

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

**Meeting of
August 14, 2019
7:30 p.m.**

Board of Appeals Members Present: Kenneth Evans, John Rusnov, Richard Baldin, David Houlé
Administration: Assistant Law Director Daniel J. Kolick
Building Department Representative: Brian Roenigk
Recording Secretary: Carol Brill

The Board members discussed the following:

NEW APPLICATIONS

1) BRIAN AND DEVON SZYMANSKI, OWNERS

Requesting a variance from Zoning Code Section 1252.17 (a), which prohibits a fence in the front yard and where a 25' LF 6' high vinyl fence exists; property located at 18186 Ash Drive, PPN 394-24-005, zoned R1-75.

The Board indicated that this is for a vinyl fence in the front yard. They specified that there are a few of these in the City for keeping basketballs from going into neighbor's yards. The Board also mentioned that the neighbor has no problem with it, and that they already have an island with a pine tree. They noted that this is an existing fence, and it became known by the Building Department from a complaint that was filed by someone for putting it up without a permit.

2) VADIM AND OLGA DYAKIV, OWNERS

Requesting a 10' Setback variance from Zoning Code Section 1252.15 (a), which requires a 20' Setback from the main dwelling and where a 10' Setback from the main dwelling is proposed in order to construct an Accessory Structure; property located at 17780 Lyon Lane, PPN 394-25-041, zoned R1-75.

The Board noted that it's a wooded backyard with a 6' fence around it. They indicated that the yard slopes away in the rear, and that it's a shallow yard since it is fenced in. The Board specified that there is a deck on the left side in the back that protrudes into the setback, and a patio on the right side. They mentioned that it has not been staked out, and that the fence was locked so they had no access to view it properly. They noted that this is a possible fire issue having the shed too close to the house. The Board stated that they were not sure if there was a HOA.

3) MARGARET YOUNG, OWNER

Requesting a 124 SF variance from Zoning Code Section 1252.16 (b), which permits a 120 SF Front Entrance Feature and where a 244 SF Front Entrance Feature exists; property located at 11545 Timber Edge Place, PPN 398-14-029, zoned R1-75.

The Building Department indicated that this is a brand new house, and the owner is required to put in their own concrete instead of the builder per their contract which is unusual. He also specified that the owner was unaware of how she was to go about doing this, and was unaware that she had violated the Code when it was put in. The Board mentioned that this property has a HOA.

PUBLIC HEARINGS

4) PAUL AND CRYSTAL TURNER, OWNERS

Requesting a 10' Rear Yard Setback variance from Zoning Code Section 1252.29 (b) (1), which requires a 15' Rear Yard Setback and where a 5' Rear Yard Setback is proposed in order to install an Above Ground Swimming Pool; property located at 13916 Blackberry Circle, PPN 398-10-108, zoned R1-75.

The Board noted that they have received the HOA approval letter. They indicated that the topography is an issue, and specified that they have a lot of trees and a 6' fence to mask the new pool from view. The Board mentioned that they have common ground behind the house, and this pool is replacing an existing pool. They also stated that this pool is smaller than the last one. The Board discussed how far the pool should be from the fence, but disputed that someone could get onto the tall fence to jump into the pool. The Building Department specified that the pool will be 3' from the deck, and it will have a 24' diameter. They also noted that it'll be 9'-10' from the fence.

5) GEORGE AND GINA LATCHERAN, OWNERS/Michael Mrdjanov with Ironwood Builders, Representative

- a) Requesting a 288 SF Floor Area variance from Zoning Code Section 1252.15, which permits a 192 SF Floor Area and where a 480 SF Floor Area is proposed in order to construct an Accessory Structure;
- b) Requesting a 20' Setback variance from Zoning Code Section 1252.15 (a), which requires a 20' Setback from the main dwelling and where a 0' Setback from the main dwelling is proposed in order to construct an Accessory Structure; property located at 22416 Valleybrook Lane, PPN 392-13-077, zoned R1-75.

The Board indicated that they need a HOA approval letter. They specified that they did not ask for the Fire Department to review this variance request. The Board mentioned that they had discussed doing so at the last meeting, but decided it wasn't necessary. They noted that

there is a pergola and then a hard roof attached to that. The Board disputed why they had started construction. The Building Department stated that they were allowed to do the patio because it didn't need a variance, and that they put in the infrastructure underneath for the conduits so they are ready to install if this gets approved. The Building Department added that the owner and contractor are aware that if it is not approved, or if the Board decided to modify or change it at tonight's meeting, that will need to be removed or moved.

6) BRYAN AND SARAH SALISBURY, OWNERS

Requesting a variance from Zoning Code Section 1252.15 (a), which prohibits an Accessory Structure in the front yard and where the applicant is proposing a 160 SF Accessory Structure in the front yard; property located at 19960 Albion Road, PPN 391-27-004, zoned R1-75.

The Board mentioned that this is a very unusual lot. They discussed one that they had approved on Drake Road that was similar, but that it had a long, deep lot. The Board indicated that topography is an issue because of the size and shape of the lot. They also specified that there are pine trees that will shield it from view. The Board noted that they still need to know the size of the door that is being proposed.

7) DAN BAILEY, OWNER

- a) Requesting a variance from Zoning Code Section 1252.15 (a), which prohibits an Accessory Structure in the front yard and where the applicant is proposing a 280 SF Accessory Structure in the front yard;
- b) Requesting an 88 SF Floor Area variance from Zoning Code Section 1252.15 (a), which permits a 192 SF Floor Area and where a 280 SF Floor Area is proposed in order to construct an Accessory Structure;
- c) Requesting a 6' Height variance from Zoning Code Section 1252.04 g), which permits a 12' Height and where an 18' Height is proposed in order to construct a 280 SF Accessory Structure;
- d) Requesting a 20' Front Yard Setback variance from Zoning Code Section 1252.04 (d), which requires a 100' Front Yard Setback from the Westwood Drive centerline and where an 80' Front Yard Setback from the Westwood Drive centerline is proposed in order to construct a 280 SF Accessory Structure; property located at Westwood Drive parcel B, PPN 392-12-021, zoned R1-75.

The Board specified that he moved the proposed garage back from the road to 80' from the middle of the road instead of the required 100'. They disputed whether this suits the area, and indicated that all the other houses are in line with each other. The Board debated this

accessory structure's size, height and location. They concluded that it just doesn't belong there, and even if he moved it back more it would still be too tall and too big to warrant approval. The Board also noted that the owner created his own problem by subdividing the lot and making it too small to build what he wants on it.

8) MATTHEW AND JULIE ZUBEK, OWNERS

Requesting a 1,041 SF Floor Area variance from Zoning Code Section 1252.22 (c), which permits a 1,000 SF Floor Area and where a 2,041 SF Floor Area is proposed in order to construct an Attached Garage; property located at 20050 Albion Road, PPN 391-27-005, zoned R1-75.

