

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

**Meeting of  
March 11, 2020  
7:30 p.m.**

Board of Appeals Members Present: Kenneth Evans, Richard Baldin, David Houlé, John Rusnov  
Administration: Assistant Law Director Daniel J. Kolick  
Building Department Representative: Brian Roenigk  
Recording Secretaries: Kathy Zamrzla, Kristi Onofre

The Board members discussed the following:

**NEW APPLICATIONS**

1) **ANTHONY LOSCHIAVO, OWNER/Frank Colabianchi with Colabianchi Construction, Representative**

Requesting a 694 SF Floor Area variance from Zoning Code Section 1252.22 (c), which permits a 1,000 SF Floor Area and where a 1,694 SF Floor Area is proposed in order to construct an Attached Garage; property located at 12510 Arbor Creek Drive, PPN 398-27-052, zoned R1-100.

**The Board noted that this is a large garage for many cars. They indicated that they have an HOA letter.**

2) **MARIA GARDEN'S, TLT PROPERTIES II, LLC/John Faile, Architect, Representative**

Requesting a variance from Zoning Code Section 1274.06, which prohibits enlargement or structural alteration of a non-conforming use and where the applicant is proposing the addition of a 4,096 SF unenclosed Accessory Structure; property located at 20465 Royalton Road, PPN's 393-15-011 and 393-16-001, zoned R1-75.

**Mr. Kolick specified that the City went to court over this issue in 1992. He said that the court ruling was that the owner is entitled to use the entire area over both parcels for commercial use, but that it must stay confined to the currently existing buildings and property lines. The applicant is not allowed to build additional non-conforming structures, or expand the use beyond to any other parcels. He concluded that this request is for a non-conforming use, and that the Board would be extending the use if they approve this application. The Board debated whether allowing them to expand would be harmful to the City, but concluded that would not be the case.**

3) **PHILLIP BADE, OWNER/Joyce Factory Direct, Representative**

Requesting a 34' Rear Yard Setback variance from Zoning Code Section 1252.05, which requires a 50' Rear Yard Setback and where a 16' Rear Yard Setback is proposed in order

to construct a 168 SF Sunroom on the existing deck; property located at 9820 Forestview Drive, PPN 398-08-030, zoned R1-75.

**The Board noted they need an HOA letter for this item. They mentioned that it's a wooded yard that drops off. The Board considered that this sunroom is being built over an existing deck and it will connect to glass sliding doors. They stated that it backs up to a common area as well.**

**4) PATRICK WALSH, OWNER/Jim Petkewitz, Representative**

Requesting a 4' 11" Side Yard Setback variance from Zoning Code Section 1252.29 (b) (1), which requires a 15' Side Yard Setback and where a 10' 1" Side Yard Setback is proposed in order to install an Inground Swimming Pool; property located at 18607 Meadow Lane, PPN 396-07-013, zoned R1-75.

**The Board discussed where the pool will be located, and noted that there is a lot in the backyard already. They considered that this is a small inground pool. The Board indicated that there is fence on both the left and right, and it backs up to a cemetery.**

**PUBLIC HEARINGS**

**5) VICTOR SYSAK, OWNER/Scott Jenny with RS Jenny Construction, Representative**

Requesting a 147 SF Floor Area variance from Zoning Code Section 1252.22 (c), which permits a 1,000 SF Floor area and where a 1,147 SF Floor Area is proposed in order to construct an Attached Garage; property located at 14091 Niagara Drive, PPN 396-17-079, zoned R1-75.

**The Board discussed how this would improve the area. They indicated that this large garage is for storing cars, and not intended for business use.**

**6) ALESSIO PROPERTIES, OWNER/Tom Yankovich with Ellet Sign, Representative**

- a) Requesting a 1'6" Sign Height variance from Zoning Code Section 1272.12 (h), which permits a 5' Sign Height and where a 6'6" Sign Height is proposed in order to modify a Ground Sign;
- b) Requesting a 9.02 SF Face Area variance from Zoning Code Section 1272.12 (h), which permits a 50 SF Face Area are where a 59.02 SF Face Area is proposed in order to modify a Ground Sign; property located at 17534 Royalton Road, PPN 396-12-004, zoned General Business (GB).

