are close to the house and that the owner might think it's okay to wall in a pavilion and use it as an enclosed accessory structure. Mr. Kolick stated that during the application process applicants should be told that it wouldn't be allowed. Mr. Evans stated that on the meeting record would be a good place for to explain that. Mr. Evans stated that screening or walling in a pavilion would change the dynamics of the building, and that the Board doesn't want unenclosed accessory structures changed from what they approved for. Mr. Kolick asked Mr. Roenigk if screening in an accessory structure would make it a separate accessory structure. Mr. Roenigk stated that he is not aware of any rules that say an accessory structure such as a gazebo, pergola, shed or pavilion can or cannot be enclosed with walls, screens or windows. He stated that a three-season room would be attached to a house and would have code requirements. Mr. Kolick and Mr. Evans stated that now that these unenclosed buildings are permitted to be closer than 20' to a home they don't want owners to turn them into storage sheds. Mr. Hayden stated that he didn't see any negative issues with the placement of this pavilion.

2) RUSLAN AND OLENA STETSURA, OWNERS

- a) Requesting a 16' Rear Yard Setback variance from Zoning Code Section 1252.05, which requires a 50' Rear Yard Setback and where a 34' Rear Yard Setback is proposed in order to construct a 416 SF Attached Garage;
- b) Requesting a 6' Rear Yard Setback variance from Zoning Code Section 1252.16 (e), which requires a 36' Rear Yard Setback and where a 30' Rear

Yard Setback is proposed in order to install a 440 SF Concrete Patio; property located at 13179 Fairwinds Drive, PPN 399-31-039, zoned R1-75.

Mr. Evans stated that this patio and garage addition has been approved by the Spy Glass HOA. The Board said that they will be asking the applicant why they aren't enlarging the existing garage instead of on the other side of the house. Mr. Evans stated that the addition to the garage would still require a variance but then an additional driveway would not be required. Mr. Kolick said that the Engineering Department approved of the additional driveway to the street. Mr. Kolick suggested that if the design gets revised that the variance should be re-advertised. Mr. Baldin stated that there seems to be room for the addition. Mr. Evans stated that he thinks the design would fit better in a development with a higher diversity of home design than this development has. Mr. Evans thinks that having a garage on the side of the home would devalue the property. Mr. Evans also stated that he wants to ask the applicant why the door would be 12' wide.

3) DAVID AND NANCY LAUBENTHAL, OWNERS

Requesting a 128 SF Floor Area variance from Zoning Code Section 1252.15, which permits a 192 SF Floor Area and where a 320 SF Floor area is proposed in order to construct a Pavilion; property located at 19966 Shenandoah Ridge, PPN 392-22-046, zoned R1-75.

Mr. Evans stated that the height would be at or under the 12' limitation. Mr. Houlé stated that the lot is pretty large with a lot of pine trees, and a nice brick patio. He feels the pavilion will be shielded although it's a little larger than the pavilion on the agenda in the number (1) slot. Mr. Evans stated the pavilion is smaller than the last one the Board approved. Mr. Hayden stated that the pines would obstruct the view of the pavilion. Mr. Baldin stated that it's a nice-looking sheltered yard and feels that it wouldn't impact the neighbors negatively. Mr. Evans stated that the Crystal Creek HOA sent an approval letter.

4) UNION HOME MORTGAGE/Thad C. Vasko with TCV Development, Agent

Requesting an 80' Front Yard Parking Setback variance from Zoning Code Section 1262.07, which requires a 100' Front Yard Parking Setback from the Sprague Road right-of-way and where a 20' Front Yard Parking Setback from the Sprague Road right-of-way is proposed in order to install Additional Parking Spaces; property located at 14955 Sprague Road, PPN 395-12-001, zoned Research and Development (RD).

Mr. Evans stated that a similar yet larger variance was approved and expired several years ago. The property was purchased by Union Home Mortgage as a training facility and they need the extra parking. Mr. Houlé stated he will be asking the applicant how close the parking lot will be to the sidewalk along Sprague Road. Ms. Zamrzla reminded the Board that in August Mr. Vasko asked for parking variances along Dow Circle and stated that he may be back to the Board soon to ask for these variances along Sprague Road. Mr. Baldin

stated that this variance is necessary for their business and doesn't see a problem with approving the variance.

Mr. Roenigk stated that Mr. Masterson, who had appealed a decision from the Building Department and has been tabled since the meeting, has withdrawn his appeal. He had the property surveyed and will be moving the fence. Mr. Kolick confirmed Mr. Roenigk's comments.

The Board reviewed the two sets of minutes and made some minor changes.