The Board indicated that he will need to install a hard surface. They specified that Engineering has looked at the property and that they will possibly require a retaining wall near the creek. The Board mentioned that their decision will be affected by the Board's decision tonight. They also concluded that it will be a nice addition, and the Board found no issues with it during caucus.

STRONGSVILLE BOARD OF ZONING & BUILDING CODE APPEALS

MINUTES OF MEETING August 14, 2019

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

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

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

Mr. Evans – Good evening ladies and gentlemen. I would like to call this August 14, 2019 meeting of the Strongsville Board of Zoning and Building Code Appeals to order. May we have a roll call please?

ROLL CALL: ALL PRESENT EXCEPT FOR MR. SMEADER

Mr. Rusnov – I'd like to make a motion to excuse Mr. Smeader for just cause.

Mr. Houlé – Second.

Mr. Evans – I have a motion and a second. May I have a roll call please?

ROLL CALL: ALL AYES MOTION PASSED

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 before us this evening an amended agenda, and I will entertain a motion to approve that amended agenda.

Mr. Baldin – I make a motion to approve the amended agenda.

Mr. Houlé – Second.

Mr. Evans – Thank you, may we have another roll call please?

ROLL CALL: ALL AYES MOTION PASSED

Mr. Evans – We also have minutes from the July 31st, 2019 meeting. We discussed it in caucus, and unless anyone has anything else to add or corrections to make, we will approve those and submit them as they were given to us for the official record. If there is 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 and anyone who wished to participate.

Mr. Evans – Thank you. Our meetings are divided into two portions. The first half are new applications, and then we'll move onto our public hearings.

NEW APPLICATIONS

1) BRIAN AND DEVON SZYMANSKI, OWNERS

Requesting a variance from Zoning Code Section 1252.17 (a), which prohibits a fence in the front yard and where a 25' LF 6' high vinyl fence exists; property located at 18186 Ash Drive, PPN 394-24-005, zoned R1-75.

Mr. Evans – First on the agenda this evening is Szymanski on Ash Drive. Please come up to the microphone and give us your name and address for the record.

Mr. Szymanski – Hello, my name is Brian Szymanski. I live at 18186 Ash Drive in Strongsville.

Mr. Evans – Thank you. You are asking for a variance from the Code which prohibits a fence in the front yard. Please tell us about the request. It's an existing fence. Please tell us why it went up, and how it went up, and what it's there for.

Mr. Szymanski – Sure. No problem. Basically I bought the house two years ago. My neighbor's property is not well maintained. I'm just trying to provide my family privacy and make my house look good. I decided to go with the fence because I felt that there was less maintenance on it. I considered a shrubbery route, but they die, and I didn't want to have to replace them. I put up the fence. It has 6' posts that are concreted in. I bought all the supplies from Home Depot. I put it up with the approval of my neighbor. I asked him, and he said it was no problem. He even offered me tools like a post hole digger. That's basically where we stand.

Mr. Evans – So it's an existing fence, but it's actually sections of a fence. It's not a long fence nor does it encompass the entire yard. It's just a barrier.

Mr. Szymanski – Correct.

1) BRIAN AND DEVON SZYMANSKI, OWNERS, Cont'd

Mr. Evans – So we all understand what that is. When you put it up you did not go to the City to get a permit or ask whether a permit was required.

Mr. Szymanski – Right, I looked on the website, and I didn't honestly feel I needed one for the three panels. I did see that you need one for extended perimeter, and everything for a 6' fence. So I apologize for that. I put it up myself with some help. I also asked the neighbor and he helped me as well. I did look into it, but I thought for this particular fence I honestly didn't think I'd need one for just three panels.

Mr. Evans – Okay. Alright. So the Building Department became aware of it because of a complaint about it. Building a fence in the front yard is something that the Code specifically doesn't allow. When people have an unusual circumstance, that's when they come here, and that would be why you are here now making the application for a variance. Are there any questions or observations from the Board members?

Mr. Rusnov – Its 25' not 24'.

Mr. Szymanski – I counted from post to post.

Mr. Rusnov – It's really 24'.

Mr. Szymanski – I didn't know. I just measured it, and it's better to be safe than sorry.

Mr. Baldin – I'm curious. You said your neighbor offered to help you and gave you tools. Is this the same neighbor that you're trying to block out?

Mr. Szymanski – Yes, Joe. Honestly I like Joe a lot. I don't really care for his wife, but feel free to drive by the property. There's a motorhome in there, and...

Mr. Baldin – You're right. I know. I'd have to agree with you there, there's a problem with that yard.

Mr. Szymanski – That's just where I stand.

Mr. Baldin – Thank you.

Mr. Houlé – I have a question too. I know you said that pine trees and shrubbery require maintenance, but then so does the fence eventually too.

Mr. Szymanski – It's a vinyl fence so it won't rot or anything.

1) BRIAN AND DEVON SZYMANSKI, OWNERS, Cont'd

Mr. Evans – Okay. All of the members of the Board will be out to visit the property to take a look at it. 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. Make sure to tell them that it's about the fence that is already up, and not that you're going to fence in the whole front yard or anything. We want to avoid confusion. The public hearing is on August 28th. 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. Szymanski – Alright, no problem. Thank you.

2) VADIM AND OLGA DYAKIV, OWNERS

Requesting a 10' Setback variance from Zoning Code Section 1252.15 (a), which requires a 20' Setback from the main dwelling and where a 10' Setback from the main dwelling is proposed in order to construct an Accessory Structure; property located at 17780 Lyon Lane, PPN 394-25-041, zoned R1-75.

Mr. Evans – Next on the agenda this evening is Dyakiv on Lyon Lane. Please come up to the microphone and give us your name and address for the record.

Mr. Rusnov – No one here.

Mr. Kolick – Why not push them back on the agenda for now.

Mr. Evans – Alright. So we'll move that to the end of the agenda for right now.

3) MARGARET YOUNG, OWNER

Requesting a 124 SF variance from Zoning Code Section 1252.16 (b), which permits a 120 SF Front Entrance Feature and where a 244 SF Front Entrance Feature exists; property located at 11545 Timber Edge Place, PPN 398-14-029, zoned R1-75.

Mr. Evans – Third on the agenda this evening is Young on Timber Edge Place. Please come up to the microphone and give us your name and address for the record.

Ms. Young – Margaret Young, and I have a new home under construction at 11545 Timber Edge Place. I haven't moved into the house yet. It's been under construction for a while. When I purchased the house, I was going to build it someplace else other than in Strongsville. So when I choose a builder in Strongsville, the house was 72' wide and it wouldn't fit on a standard

3) MARGARET YOUNG, OWNER, Cont'd

Ms. Young continues - subdivision lot. The reason I'm explaining this is so you understand one of the reasons why I was doing what I was doing. So I combined the two lots together, and so it's a very large lot. So when I had the house built the service door to the 3 car garage is facing towards the front door. By the time I had the sidewalk from the driveway up to the front door, then obviously they had to bring some concrete in to where the service door was. At that point, do I just put in a square like this and then come back out with it? I thought that would be strange. So it made more sense to square it off, but when I squared it off the distance between the service door going to the garage and the house is about 3'. Plus because the lot is so large, I'm going to have a landscaper with a riding lawn mower. There isn't any way he's going to be able to cut that 3' of grass by the 19'. So I just said to the concrete guy to just fill it all in up to the house, and then I won't have to bother with trying to landscape that area. I have pictures of what he has done, but then I didn't realize that I couldn't do it. So now I've had to come for a variance for it. I have pictures here if you'd like to see them.

