

**CAUCUS PRIOR TO STRONGSVILLE BOARD OF ZONING &  
BUILDING CODE APPEALS**  
**Meeting of  
April 13, 2022**

Board of Appeals Members Present: Ken Evans, Rich Baldin, Dustin Hayden, David Houlé  
Administration: Assistant Law Director Daniel J. Kolick  
Assistant Building Commissioner: Brian Roenigk  
Recording Secretary: Kristi Onofre

Mr. Evans – I'd like to call this caucus for the meeting of April 13, 2022 to order. We have minutes from the meeting of March 23, 2002. There are no changes or corrections. This is the time that the members have to discuss the items on the agenda this evening.

The Board members discussed the following:

1) **MATTHEW AND AMY CAREY, OWNERS/ R. A. Kalfas, Representative**

Requesting a 6' Rear Yard Setback variance from Zoning Code Section 1252.04 (d) (3), which permits a 0' encroachment into the platted Rear Yard Setback and where a 6' encroachment into the platted Rear Yard Setback is proposed in order to construct a Screened in Porch and Deck; property located at 16543 Selby Circle, PPN 397-16-075, zoned R1-75.

Mr. Houlé stated that this is a shallow yard enclosed by pine trees and its fenced in. Mr. Evans stated that it's a very irregular lot.

2) **ANTHONY AND KATRINA YUSKO, OWNERS**

- a) Requesting a 10' Side Yard Setback (West) variance from Zoning Code Section 1252.29 (b) (1), which requires a 15' Side Yard Setback (West) and where a 5' Side Yard Setback (West) is proposed in order to install a 24' Above Ground Pool;
- b) Requesting a 10' Rear Yard Setback (South) variance from Zoning Code Section 1252.29 (b) (1), which requires a 15' Rear Yard Setback (South) and where a 5' Rear Yard Setback (South) is proposed in order to install a 24' Above Ground Pool; property located at 18381 Main Street, PPN 395-01-038, zoned R1-75.

Mr. Baldin stated that he doesn't see a hardship with this request since a tree stump could be removed and the pool could be moved. Mr. Evans stated that this is a large variance request. Mr. Roenigk stated that the owner has applied for a patio permit which has not been installed yet.

3) **YAHIA HASSAN, OWNER**

Requesting a 16.5' Rear Yard Setback variance from Zoning Code Section 1252.16 (e), which requires a 36' Rear Yard Setback and where a 19.5' Rear Yard Setback is proposed in order to install a Concrete Patio and Walkway; property located at 16045 Squirrel Hollow Lane, PPN 397-11-044, zoned R1-75.

Mr. Evans stated that it looks like it would go over the sewer easement. Mr. Roenigk stated that the project had started without a permit and that the owner will have to change whatever the encroachment is. Mr. Houlé stated that he did not see any hardship for this request. Mr. Roenigk stated that the sidewalk will be addressed by the Building Department. Mr. Houlé stated that there may be a lot of water accumulating because of the size of the patio. Mr. Roenigk agreed that the Engineering Department could take a look at the plans.

4) **BRIAN AND KRISTA KLEFOS, OWNERS**

- a) Requesting a variance from Zoning Code Section 1252.18, where one 120 SF Accessory Structure exists and a second 224 SF Accessory Structure is proposed;
- b) Requesting a 32 SF Floor Area variance from Zoning Code Section 1252.15, which permits a 192 SF Floor Area and where a 224 SF Floor Area is proposed in order to construct a second Accessory Structure; property located at 16805 Hampton Chase, PPN 397-11-135, zoned R1-75.

Mr. Houlé stated that there is an existing paver patio. Mr. Hayden stated that the owner will be replacing the existing patio and that the HOA has approved the project.

5) **CAMDEN WOODS/John P Slagter, Esq. with Tucker Ellis LLP, Representative**

Requesting a variance from Zoning Code Section 1253.11 (b)(2), which permits 35% of the allowable dwelling units in a single family detached and cluster development to be allocated to cluster dwellings and where the applicant is proposing 100% of the units to be developed as cluster dwellings; property located at the Southeast corner of Prospect Road and Royalton Road, known as PPN's 393-15-002, 395-15-003, 393-15-004, 393-15-005, 393-15-006, 393-15-007, 393-15-008, 393-15-009, 393-15-010, 393-15-012, 393-15-013, 393-15-014, zoned R1-75.