STRONGSVILLE BOARD OF ZONING & BUILDING CODE APPEALS
MINUTES OF MEETING
March 10, 2021

The meeting was called to order at 8:00 PM by the Chairman, Mr. Evans.

Present: Mr. Evans
Mr. Houlé
Mr. Baldin
Mr. Hayden

Also Present: Mr. Kolick, Assistant Law Director
Mr. Roenigk, Assistant Building Commissioner
Ms. Zamrzla, Recording Secretary

Mr. Evans – Good evening ladies and gentlemen. I would like to call this March 10, 2021 meeting of the Strongsville Board of Zoning and Building Code Appeals to order. May we have a roll call please?

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

Mr. Houlé – Mr. Chairman, I make a motion to excuse Mr. Rusnov for just cause.

Mr. Baldin – Second.

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

ROLL CALL:	ALL AYES:	MOTION GRANTED
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Mr. Evans - I hereby certify that this meeting has been posted in accordance with Chapter 208 of the Strongsville Codified Ordinances of the City of Strongsville. We have before us this evening minutes from February 10, 2021 and February 24, 2021. We discussed these in caucus. Are there any further comments or any further changes that need to be made?

Mr. Houle – No.

Mr. Hayden – No.

Mr. Evans – We will submit those with minor corrections. If you are here this evening and you are intending on speaking to the Board, I will now ask that you stand and be sworn in by the Assistant Law Director. If you're here for a Public Hearing or an applicant to introduce an item for the agenda, and also the Assistant Building Commissioner and our secretary, please stand for the oath.

Mr. Kolick stated the oath to all standing.

1) **JASON AND JODI JANUSZEWSKI, OWNERS**

Requesting a 64 SF Floor Area variance from Zoning Code Section 1252.15, which permits a 192 SF Floor Area Accessory Structure and where a 256 SF Floor Area Accessory Structure is proposed in order to construct a Pavilion; property located at 14118 Basswood Circle, PPN 398-10-158, zoned R1-75.

Mr. Evans – Item number (1) Public Hearing on our agenda this evening is Jason and Jodi Januszewski, owners. If you would come forward, state your name and address for the record.

Mr. Januszewski – Sure, my name is Jason Januszewski and my address is 14118 Basswood Circle.

Mr. Evans – Thank you. You are here asking for a variance to construct a pavilion. We do have a response from the Pine Lakes HOA and they've indicated their agreement to the variance request. We have been out to visit each one of the requests that are on the agenda tonight and in some cases the owners are home and sometimes they are not but we've been out to take a look at each one. If you would give us an idea of why it is that you need such a large pavilion back in the back yard there.

Mr. Januszewski – Sure. During the caucus you had mentioned the fact of closing in the pavilion and our goal is to create an additional outdoor space to escape the elements without closing it in. By giving us the two extra feet on either side, we feel that will give us more opportunity to use it in the winter when it's snowing and, in the spring, when it's raining.

Mr. Evans – And it does snow and it does rain.

Mr. Januszewski – Yes, it does.

Mr. Evans – All right. Gentlemen, we talked about this in caucus. Comments that you may have on the record here?

Mr. Houlé – I noticed that this is a very large lot and there's a large deck there and pavilion that's...is that getting removed. I can't remember now.

Mr. Januszewski – Yes, the pavilion that we currently have is a temporary structure that will be removed.

1) **JASON AND JODI JANUSZEWSKI, OWNERS, Cont'd**

Mr. Evans – And this one will be permanent. Is there any anticipation to build anything further back there or is this pavilion going to be the end of it then?

Mr. Januszewski – This pavilion will be the end of our project back there.

Mr. Baldin – You're going to extend some pavers further out?

Mr. Januszewski – Yes, the existing deck that we have in the back will be demolished. We will replace that with ground level pavers so it's going to be the same square footage that we currently have so it's going to be further off the ground and not right up on the house.

Mr. Evans – And as I remember the plan shows the chimney being away from the house.

Mr. Januszewski – That's correct. The chimney will be on the outside sixteen square feet.

Mr. Evans – All right. Anything else, gentlemen?

Mr. Baldin – No. It'll be good.

Mr. Evans - So, this is a Public Hearing. Is there anyone in the audience who wishes to speak for the granting of the variances? Is there anyone in the audience who wishes to speak against the granting of the variances? Hearing none and seeing none I will declare the Public Hearing closed and entertain a motion.

Mr. Houle – Mr. Chairman, I make a motion for a request for a 64 SF Floor Area variance from Zoning Code Section 1252.15, which permits a 192 SF Floor Area Accessory Structure and where a 256 SF Floor Area Accessory Structure is proposed in order to construct a Pavilion; property located at 14118 Basswood Circle, PPN 398-10-158, zoned R1-75.

