

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

**Meeting of
November 20, 2018
7:30 p.m.**

Board of Appeals Members Present: Kenneth Evans, Richard Baldin, John Rusnov, David Houlé, Tom 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) JOSEPH KOVACH, OWNER

Requesting a variance from Zoning Code Section 1252.18, which prohibits two Accessory Structures on a residential lot and where one 120 SF Accessory Structure exists and a second 256 SF Accessory Structure is proposed; property located at 17115 Woodlawn Court, PPN 393-36-080, zoned R1-75.

They were informed by the Building Department that everything that this applicant has on their lot already is to Code after that was questioned by a Board member. The Board said that they think it will be a nice addition to an already nice yard. They also noted that they have an HOA approval letter.

2) DANIEL W. GAWNE, OWNER

Requesting a variance from Zoning Code Section 1252.18, which prohibits two Garages on a residential lot and where one 720 SF Attached Garage exists and one 720 SF Detached Garage is proposed; property located at 15772 Boston Road, PPN 397-35-016, zoned R1-75.

The Board mentioned that this is a very large garage that they want to build. They also mentioned that it's a deep lot, and they are planning to put a long hard surface driveway all the way back to the new garage. The Board stated that they could not see the existing structure from the street, and it is near where the new one will be going. They also noted that the applicant already has an attached two car garage. The Board mentioned that there is no HOA in that area.

3) CHRISTOPHER AND ELIZABETH LENNON, OWNERS

Requesting a 3' Setback variance from Zoning Code Section 1252.15 (a), which requires a 20' Setback from the main dwelling and where a 17' Setback from the main dwelling is proposed in order to construct a 100 SF Accessory Structure; property located at 12419 Sunridge Circle, PPN 396-04-007, zoned PDA - 2.

The Board was told by the Building Department that this lot is unable to accommodate the Code on both sides of this proposed project. There is only room for them to be compliant with the Code on one side of the project. They were informed that the owner has changed his mind on the positioning of the project as well, and that he'd now like it closer to the property line rather than the house. The Board noted they will have to rewrite the variance request. The Board also discussed a swale that exists in the backyard that requires Engineering to approve the plans as well.

PUBLIC HEARINGS

There are no public hearings.

STRONGSVILLE BOARD OF ZONING & BUILDING CODE APPEALS
MINUTES OF MEETING
November 20, 2018

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

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

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 November 20, 2018 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 this evening Findings of Facts and Conclusions of Law for the Petros Family Ltd. Partnership decision of the Board on November 7, 2018. They were discussed in caucus, and we had no changes in there. Does anyone else have any changes? I will then entertain a motion to approve said Findings and Facts.

Mr. Houlé – I make a motion to approve the Findings of Facts and Conclusions of Law for the Petros Family Ltd. Partnership decision of the Board on November 7, 2018.

Mr. Smeader — Second.

Mr. Evans – Thank you Mr. Houlé, thank you Mr. Smeader for the second. May we have a roll call please?

ROLL CALL: ALL AYES MOTION PASSED

Mr. Evans – Thank you. We also have minutes from November 7th, 2018 meeting. If there are no corrections, then we will submit these minutes for the 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.

NEW APPLICATIONS

1) JOSEPH KOVACH, OWNER

Requesting a variance from Zoning Code Section 1252.18, which prohibits two Accessory Structures on a residential lot and where one 120 SF Accessory Structure exists and a second 256 SF Accessory Structure is proposed; property located at 17115 Woodlawn Court, PPN 393-36-080, zoned R1-75.

Mr. Evans – Thank you, we only have new applications on our agenda this evening, and the first one tonight is Joseph Kovach. Please come up to the microphone and give us your name and address for the record.

Ms. Kovach – Sure. We are Jane and Joe Kovach. We live at 17115 Woodlawn Court with our three daughters.

Mr. Evans – Thank you very much. You guys are asking for a variance because you want a second structure, so tell us about what you're doing and why you need the variance.

