

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

**Meeting of
January 22, 2020
7:30 p.m.**

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

Administration: Assistant Law Director Daniel J. Kolick

Building Department Representative: Brian Roenigk

Recording Secretaries: Kathy Zamrzla, Kristi Onofre

The Board members discussed the following:

PUBLIC HEARINGS

1) MICHAEL COLLINS, OWNER/ Hurst Design Remodeling, Representative

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 request during the caucus. They mentioned that they had the HOA approval letter.

2) ANTHONY AND JANICE CARRUBBA, OWNERS

Requesting a 1,277 SF Floor Area variance from Zoning Code Section 1252.15, which permits a 323 SF Floor Area and where a 1,600 SF Floor Area is proposed in order to construct an Accessory Structure; property located at 19646 Prospect Road, PPN 394-20-026, zoned R1-75. (To replace the 957 SF Floor Area variance approved on May 8, 2019)

The Board indicated that they thought it is an improvement over what they had originally agreed upon in 2019. They noted that it's a bit larger than they would like, but it's hidden on a large lot. The Board specified that there was a height variance that was already granted and that there will be no change to that part of the prior decision.

3) ANDREW GIBEL, OWNER

Extension of the January 23, 2019 determination of the Board of Zoning and Building Code Appeals:

Requesting a 2.2' Lot Width variance from Zoning Code Section 1252.05, which requires a 75' Lot Width and where a 72.8' Lot Width is proposed in order to construct a Single Family Dwelling; property located at Webster Road subplot 2, PPN 395-13-035, zoned R1-75.

The Board indicated that they need an extension due to difficulty finding a builder that wants to build on their unusual property. They noted that the only lots left in Strongsville seem to be awkward and will be more difficult in general. The Board specified that one person came to the public hearing last time, and he had questions but no problems with the variance request.

STRONGSVILLE BOARD OF ZONING & BUILDING CODE APPEALS
MINUTES OF MEETING
January 22, 2020, 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
Mr. Rusnov

Also Present: Mr. Kolick, Assistant Law Director
Mr. Roenigk, Building Department Representative
Ms. Zamrzla and Kristi Onofre, Recording Secretaries

Mr. Evans – Good evening ladies and gentlemen. I would like to call this January 22, 2020 meeting of the Strongsville Board of Zoning and Building Code Appeals to order. May we have a roll call please?

ROLL CALL: ALL PRESENT

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 January 8th, 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 there is anyone in our audience that wishes to speak this evening 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. This evening there are no new applications so we will advance directly to our public hearings.

PUBLIC HEARINGS

1) MICHAEL COLLINS, OWNER/ Hurst Design Remodeling, Representative

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.

1) **MICHAEL COLLINS, OWNER/ Hurst Design Remodeling, Representative, Cont'd**

Mr. Evans – First on the agenda is Collins on Compass Point. Please come up to the microphone and give us your name and address for the record.

Ms. Shelley – My name is Kara Shelley with Hurst Design Build. We're at 26185 Center Ridge Road, Westlake.

Mr. Evans – Thank you very much, I appreciate you being here. You are presenting a request for a front entrance feature. If you will, give us the 20 sec explanation of what is going on with the project.

Ms. Shelley – So we are updating the deck structure with new cement pavers. We're also doing cultured stone, masonry walls, a nice lighted pathway, and some nice landscape lighting.

Mr. Evans – Outstanding, thank you. As we discussed in caucus the Board members have all been out to look at this. We also have the beautiful drawings that were submitted. Are there questions, comments, or observation from the Board?

Mr. Houlé – We also have the HOA approval letter.

Mr. Evans – Thank you, Mr. Houlé.

Mr. Baldin – I think it'll be a great addition, and I don't have a problem with it.

Mr. Evans – Thank you, Mr. Baldin. Anyone else?

Mr. Smeader – Nope.

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

Mr. Baldin – I make a motion to approve a request for 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. Houlé – Second.

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

1) **MICHAEL COLLINS, OWNER/ Hurst Design Remodeling, Representative, Cont'd**

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. Then you can move forward with the project.

Ms. Shelley – Thank you.

Mr. Evans – You're all set, thank you.

2) **ANTHONY AND JANICE CARRUBBA, OWNERS**

Requesting a 1,277 SF Floor Area variance from Zoning Code Section 1252.15, which permits a 323 SF Floor Area and where a 1,600 SF Floor Area is proposed in order to construct an Accessory Structure; property located at 19646 Prospect Road, PPN 394-20-026, zoned R1-75. (To replace the 957 SF Floor Area variance approved on May 8, 2019)

Mr. Evans – Number two on the agenda this evening is Carrubba on Prospect Road. Please come up to the microphone and give us your name and address for the record.