Mr. Hayden – Second.

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

ROLL CALL:

ALL AYES:

MOTION GRANTED

Mr. Evans – All right, the variance has been granted and subject to a twenty-day waiting period during which time City Council has the opportunity to review our decision. You'll be notified by the Building Department at the conclusion of the twenty days if City Council does not object then you can move forward with the project. For now, you're all set. You don't need to stay for the remainder of the meeting but you're welcome to stay. We wish you good luck with the project.

1) **JASON AND JODI JANUSZEWSKI, OWNERS, Cont'd**

Mr. Januszewski – Thank you.

2) **RUSLAN AND OLENA STETSURA, OWNERS**

- a) Requesting a 16' Rear Yard Setback variance from Zoning Code Section 1252.05, which requires a 50' Rear Yard Setback and where a 34' Rear Yard Setback is proposed in order to construct a 416 SF Attached Garage;
- b) Requesting a 6' Rear Yard Setback variance from Zoning Code Section 1252.16 (e), which requires a 36' Rear Yard Setback and where a 30' Rear Yard Setback is proposed in order to install a 440 SF Concrete Patio; property located at 13179 Fairwinds Drive, PPN 399-31-039, zoned R1-75.

Mr. Evans – Item number (2) on the agenda is Ruslan and Olena Stetsura on Fairwinds Drive. If we can have the representative come forward please. State your name and address for the record.

Mr. Stetsura – My name is Ruslan Stetsura. I live at 13179 Fairwinds Drive. We are proposing building a garage addition in the back of the existing home and trying to match it with the existing structure. The reason we're trying to build it in the back of the home is we want to put the boat in the garage and it actually requires at least 16' by 24' garage.

Mr. Evans – Okay. So, you heard us in caucus talking about looking at it. Did you look at the idea of making it a garage that would be added onto the front of the house using the existing driveway and widening it out?

Mr. Stetsura – That was our first idea but the construction company proposed this addition on the back so it will match the house better and actually for me it would be a little better to have the garage with the garage I have right now and widen the existing driveway.

Mr. Evans – I'm noticing that there isn't a big crowd here. My guess is that you have talked to some of the neighbors that it was proposed because the letter that went out is exactly what is on the agenda here. It doesn't do a very good job at describing projects. I'm guessing that they don't have any objections to it and it's always our job to look at variances and try to determine whether they're appropriate and to what degree there are ways to mitigate the variance to change them. You heard our discussion in caucus. That is an appropriate answer. Gentlemen, any questions?

Mr. Houle – I didn't hear everything. You said that the builder recommended this way but what is the reason for the third car garage in the first place.

Mr. Stetsura – We would want to put the boat in the garage. We can't keep it outside because of the HOA rules and we proposed the first idea to have it right next to the garage there's the space

2) **RUSLAN AND OLENA STETSURA, OWNERS, Cont'd**

for that but because of the variances and the sidewalk and everything they proposed to have it at the back to match the existing structure so it's not an eyesore for the neighbors.

Mr. Baldin – So, basically, it's for boat storage.

Mr. Stetsura – Yes.

Mr. Baldin – And you're going for a larger garage door?

Mr. Stetsura – We need the bigger garage door so that we can fit the opening for the boat because boats require at least 10' wide plus some space on the side so you can get in.

Mr. Houlé – So, it's not going to be used as frequently as a car then. It will just be used when you're going out to use the boat in the summertime.

Mr. Stetsura – Yes.

Mr. Baldin – As the chairman mentioned, the letter went out to everyone within 500' but have you talked to any of your neighbors about your plans? Have they said they received a letter?

Mr. Stetsura – Yes, we have the note on the door and we talked to the neighbors and they haven't mentioned anything against it.

Mr. Baldin – Thank you.

Mr. Evans – Any other questions, gentlemen? It's an expensive boat that's for sure.

Mr. Stetsura – It's a little bit bigger boat for the lake so we try to get something we can be safe on there. We have a really small boat but replaced it with a bigger one.

Mr. Evans – All right, this is a Public Hearing. Is there anyone in the audience who wishes to speak for the granting of the variances? Is there anyone in the audience who wishes to speak against the granting of the variances? Hearing none and seeing none I will declare the Public Hearing closed and entertain a motion.

