

**CAUCUS PRIOR TO STRONGSVILLE BOARD OF ZONING &
BUILDING CODE APPEALS**
Meeting of
May 25, 2022

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

Mr. Evans – I'd like to call this caucus for the meeting of May 25, 2022 to order. Caucus is a time for the Board Members to discuss the items on the agenda. We have minutes from the meeting of April 27, 2022. We have the Findings of Fact and Conclusions of Law for the BZA decision on the Sierra sign from April 27th.

The Board members discussed the following:

1) ADAM AND REBECCA THERREIN, OWNERS

- a) Requesting a 276 SF Floor Area variance from Zoning Code Section 1252.15, which permits a 192 SF Floor Area and where a 468 SF Floor Area is proposed in order to construct a Pavilion;
- b) Requesting a 4' Height variance from Zoning Code Section 1252.15, which permits a 12' Height and where a 16' Height is proposed in order to construct a Pavilion; property located at 20626 Donegal Lane, PPN 394-28-049, zoned R1-100.

Mr. Houlé stated that a variance was granted for this resident for the front yard and that variances have been granted in the past for pavilions for size and height but nowhere like this request. He suggested that the pavilion be attached to the house if they want to keep the height. Mr. Evans stated that there is HOA approval. Mr. Rusnov stated that he does not want to set a precedent for the height request. Mr. Baldin stated that the yard is quite large.

2) DOUGLAS AND KATHLEEN FULLER, OWNERS

Requesting a 5' Side Yard Setback (West) variance from Zoning Code Section 1252.16 (e), which requires a Concrete Patio maintain the same Side Yard Setback as the main dwelling and where the applicant is proposing a Concrete Patio (West) encroaching 5' beyond the main dwelling into the Side Yard Setback; property located at 17135 Golden Star Drive, PPN 397-23-058, zoned R1-75.

Mr. Houlé stated that there is HOA approval.

3) **MARK HUML, OWNER**

Requesting a 10' Rear Yard Setback variance from Zoning Code Section 1252.16 (e), which requires a 36' Rear Yard Setback and where a 26' Rear Yard Setback is proposed in order to install a 456 SF Concrete patio; property located at 14399 Walking Stick Way, PPN 399-25-042, zoned R1-75.

Mr. Evans stated that there is a very shallow backyard and that there is HOA approval for this request.

STRONGSVILLE BOARD OF ZONING & BUILDING CODE APPEALS
MINUTES OF MEETING
May 25, 2022

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

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

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

Mr. Evans – I would like to call this May 25, 2022 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	PRESENT

Mr. Evans – I hereby certify that this meeting has been posted in accordance with Chapter 208 of the Strongsville Codified Ordinances. We have minutes from April 27, 2022. If there are no further comments, we will submit those as they were given to us for the record. We have Findings of Fact and Conclusions of Law regarding the decision for Sierra signage on April 27, 2022. I would entertain a motion accept them.

Mr. Houlé – I would like to make a motion to approve the Findings of Fact and Conclusions of Law regarding the BZA decision for Sierra signage on April 27, 2022.

Mr. Hayden – Second.

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

ROLL CALL:	ALL AYES:	MOTION PASSED
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Mr. Evans - 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) ADAM AND REBECCA THERREIN, OWNERS

- a) Requesting a 276 SF Floor Area variance from Zoning Code Section 1252.15, which permits a 192 SF Floor Area and where a 468 SF Floor Area is proposed in order to construct a Pavilion;
- b) Requesting a 4' Height variance from Zoning Code Section 1252.15, which permits a 12' Height and where a 16' Height is proposed in order to construct a Pavilion; property located at 20626 Donegal Lane, PPN 394-28-049, zoned R1-100.

Mr. Evans – All of the Board Members have been out and visited all the properties. Item number one on the agenda is Adam and Rebecca Therrein. If you would come forward and please state your name and address for the record.

Mr. Schill – My name is Joe Schill, Green Impressions Landscape, 842 Abbe Road, Sheffield.

Mr. Evans – The applicant is asking for two variances. One is for square footage and the other is for height. Tell us what the project involves. You heard during Caucus that we're probably going to ask questions about the height. Give us an idea about the project and what's going on.