Mr. Evans – You may submit them if you wish to, but they will become part of the record which is fine by us. We will also be out to visit it.

Ms. Young – Oh sure because you know, we've stopped what we were doing when we realized that we were not in compliance.

Mr. Evans – That would be a good thing.

Ms. Young – That's pretty much why I chose to do it. It just seemed silly to have that little tiny section of dirt between the sidewalk and the house. That's why it was done that way.

Mr. Evans – We discussed in caucus, Ms. Young, that your contract for building the house is a little unusual because most contracts for building houses include driveways and concrete work such as service walks and things. Yours did not, is that correct?

Ms. Young – Right, nothing. On top of it all, it has a basement, and I never expected that when the subdivision was approved that they would have the storm sewer up so high that my basement level wouldn't be able to get in. So I raised the house up three feet in order to go in by natural gravity. Of course that caused all kinds of problems because you have all the fill dirt, and this and that. So anyhow, we'd like to get the concrete done and the yard finished, and now I'd just like to move in.

Mr. Evans – Just one clarification too. Your current address is 4266 Wooster Road in Fairview Park, correct?

Ms. Young – That is correct.

3) MARGARET YOUNG, OWNER, Cont'd

Mr. Evans – Okay.

Mr. Houlé – One other thing. Ms. Young, you're part of a HOA? We'll need a letter.

Ms. Young – I tried to contact them, and I went onto their website, and I wrote a letter to them. I had written to Mr. Bartos, I think his name was, because when I initially consolidated the two lots I had to get permission from them to consolidate. So I wrote to him, and I told him that I was asking for a variance on this, but I've gotten no response from either on their website nor from him. I don't know what to do then.

Mr. Kolick – I would just follow up with them, Ms. Young. Make a phone call to them, or follow up with another email or letter.

Ms. Young – I told him that I was coming to this meeting, and that if they needed to they could call me. What do I need to get from them?

Mr. Evans – The HOA gets notified by the City so if you're contacting them through the website, if you could bring us a copy of your outbound email to the HOA, and they're being notified by the City so that would suffice if we get no answer from them. We would consider that they've at least been made aware of it.

Ms. Young – Okay, fine.

Mr. Evans – That's the most important thing.

Ms. Young – Thank you for the advice.

Mr. Evans – So again, all of the members of the Board will be out to visit the property to take a look at it. 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 again 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 us all some time and the trouble. In the agenda it looks like you're asking for a lot more than what you're actually doing. So that may cut off some questions they may have. Are there any other questions from the Board?

Mr. Kolick – I see that we have a different parcel number on the application than we do on the agenda. So do we have a correct number on there?

Mr. Roenigk – Is it 029?

3) MARGARET YOUNG, OWNER, Cont'd

Ms. Young – It is 029, right. What happened was that with the combination of the two lots, it was 024 and 025, but that's the new permanent parcel number. It's sort of the combination of the two previous numbers.

Mr. Kolick – Okay.

Mr. Roenigk – We'll make sure that's correct.

Mr. Evans – Thank you. Alright, so we will see you back here on August 28th.

Ms. Young – Thank you very much.

PUBLIC HEARINGS

4) PAUL AND CRYSTAL TURNER, OWNERS

Requesting a 10' Rear Yard Setback variance from Zoning Code Section 1252.29 (b) (1), which requires a 15' Rear Yard Setback and where a 5' Rear Yard Setback is proposed in order to install an Above Ground Swimming Pool; property located at 13916 Blackberry Circle, PPN 398-10-108, zoned R1-75.

Mr. Evans – Now we'll move onto our public hearings. Number four on the agenda this evening is Turner on Blackberry Circle. Please come up to the microphone and give us your name and address for the record.

Mr. Turner – Sure. Paul Turner, 13916 Blackberry Circle.

Mr. Evans – Thank you, Mr. Turner. If you would, take us through what your request is again. I know you presented at the last meeting, but since it's a public hearing we ask that you just give us a quick description of what is requiring the variance and why you're proposing the project this way.

Mr. Turner – We're requesting a rear yard setback to put in an above ground pool. We currently have a 6' wooden fence surrounding the property as well as a common area in the rear of the property.

Mr. Evans – This is replacing a pool that was there before.

Mr. Turner – That is correct.

Mr. Evans – Okay. It's an above ground pool so it's not in the ground.

4) PAUL AND CRYSTAL TURNER, OWNERS, Cont'd

Mr. Turner – Correct.

Mr. Evans – This is also because you have patio back there.

Mr. Turner – Yes, we have a 16' deck on the back of the house.

Mr. Evans – That causes you to have to put the pool in a particular location.

Mr. Turner – Yes.

Mr. Evans – Okay. Are there questions?

Mr. Baldin – What is the diameter of your pool going to be?

Mr. Turner – 24'.

Mr. Baldin – 24'?

Mr. Turner – Yes, so from the rear of the deck to the end of the fence it's 33.5'. So I think there's a 9.5' difference. The pool will be about 2' from the back of the deck so that gives us good enough space between the fence and the pool as well.

Mr. Baldin – Thank you.

Mr. Evans – Are there any other questions?

Mr. Rusnov – No.

Mr. Evans – Alright. 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. Please come up to the microphone. Mr. Turner I'll ask that you have a seat for a moment. Please give us your name and address for the record.

Mr. Kerslake – Tom Kerslake, 14000 Blackberry Circle. We're neighbors of Paul and Crystal, and we fully support them in this request for a variance.

Mr. Evans – Thank you, and I appreciate that you stood up in order to be able to do that. It makes everything official and we appreciate you coming tonight.

Mr. Kerslake – Sure.

Mr. Evans – Next?

4) **PAUL AND CRYSTAL TURNER, OWNERS, Cont'd**

Mr. Grove – My name is David Grove, I'm Paul and Crystal's neighbor. My address is 13958 Blackberry Circle. I approve of the pool. We have no problems with it.

Mr. Evans – Thank you, Mr. Grove, we appreciate you coming and expressing your support. Is there anyone else in the audience who wishes to speak for the granting of the variance? Is there anyone here who would like to speak against the granting of the variance? Before we entertain a motion, I just want to say that we do appreciate people coming in and supporting people and expressing opinions. That's very important in the process here. I will now entertain a motion.

Mr. Baldin – We do have a HOA letter.

Mr. Evans – Right, from Pine Lakes, we do. Correct.

Mr. Rusnov – I make a motion to approve a request for a 10' Rear Yard Setback variance from Zoning Code Section 1252.29 (b) (1), which requires a 15' Rear Yard Setback and where a 5' Rear Yard Setback is proposed in order to install an Above Ground Swimming Pool; property located at 13916 Blackberry Circle, PPN 398-10-108, zoned R1-75.