Ms. Kovach – Sure, so we had a swing set in the backyard, and our three teenage daughters outgrew it, so we wanted to do something different back there. We have decided to engage with Precision Corp. and they helped us design a backyard. We wanted something covered because our house faces north-south so we get tons of sun in the backyard. It gets pretty bright out there, and we've needed umbrellas and things like that. We needed another covered structure to help us to have a space that could shield us from the sun and the rain and that sort of thing. We do have a shed in the backyard because we only have a 2 car garage so it's hard to keep everything in there with all the lawn equipment and the snow blower and all that kind of stuff. We knew we could take that down, but then that would make it really troublesome to be able to park our cars in the garage. So with that, we wanted to come here and talk about getting a variance to have two covered structures. The shed is in the back corner. I know some of you have gone out and seen it. It's not like we're putting two structures next to each other. The covered patio that we're looking to do, there's a picture in the packet too. As you can see, it doesn't have walls or anything like that, so it's not like it would be obstructing the view of our neighbors.

Mr. Evans – How big is the pavilion scheduled to be?

Ms. Kovach – So in here we have the pavilion itself, and it is 256 SF.

Mr. Evans – Are there questions from the Board?

1) JOSEPH KOVACH, OWNER, Cont'd

Mr. Smeader – No.

Mr. Rusnov – No.

Mr. Houlé – We do have a letter too from the HOA.

Mr. Evans – Yes, thank you Mr. Houlé. Alright, 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 December 5th. We will invite you back at that time. You're building the patio, do we need it staked or anything?

Mr. Rusnov – No. I don't think you would.

Mr. Evans – The patio is in now, right?

Mr. Houlé – They're working on it, yes.

Ms. Kovach – They're almost done with it.

Ms. Kovach – That left sided patio is basically done at this point, so there will be a right addition to it. If you need to have it staked out we can easily go to them and ask them to approximate where the corners would be.

Mr. Evans – Set buckets on it or something, but I'm not worried about that. So that's fine. So nothing else? Then we'll see you back on December 5th. It is not necessary that you stay for the rest of the meeting tonight. Thank you.

Ms. Kovach – Thank you.

2) DANIEL W. GAWNE, OWNER

Requesting a variance from Zoning Code Section 1252.18, which prohibits two Garages on a residential lot and where one 720 SF Attached Garage exists and one 720 SF Detached Garage is proposed; property located at 15772 Boston Road, PPN 397-35-016, zoned R1-75.

2) **DANIEL W. GAWNE, OWNER, Cont'd**

Mr. Evans – Number two on our agenda is Daniel Gawne on Boston Road. Please come up to the microphone and give us your name and address for the record.

Mr. Gawne – My name is Dan Gawne. My address is 15772 Boston Road.

Mr. Evans – You are looking to add a garage and at this point we understand that the driveway is a partial driveway, and you'll be finishing that.

Mr. Gawne – The driveway will be extended to meet the front of the garage.

Mr. Evans – Okay.

Mr. Gawne – In caucus there were a couple things that were incorrect when you were talking about it.

Mr. Evans – Okay.

Mr. Gawne – The shed, and I don't know who saw the shed, that is actually not on my property. That's my neighbor to the east.

Mr. Houlé – Okay.

Mr. Gawne – My garage, it says on here is a 720 SF garage, and not that it makes any big difference but it's actually 440 SF. It's 21' by 21'. That's the existing garage that is attached to the house.

Mr. Evans – Okay.

Mr. Gawne – My garage actually faces sideways so from the front of the house it looks like it's all house, but it's actually a garage. The reason I want to add the space is because I wanted a two garage wide in the front, but a little bit deeper. I have three cars at the house; I do and my daughter has a car as well. We have a two car garage. Also woodworking and a little bit of hobby stuff I'd like to do as well. I'm planning on retiring in a couple of years, and I'd like to have the space to work on some hobbies. The neighbor to the west of me has exactly the same thing on his property right now. The roof line will actually probably look slightly lower because the property falls off in the back. I think in the plans it shows a gable roof. That's actually going to be a hip roof to match the existing home.