Mr. Hayden – Mr. Chairman, requesting a 16' Rear Yard Setback variance from Zoning Code Section 1252.05, which requires a 50' Rear Yard Setback and where a 34' Rear Yard Setback is proposed in order to construct a 416 SF Attached Garage and (b) a 6' Rear Yard Setback variance from Zoning Code Section 1252.16 (e), which requires a 36' Rear Yard Setback and where a 30' Rear Yard Setback is proposed in order to install a 440 SF Concrete Patio; property located at 13179 Fairwinds Drive, PPN 399-31-039, zoned R1-75 be approved.

2) **RUSLAN AND OLENA STETSURA, OWNERS, Cont'd**

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

ROLL CALL:

ALL AYES:

MOTION GRANTED

Mr. Evans – All right, the variances have been granted and subject to a twenty-day waiting period during which time City Council has the opportunity to review our decision. You'll be notified by the Building Department at the conclusion of the twenty days if City Council does not object then you can move forward with the project. For now, you're all set. You don't need to stay for the remainder of the meeting but you're welcome to stay. We wish you good luck with the project.

Mr. Stetsura – Thank you very much.

3) **DAVID AND NANCY LAUBENTHAL, OWNERS**

Requesting a 128 SF Floor Area variance from Zoning Code Section 1252.15, which permits a 192 SF Floor Area and where a 320 SF Floor area is proposed in order to construct a Pavilion; property located at 19966 Shenandoah Ridge, PPN 392-22-046, zoned R1-75.

Mr. Evans – Item number (3) on our agenda is David and Nancy Laubenthal. If you would please come forward and state your name and address for the record.

Mr. Laubenthal – David Laubenthal and my address is 19966 Shenandoah Ridge.

Mr. Evans – Thank you. You are here for a variance for a pavilion for the square footage. Why don't you tell us a little bit about why you need a pavilion that is larger than most of them in the Metroparks.

Mr. Laubenthal – I believe that Mr. Januszewski earlier said it perfectly. Before I moved to Strongsville we had a rather large overhang on our patio and when we moved to Strongsville four years ago we didn't, and I couldn't believe how much we missed it because it kept us out of the sun and the rain. We both have rather large families and it just makes it conducive for us to enjoy the outdoors, and I appreciate the comments about our yard. I planted those 22 spruces when I moved in for privacy and the aesthetics, and I take a lot of pride in my yard. I spent seven hours in the yard today but I enjoy it. Thank you.

Mr. Evans – The height on this is going to stay at 12'. We did talk about that in caucus. Gentlemen, questions, comments or observations?

Mr. Houlé – For the record, it's a nice yard. Nicely landscaped, beautiful trees and I think it will be a great addition to the neighbors over there in Crystal Creek.

3) **DAVID AND NANCY LAUBENTHAL, OWNERS, Cont'd**

Mr. Laubenthal – Thank you very much.

Mr. Hayden – I agree. It backs up to a wooden lot. I find no issue with it.

Mr. Laubenthal – Thank you.

Mr. Baldin – Enjoy it.

Mr. Laubenthal – Thank you.

Mr. Evans - All right, this is a Public Hearing. Is there anyone in the audience who wishes to speak for the granting of the variances? Is there anyone in the audience who wishes to speak against the granting of the variances? Hearing none and seeing none I will declare the Public Hearing closed and entertain a motion.

Mr. Baldin – Did we make a comment that we have the letter from the association?

Mr. Evans – I failed to do that on this one. We do have a letter from Crystal Creek. Thank you.

Mr. Kolick – Mr. Chairman, the other thing I noticed is that the drawing seems to indicate that the building is going across the swale and you have to be careful with our Engineering Department when they look at this. Brian can help guide you through it. You can't be building into swale areas to impede drainage. It may not be exactly the same as the drawing but just be careful.

Mr. Laubenthal – I believe that swale was relevant when the drawing was made in 1993. The swale isn't in the section anymore. It may have been when the builder built it in 1993. There's no water retention in that area.

Mr. Kolick – Just be careful between the Building Department and the Engineering Department because just because you don't see it, it's meant to be there. They aren't meant to be creeks running through there so I don't want you to be blocking neighbor's drainage.

Mr. Evans – You wouldn't want to change any water flow with the construction of the pavilion. Okay, I will entertain a motion.

Mr. Hayden – Mr. Chairman, requesting a 128 SF Floor Area variance from Zoning Code Section 1252.15, which permits a 192 SF Floor Area and where a 320 SF Floor area is proposed in order to construct a Pavilion; property located at 19966 Shenandoah Ridge, PPN 392-22-046, zoned R1-75 be approved.

Mr. Houle – Second.