Mr. Houlé – Second.

Mr. Evans – We have a motion and a second, may I 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. We thank you for going through the process.

Mr. Turner – Thank you for your time as well.

Mr. Evans – Okay, thank you.

5) **GEORGE AND GINA LATCHERAN, OWNERS/Michael Mrdjanov with Ironwood Builders, Representative**

- a) Requesting a 288 SF Floor Area variance from Zoning Code Section 1252.15, which permits a 192 SF Floor Area and where a 480 SF Floor Area is proposed in order to construct an Accessory Structure;

5) **GEORGE AND GINA LATCHERAN, OWNERS/Michael Mrdjanov with Ironwood Builders, Representative, Cont'd**

- b) Requesting a 20' Setback variance from Zoning Code Section 1252.15 (a), which requires a 20' Setback from the main dwelling and where a 0' Setback from the main dwelling is proposed in order to construct an Accessory Structure; property located at 22416 Valleybrook Lane, PPN 392-13-077, zoned R1-75.

Mr. Evans – Fifth on the agenda Latcheran on Valleybrook Lane. Please have a representative come up to the microphone and give us their name and address for the record.

Mr. Mrdjanov – I'm Michael Mrdjanov with Ironwood Builders. I'm representing George and Gina Latcheran at address 22416 Valleybrook Lane.

Mr. Evans – We are talking about an accessory structure here. So Mr. Mrdjanov tell us about what the project is, why we have a pergola and then a roof, and how that design came about.

Mr. Mrdjanov – Sure. So they wanted to provide some sort of shade to the back, but they didn't want it to block off all the light that they had coming into the back of their house. So we decided to open up just a section of it and create a pergola there. That essentially made it into an accessory structure. That's pretty much the bulk of it.

Mr. Evans – We have a fireplace in there too.

Mr. Mrdjanov – The fireplace is in there, but it's a good 30' from the house.

Mr. Rusnov – It's a gas insert.

Mr. Mrdjanov – Its direct vent so it's completely sealed.

Mr. Rusnov – Just like the interior.

Mr. Mrdjanov – Yeah, exactly.

Mr. Evans – So we didn't feel it needed that Fire Department review. Are there any other questions from anybody?

Mr. Baldin – No questions.

Mr. Evans – We did not receive a HOA letter.

Mr. Mrdjanov – I have it here.

5) **GEORGE AND GINA LATCHERAN, OWNERS/Michael Mrdjanov with Ironwood Builders, Representative, Cont'd**

Mr. Evans – Oh good.

Mr. Mrdjanov – I don't know if I should have submitted it to you before.

Mr. Evans – That's fine, if you have it give it to us so we have it for our records and our process indicates that we received it. Thank you very much. Okay, so we have a HOA letter approving it. If you want to look at it, here you go. 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 now entertain a motion.

Mr. Houlé – I make a motion to approve a request for a 288 SF Floor Area variance from Zoning Code Section 1252.15, which permits a 192 SF Floor Area and where a 480 SF Floor Area is proposed in order to construct an Accessory Structure; and also approve a request for a 20' Setback variance from Zoning Code Section 1252.15 (a), which requires a 20' Setback from the main dwelling and where a 0' Setback from the main dwelling is proposed in order to construct an Accessory Structure; property located at 22416 Valleybrook Lane, PPN 392-13-077, zoned R1-75.

Mr. Baldin – Second.

Mr. Evans – We have a motion and a second, may I have a roll call please?

ROLL CALL:

ALL AYES

MOTION PASSED

Mr. Evans – The variances have 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.

Mr. Mrdjanov – Thank you very much.

Mr. Evans – Okay, thank you.

6) **BRYAN AND SARAH SALISBURY, OWNERS**

Requesting a variance from Zoning Code Section 1252.15 (a), which prohibits an Accessory Structure in the front yard and where the applicant is proposing a 160 SF Accessory Structure in the front yard; property located at 19960 Albion Road, PPN 391-27-004, zoned R1-75.

6) BRYAN AND SARAH SALISBURY, OWNERS, Cont'd

Mr. Evans – Sixth on the agenda Salisbury on Albion Road. Please come up to the microphone and give us your name and address for the record.

Mr. Salisbury – I'm Brian Salisbury. I live at 19960 Albion Road in Strongsville.

Mr. Evans – Thank you. Mr. Salisbury you are here asking for an accessory structure in the front yard. I know we talked about this being a 10' by 16', and we talked about trees being in the vicinity, and the layout of the land and that with where the house is you couldn't put it in the backyard. The only question I know that we really had was what the door size is going to be on the proposed building.

Mr. Salisbury – So they use a prefab fiberglass door.

Mr. Evans – How wide will those be?

Mr. Salisbury – It'll be 36", and then on the end of it there will be two of those doors so that is 72" which is 6'.

Mr. Evans – 6' is under what is required.

Mr. Roenigk – What is the height?

Mr. Salisbury – I don't recall off hand what the height is.

Mr. Roenigk – Okay, but it's under 7' wide.

Mr. Salisbury – Correct. Yes, it's 72".

Mr. Roenigk – That's fine.

Mr. Evans – Yes, okay. I just wanted to make sure we have that.

Mr. Salisbury – It'll be standard door height so that's 7' maybe.

Mr. Evans – Okay. We're all set there. Are there questions?

Mr. Baldin – What is the height of the building? I'm looking at the paperwork, and it doesn't say how tall this structure is going to be.

6) BRYAN AND SARAH SALISBURY, OWNERS, Cont'd

Mr. Salisbury – I don't know for sure. I did confirm with the Builder that it'll be lower, based on the City's website, of whatever the maximum height is. I think that's 12'. So I think it's like 11.6' or something. They're doing one of those off-site builds, and then they ship it.

Mr. Baldin – So 12' or under. Thank you.

Mr. Salisbury – Yes, and I confirmed that with him that it would be within the Code.

Mr. Evans – Okay. Is there anything else?

Mr. Rusnov – Is this the one we were talking about that we had to refer to Engineering?

Mr. Evans – No.

Mr. Rusnov – Not this one, okay.

Mr. Evans – We did talk in caucus about the fact that there is not much of a backyard to it. So it's an unusual topographical situation.

Mr. Rusnov – Okay, thank you.

Mr. Evans – Is there anything else? Alright. 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 this public hearing closed and I will now entertain a motion.

Mr. Rusnov – I make a motion to approve a request for a variance from Zoning Code Section 1252.15 (a), which prohibits an Accessory Structure in the front yard and where the applicant is proposing a 160 SF Accessory Structure in the front yard; property located at 19960 Albion Road, PPN 391-27-004, zoned R1-75.

Mr. Baldin – Second.

Mr. Evans – We have a motion and a second, may I have a roll call please?

ROLL CALL:

ALL AYES

MOTION PASSED

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. You are done here for tonight.