Mr. Carrubba – Tony Carrubba, 19646 Prospect Road, Strongsville, Ohio.

Mrs. Carrubba – Janice Carrubba, same address.

Mr. Evans – Thank you Mr. and Mrs. Carrubba. Give us that same 20 second pitch for the project that you're presenting here please.

Mr. Carrubba – For the whole barn?

Mr. Evans – For the whole project, sure.

Mr. Carrubba – I'm a hot rod, car geek. I have a '57 Thunderbird retro mod, and a '70 Ranchero. I just got rid of my Cobra. The reason why we bought this house was because it had a lot of land, and I need something. I'm up in age and I don't want to kneel on the ground. I need a lift. That's why I needed the height and width variances. It's just to work on my own cars.

Mr. Evans – Okay, and the covered area that we're adding because you're married and someone has an interest in being outside there while you're working on the cars.

2) **ANTHONY AND JANICE CARRUBBA, OWNERS, Cont'd**

Mr. Carrubba – Yes, well we look outside and we see the bunnies and squirrels all running around. She says that I'm going to take all that away. I said that I'll move it back, and she said that she thought we should a porch...

Mr. Evans – Covered area.

Mrs. Carrubba – ...a covered area where we can sit outside.

Mr. Rusnov – A quick question, we had approved variances for this property including a height variance, and all the variances on the building remain the same. The covered area is the only new addition. Everything else has already been approved by us.

Mrs. Carrubba – Correct.

Mr. Rusnov – So this thing that looks like a porch, but is really a covered area is the addition. If you were Hawaiian, I'd call it a lanai, basically it's the same though. You just put on the covered area to the building, and it actually improves the aesthetics of the property.

Mrs. Carrubba – It will look a lot better.

Mr. Carrubba – We want to put a little fire rig...

Mr. Rusnov – It's not visible from the street.

Mr. Carrubba – No.

Mr. Rusnov – Plus you've made improvements to the back yard to improve some situations.

Mr. Carrubba - \$12,000 worth.

Mr. Rusnov – So there you go. That's my final question.

Mrs. Carrubba – It was one expensive culvert.

Mr. Baldin – Just for the culvert?

Mr. Carrubba – Yes, and that should have been handled...

Mrs. Carrubba – Stop.

Mr. Carrubba – We won't go into that.

2) **ANTHONY AND JANICE CARRUBBA, OWNERS, Cont'd**

Mrs. Carrubba – No, we won't go there tonight.

Mr. Evans- Alright, does anyone else have any comments or questions?

Mr. Rusnov – No.

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

Mr. Kolick – Before you have that motion, when would you anticipate doing this structure? I ask because your height variance is going to be up on May 8th of this year. Will you have that building built by then?

Mrs. Carrubba – We have it lined up. We're just waiting for the permit from here, and then they'll start within a couple weeks after that.

Mr. Carrubba – I've paid the down payment, and they're ready to start on it.

Mr. Kolick – So that shouldn't be any problem. You'll have it completed by May 8th of this year?

Mr. Carrubba – Yes.

Mr. Evans – Knowing that this is Cleveland, would it be to our advantage to grant an extension on those variances tonight while we're here rather than in a couple months?

Mr. Kolick – That's what I was getting at. Well, you don't have to grant an extension on this one because this will go through January of next year. You'd have to grant a height extension, and you could put it together with this one, but that's not a problem.

Mr. Baldin – That's a smart idea.

Mr. Kolick – You can do that though, yes.

Mrs. Carrubba – Can we do that now?

Mr. Evans – Yes.

Mrs. Carrubba – That would be nice, just in case.

Mr. Evans – You may request that we extend it.

2) **ANTHONY AND JANICE CARRUBBA, OWNERS, Cont'd**

Mrs. Carrubba – Yes, let's do that just in case. That would be very nice.

Mr. Evans – Even though we would hope that you'll be under way and finished by then, it may not happen due to Cleveland weather.

Mrs. Carrubba – Thank you that would be very nice.

Mr. Evans – So if the applicant asks to extend those two variances to the...

Mr. Kolick – We can act on the first one, and then we'll have a separate extension vote.

Mr. Evans – Okay. Alright.

Mr. Kolick – Do them separate.

Mr. Evans – Yes. So the public hearing is closed, and I'll now entertain a motion.

