

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

**Meeting of
March 14, 2018
7:30 p.m.**

Board of Appeals Members Present: Kenneth Evans, Richard Baldin, John Rusnov, David Houlié, Tom Smeader

Administration: Assistant Law Director Daniel J. Kolick

Building Department Representative: Michael Miller

Recording Secretary: Kathy Zamrzla

The Board members discussed the following:

NEW APPLICATIONS

1) **RYAN AND BETH PUZZITIELLO, OWNERS**

Requesting a 240 SF Floor Area variance from Zoning Code Section 1252.15, which permits a 192 SF Floor Area and where a 432 SF Floor Area is proposed in order to construct a Pavilion; property located at 22517 Valleybrook Lane, PPN 392-13-086, zoned R1-75.

The Board indicated no difficulties with this variance request. The Board was notified that they had received an HOA letter of approval.

PUBLIC HEARINGS

2) **STEVE AND PATTY BISCHOF, OWNERS**

Requesting an 11.04' Rear Yard Setback variance from Zoning Code Section 1252.04 (f), which requires a 50' Rear Yard Setback and where a 38.96' Rear Yard Setback is required in order to construct a 352 SF Addition; property located at 17223 Misty Lake Drive, PPN 397-24-016, zoned R1-75.

The Board recognized that because the house was built under old Codes it no longer complies in a considerable way. They agreed that this causes the hardship for the property owner. They also acknowledged that this will be a big improvement for the property. They also received an HOA letter of approval.

3) **CHRISTOPHER WOZNICKI & TIFFANY EAKIN, OWNERS/Joe Lull of Joyce Factory Direct, Representative**

- a) Requesting a variance from Zoning Code Section 1274.06, which prohibits the enlargement of an existing non-conforming structure and where the applicant is proposing a 196 SF Sunroom;
- b) Requesting an 18' Rear Yard Setback variance from Zoning Code Section 1252.04 (f), which requires a 50' Rear Yard Setback and where a 32' Rear Yard Setback is

proposed in order to construct a 196 SF Sunroom; property located at 17079 Partridge Drive, PPN 397-04-086, zoned R1-75.

The Board was notified that the applicant would not be at the meeting tonight, and that they wished to table the meeting until the following one. The Board acknowledged the need to go ahead with the public hearing since notices were sent out for tonight, but then they can table it until the next meeting. The Board indicated no difficulties with this variance request. The Board also mentioned that there was a considerable change in the Zoning Codes since the house was built that causes this hardship for the applicant.

OTHER BUSINESS

4) GREG HILLER, OWNER

Requesting a reconsideration of the February 28, 2018 determination of the Board of Zoning and Building Code Appeals:

Requesting an 600 SF Floor Area variance from Zoning Code Section 1252.15, which permits a 400 SF Floor Area and where a 1,000 SF Floor Area is proposed in order to construct a 30' x 33.33' x 15' Accessory Structure; property located at 12809 Webster Road, PPN 398-26-028, zoned R1-75.

The Board indicated that this would need a motion to reconsider during the meeting tonight, and stated that it had to be given by someone who voted against it. They were reminded that if that vote passes then the request would be open for discussion on the floor again. They mentioned that the applicant made it smaller, but that it's still two and a half times over what the Code allows. They also noted that they pushed him to bring it down to this size at the last meeting and he has now taken their advice.

STRONGSVILLE BOARD OF ZONING & BUILDING CODE APPEALS
MINUTES OF MEETING
March 14, 2018

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

Present: Mr. Baldin
Mr. Evans
Mr. Rusnov
Mr. Smeader
Mr. Houlé

Also Present: Mr. Kolick, Assistant Law Director
Mr. Miller, Building Department Representative
Ms. Zamrzla, Recording Secretary

Mr. Evans – Good evening ladies and gentlemen. I would like to call this March 14th, 2018 meeting of the Strongsville Board of Zoning and Building Code Appeals to order. Kathy if you would call the roll please?

