

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

**Meeting of
December 18, 2019
7:30 p.m.**

Board of Appeals Members Present: Kenneth Evans, Richard Baldin, David Houlié, Thomas Smeader

Administration: Assistant Law Director Daniel J. Kolick

Building Department Representative: Brian Roenigk

Recording Secretary: Kathy Zamrzla

The Board members discussed the following:

NEW APPLICATIONS

1) DYLAN AND DENISE SERRAGE, OWNERS

Requesting a 224 SF Floor Area variance from Zoning Code Section 1252.15, which permits a 192 SF Floor Area and where a 416 SF Floor Area is proposed in order to construct an existing Accessory Structure Addition; property located at 18290 Cook Avenue, PPN 396-18-032, zoned R1-75.

The Board was informed that there was a permit pulled in 2001 for a shed, and that there is an existing shed on the property. The applicants confirmed that they are hoping to add an addition on to this shed, and requesting a large square footage variance. The Board noted that it is hidden from view from the road, and that they have a nicely fenced in yard. The Board realized that they need to find out more about the driveways on this property because they believe they are currently gravel. Therefore they would have to put in a hard surface driveway before adding anything new to the property.

2) MICHAEL COLLINS, OWNER

Requesting a 118 SF Floor Area variance from Zoning Code Section 1252.16 (b) which permits a 120 SF Floor Area and where a 238 SF Floor Area is proposed in order to install a Front Entrance Feature; property located at 13387 Compass Point, PPN 399-31-117, zoned R1-75.

The Board found no issue with this variance request during the caucus; in fact, the entrance change would be a nice addition.

PUBLIC HEARINGS

3) PSE CREDIT UNION/Jim Briola with North Coast Sign & Lighting Service, Inc., Representative

Requesting a variance from Zoning Code Section 1272.04 (g), which prohibits a changeable copy Sign in a Local Business Zoning District and where the applicant is

proposing one 30 SF two-sided changeable copy Monument Sign; property located at 12700 Prospect Road, PPN 392-12-004, zoned Local Business.

This item has been removed from the agenda at the applicant's request.

4) DANIEL AND ERIKA CATANZARITE, OWNERS

Requesting an 875 SF Floor Area variance from Zoning Code Section 1252.22 (c), which permits a 1,000 SF Floor Area and where a 1,875 SF Floor Area is proposed in order to construct an Attached Garage; property located at Webster Road, PPN 398-29-001, zoned R1-100.

The Board found no issue with this variance request during the caucus.

5) ARBY'S RESTAURANT/Nick R. Catanzarite, Esq. with Walter Haverfield LLP, Representative

- a) Requesting a variance for a second Ground Sign from Zoning Code Section 1272.12 (e), which permits one Ground Sign and two Ground Signs are proposed;
- b) Requesting a 1' Wall Sign Height variance from Zoning Code Section 1272.12 (c), which permits a 5' Wall Sign Height and where a 6' Wall Sign Height (West) is proposed;
- c) Requesting a 1' Wall Sign Height variance from Zoning Code Section 1272.12 (c), which permits a 5' Wall Sign Height and where a 6' Wall Sign Height (North) is proposed;
- d) Requesting a variance from Zoning Code Section 1272.12 (c), which permits two Wall Signs and where three Wall Signs (North 24.5 SF, South 26 SF and West 24.5 SF) are proposed;
- e) Requesting a variance from Zoning Code Section 1272.12, which does not permit a Drive-Thru Menu Board Ground Sign and where one 40 SF Drive-Thru Menu Board Ground Sign is proposed; property located at 9175 Pearl Road, PPN 395-16-004, zoned Motorist Service (MS).

The Board clarified that the CPTED officer stated that the sign should be placed on the east side of the driveway and not the west side. They also mentioned that there has been a report given to the Board members to review regarding the speaker and the sound that comes out of it. The Board noted how important this issue is, but stated that this report clears up any issue that the Board may have found with any sound disruption to the neighboring apartments. They were also informed that the City Noise Ordinance allows for 60 decibels

for residential areas between 8 am and 9 pm and 50 decibels between 9 pm and 8 am. The Board agreed that the speaker proposed will be far under what is allowed by the City especially when you take in to account how far away it is from the property line. The Board members also determined that with the alignment of the property on the corner and on an oddly shaped lot, the extra signage will likely be a needed benefit for the success of the business.