**The Board examined the problem with more businesses asking for higher, larger signs if they approved the variance. They considered that it's an attractive sign, that it sits back from the road, and also specified that they are a wonderful part of the community.**

**The Board found no corrections to be made to the February 26, 2020 minutes.**

**STRONGSVILLE BOARD OF ZONING & BUILDING CODE APPEALS  
MINUTES OF MEETING  
March 11, 2020**

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

Present: Mr. Evans  
Mr. Houlé  
Mr. Baldin  
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 March 11, 2020 meeting of the Strongsville Board of Zoning and Building Code Appeals to order. May we have a roll call please?

ROLL CALL: ALL FOUR MEMBERS 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 February 26, 2020, 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. We will first call our new applications.

**NEW APPLICATIONS**

1) **ANTHONY LOSCHIAVO, OWNER/Frank Colabianchi with Colabianchi Construction, Representative**

Requesting a 694 SF Floor Area variance from Zoning Code Section 1252.22 (c), which permits a 1,000 SF Floor Area and where a 1,694 SF Floor Area is proposed in order to construct an Attached Garage; property located at 12510 Arbor Creek Drive, PPN 398-27-052, zoned R1-100.

1) **ANTHONY LOSCHIAVO, OWNER/Frank Colabianchi with Colabianchi Construction, Representative, Cont'd**

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

Mr. Colabianchi – Frank Colabianchi, 11005 Pearl Road, Suite 2, Strongsville.

Mr. Evans – Thank you, you are asking for a variance on square footage for a garage for a home that is to be built on Arbor Creek. Give us a brief summary of the plans for this project.

Mr. Colabianchi – I'm Anthony Loschiavo's representative/builder. We're going to be building a house. He already owns the property. We're going to build a brand new house for him. Similar to the rest of the subdivision which has come before this Board to get a variance for the square footage of the garages, this is no exception. He lives in Avery Walden right now, and I've been in his garage. He probably has more money in the garage than most people have in their whole houses. He has many cars and even a lift so he can stack the cars for storage. I've often asked him why he needs so many cars considering you can only drive one at a time.

Mr. Rusnov – This is a custom built, architect designed, and a luxury-class home. This request would make this property conform to the rest of the structures in the area. All of the residents needed extra garage space to accommodate their vehicles. It's not for business purposes.

Mr. Colabianchi – No, it's not at all.

Mr. Rusnov – Since these homes are architecturally designed, the houses are all different, correct?

Mr. Colabianchi – That's correct, it's a unique subdivision.

Mr. Rusnov – Okay, so I don't have any other questions for you. I think that pretty well summarizes what you're trying to bring across to us.

Mr. Evans – Thank you, Mr. Rusnov.

Mr. Rusnov – I will send you a bill.

Mr. Colabianchi – Thank you very much, I appreciate that.

Mr. Evans – Does anyone else have questions?

Mr. Baldin – I think Mr. Rusnov pretty well summed it up. I have no problems with it at all.

Mr. Houlé – For the record, we have an HOA approval letter in our files too.

1) **ANTHONY LOSCHIAVO, OWNER/Frank Colabianchi with Colabianchi Construction, Representative, Cont'd**

Mr. Evans – 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 they 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 March 25<sup>th</sup>. 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. Colabianchi – Thank you very much, I really appreciate it.

Mr. Evans – Thank you very much.

2) **MARIA GARDEN'S, TLT PROPERTIES II, LLC/John Faile, Architect, Representative**

Requesting a variance from Zoning Code Section 1274.06, which prohibits enlargement or structural alteration of a non-conforming use and where the applicant is proposing the addition of a 4,096 SF unenclosed Accessory Structure; property located at 20465 Royalton Road, PPN's 393-15-011 and 393-16-001, zoned R1-75.

Mr. Evans – Next on the agenda this evening is Maria Garden's on Royalton Road. Please have a representative come up to the microphone and give us your name and address for the record.