Mr. Schill – I'll give you some background. My client and his wife had currently lived on that street and had the idea of building an outdoor living space. We contracted with them and they actually moved right down the street from they were at. We put together a plan to create this space with an outdoor pool and a covered structure for entertaining their family and friends. We're here to talk about the covered space. The entire design was based on trying to stick with the architecture of the house. If you look at the existing sunroom structure is sixteen feet tall. We tried to play off the existing pitch lines. Tried not to make this thing with a flat top roof on it. I know some of you mentioned that sixteen feet is really high. If we take this down to a twelve foot roof line with the architecture of the house, I think it will look like an add-on. We're trying to make this look like it was designed as part of the entire house and not make it look out of place. We tried to keep that structure behind the house so it's not really visible from the street. We tucked it in with some landscaping. Those are the point in terms of the height. If you look at a structure like that with the overhangs, you're losing almost three to four feet with overhang space and the posts eat up the space. The roofline is bigger but the footprint of useable space is not quite as big. Some city codes may not take into account outdoor living space as much. The entire design will match the architecture of the house, including the color scheme, the beams, everything. They have put a lot

1) **ADAM AND REBECCA THERREIN, OWNERS, Cont'd**

Mr. Schill continues - of money into the house already renovating it. We want to stay consistent with the look of it. There will be landscaping and you shouldn't see much of it at all.

Mr. Evans – To clarify, this is not a pre-fab, you are building this to their custom design. This yard and house structurally might accommodate that higher pitch, it doesn't fit everywhere. One of our problems is that if you put a big one into a small yard, it's very difficult to say no when we've granted one in the past. We have not allowed real tall ones, simply because in some yards that becomes a huge structure as opposed to being just a pavilion. It's a precedent that we've tried to stay away from.

Mr. Schill – I totally understand on a smaller lot. Obviously, this lot is pretty large. Based on the size and scale it feels right and it will look right.

Mr. Rusnov – If they attach this structure to the house, will all these variances go away?

Mr. Evans – There are additional things that would have to be done in order to connect it to the house.

Mr. Rusnov – By attaching this to the house, you get the size and the height.

Mr. Schill – The challenges they have, a two story family room with windows, it's really not conducive to attaching it to the house.

Mr. Rusnov – There's no way to attach this?

Mr. Schill – Not that I can figure out. Based on what we went through with the design process, I don't feel like it would work well.

Mr. Rusnov – Your comment about the zoning code; it's in a constant state of change. A lot of it at our direction. As the Chairman stated, we don't want to set a precedent that we're going to have to live with for the next twenty years. As he stated, if you grant sixteen feet now, the next guy is going to want eighteen, twenty, twenty-two. That's why we have a code.

Mr. Schill – I agree but obviously situations are different. If you look at the architecture of the houses these days, they are ten, twelve pitch roofs on almost all the newer stuff that you're seeing. It might be a discussion down the road, I guess.

Mr. Houlé – One of the arguments for both of these variances is that it will be hidden from the street because of the configuration in the back. If that's the case then your concern about the height shouldn't be an issue because it's going to be hidden from the street. You were saying it affects

1) **ADAM AND REBECCA THERREIN, OWNERS, Cont'd**

Mr. Houlé continues - the sight lines from the street, but no one is going to see it there, so I don't quite agree with your comments there.

Mr. Evans – Brian, are there any restrictions in terms of the pitch of a roof on a pavilion?

Mr. Roenigk – No.

Mr. Rusnov – What we're alluding to is giving you the option of going back to the drawing board and seeing what you can do to bring it more into conformance than what we're doing now. You could ask for a continuance or put this off for another couple of weeks. You are going to have to ask for it, but if it's all or nothing today, then just tell us.

Mr. Evans – Mr. Therrein, before you speak, if you would give us your name and address for the record.

Mr. Therrein – Adam Therrein, 20626 Donegal Lane. One of the reasons why we're doing this structure in the neighborhood. None of my neighbors are here but we've spoken to all of them. We go on vacation with out neighbors, all of our neighbors are good friends of ours. They all approve of what we're doing. Actually, the exact quote from my neighbor on the other side was "Keep doing all the stuff you're doing, you're helping our values." The amount of money we're spending on this project does nothing but enhance our house, but also all of our neighbors' houses. I know this is a variance, but I have to say my piece. We have a house across the street from us that the grass is about twelve to fourteen inches tall. They don't mow. They don't do anything. They don't maintain their house. We do along with most of our neighbors. We're trying to enhance the value of what we want our family to have, which is a place to come home to and spend lots and lots of time. I am born and raised in Strongsville. I help with the school district. My wife couldn't make it tonight. She would have a disagreement with what you mentioned about the architectural size as not seeing it. It's a design feature to make the house match, to make the house actually work to what we've done to the house. When we bought the house, it was not anywhere near what it is today. We spent a lot of money on the interior and exterior of the house. We built our first house on this street and this is our second home on this street. We have family on this street and we plan on raising our kids there and spending a lot of time there. The point I'm trying to make is we understand the rules in front of us. We're asking you to allow us to enhance the neighborhood. We bought that lot because there were four lots in that entire 600+ home neighborhood that have about one acre. We bought that to do this project for our family. Our other house had less than a quarter acre lot. That's why we spent the money to stay here in Strongsville. From a design feature, the roof pitch is, according to my wife and according to what we want to accomplish, and the size is important. I was just at one the other day that was 28 x 26 and all they were able to fit were two couches and two chairs and a fireplace. It does seem, according to the Code, that we are asking for a lot, but when you talk about the roof structure, it's truly, as far as a living space goes, it's not big. We actually thought about going bigger at one