6) PATRICIA PELL, OWNER

Requesting a 5' Rear Yard Setback variance from Zoning Code Section 1253.11 (b) (3), which requires a 15' Rear Yard Setback and where as a 10' Rear Yard Setback is proposed in order to construct a 116 SF Sunroom; property located at 16290 Commons Oval, PPN 395-21-105, zoned R1-75 (cluster).

The Board found no issue with this variance request during the caucus.

**STRONGSVILLE BOARD OF ZONING & BUILDING CODE APPEALS
MINUTES OF MEETING
December 18, 2019**

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

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

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

Mr. Evans – Good evening ladies and gentlemen. I would like to call this December 18th, 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. RUSNOV

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

Mr. Smeader – 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 minutes from December 4th, 2019, there are no corrections to be made so if there is nothing further we will submit those as they were given to us. If you are here this evening for item number three on the agenda tonight for PSE Credit Union, that item has been removed from the agenda at the applicant's request and there will be no discussion during the meeting tonight. You are free to leave at this time. This evening if there is anyone in our audience 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) DYLAN AND DENISE SERRAGE, OWNERS

Requesting a 224 SF Floor Area variance from Zoning Code Section 1252.15, which permits a 192 SF Floor Area and where a 416 SF Floor Area is proposed in order to construct an existing Accessory Structure Addition; property located at 18290 Cook Avenue, PPN 396-18-032, zoned R1-75.

Mr. Evans – First on our agenda is Serrage on Cook Ave. Please come up to the microphone and give us your name and address for the record.

Mr. Serrage – Dylan Serrage, 18290 Cook Ave.

Mr. Evans – Thank you. You are here because you are requesting a variance for square footage for a shed. You heard us talking in caucus, I think you can probably address some of the questions that had arisen. Tell us about the project, why you need the additional room, how it is that you went ahead and constructed all this without a permit.

Mr. Serrage – It's an expansion of the current shed. It is attached to the current shed. There are no plans to make a doorway between the two. I want the two pieces to be separate although they are attached. The reason is that I've acquired some woodworking material and the plan is to use the original shed as a workshop, and so then I needed the expansion for storing all the yard equipment. The reason I didn't put in for the permit first was shortsightedness on my part. I have issues with timing.

Mr. Evans – One of the problems that we have as a Board is that the reason that the square footage of sheds is dictated by the Code, is because large sheds on small lots are generally not something that leads us to a good conclusion. Part of our problem is that when we grant variances, they are setting precedents so we would expect that if we were to grant yours, everyone on Cook Ave. is going to be soon requesting something like that too. It was brought to the City's attention by someone who was complaining about the size of it. Usually what that involves is someone who wants the same thing, and they bring it to our attention because that way if it's approved then they can come into the City and ask for a variance too. They can just point to your house saying that you got yours so they want one that is the same or even a little bigger. That presents a problem for us when we have lots of small lots with small houses. Now we understand that you can only get so much into a house and garage, but the question I'm going to ask you is going to involve the woodworking. Is this a hobby or is this a business that you're running out of it?

Mr. Serrage – It's a hobby.

1) **DYLAN AND DENISE SERRAGE, OWNERS, Cont'd**

Mr. Evans – Okay, so you're not a woodworker by trade then?

Mr. Serrage – No, as a matter of fact, I'm an Aerospace Engineer by trade.

Mr. Evans – Okay. Those are important questions in terms of our deliberation as well. Are there questions from the Board members at this point for Mr. Serrage?

Mr. Houlé – In caucus we talked about the size of the doors.

Mr. Serrage – The doorway for each section is 6' wide.

Mr. Evans – We ask that because we need to know if you can get a vehicle through the doorway. If the door was 7' or wider, then we would require a hard surface driveway back to it. I know the addition is a wood floor, although I'm not sure what the floor is made of in the original shed.

Mr. Serrage – The original shed has a concrete floor.

Mr. Evans – Are there any other questions for the Board?

Mr. Smeader – No.

Mr. Baldin – What is the exact size of the original shed?

Mr. Serrage – I believe it is 14' by 16'.

Mr. Baldin – And the new one is going to be what?