Mr. Evans stated that many letters were received regarding this application. Mr. Evans stated that he has questions concerning the number of rental units, the square footage, price range, amenities,

services included in the maintenance fees, who would be responsible for lawn maintenance, minimum distance between buildings and what street connections there will be. Mr. Kolick stated that the density that was proposed on the ballot was much higher than what is proposed now. Their plans show 6.5 acres of greenspace. The covenants and deed restrictions will not allow any fences or anything else in that area. The Engineering Department has done a preliminary review regarding ingress and egress and they are not concerned with any traffic issues on 82. There is a slight concern on Prospect which may necessitate a condition regarding no left turn or create a left turn lane. That would be for Planning Commission to determine. Mr. Kolick believes that these would be rental units and that there would be one owner responsible for the property.

**STRONGSVILLE BOARD OF ZONING & BUILDING CODE APPEALS**  
**MINUTES OF MEETING**  
**April 13, 2022**

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

Present: Mr. Evans  
Mr. Baldin  
Mr. Hayden  
Mr. Houlé

Also Present: Mr. Kolick, Assistant Law Director  
Mr. Roenigk, Assistant Building Commissioner  
Ms. Onofre, Recording Secretary

Mr. Evans – I would like to call this April 13, 2022 meeting of the Strongsville Board of Zoning and Building Code Appeals to order. May we have a roll call please?

ROLL CALL:	MR. EVANS	PRESENT
	MR. HOULÉ	PRESENT
	MR. HAYDEN	PRESENT
	MR. BALDIN	PRESENT
	MR. RUSNOV	ABSENT

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

Mr. Houlé – Second.

Mr. Evans – Thank you Mr. Baldin for the motion. Mr. Houlé for the second. May we 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 Strongsville Codified Ordinances. We have minutes from March 23, 2022. If there are no changes, we will submit those as they were given to us for the record. If you are here this evening and you plan on addressing the Board, I would ask that you stand and be sworn in by our Assistant Law Director, as well as our secretary and Building Department representative.

Mr. Kolick administered the oath to those standing.

1) **MATTHEW AND AMY CAREY, OWNERS/ R. A. Kalfas, Representative**

Requesting a 6' Rear Yard Setback variance from Zoning Code Section 1252.04 (d) (3), which permits a 0' encroachment into the platted Rear Yard Setback and where a 6' encroachment into the platted Rear Yard Setback is proposed in order to construct a Screened in Porch and Deck; property located at 16543 Selby Circle, PPN 397-16-075, zoned R1-75.

Mr. Evans – Item number one on the agenda is Matthew and Amy Carey on Selby Circle. If the representative would come forward and state your name and address for the record.

Mr. Gibson – Chris Gibson, R.A. Kalfas Construction, 12001 Prospect Road, Strongsville, Ohio.

Ms. Kalfas – Courtney Kalfas, R.A. Kalfas Construction, 12001 Prospect Road, Strongsville, Ohio.

Mr. Evans – You are asking for six feet rear yard variance in order to construct a patio, porch and deck. Please tell us about the request.

Mr. Gibson – They are looking for a screened-in back porch. It's an irregular lot. It backs up to a three acre lot and there's quite a bit of woods between where we intend to build and where any visibility would be from that property line.

Mr. Evans – Any questions, comments?

Mr. Baldin – It's going to be a nice addition and I don't see any problem with it.

Mr. Houlé – So you're replacing the existing deck and putting in this all-purpose room?

Mr. Gibson – Yes.

Mr. Evans – This is a public hearing. Is there anyone in the audience who wishes to speak for the granting of the variance? Is there anyone in the audience who wishes 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. Hayden - Mr. Chairman, requesting a 6' Rear Yard Setback variance from Zoning Code Section 1252.04 (d) (3), which permits a 0' encroachment into the platted Rear Yard Setback and where a 6' encroachment into the platted Rear Yard Setback is proposed in order to construct a Screened in Porch and Deck; property located at 16543 Selby Circle, PPN 397-16-075, zoned R1-75.

Mr. Baldin – Second.

1) **MATTHEW AND AMY CAREY, OWNERS/ R. A. Kalfas, Representative, Cont'd**

Mr. Evans – Thank you Mr. Hayden for the motion and Mr. Baldin for the second. May we have a roll call please?

ROLL CALL:

ALL AYES:

MOTION PASSED

Mr. Evans – The variance has been granted by this Board. There is a twenty day waiting period during which time City Council has the opportunity to review our decision. If Council chooses not to act, you will be notified by the Building Department at the end of the twenty days and then you can move forward with the project. You are all set.

