

**CAUCUS PRIOR TO STRONGSVILLE BOARD OF ZONING &
BUILDING CODE APPEALS
Meeting of
October 19, 2022**

Board of Appeals Members Present: Ken Evans, Dustin Hayden, John Rusnov, David Houlé, Rich Baldin

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 October 19, 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 October 5, 2022. There are no corrections to those minutes.

The Board members discussed the following:

1) **ALEXANDRIA AND ADAM HASELEY, OWNERS**

- a) Requesting a variance from Zoning Code Section 1252.18, which permits one (1) Accessory Structure and where one (1) 100 SF Accessory Structure (Shed) exists and a second 100 SF Accessory Structure (Chicken Coop) exists;
- b) Requesting a 15.5' Setback variance from Zoning Code Section 1252.03 (e), which requires a 50' Setback from the property line (North) and where a 34.5' Setback from the property line (North) is proposed;
- c) Requesting a 15.5' Setback variance from Zoning Code Section 1252.03 (e), which requires a 50' Setback from the property line (South) and where a 34.5' Setback from the property line (South) is proposed in order to approve an existing Chicken Coop; property located at 8809 Priem Road, PPN 391-11-016, zoned R1-75.

Mr. Houlé stated that the Board has been adhering to the 50 foot setback for coops in the past. Mr. Evans stated that this is a residential lot which is close to neighbors. Mr. Rusnov stated that the Code may need to be looked at with regard to chicken coops. Mr. Kolick stated that the Code was reviewed and changed about three years ago. It was pointed out that the chickens attract vermin, and predators like hawks, and manure smells.

2) **ROBERT BAXENDALE, JR., OWNER**

Requesting a 25' Rear Yard Setback variance from Zoning Code Section 1252.05, which requires a 50' Rear Yard Setback and where a 25' Rear Yard Setback is proposed in order to approve a 326 SF Garage Addition; property located at 11104 Crabapple Court, PPN 398-19-019, zoned R1-75.

Mr. Evans stated that there is HOA approval. Mr. Baldin stated that there are other three car garages in the neighborhood.

3) **DEBBIE LEHOTAN, OWNER**

Requesting a 48 SF Floor Area variance from Zoning Code Section 1252.15, which permits a 192 SF Floor Area and where a 240 SF Floor Area is proposed in order to construct a Pergola; property located at 19669 Fair Isle Way, PPN 392-35-066, zoned R1-75.

Mr. Evans stated that the Board has approved these types of requests in the past. Mr. Baldin stated that he would like the applicant to explain exactly what is being planned with the cleared land.

Mr. Evans discussed 2023 meeting dates and necessity to move some dates due to holidays and scheduled city events.

**STRONGSVILLE BOARD OF ZONING & BUILDING CODE APPEALS
MINUTES OF MEETING
October 19, 2022**

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

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

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

Mr. Evans – I would like to call this October 19, 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 October 5, 2022. If there are no further comments, we will submit those as they were given to us for the record. 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) ALEXANDRIA AND ADAM HASELEY, OWNERS

- a) Requesting a variance from Zoning Code Section 1252.18, which permits one (1) Accessory Structure and where one (1) 100 SF Accessory Structure (Shed) exists and a second 100 SF Accessory Structure (Chicken Coop) exists;
- b) Requesting a 15.5' Setback variance from Zoning Code Section 1252.03 (e), which requires a 50' Setback from the property line (North) and where a 34.5' Setback from the property line (North) is proposed;

1) **ALEXANDRIA AND ADAM HASELEY, OWNERS, Cont'd**

- c) Requesting a 15.5' Setback variance from Zoning Code Section 1252.03 (e), which requires a 50' Setback from the property line (South) and where a 34.5' Setback from the property line (South) is proposed in order to approve an existing Chicken Coop; property located at 8809 Priem Road, PPN 391-11-016, zoned R1-75.

Mr. Evans – Item number one is Haseley on Priem Road. If you would come forward and state your name and address for the record.

Mr. Haseley – My name is Adam Haseley, 8809 Priem Road, Strongsville.

Mr. Evans – Please tell us why you are asking for this variance for the chicken coop.

Mr. Haseley – We're putting in a garden next year and the eggs are a nice benefit. Not trying to make it a farm, just make it more self-sufficient. We can use the manure as fertilizer.

Mr. Evans – All the Board Members have been out to visit all the properties. The problem is that your lot size of 75 feet wide and being close to neighbors, other residents may come forward and request the same thing. The rules and requirements that are currently out there are generally for a piece of property that is much larger and away from others homes.

Mr. Houlé – My concern is the size of the lot and you would be going outside the 50 foot allotment. Coops also attract rodents and create noise.

Mr. Baldin – There is already a coop on the property.

Mr. Haseley – I was going to move the current coop to a location further back into the yard.

Mr. Houlé – Your lot size restricts it so much, but there really isn't the space there.

Mr. Haseley – I tried to put it back as far as I could. The neighbor on our south side doesn't really use their yard for anything and the neighbor on the north side, I put the coop in line with where their fence ends to keep it away from residential activities.