ROLL CALL: ALL AYES

Mr. Evans – I hereby certify that this meeting has been posted in accordance with Chapter 208 of the Codified Ordinances of the City of Strongsville. We have minutes from our February 28th, 2018 meeting before us tonight. If there are no further corrections I will submit them as presented. We ask that each of the individuals come forward in order and give us their name and address for the record. Then we are going to ask them to describe their request for a variance. Anyone in our audience this evening that wishes to speak whether it is to present to the Board or to speak at a public hearing, I ask that you stand now and be sworn in by our Assistant Law Director, along with our Recording Secretary, and our Representative from the Building Department.

Mr. Kolick then stated the oath to those standing.

NEW APPLICATIONS

1) RYAN AND BETH PUZZITIELLO, OWNERS

Requesting a 240 SF Floor Area variance from Zoning Code Section 1252.15, which permits a 192 SF Floor Area and where a 432 SF Floor Area is proposed in order to construct a Pavilion; property located at 22517 Valleybrook Lane, PPN 392-13-086, zoned R1-75.

1) **RYAN AND BETH PUZZITIELLO, OWNERS, Cont'd**

Mr. Evans – Our meetings are divided into two portions the first portion is new applications. First on the agenda is Ryan and Beth Puzzitiello. Please come up to the microphone and give us your name and address for the record.

Mr. Puzzitiello – Ryan Puzzitiello, 22517 Valleybrook Lane.

Mr. Evans – You are asking for one variance for a proposal to build a pavilion. Please give us a short summary of your project and why it's necessary to build one that is large enough to require a variance.

Mr. Puzzitiello – Sure. Our intentions were to build this as a new house. We have southern exposure and we wanted to have a covered patio to the back of the house. Unfortunately the rear elevation doesn't lend itself for us to have that attached to the house, so we wanted to have a covered patio. Those of you who maybe know our family will know that we have a very large Italian family. We have lots of get-togethers, Sunday dinners, First Communion and Confirmations, etc. My immediate family has 26 people in it. That doesn't count aunts, uncles, cousins, and other friends. So we want to put seating under this pavilion to accommodate all these people. I have a drawing if anyone needs to see it of what we're trying to put underneath there. It only seats 18 people, so it won't accommodate everyone, but we already sized it down. This is a prefabricated unit. It has certain sizes that it comes in. We downsized it from the initial plan, which is what we really want to do. There's common space behind it so I don't think it's going to affect anyone behind us. We own the commercial property to the south of this as well. That's what we're trying to accomplish. We're trying to make everyone in our family comfortable when they do come over.

Mr. Evans – This is a large lot, and it's on a cul-de-sac so it's an unusual shape as well. It's certainly one of the larger lots in that development back there. Are there questions or comments from Board members?

Mr. Rusnov – In other words if your topography would have allowed you to have an attached porch large enough, you would have built it that way.

Mr. Puzzitiello – Yes, well no, the topography stays the same. I take that back. It's not the topography, it's actually the design of the exterior of the house. The windows wouldn't allow for us to have the roof attached. That's why we had to move it away from the house. I have it 25' back from the house, and I'm willing to put it closer or further to the house.

Mr. Evans – Your drawing said it was 25' away or something said that.

Mr. Puzzitiello – It is, that drawing says that.

1) **RYAN AND BETH PUZZITIELLO, OWNERS, Cont'd**

Mr. Evans – No, we'd want it to be at least 20' so 25' is fine. Is there anything else?

Mr. Rusnov – No.

Mr. Smeader – No.

Mr. Evans – OK. For those of us who have not been out to visit the site we will be doing that before the next meeting. There will also be a notice that will go out to your neighbors within 500 feet of your property. It will state exactly the description that is written in the agenda tonight. So if you have curious neighbors that will want to ask questions, you should get together with them before the next meeting to explain simply what your plans are. That may save everyone some time and the trouble. The public hearing is extended to April 11th. We will invite you back at that time. It is not necessary that you stay for the rest of the meeting tonight. Thank you.

Mr. Puzzitiello – Thank you very much.