Mr. Gibson – Thank you.

2) **ANTHONY AND KATRINA YUSKO, OWNERS**

- a) Requesting a 10' Side Yard Setback (West) variance from Zoning Code Section 1252.29 (b) (1), which requires a 15' Side Yard Setback (West) and where a 5' Side Yard Setback (West) is proposed in order to install a 24' Above Ground Pool;
- b) Requesting a 10' Rear Yard Setback (South) variance from Zoning Code Section 1252.29 (b) (1), which requires a 15' Rear Yard Setback (South) and where a 5' Rear Yard Setback (South) is proposed in order to install a 24' Above Ground Pool; property located at 18381 Main Street, PPN 395-01-038, zoned R1-75.

Mr. Evans – Item number two is Anthony and Katrina Yusko. If you will come forward and state your name and address for the record.

Ms. Yusko – Katrina Yusko. I live at 18381 Main Street.

Mr. Evans – Please give us a quick description of the project. You may want to address the concerns that were brought up in Caucus. Our Building Department representative indicated that you are also planning on putting in a patio so give us a description on how all of this goes together.

Ms. Yusko – We're doing multiple projects this year. We have a permit for a new patio, a new driveway. The pool is something that has been cut down and hopefully we'll have steps to go to a deck to enjoy our swimming pool in the future. Due to the size of the backyard, we are asking for the variance. We have four daughters that are active in sports and they like to run around and enjoy the yard. That's why we would like to have the pool to the side.

2) **ANTHONY AND KATRINA YUSKO, OWNERS, Cont'd**

Mr. Evans – So you're going from a fifteen feet variance to five feet. Typically, we don't do a 67% variance and we try to keep things further away from fences. Is it possible to come in a couple more feet from the fence?

Ms. Yusko – Yes, but we will lose more yard that we would like to keep. The one side we have about six feet because of the property line.

Mr. Houlé – I think you have room to move it away from the fence, so I would ask that you consider that.

Mr. Kolick – Why don't you make a suggestion as to where it should be moved so the applicant can consider that.

Mr. Houlé – I think both the back and the side should be ten feet. Instead of asking for a ten foot variance you should be only asking for five.

Mr. Hayden – I have a few concerns about it being so close. Given that additional improvements will be coming in the future there may be room to move it a couple feet.

Mr. Baldin – I would say a foot or two at the most. I wouldn't go five or six. That stump that you cut down, are you pulling that out?

Ms. Yusko – Yes and eventually we'd have the new patio.

Mr. Baldin – We didn't know anything about that at the time.

Ms. Yusko – We're hoping to put a deck for the pool and the fence would go right there. So now moving the pool makes the deck obviously a lot smaller too because the size of our backyard is so limited. The one side right now is six feet on the right side because of the property we only own five feet of it so we have an extra foot from their fence. It's about five and half from the back fence.

Mr. Kolick – Could you live with eight feet off the back and eight feet off the side?

Ms. Yusko – I'd be happy with six or seven, in all honesty. Our backyard is so small.

Mr. Evans – We understand that. We try not to go overboard with variances. What Mr. Kolick is suggesting is if we did eight feet off the fence then that would be a seven foot variance and hopefully that would be a number you could work with.

Ms. Yusko – Could we have two different numbers?

2) **ANTHONY AND KATRINA YUSKO, OWNERS, Cont'd**

Mr. Evans – Seven on the side is the variance and eight on the back is the variance.

Ms. Yusko – Yes.

Mr. Baldin – I would go with one or two feet.

Ms. Yusko – It's a garage that's on the other side of the yard.

Mr. Evans – So the side yard would be seven feet and the rear yard would be eight feet.

Mr. Baldin – Is that correct?

Mr. Roenigk – Yes.

Mr. Kolick – Is it seven feet from the fence, Brian, or seven feet to the property line? Because we have to go from the property line, so maybe it's six feet.

Mr. Roenigk – Correct, we can't use the fence.

Mr. Kolick – So it's six feet and a seven foot variance. Is that correct?

Mr. Roenigk – Do you have an extra foot of property on the back side?

Ms. Yusko – On the right side.

Mr. Roenigk – And that's the eight. On the back side rear yard, that fence is on your property line, right?

Ms. Yusko – I believe so.

Mr. Roenigk – And you wanted a ten foot variance and your satisfied with what number from the fence?