Mr. Evans – As you bring it back toward the rear of your lot its brings it closer to those neighbors behind you. I understand it's a nice advantage, but I wouldn't want one by me.

Mr. Rusnov – The Code was revised a few years ago with regard to chicken coops and their placement.

1) **ALEXANDRIA AND ADAM HASELEY, OWNERS, Cont'd**

Mr. Evans – That was done so it could be accommodated on larger lots and away from developments. If we allow it on a 75' wide lot it would set a precedent and others with undersized lots would want it as well.

Mr. Kolick – The Code was looked at because the City was receiving a rash of complaints.

Mr. Baldin – How long has your coop been up?

Mr. Haseley – Since March.

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. Houlé – Mr. Chairman, **(a)** requesting a variance from Zoning Code Section 1252.18, which permits one (1) Accessory Structure and where one (1) 100 SF Accessory Structure (Shed) exists and a second 100 SF Accessory Structure (Chicken Coop) exists; **(b)** requesting a 15.5' Setback variance from Zoning Code Section 1252.03 (e), which requires a 50' Setback from the property line (North) and where a 34.5' Setback from the property line (North) is proposed; **(c)** requesting a 15.5' Setback variance from Zoning Code Section 1252.03 (e), which requires a 50' Setback from the property line (South) and where a 34.5' Setback from the property line (South) is proposed in order to approve an existing Chicken Coop; property located at 8809 Priem Road, PPN 391-11-016, zoned R1-75.

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 NAYES:

MOTION DENIED

Mr. Evans – Regrettably we have turned it down. It is not appropriate for that lot in that location. With the denial of the variance, we would ask you to work with the Building Department because the coop will have to be removed and they can work with you on the timing of that.

Mr. Haseley – Thank you.

2) **ROBERT BAXENDALE, JR., OWNER**

Requesting a 25' Rear Yard Setback variance from Zoning Code Section 1252.05, which requires a 50' Rear Yard Setback and where a 25' Rear Yard Setback is proposed in order to approve a 326 SF Garage Addition; property located at 11104 Crabapple Court, PPN 398-19-019, zoned R1-75.

Mr. Evans – Item number two on the agenda is Baxendale on Crabapple Court. If you would come forward and state your name and address for the record.

Mr. Baxendale – Robert Baxendale, 11104 Crabapple Court.

Mr. Evans – Tell us about your request.

Mr. Baxendale – What we're looking to do is expand to a third garage. The driveways there are very short. We have three cars and a lot of parking is taken up in the street by the neighbors. Because of the positioning of the house and the garage, we face on Crabapple so our backyard faces the side lot of the neighbor. The setback of 50 feet does not allow us to add a third bay, so we are looking for the variance to be able to add a third bay.

Mr. Evans – It is a corner lot. We do have HOA approval.

Mr. Rusnov – It's a topographical issue.

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 25' Rear Yard Setback variance from Zoning Code Section 1252.05, which requires a 50' Rear Yard Setback and where a 25' Rear Yard Setback is proposed in order to approve a 326 SF Garage Addition; property located at 11104 Crabapple Court, PPN 398-19-019, 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?

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

2) **ROBERT BAXENDALE, JR., OWNER, Cont'd**

Mr. Evans continues - 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. Baxendale – Thank you.

3) **DEBBIE LEHOTAN, OWNER**

Requesting a 48 SF Floor Area variance from Zoning Code Section 1252.15, which permits a 192 SF Floor Area and where a 240 SF Floor Area is proposed in order to construct a Pergola; property located at 19669 Fair Isle Way, PPN 392-35-066, zoned R1-75.

Mr. Evans – Item number three on the agenda is Lehotan on Fair Isle Way. If you would come forward and state your name and address for the record.

Mr. Taber – Dilan Taber, 19669 Fair Isle Way.

Mr. Evans – Please give us a quick description of the reason for the variance request.

Mr. Taber – We're looking to put in a pergola to get shade on the patio.

Mr. Evans – We did have some questions about the other projects that may be involved. Is the pergola going to be the only structure that's being built?

Mr. Taber – Yes, that's the only structure. The cut-out area will be the patio. It will be 3 to 4 feet off each corner of the house.

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. Hayden – Mr. Chairman, requesting a 48 SF Floor Area variance from Zoning Code Section 1252.15, which permits a 192 SF Floor Area and where a 240 SF Floor Area is proposed in order to construct a Pergola; property located at 19669 Fair Isle Way, PPN 392-35-066, zoned R1-75.

Mr. Houlé – Second.

Mr. Evans - 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 PASSED

3) **DEBBIE LEHOTAN, OWNER, 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. Taber – Thank you.

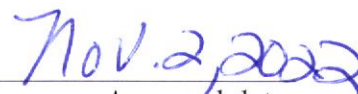
Mr. Evans – Mr. Kolick, we will need Findings of Facts and Conclusions of Law for item number one. Is there any other business to come before the Board? If not, we are adjourned.



Mr. Evans, Chairman



Kathy Zamrzla, Secretary



Approval date