Mr. Houle – I make a motion to approve a request for a 1,277 SF Floor Area variance from Zoning Code Section 1252.15, which permits a 323 SF Floor Area and where a 1,600 SF Floor Area is proposed in order to construct an Accessory Structure; property located at 19646 Prospect Road, PPN 394-20-026, zoned R1-75. (To replace the 957 SF Floor Area variance approved on May 8, 2019)

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.

Mr. Kolick – The second variance would be to extend the variance granted on May 8th, 2019 for a Requesting a 2' Height variance from Zoning Code Section 1252.04 (g), which permits a 15' Height and where a 17' Height is proposed in order to construct a 1,600 SF Accessory Structure; property located at 19646 Prospect Road, PPN 394-20-026, zoned R1-75.

Mr. Evans – Did we not also approve a square footage variance?

Mr. Kolick – You already addressed that.

Mr. Evans – Because that was incorporated with this one? Okay.

2) ANTHONY AND JANICE CARRUBBA, OWNERS, Cont'd

Mr. Baldin – Do we need to second that?

Mr. Kolick – Well someone needs to make that motion.

Mr. Baldin – Sorry, I thought you were doing that.

Mr. Kolick – You can adopt what I said as the motion.

Mr. Evans – Mr. Baldin you may make the motion to adopt Mr. Kolick's statement.

Mr. Houlé – I'll try it.

Mr. Kolick – You can just adopt what I said as the motion. So you adopt that as the motion?

Mr. Houlé – Okay, yes, I adopt that as the motion.

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 – So in deference to the weather in Cleveland, we have granted that as well, and it is also pending a 20 day waiting period during which time Council may review our decision. At this point though, those two variances are in place so you can go forward with the project.

Mrs. Carrubba – Yay.

Mr. Carrubba – Thank you.

Mrs. Carrubba – Thank you so much. Thank you everybody.

Mr. Evans – Okay. Thank you.

Mr. Carrubba – Brian, I'll be getting in touch with you about all the procedures and everything.

Mr. Roenigk – Not a problem, anytime.

3) **ANDREW GIBEL, OWNER**

Extension of the January 23, 2019 determination of the Board of Zoning and Building Code Appeals:

Requesting a 2.2' Lot Width variance from Zoning Code Section 1252.05, which requires a 75' Lot Width and where a 72.8' Lot Width is proposed in order to construct a Single Family Dwelling; property located at Webster Road subplot 2, PPN 395-13-035, zoned R1-75.

Mr. Evans – Item number three on our agenda is Gibel on Webster Road. Please come up to the microphone and give us your name and address for the record.

Mr. Gibel – Andrew Gibel, 12646 Patricia Drive, N. Royalton, Ohio 44133.

Mr. Evans – Thank you, Mr. Gibel. You are here because you're asking for an extension. Give us a little background as to why the extension is necessary and what has happened with the project since we saw you originally.

Mr. Gibel – Last year at this time I was trying to sell the lot. The first builder was Al Bokar. He thought he was going to build a house there, and apparently something happened but I don't know what. The agent told me he wasn't interested anymore. So then another builder by the name of Shumacher came along and what happened was that he had a client, I think they were Mr. and Mrs. Pansa. They were going to build, but apparently along with the size of the house because of the narrowness of the lot, and two easements on both sides, in addition to the expense of tying into the storm and the water line, they decided against it as well. So then I decided to go ahead and build my own house on there, and that's where it stands right now, but I'm going to need some time. I'm getting a price from Shumacher now, and they may very well build a house on that lot. If not Shumacher, then I'll turn to another builder and build sometime in the future. I'll need at least a year to get started though. I guess what they say is that I will have to have a substantial amount of work done by the time this happens again next year in January. So I'm hoping to get that done at the latest in October. So I'm hoping they'll work for me.

Mr. Evans – Okay.

Mr. Gibel – That's where I stand.

Mr. Evans – Are there questions from the Board?

Mr. Baldin – No questions.

Mr. Smeader – No questions.

3) ANDREW GIBEL, OWNER, Cont'd

Mr. Rusnov – No questions.

Mr. Evans – This is a public hearing. I'll ask if there is anyone here this evening who would like to speak for the granting of this variance.

From the audience – It's not for or against, I just have a question.

Mr. Evans – If you'll come forward, were you sworn in earlier?

From the audience – Yes I was.

Mr. Evans – You were, okay, then we'll need your name and address for the record.