Ms. Yusko – Seven.

Mr. Roenigk – So that's an eight foot variance.

Mr. Evans – So it's eight feet from the rear and six feet from the side. This is a public hearing. Is there anyone in the audience who wishes to speak for the granting of the variance? Is there anyone in the audience who wishes to speak against the granting of the variance? Hearing none and seeing none, I will declare the public hearing closed and entertain a motion.



2) **ANTHONY AND KATRINA YUSKO, OWNERS, Cont'd**

Mr. Hayden – Mr. Chairman, requesting a 6’ Side Yard Setback (West) variance from Zoning Code Section 1252.29 (b) (1), which requires a 15’ Side Yard Setback (West) and where a 9’ Side Yard Setback (West) is proposed in order to install a 24’ Above Ground Pool; (b) requesting a 8’ Rear Yard Setback (South) variance from Zoning Code Section 1252.29 (b) (1), which requires a 15’ Rear Yard Setback (South) and where a 7’ Rear Yard Setback (South) is proposed in order to install a 24’ Above Ground Pool; property located at 18381 Main Street, PPN 395-01-038, zoned R1-75.

Mr. Baldin – Second.

Mr. Evans – Thank you Mr. Hayden for the motion and Mr. Baldin for the second. May we have a roll call please?

ROLL CALL: ALL AYES: MOTION PASSED

Mr. Evans – The variance as altered has been granted by this Board. There is a twenty day waiting period during which time City Council has the opportunity to review our decision. If Council chooses not to act, you will be notified by the Building Department at the end of the twenty days and then you can move forward with the project. You are all set.

Ms. Yusko – Thank you.

3) **YAHIA HASSAN, OWNER**

Requesting a 16.5’ Rear Yard Setback variance from Zoning Code Section 1252.16 (e), which requires a 36’ Rear Yard Setback and where a 19.5’ Rear Yard Setback is proposed in order to install a Concrete Patio and Walkway; property located at 16045 Squirrel Hollow Lane, PPN 397-11-044, zoned R1-75.

Mr. Evans – Item number three on the agenda is Yahia Hassan. If you come forward and state your name and address for the record.

Mr. Hassan – My name is Yahia Hassan. I live at 16045 Squirrel Hollow Lane.

Mr. Evans – Tell us briefly about the project. You heard us talk about this during Caucus and that the project was started without a permit by the contractor that you hired. We appreciate that you have now taken control of this.

Mr. Hassan – I hired the contractor and he was supposed to pull the permit before he started work. He started work and I stopped him and asked him for the permit and he said that he didn’t pull it. I fired them right away and that’s when I went to the City and I applied for it myself. They told

**3) YAHIA HASSAN, OWNER, Cont'd**

**Mr. Hassasn continues** - me I need a variance for the patio and the walkway. I am planning on doing a patio that sits against the deck approximately 25 x 40. I need to put a walkway next to the house that goes from the garage to the backyard.

Mr. Evans – That is a big patio. Do you intend to use that as a basketball court or any type of sports area or is it strictly going to be a patio?

Mr. Hassan – Definitely not for sports.

Mr. Evans – Through the side yard there is a sewer easement. You understand that you will need to move that sidewalk in order to clear the sewer easement.

Mr. Hassan – Yes.

Mr. Hayden – One of my biggest concerns was the size of the patio. It will leave very little green space in the backyard. I didn't see much of a hardship with this so it makes me question why the request was made. One of my primary thoughts was water drainage.

Mr. Evans – We do have the option, should we grant the variance, to request the Engineering Department take a look at it to make sure there is appropriate drainage.

Mr. Baldin – That definitely needs to be looked into.

Mr. Evans – We do understand that people are doing a lot more entertaining at home. Is it possible to bring those dimensions down a little bit? Would that work for you?

Mr. Hassan – Sure. I'm flexible. It's because there are no trees in the backyard and I wanted to take advantage of it. When I built a shed there, they had me move it twelve feet from the back and eight feet from the other side. I wanted to get use out of the backyard with a nice patio, maybe in the future a small gazebo on the side to make the backyard a nice living space.

Mr. Evans – If you ever sell, the next owner could use it as a basketball court, so I was wondering whether or not we could come in maybe ten feet on the forty foot dimension so it would be 24 x 30 instead of 24 x 40.

Mr. Hassan – I do have the space. Ten feet smaller is not going to make much difference. I think it will make the backyard a presentable place to sit outside.