1) **ADAM AND REBECCA THERREIN, OWNERS, Cont'd**

Mr. Therrein continues - point. We have a large family and everybody comes over. This will be a place where our kids will bring their friends and their families.

Mr. Evans – I think that our argument is not with the square footage. We've done bigger pavilions, but we've also kept them lower. In your acre, it's not that bad. When you look at the way the Code is written for sheds in our city, sheds are determined by the lot size. Unfortunately, for pavilions, that doesn't happen that way. Your height on a one acre lot is the same as someone's quarter acre lot. Once we open the door, we have to live with the results of it. The question that I would ask is could you reduce to fourteen feet and I recognize that it's not the sixteen that you want, but it would not be as high and that would give us a little bit of a margin in terms of approval. We can't condition it on someone with an acre lot. Our four reasons for granting variances involve hardships and unfortunately one of the hardships is not because someone just wants it. We have done some pavilions that have been twelve feet.

Mr. Houle – We've done upwards of fourteen feet.

Mr. Baldin – It's your decision, sir. I have no problem with the square footage of that size. It's the height. You talk it over and take some time before the meeting is over.

Mr. Therrein – We'll accept the fourteen feet.

Mr. Evans – That would change the variance from a four feet variance to two feet. We have to follow the rules that City Council has given us. Any other thoughts or comments? 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. Hayden – Mr. Chairman, requesting a 276 SF Floor Area variance from Zoning Code Section 1252.15, which permits a 192 SF Floor Area and where a 468 SF Floor Area is proposed in order to construct a Pavilion; (b) requesting a 2' Height variance from Zoning Code Section 1252.15, which permits a 12' Height and where a 14' Height is proposed in order to construct a Pavilion; property located at 20626 Donegal Lane, PPN 394-28-049, zoned R1-100.

Mr. Rusnov – Second.

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

ROLL CALL:

ALL AYES:

MOTION PASSED

1) **ADAM AND REBECCA THERREIN, OWNERS**

1) **ADAM AND REBECCA THERREIN, OWNERS, Cont'd**

Mr. Evans – The variance has been granted by this Board. There is a twenty day waiting period during which time City Council has the opportunity to review our decision. If Council chooses not to act, you will be notified by the Building Department at the end of the twenty days and then you can move forward with the project. You are all set.

Mr. Therrein – Thank you.

2) **DOUGLAS AND KATHLEEN FULLER, OWNERS**

Requesting a 5' Side Yard Setback (West) variance from Zoning Code Section 1252.16 (e), which requires a Concrete Patio maintain the same Side Yard Setback as the main dwelling and where the applicant is proposing a Concrete Patio (West) encroaching 5' beyond the main dwelling into the Side Yard Setback; property located at 17135 Golden Star Drive, PPN 397-23-058, zoned R1-75.

Mr. Evans – Item number two on our agenda is Douglas and Kathleen Fuller. If you could come forward and state your name and address for the record.

Mr. Kolick – Mr. Chairman, we have a question.

Mr. Rusnov – Could Mr. Kolick propose to City Council to make the size of the pavilion and the height commensurate with the size of the lot, like they do with the sheds?

Mr. Kolick – I would want our City Planner to look at it because you could have a two acre lot and you wouldn't let them build a twenty foot structure. There is a lot to consider.

Mr. Rusnov – Within reason because the Building Code has to be flexible and accommodate current standards. If this is ten or twenty years behind, it might be time for the City Council to revise it.

Mr. Evans – Mr. Therrein, I know you're standing at the door. Trust me it will take a long time.

Mr. Kolick – What you may instead want them to look at is the difference in square footage or height for a pavilion as opposed to other enclosed accessory structures.

Mr. Rusnov – Mr. Kolick, this is why we have you. You are in the front lines of all the zoning and as we see things that don't go like having a shipping container in your backyard, we should speak up. The City Council is not aware of this stuff.

Mr. Kolick – We'll get together with the Building Commissioner and our City Planner.

2) **DOUGLAS AND KATHLEEN FULLER, OWNERS, Cont'd**

Mr. Rusnov – Thank you.