Mr. Kaminski – My name is Tom Kaminski, 19319 Bradford Court, Strongsville. We're improving the site over on Royalton Road with a new shade structure which would replace a portion of the old one.

Mr. Evans – Okay, I'm assuming that you're associated with Maria Gardens?

Mr. Kaminski – Yes, I'm the General Contractor.

Mr. Evans – Good. In caucus we talked a little bit about this. There are going to be some questions that need to be answered between now and our next meeting related to whether or not the structure would be permitted under the Strongsville Charter. We know that it would be permitted under our Ordinances if a variance were granted, but there's a possibility that there may be Charter restriction that might prohibit this. Council is going to do research for us, and we'll have a determination made that might ultimately affect this. So we'll take a look at that and do the leg work on figuring out the impact. In the meantime, you heard us talking in caucus, and I'm going to ask if you'd be amenable to providing about 40 copies of site plan 8.3. You can shrink that down to an 8.5" by 11", and bring it to the Building Department. What we'd like to do is send that out with the notice

2) **MARIA GARDEN'S, TLT PROPERTIES II, LLC/John Faile, Architect,  
Representative, Cont'd**

**Mr. Evans continues** - because the notice is simply the paragraph description that is in the agenda. If I were a resident nearby, I would want to know what it was exactly that was being proposed. If it is clear of issues with the Charter, we hope that it would represent what is being proposed. We want the business to stay successful and we think it's a good addition to the community. A lot of residents use Maria Gardens. We understand the need for the shade. So I think that would really help your case if you provided those to Kathy. We send those out Friday? Tomorrow? Okay, so you need to get it to them tomorrow.

Mr. Kaminski – Okay, I'll get them out to Foltz Road?

Mr. Evans – Yes.

Mr. Kaminski – Okay.

Mr. Rusnov – There's an important fact that you just brought up that you're replacing existing original structure with something modern. Right now it's an open air storage area for your plants. It has a seasonal use from about now to May, correct?

Mr. Kaminski – Yes.

Mr. Rusnov – Okay, does that summarize it?

Mr. Kaminski – Yes.

Mr. Rusnov – Thanks.

Mr. Kolick – Is the area self-explanatory? If the Board goes to look at this site, are they going to know where this roof structure is going?

Mr. Kaminski – Yes, with this picture I would think you'd be able to picture that. The building is there.

Mr. Rusnov – The old building is going to be raised?

Mr. Kolick – There's no building there now.

Mr. Kaminski – A portion of the shade structure is going to be removed.

Mr. Evans – That's correct, yes.

2) **MARIA GARDEN'S, TLT PROPERTIES II, LLC/John Faile, Architect,  
Representative, Cont'd**

Mr. Kolick – Is the new structure going to be larger than the portion that is being removed?

Mr. Kaminski – Maybe it would be good to mark off with paint or something else just the four corners so the Board members will know what the area will be that will be covered.

Mr. Evans – We'll be out to take a look at it within the next week here.

Mr. Kaminski – Alright, okay.

Mr. Kolick – Just mark it out somehow.

Mr. Baldin – When I was out there the other day, I talked to the young man that was there and asked him to do the same thing because I think it'll show that it's going to be much bigger than what you have now.

Mr. Kaminski – Yes, it's much bigger, yes.

Mr. Baldin – The City just made new changes to our Codes for pergolas in backyards in R1-75 anyway. That is almost what this is going to be in a sense. I already mentioned that to him as well. I'm glad you brought it up here again.

Mr. Kaminski – Okay.

Mr. Evans – So if you could do those two things that would be good. Then we'll have the information before the next meeting that we need.

Mr. Kaminski – Okay, very good.

Mr. Evans – So you are all set. March 25<sup>th</sup> is the next meeting and we invite you back then.

Mr. Kaminski – Thank you.

Mr. Kolick – Before you leave, if there is a problem with the Charter on this, we will let you know in advance.

Mr. Kaminski – Okay.

Mr. Kolick – Thank you.

Mr. Kaminski – Very good.