Mr. Baldin – It might save you a few thousand dollars.

Mr. Hassan – Absolutely. I want to put in a stamped concrete.

**3) YAHIA HASSAN, OWNER, Cont'd**

Mr. Evans - This is a public hearing. Is there anyone in the audience who wishes to speak for the granting of the variance? Is there anyone in the audience who wishes 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 – Mr. Chairman, for your motion and because the variance is going to remain the same because the area going to the rear will stay the same, but you can add on limited to thirty feet in length and I think that would cover your contingency.

Mr. Roenigk – So it's staying 25? You had said 24, I thought we were changing the variance a foot.

Mr. Evans – Yes, 25.

Mr. Kolick – You will be adding a contingency limiting it to thirty feet in length. The patio would be limited to thirty feet in length.

Mr. Houlé – Mr. Chairman, requesting a 16.5' Rear Yard Setback variance from Zoning Code Section 1252.16 (e), which requires a 36' Rear Yard Setback and where a 19.5' Rear Yard Setback is proposed in order to install a Concrete Patio and Walkway; property located at 16045 Squirrel Hollow Lane, PPN 397-11-044, zoned R1-75. Contingent on having a 30' length patio.

Mr. Baldin – Second.

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

ROLL CALL:

ALL AYES:

MOTION PASSED

Mr. Evans – The variance has been granted by this Board. There is a twenty day waiting period during which time City Council has the opportunity to review our decision. If Council chooses not to act, you will be notified by the Building Department at the end of the twenty days and then you can move forward with the project. You are all set.

Mr. Hassan – Thank you.

**4) BRIAN AND KRISTA KLEFOS, OWNERS**

- a) Requesting a variance from Zoning Code Section 1252.18, where one 120 SF Accessory Structure exists and a second 224 SF Accessory Structure is proposed;

4) **BRIAN AND KRISTA KLEFOS, OWNERS, Cont'd**

- b) Requesting a 32 SF Floor Area variance from Zoning Code Section 1252.15, which permits a 192 SF Floor Area and where a 224 SF Floor Area is proposed in order to construct a second Accessory Structure; property located at 16805 Hampton Chase, PPN 397-11-135, zoned R1-75.

Mr. Evans – Item number four is Brian and Krista Klefos. If you will come forward and state your name and address for the record.

Mr. Klefos – Brian Klefos and Krista Klefos. 16805 Hampton Chase.

Mr. Evans – You are asking for two variances. One is to have an additional structure and one is to make the pavilion. Tell us about the project.

Mr. Klefos – We're going to replace the existing patio which is flagstone with stamped concrete, a little larger than the existing footprint. On the left side we're going to put a 14 x 16 pavilion.

Mr. Evans – And you do already have a shed in the back. It doesn't really appear that it's going to affect your neighbors.

Mr. Houlé – We have the approval from the HOA.

Mr. Evans – This is a public hearing. Is there anyone in the audience who wishes to speak for the granting of the variance? Is there anyone in the audience who wishes 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. Houlé - Mr. Chairman, requesting a variance from Zoning Code Section 1252.18, where one 120 SF Accessory Structure exists and a second 224 SF Accessory Structure is proposed; (b) Requesting a 32 SF Floor Area variance from Zoning Code Section 1252.15, which permits a 192 SF Floor Area and where a 224 SF Floor Area is proposed in order to construct a second Accessory Structure; property located at 16805 Hampton Chase, PPN 397-11-135, zoned R1-75.

Mr. Baldin – Second.

Mr. Evans – Thank you Mr. Houlé for the motion and Mr. Baldin for the second. May we have a roll call please?

ROLL CALL:

ALL AYES:

MOTION PASSED

Mr. Evans – The variance has been granted by this Board. There is a twenty day waiting period during which time City Council has the opportunity to review our decision. If Council chooses

4) **BRIAN AND KRISTA KLEFOS, OWNERS, Cont'd**

**Mr. Evans continues** - not to act, you will be notified by the Building Department at the end of the twenty days and then you can move forward with the project. You are all set.

Mr. Klefos – Thank you.