Mr. Salisbury – Okay. Thank you. Thanks for your time.

7) **DAN BAILEY, OWNER**

- a) Requesting a variance from Zoning Code Section 1252.15 (a), which prohibits an Accessory Structure in the front yard and where the applicant is proposing a 280 SF Accessory Structure in the front yard;
- b) Requesting an 88 SF Floor Area variance from Zoning Code Section 1252.15 (a), which permits a 192 SF Floor Area and where a 280 SF Floor Area is proposed in order to construct an Accessory Structure;
- c) Requesting a 6' Height variance from Zoning Code Section 1252.04 g), which permits a 12' Height and where an 18' Height is proposed in order to construct a 280 SF Accessory Structure;
- d) Requesting a 20' Front Yard Setback variance from Zoning Code Section 1252.04 (d), which requires a 100' Front Yard Setback from the Westwood Drive centerline and where an 80' Front Yard Setback from the Westwood Drive centerline is proposed in order to construct a 280 SF Accessory Structure; property located at Westwood Drive parcel B, PPN 392-12-021, zoned R1-75.

Mr. Evans – Next is Bailey on Westwood Drive. Please come up to the microphone and give us your name and address for the record.

Mr. Bailey – Dan Bailey, 12945 Hampton Club, North Royalton, Ohio.

Mr. Evans – Thank you. So in caucus you heard some of our comments. Give us a quick thumbnail sketch of what it is that you're doing, and why you have requested the variance. It is a public hearing, and even though we heard it the last time, I want to make sure that for the record we document what the request is and why you're asking for this particular variance.

Mr. Bailey – I would like to have a three car garage for my home. I did not specifically buy the property and split it for this. At that point I didn't believe that I was going to move there myself. So when I decided to build my home on the lot, I know I would like a 3 car garage.

Mr. Evans – So we talked in caucus. The lot is very deep. You've designed the house that you want at this point, but you haven't yet started construction. So given that the house would be sitting on the lot there what would be the opportunity to make the house deeper and situate a 3 car garage differently?

Mr. Bailey – At the previous meeting it was a 30' variance request.

Mr. Evans – You requested a 30' variance and you reduced it to 20'.

7) DAN BAILEY, OWNER, Cont'd

Mr. Bailey – Everyone said to redo the topography and move it 10' back which would make it more palatable. I believe that's what they were indicating. So I did that. I really don't want to move the house back any further. I don't want to be that close to the neighbor's in the back. I don't want to cut that house to the left, because that would totally block their view of my backyard. So I don't want to do that to that home. It would block the view even more for the people to the east. I spoke to both neighbors and neither of them had any problem with it. I staked it out 10' further back from the first request.

Mr. Evans – Okay, you also heard us in caucus talking about how high it was.

Mr. Bailey – It's for a car, and I wanted the pitch to match the roof of my home. The cupola is beautiful. I made it a very attractive building. It'll have shake siding and stone on it. I would probably add a few windows. I didn't proceed that far with the total design. I would just add windows where I wanted them and some stone. I am just waiting to get done here.

Mr. Evans – Alright. Board members, do you have questions?

Mr. Houlé – At the time of the last meeting, I didn't have a chance to look at it because I wasn't aware of the actual address. So when we talked about moving it back a little bit, I hadn't seen it yet. After going out there yesterday and seeing it staked out and having a chance to look at the properties both east and west, I've now changed my mind on it as far as it being too far forward and too close to the street. That's become an issue, at least for me.

Mr. Bailey – I talked with both neighbors, and neither of them had issue with it.

Mr. Evans – Mr. Bailey, one of the things you have to understand is that this Board has the opportunity to make decisions and grant variances, but when we do we set a precedent.

Mr. Bailey – I understand that.

Mr. Evans – One of the problems is that yours may be a garage out in front, and the next person might want a shed, and that becomes difficult for us to deal with. Everyone's vision is always going to be different. For me, it's a case of where that building being the size that it is, the height that it is, and even though you took it back 10', which we said we'd at least want you to consider modifying or mitigating the circumstances of the variance, it doesn't change the fact that when you drive along there it would stand out. It clearly would be something that everybody would see. As much criticism that this Board takes for doing variances that we do, which we think are perfectly appropriate, I think this would be a front page item for us.

Mr. Bailey – I understand. I'll throw my son out and tell him he doesn't have a garage.

7) **DAN BAILEY, OWNER, Cont'd**

Mr. Evans – Alright.

Mr. Bailey – If you're just not interested in granting the variance, I'll just withdraw it at this point and go ahead without it.

Mr. Evans – You heard us talk in caucus, I definitely think that is the sentiment.

Mr. Bailey – Alright, that's fine. It was just something I wanted. I didn't even have it on the original plan. I thought maybe I should try and get a 3 car out there.

Mr. Kolick – We can mark it withdrawn.

Mr. Bailey – Okay, thank you.

Mr. Kolick – Thank you, Mr. Bailey.

Mr. Evans – We appreciate your consideration for that. Okay? So that is item number seven on the agenda and the applicant has withdrawn the request for all four variances.

8) **MATTHEW AND JULIE ZUBEK, OWNERS**

Requesting a 1,041 SF Floor Area variance from Zoning Code Section 1252.22 (c), which permits a 1,000 SF Floor Area and where a 2,041 SF Floor Area is proposed in order to construct an Attached Garage; property located at 20050 Albion Road, PPN 391-27-005, zoned R1-75.

Mr. Evans – Lastly for the evening is Zubek on Albion Road. Please come up to the microphone and give us your name and address for the record.

Mr. Zubek – My name is Mathew Zubek. I live at 20050 Albion Road.

Mr. Evans – Thank you. Mr. Zubek you are asking for a variance for the square footage of a garage.

Mr. Zubek – Correct.

Mr. Evans – Why don't you take us through what you are proposing. At the last meeting we asked you to consider whether a smaller footprint would be acceptable, and you said that you'd give it some consideration. So we need to know where you're at on that. First take us through what it is, and why you need the variance.