Mr. Schuster – Douglas Schuster, 8088 Webster Road, I'm next door to this property being discussed.

Mr. Evans – Go ahead and ask your question.

Mr. Schuster – It's not a yes or no, it's more of an explanation of the 2.2'. This property was actually zoned with that lot by Andy. So my concern is where the property line will end up in adjacent to where my property ends currently. Last year at this time I went over to talk with the Engineers over on Foltz Pkwy there, and they pulled up the plans because the County had the property line running through the gutter of my garage. So that was not a good one. They said that the property couldn't be built any closer than 5' to that garage. Since that house was built, and there was a turnaround that actually goes over the property line. I asked for the permits and who approved that, but I guess that's been there since even before Andrew, or his parents, owned that property. So if you give him 2.2' extra for that frontage, how does that run down the side of the property?

Mr. Evans – We're not giving anyone 2' of additional property, what we're doing is allowing them instead of 75' to use the 72.8' as the frontage of the property. So nothing gets taken away from anywhere else, and nothing gets added on to that one. He still has to work within the 72.8' to construct whatever he is doing. Now I don't recall because it's been a long time since I went out there, and I didn't go back out to look at it this time. Mr. Kolick if there was something that was on that property that extended onto another one, that's really not something that we would address, correct?

Mr. Kolick – No, we will not address anything that extends over onto your property or any other property. We won't approve any construction that extends beyond the boundary of his property. So if there is something there already, then that is something that you'd need to deal with privately. We will not approve him crossing your property line.

3) ANDREW GIBEL, OWNER, Cont'd

Mr. Evans – So the question was not about his property, it's about your property where the turnaround is?

Mr. Schuster – Yes. Both parcels were owned by the same party.

Mr. Evans – I see.

Mr. Schuster – So that was never an issue, but within talking with Andrew we understand that it was apparently Comcast or whomever...

Mr. Gibel – Cablevision.

Mr. Schuster – Who is now Spectrum that had an easement. Nothing ever mattered before until they didn't want it and now it's a separate entity, and so now I have like 1/3rd of that turnaround which is basically across the property line. It's been there though since about 1968.

Mr. Evans – So would we want them to work out an easement for that?

Mr. Kolick – They'll have to deal with that. We won't do anything but approve a home that fits within the parameters of the property. It meets all the setbacks for the property. We won't deal with that.

Mr. Evans – You as individuals, because it's an existing condition, and while you're both friends here tonight, I would suggest that you would want to have an easement in place that you can have an attorney file for you. That way the turnaround area would never be a problem should Andy sell the house and someone else moves in there that doesn't like you. They may tell you to take that out otherwise. I think we would all agree that you would need it on Webster Road to get out safely.

Mr. Schuster – So you're saying that is handled not only between me and Andy, but...

Mr. Evans – Privately so you would file it as a matter of record with the County, but you'd have to have an easement written up for the access. That would be the right way of doing it.

Mr. Schuster – Okay. Just so I had an understanding of where we're at for right now.

Mr. Kolick – The best thing to do is to contact an attorney and tell them you need an easement drawn up, and the attorney can walk you through the steps. It would be an easement granted by him over to you to be able to use that turnaround that is already in place. Okay?

Mr. Schuster – Alright.

3) ANDREW GIBEL, OWNER, Cont'd

Mr. Evans – It's a private matter, it's not a part of our decision, but it's a good question to ask and something you would want to do.

Mr. Schuster – Before it all gets built, thank you very much.

Mr. Evans – Okay, so Mr. Gibel, I think we're all set. Is there anyone else here who would like to speak for or against the granting of the variance? Hearing none and seeing none, I will declare the public hearing closed and then entertain a motion.

Mr. Smeader – This is an extension of the January 23, 2019 determination of the Board of Zoning and Building Code Appeals. I make a motion to approve a request for a 2.2' Lot Width variance from Zoning Code Section 1252.05, which requires a 75' Lot Width and where a 72.8' Lot Width is proposed in order to construct a Single Family Dwelling; property located at Webster Road subplot 2, PPN 395-13-035, zoned R1-75.

Mr. Rusnov – 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 extension 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. Hopefully you'll be able to work with Shumacher or another builder and get it taken care of. It'll be a nice addition to have a house in there. You're all set.

Mr. Gibel – Thank you.

Mr. Evans – Thank you. Is there anything else to come before the Board tonight? Then we will stand adjourned.

Signature on File
Mr. Evans, Chairman

Signature on File
Kathy Zamrzla, Recording Sec'y

February 12, 2020
Approval Date