5) **CAMDEN WOODS/John P Slagter, Esq. with Tucker Ellis LLP, Representative**

Requesting a variance from Zoning Code Section 1253.11 (b)(2), which permits 35% of the allowable dwelling units in a single family detached and cluster development to be allocated to cluster dwellings and where the applicant is proposing 100% of the units to be developed as cluster dwellings; property located at the Southeast corner of Prospect Road and Royalton Road, known as PPN's 393-15-002, 395-15-003, 393-15-004, 393-15-005, 393-15-006, 393-15-007, 393-15-008, 393-15-009, 393-15-010, 393-15-012, 393-15-013, 393-15-014, zoned R1-75.

Mr. Evans – Item number five on the agenda is Camden Woods. We need the name and address of the first presenter.

Mr. Slagter – Good evening. My name is John Slagter. My address is 950 Main Avenue, #1100, Cleveland, Ohio. I'm with the Tucker Ellis law firm. I'm representing the property owner also the developer which is Royalton Acquisition, LLC and the applicants that are here for the variance. I have with me Nick Catanzarite, who's the representative of the developer and the applicant. In addition, Kristin Hopkins, who's our expert planner. We have Travis Crane, our project engineer and also Christopher Prisk who is a traffic engineering consultant. Each of those individuals will present testimony to run through why a variance is appropriate in this case. Additionally, I have before you some of the exhibits including the CV's of the experts and individuals that will testify before you tonight. First of all, I want to thank the City and this body of the Board of Zoning Appeals for its time and consideration for this important development. We are here, not for planning approval of the project, we haven't submitted final site plans, and this step is a necessary step to go to Planning. Without a variance we wouldn't be permitted to move forward with this proposed development. Therefore, we are requesting a variance to allow us to move forward. We are requesting one variance, an area variance, as it relates to the maximum number of cluster units that are permitted under your R1-75 zoning. We're requesting that we be allowed to have this entire development be cluster units. The density, however, is consistent with the density that would be permitted under the zoning. It's not a higher level density. We are requesting a variance for three practical reasons. First of all, we believe that the granting of the variance would further the intent and purpose of your zoning code and your comprehensive plan. We're going to review for you exactly why that is the case. Second it avoids undesired, fractured, or inconsistent land use in this particular area, including negative impacts of such. Because of the unique characteristics of the property, there have been some impacts on the site. We'll run through those factors, again, why a variance is proper in this case. And also, at the end of the day we believe it's the right thing

5) **CAMDEN WOODS/John P Slagter, Esq. with Tucker Ellis LLP, Representative,**  
**Cont'd**

**Mr. Slagter continues** - to do from a legal standpoint. More importantly from a planning standpoint, governmental standpoint in terms of furthering the public purpose of the governmental entity and that the reason and the foundation for your zoning in the first place, to further legitimate governmental interest. Finally, from a community perspective, we think this variance makes sense. We're here tonight, this is not a re-zoning of the site. This is not something that is not permitted by the Zoning Code. Your zoning code, section 1248.01(a) specifically authorizes you to grant variances. You just granted four of them earlier and modified one of them. It's a typical process that you go through and unlike re-zoning which is a legislative act, which it's up to whether the community is deciding it or whether your legislature is deciding it, there really isn't discretion or standards to look at whether to vote in favor or against it. Zoning, as a practical matter, is an exercise of a government's policing, and it has to be founded upon and based upon legitimate governmental interest. Variances are put in your code for the purpose of protecting property owner and property rights and the city from avoiding taking claims or other claims that somehow the zoning is improper. Zoning needs to be comprehensive in nature. You can't have zoning for every single parcel because it's different. However, because property can be different and sometimes property can have unique characteristics that create an unnecessary burden or hardship on the property owner or its ability to develop under the existing zoning, variances are warranted. This is a significant matter. It's important to my client. This property which has been owned by at least one of the client's that I represent since the 1970's or beyond, there have been attempts to try and develop it. To try go through a rezoning process to develop it as commercial. They thought that was the proper approach. If you look at the area that surrounds it, the size of other properties directly across the street, they are zoned commercial or built commercial. The general character of this area is commercial. There's also significant industrial around the property. This sticks out somewhat almost like an island. Initially the natural thinking was this should be commercial. In the past that's what they tried to do. Then we went through the process and we wanted to do a development under a different zoning. It was denied by the voters, but again that doesn't prohibit the right to ask for a variance. It doesn't restrict at all your ability to grant a variance. We think in this case a variance is appropriate for the reasons that we're going to cite tonight. We are doing this because we have a legal right to go through the process. The city zoning code allows us to go through the process and in fact you recognized tonight, it's necessary in certain cases. We believe there are significant reasons to grant this variance in this case. As a practical matter, this proposal is much different than the cluster development we proposed before, it was much more dense, it was a much different use of the site. We took a serious look at the site and said what do we think we can do with the site under the code to try to work through it, maintaining the density. We wanted a higher density, we think it would be proper at a higher density, but we wanted to respect the code and the density and that's why we're coming forward with this development.