8) MATTHEW AND JULIE ZUBEK, OWNERS, Cont'd

Mr. Zubek – Okay. I was proposing garage which would be 50' wide, and 40' deep with a 2 car garage door and a single garage door, and a window so it would appear like a 3 car garage in the middle of a large house. I didn't want 5 garage doors across the front because that would look silly. The lot I have is 399' wide, and the addition I'm proposing wouldn't be any closer than 250' from my neighbor. I have acreage way behind me. The lot is 2.5 acres large. I have 5 cars, plus a company vehicle that is assigned with no logos on it. I don't like to have anything outside. I've been under construction for so long there. I'd like to keep everything inside now. I really want to get rid of the gravel as well. I have talked to the Building Department about the process of this garage, and getting a driveway with a turnaround apron in the front of the garage. I'm proposing that later, after I've finished with all this, a U-shaped driveway to connect to the upper driveway. When I bought the property there was thousands of yards of dirt taller than where it's at right now and trees. That's why I'd like the U-shaped driveway because I live on a hill and a curve, and it's dangerous to get out of the driveway. So I have talked to the Engineering Department. Their main concern with the garage I'm proposing is not to do with the garage itself, it has to do with the slope. It's the 3 to 1 slope from what I understand. She said I can get the Building permit from the Building Department and then I need approval from Engineering, and that's a separate situation. It's just the slope. When I did the excavation, I pushed all that dirt over. I'm not in the flood zone near that creek, but I have to get rid of that, so a retaining wall is going to be required as part of that. I've looked at many options for that, but after talking to my architect to avoid extra strain on the wall of the creek, we have to hire a geo-technical company engineering to do a soil sample and bore down. Then I'm planning to put the garage on concrete pylons so it'll be self-supporting. There won't be any pressure on the walls. It does taper down in the back, and I understand that, but that's where I'm at. Now after we talked the last time, you guys asked if I could scale it down. After talking with you guys, and after thinking over my situation, I decided that if I went down more than 200 SF to 45' wide, I'd have to get rid of another garage door. So that way I could turn in there and actually have a car sideways in there. If I did it less than that, then that's going to be sticking out the doorway. Which is fine, I guess, but then I'd have to go down to a 2 car garage door, and I kind of like the way it looks with the single garage door, and the double gables in front of the house.

Mr. Evans – So your preference is to stick with the 40' by 50'.

Mr. Zubek – No, 40' by maybe 45' or 40'. If I went more than 5' less on the length, I would have to slide the cars over and I don't know how I would do that. Or pull one in, but like I said I'm hoping to work with Engineering, the Building Department or whatever you guys recommend.

Mr. Evans – This property is a little bit unusual because you are making it look like it would be connected to the house. In most cases we have separate buildings so because of the way you're proposing to do it, it's a little bit different. Are there questions or observations from the Board?

8) MATTHEW AND JULIE ZUBEK, OWNERS, Cont'd

Mr. Rusnov – If I'm understanding him correctly, it's the aesthetics. It doesn't look like a garage from the street.

Mr. Evans – Right, it looks more like part of the house.

Mr. Rusnov – With us, it was the size that was the issue. So what would the request for the variance be?

Mr. Roenigk – 1800 SF with the new measurement.

Mr. Zubek – Right, if I did 45' wide...

Mr. Roenigk – 1800 SF.

Mr. Zubek – I'm dealing with a 19' door, and then a 9' door, or even 18' double garage door, and a 9' single garage door, plus pillar between the two. We're only sticking out past the garage door probably another 14'. If you put a window in the middle of 14', that's really not a lot of extra space sticking out the side. It doesn't look like it's a long runway building.

Mr. Baldin – You're not able to push that garage back any further?

Mr. Zubek – I can't push it back further. I can bring it forward a hair, but not by much.

Mr. Baldin – It's forward in front of the house enough now.

Mr. Zubek – Well, it's 14' or 15'.

Mr. Rusnov – It's the subsoil conditions in the rear that are the major concern.

Mr. Zubek – Right, if I went farther back, I mean no, I just couldn't do it. My pad, my new addition that I did the lower level of the house on, it has a patio door on the back of my kitchen there.

Mr. Rusnov – Pylons usually alleviate any stress for mushy soil or very wet soil. That is their purpose.

Mr. Zubek – Yes, they might have to go down even 10' or 12'. We're going to do the soil samples of where I need to put it because it needs to be supporting itself.

Mr. Baldin – Thank you.

8) MATTHEW AND JULIE ZUBEK, OWNERS, Cont'd

Mr. Evans – Mr. Zubek, we did, I believe if I remember correctly, at the last meeting also asked you whether you intend to run a business out of this, and your answer was no that this was for personal use.

Mr. Zubek - Correct

Mr. Rusnov – So the variance would be changed to 1800 SF even or 1841 SF?

Mr. Evans – 1841 SF.

Mr. Rusnov – And a 1000' is what is allowed, so we'd be 841 SF over?

Mr. Evans – Alright. 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. If you would come forward please?

Mr. Rusnov – It's for people who are for it.

Mr. Evans – Alright, I'm not seeing anyone for it. Is there anyone here who would like to speak against the granting of the variance? Now you may come forward. Please give us your name and address for the record.

Mr. Boyce– My name is Richard Boyce, and I'm a member of the Co-Moor Valley HOA which includes 40 residents near this property on Albion. The entrance to our street is across the street from this home. My concern is for the affect that this will have on our property values on Blodgett Creek, and oppose the request as written at the 2000 SF. That was before you changed it tonight. The homeowner asking for this variance has already done a lot to improve his property and we commend him for that; however this area is zoned residential, and after looking at the plans last week, the structure being proposed has the appearance of more like a maintenance garage attached to the home than a residential garage. As stated, the current residential Zoning Code permits 1000 SF attached garage where the proposed variance as you stated was 2041 SF, prior to tonight. That is more than double the Code which seems excessive. If allowed, this sets a precedent for future requests of this nature. Maybe a smaller variance closer to the current law would be more acceptable. Thank you.

Mr. Evans – Thank you. Let me just categorically say that we have in the past granted variances for garages. Most of them are always free-standing. This one is unusual in that it is being proposed in order to attach to the house. All of us have been out to look at it. We're aware of where of it, and where the improvements are that the applicant has made. If it were a free-standing building, we would be looking at it entirely differently than it being attached to the house and looking like it is part of the house. You have looked at the plans. The elevations for what is proposed in the layout, and I guess the question would be if it is reduced from 2041 SF down to 1841 SF, that's a

8) MATTHEW AND JULIE ZUBEK, OWNERS, Cont'd

Mr. Evans continues - reduction of 5' on the one dimension, does that change your objection at all? That is still a significant variance.

Mr. Boyce– That's still quite a large variance. It's still 800 SF over 1000 SF on top of the 1000 SF that is currently on the books.

Mr. Evans – Right. That's what I'm saying, does that mitigate the request for the variance in your mind at all?

Mr. Boyce– Well, we'd like to see something closer to the actual Code that's on the books now.

Mr. Evans – Again, the Code takes into account things, but one of the things we've talked about is that we have a development off of Webster that is a single street called Arbor Creek where they are building houses that are 4000 SF, 5000 SF, 6000 SF. All of them have 2500 SF garages. They all have car collections. One of the things that we are fortunate is that we have a lot of people who live in Strongsville who have collected cars. For whatever reason they need a place to put their cars because they don't want to rent space to keep them off property. So at this point, for Mr. Zubek, it's a request to bring some of those vehicles in, get them out of sight, and put them inside somewhere. So we do understand your desire to have it be a smaller garage, and we will certainly take that into account as we do our deliberation then.

Mr. Boyce– No, our concern, or my concern is how this will affect our property values of these 40 homes across the street from this property.

Mr. Evans – Well, I will impose on Mr. Rusnov, who is a certified Appraiser, who happens to sit on our Board here as a person who may be able to speak on this.