Mr. Serrage – This one is also 14' by 16'.

Mr. Baldin – Same thing.

Mr. Evans – We're questioning if the original one was smaller than that because the photographs and the dimensions that we have show the original as being smaller. It looks like maybe 12' by 16' because the length is the same. The width may be a little bit less.

Mr. Baldin – You're not making the roof as high on the second one?

Mr. Serrage – That's correct. That's because if I were to try and do it, the challenge would be to try and match a gable roof into a gambrel roof. That's a real pain in the butt.

1) DYLAN AND DENISE SERRAGE, OWNERS, Cont'd

Mr. Kolick – If the math is correct, that would be 648 SF. The agenda is only showing 416 SF. Are you sure the dimensions on those two are both 14' by 16'?

Mr. Serrage – I think they are, but I could measure them again and get back to you.

Mr. Roenigk – So we were given the information on your application as the addition being 14' by 16' for an overall of 26' by 16'.

Mr. Serrage – Yes.

Mr. Kolick – Let's just make sure we get the right numbers before the notices go out to the public. Maybe they are correct, I don't know. We just need the overall square footage of both structures combined.

Mr. Roenigk – Right, because it was 224 SF for the addition and 416 SF overall.

Mr. Houlé – Yes.

Mr. Kolick – Okay.

Mr. Evans – Okay. Again, one of the things I need to point out is that even at 416 SF that's still considerably larger since that is twice the size of what is permitted in the Code. It leads us to a dangerous conclusion were we to approve it because a lot of people are going to line up asking for the same thing. That becomes difficult because your lot frankly just isn't that big. Putting a shed of that size back there makes it really difficult for us to say no to someone else that requests the same thing.

Mr. Baldin – Had you come in originally and looked for something that size, I'm sure we would not have approved it.

Mr. Evans – So what happens now is that 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. The public hearing is on January 8th. We invite you back at that time, and it is not necessary that you stay for the rest of the meeting tonight. Until then, the project is on hold until we render a decision. Thank you.

Mr. Baldin – Merry Christmas.

Mr. Serrage – Alright. Thank you. Merry Christmas.

2) **MICHAEL COLLINS, OWNER**

Requesting a 118 SF Floor Area variance from Zoning Code Section 1252.16 (b) which permits a 120 SF Floor Area and where a 238 SF Floor Area is proposed in order to install a Front Entrance Feature; property located at 13387 Compass Point, PPN 399-31-117, zoned R1-75.

Mr. Evans – Next on our agenda is Collins on Compass Point. I don't believe we have anyone here representing that so we will move it to the back end of the agenda just in case they show up late this evening.

PUBLIC HEARINGS

3) **PSE CREDIT UNION/Jim Briola with North Coast Sign & Lighting Service, Inc., Representative**

Requesting a variance from Zoning Code Section 1272.04 (g), which prohibits a changeable copy Sign in a Local Business Zoning District and where the applicant is proposing one 30 SF two-sided changeable copy Monument Sign; property located at 12700 Prospect Road, PPN 392-12-004, zoned Local Business.

Mr. Evans – Our first public hearing for this evening has been removed from tonight's agenda at the applicant's request.

4) **DANIEL AND ERIKA CATANZARITE, OWNERS**

Requesting an 875 SF Floor Area variance from Zoning Code Section 1252.22 (c), which permits a 1,000 SF Floor Area and where a 1,875 SF Floor Area is proposed in order to construct an Attached Garage; property located at Webster Road, PPN 398-29-001, zoned R1-100.

Mr. Evans – So we will move onto the next one which is Catanzarite on Webster Road. Please come up to the microphone and give us your name and address for the record.

Mr. Catanzarite – Dan Catanzarite, 7585 Harley Hills Drive, N. Royalton.

Mr. Evans – Thank you, you are here requesting a square footage variance for a garage that you are building. At the last meeting we talked a little bit about that. This is not part of the development, it is right next to the development on Webster that is going in there. These are basically estate houses that are anywhere from 4,000 SF to 10,000 SF in size, I think we understood that yours was going to be about 8,400 SF or something like that?

Mr. Catanzarite – Yes, give or take.