Mr. Evans – So what will the height end up being because we didn't have a lot of dimensions on these drawings?

2) **DANIEL W. GAWNE, OWNER, Cont'd**

Mr. Gawne – Well I was trying to get it from the company that's making the kit for the garage. They didn't have anything for the hip roof. I'll get that and try to provide it on Monday or later this week actually.

Mr. Evans – Brian, the limitation is 13', correct?

Mr. Roenigk – Besides that, I'd also like to clarify something to Mr. Gawne about whether this is going to be called a garage. I think Mr. Baldin brought this up about a second garage. Kathy just pointed out to me that your current garage, according to County records says its 660 SF.

Mr. Gawne – I don't know, I'd have to actually measure it. I thought it was 21' by 21'.

Mr. Evans – It may be, and that would mean that you're paying taxes on 660 SF. So you may want to check with the County about that.

Mr. Rusnov – One point is that if they're saying that the garage is bigger, in other words this left hand side of the house is not all garage, there is living area there behind the garage.

Mr. Gawne – Yes, I forgot about that. You're right.

Mr. Rusnov – So behind the garage, if you're looking at the front of the house, you have the garage that is 22' by 21' or whatever it is and then there is living area behind that.

Mr. Gawne – There's a laundry room and a bathroom.

Mr. Rusnov – So disregard what they're telling you because they're saying this is all garage. There is a difference between garage taxable value and living area. Also that cuts the amount of square footage because you have 720 SF on the proposed garage and 400 and some change so that puts you at about 1100 SF for total garage space. That means you're allowed 1000, so you're looking for a variance of about 100 SF.

Mr. Gawne – Right.

Mr. Evans – Right.

Mr. Roenigk – That was my point as well.

Mr. Rusnov – I just wanted to clarify that. When I come out I can run a tape on it for you.

Mr. Roenigk – Right, so that's what I wanted to ask you if I need to change this from a second structure. Do we need to do a variance for just square footage?

2) **DANIEL W. GAWNE, OWNER, Cont'd**

Mr. Kolick – I will have to look and see which way we need to do it.

Mr. Rusnov – That will be up to Mr. Kolick.

Mr. Kolick – We need to get the correct square footage though to use to do that.

Mr. Houlé – Absolutely.

Mr. Kolick – You may want to take some measurements of the garage and get back to our building department.

Mr. Gawne – I can do that. I'll do that in the next couple days, and you'll have it before the weekend.

Ms. Zamrzla – The public hearing notice goes out in tomorrow's mail.

Mr. Gawne – Okay, I'll have it for you tomorrow.

Ms. Zamrzla – Right, so you'll have to let us know.

Mr. Gawne – I forgot the next day is a holiday.

Mr. Evans – You'll need to give us a call by noon or so if you could.

Ms. Zamrzla – The notices always go out the day after the meeting.

Mr. Gawne – I'll bring it up tomorrow morning. I'll make sure you have it.

Mr. Houlé – Is there a secondary structure? Is there already a current structure?

Mr. Gawne – There's no other structure on my property.

Mr. Houlé – So that variance goes away then.

Mr. Baldin – They have to change the whole thing.

Mr. Kolick – He's looking for a second garage.

Mr. Houlé – There may be another variance needed, but not that one.

Mr. Evans – Square footage I think would be a problem there.

2) **DANIEL W. GAWNE, OWNER, Cont'd**

Mr. Gawne – So it's just one variance verses two?

Mr. Evans – Right.

Mr. Roenigk – It'll be a 160 SF variance then for the two garages.

Mr. Evans – Okay.

Mr. Roenigk – It does put him over a 1000 SF.