3) **DAVID AND NANCY LAUBENTHAL, OWNERS, Cont'd**

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

ROLL CALL:

ALL AYES:

MOTION GRANTED

Mr. Evans - All right, the variance has been granted and subject to a twenty-day waiting period during which time City Council has the opportunity to review our decision. You'll be notified by the Building Department at the conclusion of the twenty days if City Council does not object then you can move forward with the project. For now, you're all set. You heard our discussion in caucus about glassing and walling pavilions, or screening them, and you have to be very careful because we're still not sure exactly what that means but there are big pavilions now and changing a lot of the things that we've done in the past. So, I just want to make you aware that should you choose to enclose it, you would want to talk to the Building Department prior to doing that. Other than that, you're all set.

Mr. Laubenthal – Thank you.

4) **UNION HOME MORTGAGE/Thad C. Vasko with TCV Development, Agent**

Requesting an 80' Front Yard Parking Setback variance from Zoning Code Section 1262.07, which requires a 100' Front Yard Parking Setback from the Sprague Road right-of-way and where a 20' Front Yard Parking Setback from the Sprague Road right-of-way is proposed in order to install Additional Parking Spaces; property located at 14955 Sprague Road, PPN 395-12-001, zoned Research and Development (RD).

Mr. Evans – Item number (4) is Union Home Mortgage. If we have a representative, if you would please come forward and state your name and address for the record.

Mr. Coleman – I'm Brian Coleman. I represent Union Home Mortgage. My business address is 8241 Dow Circle, Strongsville, Ohio 44136.

Mr. Evans – Thank you. You are before us asking for an 80' front yard parking setback variance. Would you tell us about the project? You heard some of our comments in caucus and you can address those and then we'll go from there.

Mr. Coleman – Certainly. I've been a partner with the company for over 23 years and in overseeing the rehabilitation of our main HQ in the east building we have over 550 employees and 288 of them we have hired since March. We have a 300-seat capacity upstairs and we will bring in hundreds. I need every parking space I can get. I'm under parking spaces right now.

Mr. Evans – This is assuming everyone stops working at home and comes back to the office.

4) **UNION HOME MORTGAGE/Thad C. Vasko with TCV Development, Agent,
Cont'd**

Mr. Coleman – We're looking at re-occupancy plans starting in May. I'm being an optimist.

Mr. Evans – Understood. Questions or comments? I think we talked about the fact that this variance is similar to a variance that we granted and extended for ITT and then they went out of business. Now we have Union Home Mortgage there so it's virtually the same thing.

Mr. Houlé – When I was out there I was just kind of measuring from the edge of the parking lot and it looked like its about 40'. I'm curious how much space is going to be left from the sidewalk to the parking lot. Is it 20'?

Mr. Coleman – I can't give you an exact but it should match the HQ east building. If I'm not mistaken it's 15'. I can't give you an exact.

Mr. Houlé – It's not right up against the sidewalk then?

Mr. Coleman – It's certainly not. There's plenty of buffer and the landscaping will be magnificent the way the owner does it.

Mr. Houlé – Thank you.

Mr. Evans – Anything else? This is a Public Hearing. Is there anyone in the audience who wishes to speak for the granting of the variance? Is there anyone in the audience who 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. Baldin – Mr. Chairman, I would like to make a request to approve an 80' Front Yard Parking Setback variance from Zoning Code Section 1262.07, which requires a 100' Front Yard Parking Setback from the Sprague Road right-of-way and where a 20' Front Yard Parking Setback from the Sprague Road right-of-way is proposed in order to install Additional Parking Spaces; property located at 14955 Sprague Road, PPN 395-12-001, zoned Research and Development (RD).

Mr. Hayden – Second.

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

ROLL CALL:

ALL AYES:

MOTION GRANTED

Mr. Evans - All right, the variance has been granted and subject to a twenty-day waiting period during which time City Council has the opportunity to review our decision. You'll be notified by

4) UNION HOME MORTGAGE/Thad C. Vasko with TCV Development, Agent,
Cont'd

Mr. Evans continues - the Building Department at the conclusion of the twenty days if City Council does not object then you can move forward with the project. For now, you're all set.

Mr. Kolick – Mr. Chairman, for the applicant, you need to contact Carol Brill to get on the Planning Commission agenda for after the twenty days are up and also talk to her about getting on the agenda for the Architectural Review Board, which you can attend during the twenty-day waiting period. That way you can keep the project moving.

Mr. Coleman – Thank you.

Mr. Evans – Please thank Bill for the continued investment in our community.

Mr. Coleman – I will do that. Thank you very much.

Mr. Evans – Thank you. Anything else to come before the Board this evening? If not, we will stand adjourned.



Mr. Evans, Chairman



Kathy Zamrzla, Sec'y

March 24, 2021

Approval date