4) DANIEL AND ERIKA CATANZARITE, OWNERS, Cont'd

Mr. Evans – Given the size of the houses, the larger garage is no necessarily something that is unusual. We've already approved four similar variances for properties in the same area. You indicated to us that you are not going to be running a business out of the garage. It would be extremely unusual for that area anyway.

Mr. Catanzarite – Correct.

Mr. Evans – Are there questions from the Board?

Mr. Smeader – This is a heavily wooded five acre lot so you will not be able to see it. It will complement the dwelling.

Mr. Evans – Thank you, Mr. Smeader. Is there anything else gentlemen?

Mr. Baldin – No, I agree. It's a large lot, and it is set up on a hill. I don't know how far it is from Webster to the garage exactly, but it is a long way.

Mr. Catanzarite – Yes, it is.

Mr. Evans – It's going to be an expensive driveway.

Mr. Catanzarite – Yes, that is also correct.

Mr. Baldin – I don't see a problem. It will fit in sitting on top of all the other monstrous homes down below you.

Mr. Evans – Alright, thank you Mr. Baldin. If there are no other comments from the Board, then this is a public hearing so I'll ask if there is anyone here this evening who would like to speak for the granting of this variance. Is there anyone here who would like to speak against the granting of the variance? Hearing none and seeing none, I will now entertain a motion.

Mr. Baldin – I make a motion to approve a request for an 875 SF Floor Area variance from Zoning Code Section 1252.22 (c), which permits a 1,000 SF Floor Area and where a 1,875 SF Floor Area is proposed in order to construct an Attached Garage; property located at Webster Road, PPN 398-29-001, zoned R1-100.

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

4) DANIEL AND ERIKA CATANZARITE, OWNERS, Cont'd

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.

Mr. Catanzarite – Okay, thank you very much. I appreciate it.

Mr. Baldin – Dan do you want to take these prints? I don't have any use for them.

Mr. Catanzarite - Thank you.

5) ARBY'S RESTAURANT/Nick R. Catanzarite, Esq. with Walter Haverfield LLP, Representative

- a) Requesting a variance for a second Ground Sign from Zoning Code Section 1272.12 (e), which permits one Ground Sign and two Ground Signs are proposed;
- b) Requesting a 1' Wall Sign Height variance from Zoning Code Section 1272.12 (c), which permits a 5' Wall Sign Height and where a 6' Wall Sign Height (West) is proposed;
- c) Requesting a 1' Wall Sign Height variance from Zoning Code Section 1272.12 (c), which permits a 5' Wall Sign Height and where a 6' Wall Sign Height (North) is proposed;
- d) Requesting a variance from Zoning Code Section 1272.12 (c), which permits two Wall Signs and where three Wall Signs (North 24.5 SF, South 26 SF and West 24.5 SF) are proposed;
- e) Requesting a variance from Zoning Code Section 1272.12, which does not permit a Drive-Thru Menu Board Ground Sign and where one 40 SF Drive-Thru Menu Board Ground Sign is proposed; property located at 9175 Pearl Road, PPN 395-16-004, zoned Motorist Service (MS).

Mr. Evans – Next on the agenda is Arby's Restaurant on Pearl Road. Please have your representatives come up to the microphone and give us their names and addresses for the record.

Mr. Catanzarite – Nick Catanzarite, 1301 E. 9th St. Suite 2500, Cleveland, Ohio.

Mr. Evans – Okay, let me first say that as a result of your appearance the last time there are two things that I want to make note of in the record. The first is that we did have the CPTED Officer look at the site. His recommendation was that the second sign, would it be approved, should be

5) **ARBY'S RESTAURANT/Nick R. Catanzarite, Esq. with Walter Haverfield LLP,
Representative, Cont'd**

Mr. Evans continues - placed on the east side of the driveway on Whitney Road, and not on the west side. The second thing that this Board had requested was information regarding the sound from the proposed menu board speaker. You furnished us with quite a bit of information, and we are very grateful for that. We talked about it a little bit in caucus. We have concluded that given the distance from the speaker to the residential properties nearby and the landscaping sound barrier around that will be around the perimeter of the property, the number of decibels from the speaker system is well under what the City allows in the noise ordinance. We do not believe this will be a problem for the area. We wanted to take all this into consideration for the folks that live in the abutting apartment buildings. They have expressed concerns about the noise as well as other things during this whole development process. We wanted to take a close look at that for them so we appreciate that information. That puts that issue to rest then. Gentlemen, are there comments that you may have regarding the additional signage, the increased height, and the overall menu board?