Mr. Evans – Alright, in the meantime, the other question we need to ask you is whether or not you intend to run a business? This is a pretty big thing, and you talked about woodworking, and retiring, so we have to ask that question. What winds up happening is that we can't have businesses being run out of big garages like that such as a car repair shop or a woodworking shop where you're producing furniture that you're selling and having customers coming to and from. That sort of thing.

Mr. Gawne – I've had my own audio-video business for 30 years. I'm going to be 63 in February, and I have no desire to start another business in any way, shape, or form. This is purely for my own benefit. I actually built one of these at the last house I lived in and then moved out three years later. I just wanted to make sure I was going to stay here, and that this was what I wanted to do. I wasn't going to move or anything, and I've made that decision to stay. I've been there 12 years. I'd like to build that so it gives me some extra room. Like I said, I've got enough cars right now just between my cars and my daughter's car that I need the parking space.

Mr. Evans – Right, Okay.

Mr. Gawne – I don't want to change the look of the neighborhood or my house in any negative way. My neighbor's house has a second floor to it. I just want to keep it low. It'll be lower than the existing garage when it's finished because of the drop in grade. I want to keep the same roof lines and everything else.

Mr. Evans – Alright.

Mr. Roenigk – I'll check the height for you too when we talk tomorrow.

Mr. Gawne – I'm guessing the existing roof is probably like a 6-12 or a 5-12. Something like that. It's not very steep. I can walk around on it.

Mr. Roenigk – We're just concerned about the height of the peak. No problem.

2) **DANIEL W. GAWNE, OWNER, Cont'd**

Mr. Evans – Anything else?

Mr. Baldin – No because he just answered the question I thought I might have. Talking about these heights, there's not going to be a second floor or a bunch of storage up there? Well there might be some storage up there.

Mr. Gawne – It's going to be trusses so there's not going to be any storage. No.

Mr. Baldin – No business is going to be run out of there.

Mr. Gawne – Absolutely no.

Mr. Baldin – It's just storage for garage and any accessory equipment that you have?

Mr. Gawne – The riding mower and the snow blower, none of that fits in my current garage very well.

Mr. Baldin – Are you running electricity or water out to it?

Mr. Gawne – No water, but I am going to run electricity and gas for heat, but no water.

Mr. Baldin – Right. Thank you.

Mr. Evans – Alright. We will see you back here on December 5th. Everyone within 500' gets a notice about it and we'll get that corrected tomorrow. Again if you have curious neighbors it's always a good idea to go tell them what you're doing because our description that goes out in the notification doesn't tell them a whole lot.

Mr. Gawne – I did talk to a couple of them already, especially the adjacent neighbors. My question is, the neighbor's across the street are in Brunswick, them too? Okay.

Mr. Evans – No, it only goes to Strongsville residents.

Mr. Gawne – The ones I talked to are fine, but I just wanted to cover all bases. Alright.

Mr. Evans – Okay, very good. Thank you, we'll see you back here on December 5th.

Mr. Gawne – Thank you.

3) **CHRISTOPHER AND ELIZABETH LENNON, OWNERS**

Requesting a 3' Setback variance from Zoning Code Section 1252.15, which requires a 5' Setback from the rear property line and where a 2' Setback from the rear property line is proposed in order to construct a 100 SF Accessory Structure; property located at 12419 Sunridge Circle, PPN 396-04-007, zoned PDA - 2.

Mr. Evans – Number three on the agenda is Christopher and Elizabeth Lennon on Sunridge. That would be you, so if you could give us your name and address for the record please.

Mr. Lennon – It's Chris Lennon, 12419 Sunridge Circle.

Mr. Evans – Thank you. You are looking at doing a distance variance here. We talked about the way this is set. So as you heard in caucus, the first question is it's a pie shaped lot, why would you not go to one of the other two corners?

Mr. Lennon – It's a good question. So there's a few different answers in no particular order. There's a fairly nice flat stretch of land there so it's fit quite nicely without any risk of any vertical change.