2) **MARIA GARDEN'S, TLT PROPERTIES II, LLC/John Faile, Architect, Representative, Cont'd**

Mr. Evans – Thank you.

3) **PHILLIP BADE, OWNER/Joyce Factory Direct, Representative**

Requesting a 34' Rear Yard Setback variance from Zoning Code Section 1252.05, which requires a 50' Rear Yard Setback and where a 16' Rear Yard Setback is proposed in order to construct a 168 SF Sunroom on the existing deck; property located at 9820 Forestview Drive, PPN 398-08-030, zoned R1-75.

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

Ms. Onofre – They are not sworn in, the homeowners are here. Maybe have them stand up and swear them in.

Mr. Bade – My vendor was supposed to be here to speak, I was just here to witness. That's why I didn't stand up earlier.

Mr. Kolick – He may be here later.

Mr. Evans – We'll put you onto the end of the agenda and see if they show up. We'll go from there then.

4) **PATRICK WALSH, OWNER/Jim Petkewitz, Representative**

Requesting a 4' 11" Side Yard Setback variance from Zoning Code Section 1252.29 (b) (1), which requires a 15' Side Yard Setback and where a 10' 1" Side Yard Setback is proposed in order to install an Inground Swimming Pool; property located at 18607 Meadow Lane, PPN 396-07-013, zoned R1-75.

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

Mr. Pickowitz – James Pickowitz, 6003 Velma Ave., Parma, Ohio 44129.

Mr. Evans – Thank you, you are here representing Patrick. They are planning on putting in a pool so they are asking for a side yard variance. So tell us how this fits in on the project area, why that location is the only place they can put the pool, and why the variance is necessary.

**4) PATRICK WALSH, OWNER/Jim Petkewitz, Representative, Cont'd**

Mr. Pickowitz – So like you mentioned in caucus, he has a very large structure already back there for entertainment purposes. It's very nicely laid out. I went there today, and I found a pin in the graveyard. I was able to find where the property line is. In the notes it said 4' 11". It actually measures 4' because we're 1' 6" past that fence on that property line. So it would only be a 4' variance. We're literally in an area that is right outside his garage and in between that patio area and the fence. I've got him down to the smallest size pool that I could possibly give him which is 12' by 24'. Even at that, we're removing probably a 5' by 14' area of that patio just so I can get it moved away from that property even further. There are limitations, and that's really the only place I could put it otherwise it would be backed up next to that cemetery which has a lot of trees and stuff. It's a really wet area back there.

Mr. Evans – Okay, so you said that instead of 4' 11", the variance would only need to be 4'?

Mr. Pickowitz – Yes. Based off of the pin that I found in the cemetery today, 100' from that puts me a 1.6' past the fence that is there now. Originally I was told that it was only 6" past the fence. So those calculations were wrong.

Mr. Evans – Questions?

Mr. Baldin – The pool that is going in that will be 4' from the fence line, is that going to be the pool wall or is there going to be a concrete pad? Because that has to be 4' from the fence line.

Mr. Pickowitz – It's actually going to be 10' in from the fence line.

Mr. Baldin – The pool itself.

Mr. Pickowitz – Yes. So you're Code requires 15', and so right now I'm at 11'. So from their actual property line I'll be 11' in, but from the fence itself I'll be 9' 6" in.

Mr. Baldin – Okay, so there's going to be quite a bit of concrete pad all the way around.

Mr. Pickowitz – They're going to keep it limited on that side next to the fence. I think we're either going to do a wall, and I should have printed it out for you guys because I do have a picture of it that I designed. I could show you kind of what we were thinking. Either that, or they are just going to a 1' piece of sandstone right there. They still need to get their lawn mowers and stuff to the front yard and that's the only access to the front yard. That's the only fence opening that they have right there.

Mr. Baldin – That concrete pad that sits there on the back of the house to the left is a pretty good sized concrete pad, and it doesn't look like it's really used for anything because he's got so much of the entertainment center back there. That's the part you're going to cut off?