Mr. Rusnov – I lived in Co-Moor. I had a house built in Co-Moor, and I did all the appraisal work on Blodgett Creek, and the rest of the subdivision. I'm reasonably familiar. I see where your concern is, but you're on an isolated street. For it to devalue your property, it would have to be some type of adverse influence like parking a semi-truck in the front yard, or having an accessory structure in the front yard that is huge that isn't being maintained properly. The gentleman has upgraded the property. I'm very familiar with that place, as well as improving the property that was behind it which was a haven for raccoons. You have Anderson's house which was added onto which is about ½ a city block long. That is probably one of the most expensive houses in that area. I would assume he got variances there because of the size and the setback and everything else. To answer your question though, I can't give you any guarantees about appreciation or depreciation because that is something that is driven by the market. Large lots are becoming very, very scarce and they are of high demand. If someone maintains the property to a good level, then I don't think I would be worried about that in my view when I'm pulling out of Blodgett Creek.

8) MATTHEW AND JULIE ZUBEK, OWNERS, Cont'd

Mr. Boyce– My concern is if this property is sold later, even though it's zoned residential, how can we be guaranteed that it's not going to be used for some commercial use?

Mr. Rusnov – Because of the Zoning. That's what you have this guy for. (Indicating the Building Department representative)

Mr. Evans – Excellent question.

Mr. Rusnov – That's very intelligent, but it would have to require a Zoning change. For it to go from residential to commercial, that would have to either be put on the ballot or an act of City Council. I don't think that area would warrant a commercial usage since there is no commercial usage there. You had where Merrill Hosfeld and Denny Fannon had their workshop on the other side of the railroad tracks, and I don't know what the Zoning was there, but that was building out of sight. I think that is probably gone now, and that was used to build cabinets and things of that nature. Your concern about it being converted to commercial usage, I just don't see that happening; not there anyway.

Mr. Evans – Mr. Boyce that is the reason why we ask the question whether the applicant intends to run a business out of it. Given that the applicant might sell the property at some point down the road, since it is a residential property as Mr. Rusnov suggested, if someone began to use it for commercial/business purposes, at that point a simple call to the Building Department would straighten that right out. We have approved variances in the past for an applicant where they were going to store cars in it, and they ran a business out of it instead. We had to shut that down, and we have done that. We like to think that people would not do that sort of thing in a residential area, but we know better. It does happen, and that's why the City does the enforcement of the Code.

Mr. Rusnov – That's why the enforcement of the Code is critical. That's why this gentlemen, Brian Roenigk, is on the ball with that. He notifies the powers that be, and then they have to deal with Mr. Kolick and the Law Director for Code violations. Also, like I said to you before, the chances of a Zoning variance or a change to commercial usage there is unlikely. I just don't see it happening.

Mr. Boyce – Well, perhaps, we have some other members from our street that are here to present tonight.

Mr. Rusnov – We'll listen to whatever you have to say.

Mr. Boyce – They may have other questions that I haven't already brought up.

Mr. Rusnov – Okay.

8) MATTHEW AND JULIE ZUBEK, OWNERS, Cont'd

Mr. Evans – Thank you. Is there anyone else who wishes to speak against the granting of the variance? Please come up and give us your name and address for the record.

Mr. Oravec – My name is Tom Oravec. I live at 11348 Blodgett Creek Trail in the same development that we just got finished talking about. I have two main concerns, which is the material build that he is going to use out for this garage, and the intent of the garage. I don't want to be redundant, but I can tell you from experience, I've been calling on small business owners throughout the whole country, and people run businesses out of large garages. That is my main concern. I'm not saying that Mr. Zubek is going to do that, but when he sells this house, it happens, and I know it happens. These are my two biggest concerns. I want to know what the material for the building will be. It's a beautiful street, and I we just want the garage to blend in as best as possible.

Mr. Baldin – Have you seen his drawings at all? It's all going to blend in aesthetically the same as the home.

Mr. Houlé – It's going to have a window.

Mr. Oravec – Is it going to be cinder block, is it going to be a stick build?

Mr. Evans – You have not seen the drawings then.

Mr. Baldin – Stone veneer and vinyl.

Mr. Oravec – It's going to blend in and match with the house?

Mr. Evans – It looks like a house. I'm happy to hand you the drawing.

Mr. Oravec – I took a look at the plans the other day.

Mr. Evans – The applicant has given us the plan, and it is built as if it is a residential part of the building. So it doesn't look like a garage other than it's going to have a couple of garage doors. Mr. Zubek in his presentation at the last meeting, and then again tonight, indicated that he wants to minimize the garages. So he could if he wanted to put 5 garage doors along there which would make it look like it was a garage building. In this case, by doing it with a double door and a single door, he's making it look like it's a three car entry as part of the house. By putting windows into it, it's conditioning it as such so it's not going to look like it's either an add-on or cinder block business building or whatever else. That's part of what we've looked at in terms of his request.

Mr. Rusnov – Excuse me Mr. Chairman, I'm assuming that these blueprints have been approved by our Architectural Review Board? Or the Building Department?

Mr. Roenigk – No sir, nothing has been submitted for the project.

8) MATTHEW AND JULIE ZUBEK, OWNERS, Cont'd

Mr. Rusnov – Nothing?

Mr. Roenigk – Nothing.

Mr. Evans – No because it comes to us first.

Mr. Kolick – We wouldn't do that until after we see if the variance is granted or not. Mr. Zubek can certainly address the material for the gentlemen. You have to get by the microphone though, Mr. Zubek.

Mr. Evans – Thanks Mr. Zubek.

Mr. Kolick – Just address what the roof, the side walls, etc., are going to be.

Mr. Zubek – The roof will match the existing house. It's called dimensional shingle. There will be a vinyl siding on the three sides, and it'll have a stone face that I put on the existing part of the house. I'll have stone probably on most of the both front gables. It'll have a board and batten siding which is a vertical siding up on the front that matches the rest of the house.

Mr. Kolick – Does that answer at least that part of the question?

Mr. Zubek – The design, and I don't know if it's on that print or not, but if you look at the back of the garage it has like 12' of patio doors going to a future deck which we'll do eventually.

Mr. Rusnov – It was just brought to my attention by these gentlemen, that after we're done with you it goes on to the Building Department and whatever other powers that be that will be looking at this to ensure that it does meet the standards.

Mr. Oravec – Okay.

Mr. Rusnov – So you have another safety valve is what I'm saying.

Mr. Evans – Does that address your questions? Is there anyone else who wishes to speak against the granting of the variance? If you would come forward and give us your name and address for the record please.

Mr. Vargas – Richard Vargas, 11073 Blodgett. Just for me, just the expanse of where the doors are, it just seems like an excess-type thing. I don't know how you'll put the 5, 6, or 7 vehicles in without having to jockey them every time you want to get one out.

Mr. Zubek – I don't drive them all at once. I understand that, it's 2 cars deep, that's why I went with the 40' deep, and like I said when we did the original plan at 2000 SF it would have allowed me to pull the cars to the double car door and turn. This way with the 45', I'll have to angle them

8) MATTHEW AND JULIE ZUBEK, OWNERS, Cont'd

Mr. Zubek continues - there. You're not going to pull them all out at one time. I have two nice cars that I want to keep in the garage. One is a convertible and it's been sitting outside for a while now.