Mr. Evans – Okay.

Mr. Lennon – All the other sheds are there in my backyard neighbors yards. When you get out there you'll see that on the back end there are two others so there would be three altogether when it's finished. I thought it would look like a nice cluster. The third reason is that in the other section it's just not as nice. It's a lot pointier, and there's also some trees. I just couldn't really envision it, although my wife did ask the same question, and I guess if this doesn't work I could concede.

Mr. Evans – For most people, it is not what you'd want to see out of the house. You'd want to get it as far away as you can, sort of thing.

Mr. Lennon – Yes, exactly. You may note that I have HOA approval. I think they were quite happy with it being immediately behind the house so you wouldn't see it from the street. I think that spot in particular, if we moved it, several people would then see it. I think it would create a visual thing that nobody really wants.

Mr. Evans – Okay, and you heard in caucus that we will be asking our Engineering Department because there's a swale back there. Obviously we wouldn't want the swale to be disturbed. We have enough problems in this City without creating more. Are there any other questions?

Mr. Rusnov – No.

3) CHRISTOPHER AND ELIZABETH LENNON, OWNERS, Cont'd

Mr. Evans – We will all be out to visit this one as well. At this point I don't think it's really necessary to stake this one? Mr. Houlé, you've been out there, do they need to stake it?

Mr. Houlé – I don't think so, but it's pretty narrow back there. There's a fence back there.

Mr. Smeader – It's only 8' by 12'.

Mr. Evans – Alright. So no need to stake it.

Mr. Lennon – In caucus we talked about it being 2' from the property line. Because of the vertical distance, if it's possible to make it 1' from the property line. I don't know if that creates much more stress for everyone, but in theory that would be better.

Mr. Evans – The issue is going to be the swale back there, when you're within 1' of the property line that means that you're a couple feet into the swale. If I had to venture a guess I'd say that Engineering is going to say that they don't want that because it's going to impede the flow of water if there is a flow of water back there.

Mr. Lennon – I got it. There is a flow of water. From the back of the house it's about one or two feet. This would be nowhere really near that. This would be well above and totally separate from that, but anyway for what it's worth.

Mr. Houlé – Is the back of your yard the hill where that fence is or is it down at the lower part?

Mr. Lennon – So the back of my house, the entire run of the whole property gets a little bit of standing water in the Spring.

Mr. Houlé – Where's your property line in relation to the fence in the back?

Mr. Lennon – Starting from the back line of the property line, it stays dry all the way clear through where we're talking about for this duration. Then when you go down the hill it gets wet down there.

Mr. Houlé – Is your property line up in that hill though?

Mr. Lennon – Yes, that's where it is.

Mr. Houlé – That's where you're intending to put this?

Mr. Lennon – Right, I'm intending to put it up on high ground that would be totally away from the water so it stays dry.

3) **CHRISTOPHER AND ELIZABETH LENNON, OWNERS, Cont'd**

Mr. Evans – But the swale would be back at the property line.

Mr. Houlé – The swale will be on the lower part then. It may not even be in the swale.

Mr. Kolick – I'd have him stake out where he wants it.

Mr. Evans – Right, if you could just drop a couple stakes in so we have a good idea then.

Mr. Lennon – Four corners, I can do that.

Mr. Evans – Are there other questions? Okay. So again, on December 5th is the public hearing, and the notice goes out to everyone within 500'. Get to curious neighbors ahead of time, and we'll see you back on December 5th.

Mr. Lennon – Alright, thank you. That's good.

Mr. Evans – There are no public hearings this evening. Is there any other business to come before the Board?

Mr. Baldin – Happy Thanksgiving!

Mr. Evans - Then we will stand adjourned.

Signature on File

Mr. Evans, Chairman

Signature on File

Kathryn A. Zamrzla, Sec'y

Dec. 5, 2018

Approval Date