PUBLIC HEARINGS

2) **STEVE AND PATTY BISCHOF, OWNERS**

Requesting an 11.04' Rear Yard Setback variance from Zoning Code Section 1252.04 (f), which requires a 50' Rear Yard Setback and where a 38.96' Rear Yard Setback is required in order to construct a 352 SF Addition; property located at 17223 Misty Lake Drive, PPN 397-24-016, zoned R1-75.

Mr. Evans – Now we move to public hearings. Item number two is Steve and Patty Bischof on Misty Lake. Come forward please and give us your name and address for the record.

Mr. Bischof – Steve Bischof, 17223 Misty Lake Drive. I'm the homeowner.

Mr. Evans – You are asking for a rear yard setback variance to construct an addition to the property. Give us a thumbnail of what this project involves and why you're doing it.

Mr. Bischof – It's to enlarge the kitchen. I have four children. I'm hoping we have more than four children, and we'd like to have a kitchen large enough to have the whole family eat in it. So it'll be an eat-in kitchen off the back of the house.

Mr. Evans – We did received a letter from the HOA giving their approval of the project.

2) **STEVE AND PATTY BISCHOF, OWNERS, Cont'd**

Mr. Houlé – In viewing the property I've seen that they have only 50' in the rear yard right now to the property line. So with the change of the Zoning Codes it makes them non-compliant regardless of what they propose to add on back there. It definitely causes them a hardship.

Mr. Evans – Thank you.

Mr. Rusnov – The Zoning Code is different from when the house was built and now, yes?

Mr. Houlé – Correct.

Mr. Bischof – It's a pretty odd shaped lot too as well. It's unfortunate. I have more property to the north of the house than I do behind it.

Mr. Evans – Is there anything else from the Board? Mr. Evans – This is a public hearing. I'll ask if there is anyone here this evening who would like to speak for the granting of this variance. Is there anyone here who would like to speak against the granting of the variance? Hearing none and seeing none, I will now entertain a motion.

Mr. Rusnov - I make a motion to approve a request for an 11.04' Rear Yard Setback variance from Zoning Code Section 1252.04 (f), which requires a 50' Rear Yard Setback and where a 38.96' Rear Yard Setback is required in order to construct a 352 SF Addition; property located at 17223 Misty Lake Drive, PPN 397-24-016, zoned R1-75.

Mr. Smeader – Second.

Mr. Evans- Thank you for the second, may we have a roll call please?

ROLL CALL:

ALL AYES

MOTION PASSED

Mr. Evans – The variance has been granted pending a 20 day waiting period during which time Council may review our decision. You will get a notice from the Building Department when that time has passed. You are good to go. Thank you.

Mr. Bischof – Thank you.

3) **CHRISTOPHER WOZNICKI & TIFFANY EAKIN, OWNERS/Joe Lull of Joyce
Factory Direct, Representative**

- a) Requesting a variance from Zoning Code Section 1274.06, which prohibits the enlargement of an existing non-conforming structure and where the applicant is proposing a 196 SF Sunroom;
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Mr. Evans – Item number three on our agenda is Christopher Woznicki and Tiffany Eakin. We do not have a representative here this evening. We do have the information that's been presented to us. Are there any questions or comments from the Board that need to be made about this?

Mr. Rusnov – Same comment as the previous applicant. When this property was built the Zoning Code was considerably different so it causes the need for this variance request.

Mr. Evans – Right, anything else? This is a public hearing. I'll ask if there is anyone here this evening who would like to speak for the granting of this variance. Is there anyone here who would like to speak against the granting of the variance? Hearing none and seeing none, I will declare the public hearing closed, and by request of the applicant we will table this vote until the next meeting when they can be present. Do we need a motion to table?

Mr. Kolick – No.

Mr. Evans – No. We just need the request of the applicant. So this will be tabled until our next meeting then.

OTHER BUSINESS

4) **GREG HILLER, OWNER**

Requesting a reconsideration of the February 28, 2018 determination of the Board of Zoning and Building Code Appeals:

Requesting an 600 SF Floor Area variance from Zoning Code Section 1252.15, which permits a 400 SF Floor Area and where a 1,000 SF Floor Area is proposed in order to construct a 30' x 33.33' x 15' Accessory Structure; property located at 12809 Webster Road, PPN 398-26-028, zoned R1-75.