5) **CAMDEN WOODS/John P Slagter, Esq. with Tucker Ellis LLP, Representative,**  
**Cont'd**

Mr. Evans – I just want to be sure that the Board Members as well as the audience know that when the proposal went to the ballot, it was for 143 units. A much more dense situation than what is now proposed.

Mr. Slagter – I believe we're also committing not to have more than three units attached. Your code would permit four to be attached. We went back and confirmed, although the proposed site plan does not show distance between the buildings because it's not a final site plan. We confirmed that they will have a twenty foot separation. In terms of some of the things we're committing to, and under your code it's only ten feet that's required.

Mr. Evans – I didn't mean to interrupt but I wanted to be sure that it was clear for everybody in the audience.

Mr. Slagter – I think the measure also is not should we leave the property the way it is and not develop it because we don't want the trees cut down or something else. When you're looking at this under the code, if you developed it under your existing code and it was all single family, what would that mean and what would the impact be and compare it to what it would look like with respect to this proposed development. I think that's the fair comparison. It hasn't been developed, and I understand, generally because I've been doing this a long, long time, people don't like to see land that's not developed become developed. You have to follow the rules and the rules are set forth in your code. We'll run through the four standards. The standard we need to meet is identified as unnecessary hardship and the four standards underneath it that need to be met and kind of outline them and what it means. There is also ones known as practical difficulties. There is a case known as *Duncan v. Middlefield*, a lot of times that is used for area variances, but because your code has a specific standard, we'll comply with that. We believe that standard is a little tougher than the practical difficulties; however, we believe we meet both. Clearly, we meet the standard in the Strongsville Zoning Code and we'll run through the reasons for that. Our property consists of twelve parcels. We're assembling the parcels to do this project. It's approximately 32 acres of property, collectively I'll refer to it as the Royalton Property. The parcels are on the property are zoned local business and also the one family R1-75. I will not run through the parcel numbers unless you want to. What I'd like to cover is I do have before you, I just want to review the exhibit book that I'm going to submit and I'll walk through that quickly. Exhibit 1 is outlined in yellow are the parcels that are at issue here. You can see the 12 different parcels that are there. Some of these parcels have existing homes on them, although most of them are homes that are built in the 1950's and the majority of them are kind of that vintage of homes. Some of them are right on the street, some are they are fairly close in terms of set back especially considering the intensity of traffic on Royalton Road. It's much different now, I'm assuming. Item 2 is just some overheads. I know you're familiar with the site and have been on the site, but these are recent Google photos. If you look at Item 2 the first photo as you look to the south, our property is over here on the southeast corner. The southwest corner you've got a gas station on the corner. Some

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**Mr. Slagter continues** - residential houses down Prospect and you do have industrial zoned property that would be to the west of Prospect. You have Sheetz Gas Station on the other side, which would be the northwest side corner and then some other commercial developments to the south of that. Then you have the plaza that's directly across the street from the site. There are some single family homes that are kind of similar vintage that go down as you are heading east on 82. That gives you a general overview and I just included some other photos to give you an overhead view. Under tab 3 I have actually photos and identification of parcel numbers for some of the particular properties. I wasn't sure if you had the opportunity to go on site. Those identify what we're talking about in terms of existing homes that are there. In tab 4 is photos of that intersection just to show kind of the intensity and the character of that area. It being primarily commercial. Tab 5 is just a blow up of the zoning. What I think is relevant is if you look at the other three corners of the property, you've got general industrial, motor services, general business zoning on your northwest quadrant. You've got your motor service use and some general industrial zoning on the southwest quadrant. Again, there's some residential down the street which I think is similar vintage to ours. Across the street you have that commercial zoning. I know that your comprehensive plan did an analysis of areas recommended to be rezoned and there's recommendation that there be additional rezoning to your property of that northwest corner. In terms of rezoning that may be happening or otherwise. That's relevant because it gives you a sense of what's there but also what is permitted or under your zoning is authorized to be there. The next item 6 would be our application which includes proposed site plan and again, that just a concept plan. We'll have to go through the entire process. If you make it a little way through it, at the end there's some project data. You'll see original 2021 project, that would have been what was proposed when you were going through the rezoning. It shows you some of the differences in terms of conservation area and how many units. This goes to the 182 allowable units. I'll have the developer himself talk about those changes. This project would have the area that we're asking for these cluster units to be on would be 30.8 acres of the property we would have green area of 10.5 acres and 6.5 acres of that would be what we're calling the conservation area. I included this chapter 1253 just for the record because I think it's important to look at what the purpose and intent is of your zoning code through this particular area. We believe we are meeting and furthering the intent. When I was talking about why this should happen, one, we believe that this proposal is consistent with the intent of the zoning code, including creating a functional and interesting residential area, providing provisional accessible recreational areas and open spaces, conservation of natural amenities and landscape and also separation of pedestrian and vehicular circulation. We're moving a lot of the current older homes that are right there on 82 and Prospect, we're going to move them off and the access will be internal and the pedestrian activity will be internal. That gives you identification to some of the items. I did pull some excerpts from your comprehensive plan that I thought were relevant. One of the most relevant sections is on page 120 and 122 of your comprehensive plan. I believe it was in 2019 that you went through and actually worked with the county and planning experts to update the comprehensive plan and that plan was