Mr. Vargas – I didn't know if they would be piggy-backed in there or sprawled here and there or whatnot. Have you given any thought about putting two double-car garage doors on it? I think people object to seeing this expanse of wall on the side. That's what lends people to think that it's going to be a business purpose or this or that. If you had two double doors then you'd still have the depth, but it would look like it fits in more with a conventional homes. Many of them have two double doors. Many of them have two double garage doors. That was the only thought I had.

Mr. Evans – I'm sure he'd be willing to put bigger garage doors in, but we sort of talked him down to the single and double.

Mr. Kolick – And to decrease the depth.

Mr. Evans – Right.

Mr. Vargas – I think we were just looking at the frontage as far as looking at a section of wall.

Mr. Evans – The solid wall. Okay.

Mr. Vargas – Okay. Thank you.

Mr. Evans – Anything else Mr. Vargas? Is there anyone else who wishes to speak against the granting of the variance? Alright, so Mr. Zubek if you could step back up to the microphone please. So you've heard some of the concerns. You've addressed pieces of their concerns. Is there anything else you need to let us know in terms of how you think it fits in, or what you can do to mitigate that?

Mr. Zubek – I almost know most of the Building Department by name already because they've been to my house so many times. I don't know how many permits I've pulled. Every part of that house I built by myself. I mean, from the polished concrete to the heated floor, and this last part is the guy's part of the house, which is the garage. I am not interested in making it look like a cinder block maintenance building by no means. That's why I choose the siding I have which is the stone face that will go on it. Even with the corner which is the side with the window, the apron is designed on the print that there will be landscaping in front of that section of the house as well. My whole goal was to make it look like a house with a 3 car garage. If I did two double car garage doors, it'll resemble more like an airplane-hanger to me. The two double doors next to each other doesn't really suit my needs or what I'd like. I understand the jockeying of the cars, I get all that, but I just think a single car door with double gables and a double car garage door looks nicer. It matches most of the nicer homes in Strongsville actually.

8) MATTHEW AND JULIE ZUBEK, OWNERS, Cont'd

Mr. Baldin – Am I correct that you purchased that a couple of years ago?

Mr. Zubek – 2012.

Mr. Baldin – 2012. So you've really improved the property a lot so far.

Mr. Zubek – I stopped counting the improvements and how much money I've put into it. I should've just bought a house in Waterford. That's what I should've done, but I wanted to do it the way I wanted to do it.

Mr. Baldin – If you had gone to Waterford or some of the other new developments in our City you would see the same style of what you're planning to up here with this garage.

Mr. Zubek – Yes.

Mr. Baldin – You drive through this City right now, and you will see many, many homes with garages that look just like the one you're proposing right here. Maybe not as big, but with 2 car garages and single garage. There's so many, it's amazing. You just need to go look at all the new developments. I think you're putting in a hell of an improvement there.

Mr. Zubek – Thank you.

Mr. Baldin – I'm not happy with the overall size. I think it's a little large. How big is that property? You have a ½ acre or ¾ acre?

Mr. Zubek – 2.5 acres.

Mr. Baldin – 2.5 acres, you have a big lot there.

Mr. Zubek – Yes.

Mr. Baldin – Right, thank you.

Mr. Rusnov – What you're saying Mr. Baldin, is that the garage is aesthetically appealing with the two car and one car off-set?

Mr. Baldin – That's all they're building in this City anymore.

Mr. Rusnov – I realize that.

Mr. Evans – This is still a public hearing. There is no one else who wishes to speak against the granting of the variance? Everyone has had their say? Alright, so I declare the public hearing closed, and I will entertain a motion.

8) MATTHEW AND JULIE ZUBEK, OWNERS, Cont'd

Mr. Baldin – We have new numbers too.

Mr. Houlé – Yes, I have them. I make a motion to approve a request for an 841 SF Floor Area variance from Zoning Code Section 1252.22 (c), which permits a 1,000 SF Floor Area and where a 1,841 SF Floor Area is proposed in order to construct an Attached Garage; property located at 20050 Albion Road, PPN 391-27-005, zoned R1-75, subject to Engineering Department approval.

Mr. Baldin – Second.

Mr. Evans – We have a motion and a second, may I have a roll call please?

ROLL CALL:

ALL AYES

MOTION PASSED

Mr. Evans – The variance has been granted again pending a 20 day waiting period during which time Council may review our decision, and they have been very active lately in review our decisions. They may very well want to review this one. Again, I think you've heard what your neighbors have said, and I think we've taken those comments into account. At this juncture, members of this Board have granted the variance. So you will be waiting for City Council during that 20 days, and then you will get a notice from the Building Department when that time has passed. If Council takes the opportunity to review the decision, we hope that one of the things you would do is meet with the neighbors as you go forward with the project. I'm going to tell you that having been to the property, I think you've done a wonderful job at improving it. I remember what it was before because I remember when they built the house that was the school project or whatever that was and every one of those houses over there should have been demolished at that point. You've done a great job bringing this one back. I believe that if you do the same thing with this garage that no one will ever know that there is a garage there. It will be up to us to make sure that should you sell the property that no one puts a business in there or anything like that. We wish you success on the project.

Mr. Zubek – Will anyone from City Council be coming to the property, just so I know who's coming around, or no.

Mr. Evans – I have no idea what to tell you about that.

Mr. Zubek – That's fine.

Mr. Evans – I'd be guessing if I said anything about how they make their decisions or what they do.

Mr. Zubek – They have access to the prints, correct?

Mr. Evans – They have access to the prints. They will be given all the information that we've had. They may choose to visit the property if they take it under advisement, but they may not. I don't know what to tell you about that, but if they would, then you would be contacted by one of the City Council Clerks and they would let you know as well as the Building Department would let you know. If they would be stopping by, I think they would make arrangements to do that. So for tonight you are all done. We wish you well with the project.

Mr. Zubek – I appreciate it. Thank you.

Mr. Evans – Okay? Is there anything else to come before the Board?

Mr. Roenigk – We have one more.

Mr. Kolick – We need to back up and see if anyone is here.

Mr. Evans – Item number two on our agenda was delayed. That was for Dyakiv on Lyon Lane. Is there anyone here for that presentation? No? Then Mr. Kolick that is two that they've missed. Is this a 3-strikes and you're out?

Mr. Kolick – No, they wrote last time, and they asked us to move it to August 14th, August 28th or September 11th. Maybe they thought it was on for August 28th. So let's just set it for our first hearing at the next meeting, and make sure we contact them again. Okay?

Mr. Roenigk – Yes sir. Okay, I will.

Mr. Evans – Alright. Then we stand adjourned. Thank you.

Signature on File	Signature on File	August 28, 2019
Mr. Evans, Chairman	Kathy Zamrzla, Recording Sec'y	Approval Date