4) **PATRICK WALSH, OWNER/Jim Petkewitz, Representative, Cont'd**

Mr. Pickowitz- They do use a lot of that area. They just have all that stuff put into that shed back there right now, but they do have a whole patio set.

Mr. Baldin – You cut off 4' or 5' of that already.

Mr. Pickowitz – Yes, I'm taking 5' by 14' of it out. There's a saw cut that goes right down there, so we're going to move that out and put some drainage tile right there. Then we'll start from there. We'll put a piece of 1' sandstone, and then the pool would go right from there and over towards that area.

Mr. Baldin – Sometimes we're concerned when there's a shed. How far is it going to be from the shed?

Mr. Pickowitz – We're at 14' from the shed.

Mr. Baldin – Okay. We're concerned with pools going into the ground. Young kids will climb fences or sheds and then they try to jump or dive into the pool.

Mr. Pickowitz – They would have to be a pretty good jumper to jump that far.

Mr. Baldin – We have to watch that, and that's why I'm asking you questions. Thank you.

Mr. Evans – Do we need to have that staked out where the corners of the pool will be?

Mr. Kolick – Probably not a bad idea. You can just paint on the concrete. Then stake out the pool.

Mr. Pickowitz – I don't know if you want to see the picture of what we designed.

Mr. Evans – No, then we'd have to take your computer.

Mr. Kolick – That's right.

Mr. Evans – Anything else?

Mr. Rusnov – No.

Mr. Baldin – We're good.

Mr. Evans – So the same thing applies, 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 their neighbors within 500 feet of your property. It will state exactly the description that is written in the agenda tonight.

4) **PATRICK WALSH, OWNER/Jim Petkewitz, Representative, Cont'd**

**Mr. Evans continues** - So if they have curious neighbors that will want to ask questions, they should get together with them before the next meeting to explain simply what their plans are. The public hearing is on March 25<sup>th</sup>.

Mr. Pickowitz – I think the letters already did go out. They haven't? Okay. I know they've been in contact with their neighbors, and the one that we're asking for the variance for said that she'd come in to testify that it's fine.

Mr. Evans – It's not that she needs to, but she's always welcome to as part of the process. As long as they've contacted the neighbors. Not having any neighbors present is just as good as having someone here in favor.

Mr. Pickowitz – Okay, thank you sir.

Mr. Evans – Okay. Thank you.

**PUBLIC HEARINGS**

5) **VICTOR SYSAK, OWNER/Scott Jenny with RS Jenny Construction, Representative**

Requesting a 147 SF Floor Area variance from Zoning Code Section 1252.22 (c), which permits a 1,000 SF Floor area and where a 1,147 SF Floor Area is proposed in order to construct an Attached Garage; property located at 14091 Niagara Drive, PPN 396-17-079, zoned R1-75.

Mr. Evans – Our first public hearing tonight is Sysak on Niagara Drive. Please have the representative come up to the microphone and give us your name and address for the record.

Mr. Sysak – Victor Sysak, 14133 Niagara Drive, Strongsville, Ohio.

Mr. Evans – You appeared at the last meeting and told us about your project. You are intending on taking out the existing house that is there, and building a new one. You as well have a car collection, not quite as big as the applicant that appeared earlier, but nonetheless you are wanting to put the cars indoors. You indicated that you do not run a business out of the house or garage. Are there any questions or comments?

Mr. Rusnov – You're going to have a hard surface driveway to the garage?

Mr. Sysak – Yes.

Mr. Evans – We knew that.



6) **ALESSIO PROPERTIES, OWNER/Tom Yankovich with Ellet Sign, Representative,  
Cont'd**

Mr. Evans – Item number six on the agenda is Alessio Properties on Royalton Road. Please have your representative come up to the microphone and give us your name and address for the record.

Mr. Yankovich – Tom Yankovich, I'm with Ellet Sign Co. at 3041 E. Waterloo Road, Akron, Ohio 44312.

Mr. Evans – Thank you Mr. Yankovich.

Mr. Alessio – I'm Reno Alessio. Do you want home or business address?

Mr. Evans – Business is fine.