Mr. Evans – Item number four on our agenda is a request for reconsideration. Mr. Kolick do we need a presentation from Mr. Hiller first or the motion first?

4) GREG HILLER, OWNER, Cont'd

Mr. Kolick – He needs to come up to the microphone and give his name and address for the record first.

Mr. Evans – Please come up to the microphone and give us your name and address for the record.

Mr. Hiller – Greg Hiller, 12809 Webster Road.

Mr. Evans – Thank you. Is it my understanding that you have asked this Board to reconsider the decision that we rendered at our February 28th meeting?

Mr. Hiller – That is correct.

Mr. Evans – OK, so now I will need a motion to reconsider.

Mr. Smeader – I make a motion to reconsider the variance requested on the Greg Hiller property located at 12809 Webster Road in Strongsville.

Mr. Rusnov – Second.

Mr. Evans – Thank you gentlemen. May we have a roll call please?

ROLL CALL:	HOULÉ – YES	MOTION PASSED
	EVANS – YES	
	SMEADER – NO	
	BALDIN – YES	
	RUSNOV - NO	

Mr. Evans – Alright, we have three affirmatives for the motion to reconsider, so we can reconsider this then now. Mr. Hiller you've chosen to reduce the size from what we acted on at the last meeting from 1080 SF down to 1000 SF. What is your reason for doing that?

Mr. Hiller – Just to try and make it a smaller variance request.

Mr. Evans – As Mr. Smeader pointed out in caucus that is still two and a half times what the Code allows. We had though at the last meeting encouraged you to think about doing 1000 SF as the appropriate number to get down to for possible approval. Are there comments or questions?

Mr. Baldin – I wasn't at the last meeting. He brought the size down how much?

4) **GREG HILLER, OWNER, Cont'd**

Mr. Evans – We went from 1200 SF down to 1080 SF at the last meeting. Now he's taken it down to 1000 SF. As the minutes will show from the last meeting, we did encourage him to reduce the size down to 1000 SF. The square footage allowed is not a lot. One of the things we talked about was that there may be a future intent to change the existing garage on the house into a livable area. Mr. Hiller was unable to commit to that for financial reasons. Financial hardship, by the way, is not one of the things we look at in making our decisions. He did talk about cars and other items that he has and his need for storage space for it. Our past record has indicated that this is not too far out of line from what we've approved for others in the past. This is on Webster Road which is an area where we have a number of other large garages as well.

Mr. Baldin – There's a shed that's coming down?

Mr. Evans – That is correct.

Mr. Baldin – Thank you.

Mr. Evans – Is there anything else? So then we have a plan for 1000 SF, and I'll entertain a motion to approve the request.

Mr. Baldin - I make a motion to approve a request for an 600 SF Floor Area variance from Zoning Code Section 1252.15, which permits a 400 SF Floor Area and where a 1,000 SF Floor Area is proposed in order to construct a 30' x 33.33' x 15' Accessory Structure; property located at 12809 Webster Road, PPN 398-26-028, zoned R1-75.

Mr. Houlé – Second.

Mr. Evans – Thank you gentlemen. May we have a roll call please?

ROLL CALL:

HOULÉ – YES
EVANS – YES
SMEADER – NO
BALDIN – YES
RUSNOV – NO

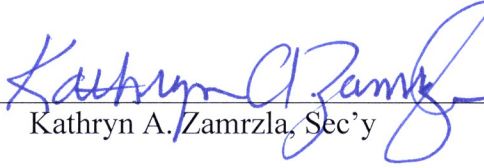
Mr. Evans - The variance has been granted again pending a 20 day waiting period during which time Council may review our decision. You will get a notice from the Building Department when that time has passed. During that time you can also get the revised plans submitted to the Building Department so you can then move forward after the 20 days is up. OK?

Mr. Hiller – Thank you.

Mr. Evans – Thank you. Is there anything else? Then we are adjourned.



Mr. Evans, Chairman



Kathryn A. Zamrzla, Sec'y

April 25, 2018
Approval Date