Mr. Baldin – As you said Mr. Chairman, they provided a lot of great information to us. I don't see any real problems here at this time. With what the CPTED officer said, and what we know now about the decibel level, I don't see a problem with that part of it. I also don't have a problem with the additional monument sign that they are looking to add on the east side of the driveway. I think it's an odd shaped lot, and the street is sort of on an angle so I think they do need an additional monument sign because of the issue that it poses.

Mr. Houlé – I appreciate all the information on the sound. That was very informative. I think it will definitely be quieter than when the old Mad Cactus was there and they had a patio outside there and drinkers out there even late at night. I think it'll be fine.

Mr. Catanzarite – I think that is a good assumption.

Mr. Evans – We spoke in caucus and mentioned at the first meeting that item (d) on here is about having three wall signs. The wall signs, even though we're giving a variance for the height of the signs, they are well under the allowable overall square footage of the signs on the building. Whenever we've had multiple sign requests that exceed what is permitted in the Code, we've generally said that they need to be equal or less than the overall square footage allowed. They've met that requirement in this case. I just wanted to say that again for the record. Is there anything else gentlemen?

Mr. Houlé – No, I think that the fact that there are two monument signs, I think that since it's a corner lot, I think there is already precedent for allowing two on corner lots. So I'm okay with that.

Mr. Evans – Thank you. Alright, this is a public hearing. Is there anyone here this evening who would like to speak for the granting of this variance? Is there anyone here who would like to

5) **ARBY'S RESTAURANT/Nick R. Catanzarite, Esq. with Walter Haverfield LLP,
Representative, Cont'd**

Mr. Evans continues - speak against the granting of the variance? Hearing none and seeing none, I will now entertain a motion.

Mr. Houlé – I make a motion to approve a variance for a second Ground Sign from Zoning Code Section 1272.12 (e), which permits one Ground Sign and two Ground Signs are proposed; and also to approve a 1' Wall Sign Height variance from Zoning Code Section 1272.12 (c), which permits a 5' Wall Sign Height and where a 6' Wall Sign Height (West) is proposed; and also to approve a 1' Wall Sign Height variance from Zoning Code Section 1272.12 (c), which permits a 5' Wall Sign Height and where a 6' Wall Sign Height (North) is proposed; and also to approve a variance from Zoning Code Section 1272.12 (c), which permits two Wall Signs and where three Wall Signs (North 24.5 SF, South 26 SF and West 24.5 SF) are proposed; and also to approve a variance from Zoning Code Section 1272.12, which does not permit a Drive-Thru Menu Board Ground Sign and where one 40 SF Drive-Thru Menu Board Ground Sign is proposed; property located at 9175 Pearl Road, PPN 395-16-004, zoned Motorist Service (MS).

Mr. Smeader – 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. Then you can move forward with the project. We hope that the Arby's project goes well, and we wish them success in the City.

Mr. Catanzarite – Thank you, I appreciate it. Thank you everyone.

Mr. Evans – Thank you.

6) **PATRICIA PELL, OWNER**

Requesting a 5' Rear Yard Setback variance from Zoning Code Section 1253.11 (b) (3), which requires a 15' Rear Yard Setback and where as a 10' Rear Yard Setback is proposed in order to construct a 116 SF Sunroom; property located at 16290 Commons Oval, PPN 395-21-105, zoned R1-75 (cluster).

Mr. Evans – Lastly on the agenda tonight is Pell on Commons Oval. Please come up to the microphone and give us your name and address for the record.

6) PATRICIA PELL, OWNER, Cont'd

Mr. Bell – Ryan Bell, 9011 S. Freeway Drive, Macedonia, Ohio.

Mr. Evans – You are here because the applicant is asking for a 116 SF Sunroom to be added on to the back of the house. In caucus we spoke about it a little. It fits the property and the surrounding area. It is the only place where they could put it on the home. Since it is a cluster development, the variance would be needed. There is one existing already that is very similar to this on the property next door. Are there comments or observations from the Board?

Mr. Houlé – I think it'll be a nice addition to the property.

Mr. Bell – Thank you.