Mr. Alessio – 17534 Royalton Road, Strongsville.

Mr. Evans – Okay, thank you.

Mr. Yankovich – So tonight we're asking for your approval to increase the size of the height of the sign and the overall square footage. Basically upon discussion after the caucus, we have decided that we're going to try and alter the existing planter base by removing the cap stone. We'll put the sign even with the existing masonry block, and that should give us enough room to add the additional area for that tenant that we need. We did take the comments of the Board from the last meeting to heart. We've tried everything in terms of removing the logo, but the branding just isn't ready to do that. So this was our best option to try and not increase the height of the sign, but to also be able to accommodate that third tenant that desperately needs the roadside presence.

Mr. Rusnov – You're going down, and not up?

Mr. Yankovich – We're staying the same.

Mr. Rusnov – The same as it is right now?

Mr. Evans – The height will be the same.

Mr. Yankovich – Correct. In order to accommodate the height we're just adapting the existing brick base to the best of our ability to accommodate the new sign panel.

Mr. Evans – Right.

6) **ALESSIO PROPERTIES, OWNER/Tom Yankovich with Ellet Sign, Representative,**  
**Cont'd**

Mr. Kolick – So you'll add the panel on the bottom of the current sign, and you'll take out a row of the brick planter in order to accommodate that. You'll need the same SF variance, but you don't need a height variance.

Mr. Yankovich – That is correct.

Mr. Kolick – Okay.

Mr. Rusnov – So part (a) is eliminated?

Mr. Kolick – Yes. It's gone, they won't need it at all.

Mr. Rusnov – Then the face area variance would...

Mr. Kolick – Remain the same numbers. Right.

Mr. Yankovich – Correct.

Mr. Evans – That incorporates both sides of it?

Mr. Yankovich – That is correct.

Mr. Evans – Okay. I just wanted to be sure. I thought it did.

Mr. Rusnov – Both sides of the sign?

Mr. Evans – Right.

Mr. Yankovich – Right.

Mr. Evans – So are there other questions?

Mr. Baldin – You took it to heart what we said here, and you did bring that up yourself that it would be a possibility that they might need to knock down the planter box. Apparently that's what you're planning to do to a degree by taking the top cap off anyway. Maybe you'll make it a little shorter. If you put flowers in there you might cover up that tenant.

Mr. Yankovich – I understand that, but that base is built. It is very nice, and it goes with the aesthetics of the building. Basically what we're trying to do is not disturb the planter substantially.

6) **ALESSIO PROPERTIES, OWNER/Tom Yankovich with Ellet Sign, Representative,  
Cont'd**

**Mr. Yankovich continues** - So there is just going to be an effort to have very low growth plantings in there. They still want to have some sort of green potentially.

Mr. Evans – There are many plants that go over the sides. In fact, I'm sure Maria Gardens could help.

Mr. Yankovich – If only they were still here.

Mr. Evans – Okay, are there other questions?

Mr. Baldin – I think it's a very appealing sign as it is. Thank you.

Mr. Evans – Mr. Alessio, we beat up Mr. Yankovich pretty badly last time. We appreciate your willingness to cooperate. Please understand that we want every business in Strongsville to be successful. When we look at that, it's already higher than what is permitted. That's because the Building Department allowed that due to the nature of the sign, but when we go even higher than that everyone comes by with a measuring tape and everyone on Royalton and Pearl would be asking for the same. We'd have a real tough time being able to justify it. So we really appreciate you working with us. Given the additional signage variance for the square footage is much less of an issue than raising the height of it. So we appreciate that. Is there anything else guys?

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 now entertain a motion.

Mr. Houlé – I make a motion to approve a request for a 9.02 SF Face Area variance from Zoning Code Section 1272.12 (h), which permits a 50 SF Face Area where a 59.02 SF Face Area is proposed in order to modify a Ground Sign; property located at 17534 Royalton Road, PPN 396-12-004, zoned General Business (GB).