Mr. Evans – Mr. Fuller, we'll need your name and address for the record.

Mr. Fuller – Douglas Fuller. I live at 17135 Golden Star Drive in Strongsville.

Mr. Evans – Give us an idea, briefly, of what you're asking for.

Mr. Fuller – I'm looking to put a concrete patio in my back yard. Currently it is rounded in an odd shape and its gravel. The problem is the deck is built out to both sides of my house. The way that it is now it's unusable because we have a large family of four children and my mother-in-law lives with us. Keeping with where the deck comes out in the middle and going towards the pavers that you saw, serves a couple of purposes. Obviously, aesthetically it's going to be good. My fear is if we just have grass there and getting up to the patio, I don't think my 82 year old mother-in-law will be able to use it. At some point we would like to put a hot tub on that patio and I'm afraid with the kids coming off the patio onto wet or icy grass, it could pose a hazard and I don't think we would get the enjoyment out of it.

Mr. Rusnov – What you're doing is eliminating a potential hazard.

Mr. Fuller – Yes.

Mr. Baldin – I don't have a problem with it. He has plenty of room.

Mr. Hayden – We do have HOA approval as well.

Mr. Evans – 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. Rusnov - Mr. Chairman, requesting a 5' Side Yard Setback (West) variance from Zoning Code Section 1252.16 (e), which requires a Concrete Patio maintain the same Side Yard Setback as the main dwelling and where the applicant is proposing a Concrete Patio (West) encroaching 5' beyond the main dwelling into the Side Yard Setback; property located at 17135 Golden Star Drive, PPN 397-23-058, zoned R1-75.

Mr. Hayden – Second.

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

2) **DOUGLAS AND KATHLEEN FULLER, OWNERS, Cont'd**

ROLL CALL:

ALL AYES:

MOTION PASSED

Mr. Evans – The variance has been granted by this Board. There is a twenty day waiting period during which time City Council has the opportunity to review our decision. If Council chooses not to act, you will be notified by the Building Department at the end of the twenty days and then you can move forward with the project. You are all set.

Mr. Fuller – Thank you.

3) **MARK HUML, OWNER**

Requesting a 10' Rear Yard Setback variance from Zoning Code Section 1252.16 (e), which requires a 36' Rear Yard Setback and where a 26' Rear Yard Setback is proposed in order to install a 456 SF Concrete patio; property located at 14399 Walking Stick Way, PPN 399-25-042, zoned R1-75.

Mr. Evans – Item number three on our agenda is Mark Huml on Walking Stick Way. If you would come forward and state your name and address for the record.

Mr. Bokchar – My name is Al Bokchar, 10487 Lake Meadows Drive.

Mr. Evans – Why don't you tell us about the project.

Mr. Bokchar – Thank you for the time. What we're trying to do is get a ten foot variance. The homeowner would like to get a 14 x 24 concrete patio behind the garage. It's not a large backyard but they did put in a nice garage. They'd like to utilize that garage down the road for family entertainment. It's makes sense for them to put the patio behind the garage and it give them a little bit more green area behind the house. If he could get a little bit of help with that I think he would appreciate it.

Mr. Houlé – I believe we approved other variances when the building of the house initially took place. It is a really small lot and there aren't a lot of options there. I saw that all the neighbors had agreed with it and the HOA, too. I have no problems with it.

Mr. Evans – 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.

3) MARK HUML, OWNER, Cont'd

Mr. Baldin - Mr. Chairman, requesting a 10' Rear Yard Setback variance from Zoning Code Section 1252.16 (e), which requires a 36' Rear Yard Setback and where a 26' Rear Yard Setback is proposed in order to install a 456 SF Concrete patio; property located at 14399 Walking Stick Way, PPN 399-25-042, zoned R1-75.

Mr. Houlé – Second.

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

ROLL CALL:

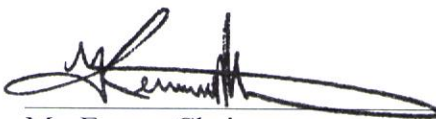
ALL AYES:

MOTION PASSED

Mr. Evans – The variance has been granted by this Board. There is a twenty day waiting period during which time City Council has the opportunity to review our decision. If Council chooses not to act, you will be notified by the Building Department at the end of the twenty days and then you can move forward with the project. You are all set.

Mr. Bokchar – Thank you.

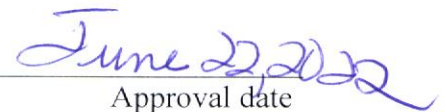
Mr. Evans – Is there anything else to come before the Board? If not, then we are adjourned.



Mr. Evans, Chairman



Kathy Zamzla, Secretary



Approval date