Mr. Baldin – Looks like it's a good idea.

Mr. Evans – Alright. I believe that prior to the meeting we indicated that we didn't have a HOA approval letter. The applicant indicated that she had a text message from them approving it. Were you able to find it on the phone? Okay, so why don't you come up here to the microphone and give us your name and number first for the record please.

Ms. Pell – Pat Pell, 16290 Commons Oval.

Mr. Evans – Thank you. So it was an email that you got from the Board?

Ms. Pell – Yes, but I deleted it. So I will contact the gentlemen from the Master Association and have him resend it to me.

Mr. Kolick – Did the email approve it?

Ms. Pell – Yes it did.

Mr. Kolick – That's what the Board needs to know.

Ms. Pell – It basically stated that your request for a sunroom has been approved by the Master Association.

Mr. Evans – Okay. So we have two options. Ms. Pell is under oath and she did do that prior to the meeting. Do we wish to accept that she is indicating that she received an approval already? Or should we do the public hearing and vote after we have an official HOA approval letter in hand?

Mr. Smeader – Can we make it subject to receipt of the approval?

6) PATRICIA PELL, OWNER, Cont'd

Mr. Evans – No, I asked about that. The answer is no.

Mr. Smeader – Okay.

Mr. Kolick – No, either accept for what it is and act on it tonight, or table it until the next meeting.

Mr. Evans – So Ms. Pell, you understand that you are under oath and you're indicating to us that you did receive an email from the HOA which approved this project. We're going to either accept your statement that you received it or the other option would be that we require to have it in hand before we actually make a decision. Mr. Bell, what is the construction timeframe on this?

Mr. Bell – Actually, we're ready to go.

Mr. Evans – That's what I figured.

Mr. Bell – This time of the year, I'm pretty much wrapped up and this was one that was just lingering on. So we wanted to get it finished quickly.

Mr. Evans – So as Chairman, unless any of the Board member objects, I recommend that we accept Ms. Pell's statement under oath and ask for her to confirm it after the fact by getting this email to the Building Department during the 20 day waiting period, and that we act on it tonight.

Mr. Kolick – Just one thing for the applicant, Mr. Chairman. You really need to get that over to us because we would have to do something at the next meeting if it was not approved. Not that I disbelieve you, but we need to see it. So please get it to us before the meeting on the 8th, and then we should be fine.

Ms. Pell – I will let the gentlemen at the Master Association know that so he'll get it to me.

Mr. Evans – Okay, in the meantime, this is a public hearing so let me get that out of the way first. 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. Okay, do we need anything special then in doing this?

Mr. Kolick – No. Just make a regular motion.

Mr. Evans – Okay, I will take a motion predicated on the statement from the applicant. So I will now entertain a motion.

Mr. Smeader – I make a motion to approve a request for a 5' Rear Yard Setback variance from Zoning Code Section 1253.11 (b) (3), which requires a 15' Rear Yard Setback and where as a 10'

6) PATRICIA PELL, OWNER, Cont'd

Mr. Smeader continues - Rear Yard Setback is proposed in order to construct a 116 SF Sunroom; property located at 16290 Commons Oval, PPN 395-21-105, zoned R1-75 (cluster).

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 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, and then you can move forward with the project. You do need to get that email in to the Building Department. You can give it to Kathy or whomever, but we do need to get that so we have it in hand. We are accepting it tonight with your verbal affirmation of what the HOA has already stated to you.

Mr. Bell – Thank you.

Ms. Pell – Thank you.

Mr. Evans – Okay, thank you. You are all set.

Mr. Baldin – Thank you, Merry Christmas.

Mr. Kolick – Mr. Collins.

Mr. Evans – Oh, I'm sorry. Item number two on the agenda was Collins on Compass Point. There is still no one in the audience to represent that item so we will move that onto the next meeting on January 8th for their first meeting presentation.

Mr. Kolick – Okay, Kathy will notify them.

Mr. Evans – Is there anything else to come before the Board this evening? Then we will stand adjourned.

Mr. Kolick – Merry Christmas.

Ms. Zamrzla – Merry Christmas.

Signature on File
Mr. Evans, Chairman

Signature on File
Kathy Zamrzla, Recording Sec'y

January 8, 2020
Approval Date