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



6) **ALESSIO PROPERTIES, OWNER/Tom Yankovich with Ellet Sign, Representative, 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. Then you can move forward with that. Again we appreciate your accommodation, and we wish you continued success with the new tenant.

Mr. Yankovich – Thank you very much.

3) **PHILLIP BADE, OWNER/Joyce Factory Direct, Representative**

Requesting a 34' Rear Yard Setback variance from Zoning Code Section 1252.05, which requires a 50' Rear Yard Setback and where a 16' Rear Yard Setback is proposed in order to construct a 168 SF Sunroom on the existing deck; property located at 9820 Forestview Drive, PPN 398-08-030, zoned R1-75.

Mr. Evans – That then takes us back to item number 3 on the agenda. Mr. Bade, why don't you come forward to the microphone? In order to keep the project moving, and I'm assuming you'd like to do that. I'm going to ask Mr. Kolick to swear you in, and then we'll accept your presentation on behalf of your contractor.

Mr. Kolick then stated the oath to Mr. Bade.

Mr. Bade – I'm very grateful for that.

Mr. Evans – Could you give us your name and address for the record please?

Mr. Bade – Phillip Bade, 9820 Forestview Drive, Strongsville.

Mr. Evans – Thank you. You heard us in caucus talking about the HOA letter that we will need to receive. I'm sure you've put that into motion. Tell us about putting in the sunroom, and since there's not a big crowd here, you can make it brief when telling us about the project.

Mr. Bade – It's an existing deck we're going to place a prefabricated sunroom on about half of it just to provide some additional sunroom space. It's a three season sunroom.

Mr. Rusnov – Basically that's it.

Mr. Bade – That's it.

Mr. Rusnov – You're putting a small sunroom on top of an existing deck, and the existing variances are already there for the deck.

**3) PHILLIP BADE, OWNER/Joyce Factory Direct, Representative, Cont'd**

Mr. Bade – That is correct.

Mr. Rusnov – Nothing has changed except for plopping on this sunroom?

Mr. Bade – Right.

Mr. Rusnov – That's pretty much the summary of this.

Mr. Kolick – He wouldn't have needed a variance for the deck because a deck can go into the rear setback. Its buildings that can't. That's why he needs it now.

Mr. Roenigk – Because it's a structure now, part of the house.

Mr. Rusnov – This is why we pay you the big bucks.

Mr. Kolick – Do you have common property behind your home?

Mr. Bade – Yes, there's green space behind us.

Mr. Kolick – Okay, so that's where you're going to be infringing, onto the green space. Have you turned in your plans over to the HOA?

Mr. Bade – I presume that the contractor has done so. They told me that they have, and our HOA said that they didn't have any concerns with it when I spoke with them.

Mr. Kolick – You can have your contractor do it, or you can follow up with them. They would normally give us a letter indicating that they don't have a problem with it. It's particularly important in this case because they are the property owner that is most affected because they own the common property behind you. Have them address it to you, and you can bring it up to us or they could just address it to us. Just get it to us by the next meeting, and that would be great. Okay?

Mr. Bade – Yes.

Mr. Evans – They can reference the same language that we have stated in the agenda tonight for the request for the variance. That makes it easy for them. Okay?

Mr. Bade – Very good.

Mr. Evans – So 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. It says sunroom in it so that will give them some idea, and I understand that there are several similar to it. Each of us will be out to look at the property. Those that haven't already done so before the next

**3) PHILLIP BADE, OWNER/Joyce Factory Direct, Representative, Cont'd**

**Mr. Evans continues** - meeting. Then we'll render our decision on March 25<sup>th</sup>. That's the process, and now you can hang this over your contractors head.

Mr. Bade – I have already.

Mr. Evans – Okay, alright.

Mr. Kolick – That's good for at least a 20% discount.

Mr. Bade – That's what I said, that I expect some consideration down the line.

Mr. Evans – Okay, we'll see you back here on March 25<sup>th</sup>.

Mr. Bade – Very good, thank you.

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

Signature On File  
Mr. Evans, Chairman

Signature on File  
Kathy Zamrzla, Sec'y

March 25, 2020  
Approval date