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**Mr. Slagter continues** - accepted and approved and it went through years of study. It had just a few areas that were identified for potential, what they called multi-generational housing opportunities. This site, where we're proposing, was one of those areas. If you look at map 42 and our planner who actually used to be with the county also, will talk about the importance of that and how this would be consistent and comply with that type of housing that we are proposing on this site we believe is not only consistent with your zoning code, but also consistent with your comprehensive plan, which you just adopted. We believe that it makes planning sense because of that. I've also included the CVs of Chris Hopkins whose here today so you have it for the record. We have Travis Crain who is an engineer and Christopher Prisk who's here to address any traffic concerns. There were some traffic questions and he did just a traffic memo study, not a full blown traffic analysis. It's early in the process to do that, but we know traffic is typically an issue or a concern. We can speak as to whether he believes the proposal tonight and the granting of the variance, that would create some type of traffic or safety issue compared to what the property could be developed for. Ms. Hopkins did an actual expert report which we have submitted. We have the traffic trip generation memo and then we have also the final tab is just some analysis and consideration of what we believe are the economic benefits of this proposal. So, based on that, again, I recognize the reason we are here tonight is to run through the standards for the variance and prove to you with evidence that a variance would be proper in this case under your code. I would first ask to call Chris Hopkins up as my first witness. Ms. Hopkins' report is at twelve. If you would state your name and address for the record and if you could give a little bit of your background.

Ms. Hopkins – Good evening. My name is Kris Hopkins. My address is 1001 Lakeside, #1005, Cleveland. I am the manager of planning services with the engineering, planning and architectural firm called PT Consultants. I have been doing this sort of work for over 30 years. It's what I was educated to do. My bachelor's degree is in urban planning and it's pretty much the only thing I've been doing my entire 30+ career. I have been in the private sector for over 20 years working primarily with local communities. I did work at the County Planning Commission for 10 years where, if I had been there when Strongsville Master Plan was under way, I would have been the project manager. I was in charge of comprehensive planning at the County. Those are my former colleagues that worked on that with you. I also do, as a component of comprehensive planning, as you will know, much of the policies in a comprehensive plan are carried out by your zoning regulations, by a community's zoning regulations and other related development regulations. I do work with local communities who updated their zoning codes, amending them to address things as court cases come out and recommend or force you to update your code related to that. As well as when you go through a planning process like what Strongsville did and you come up with recommendations such as changes to your code to address changes in housing size and housing make up and population changes and things like that. I'm going to go through my report rather thoroughly. I'm not going to read it, just pull out highlights of it. It is 13 pages and I will try not

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**Ms. Hopkins continues** - to repeat too much of what John has already commented on. Basically, I'm going to go through the existing conditions of the site as well as the area in general. From population and housing trends that relate to Strongsville, highlight the pertinent goals of the master plan and then also highlight the key portions of the zoning code. I know John went over some of that. I do think in reading through the letters that the City has received from neighbors after they were notified of the public hearing, I did read through those letters so I wanted to make sure we were all on the same page as to how this project is before the City, not as a rezoning, but as plan approval process and then for the one variance being requested. Then the last item is to go through the four variance criteria and highlight bullet points as to, in my opinion, how the request for this variance is supported by the evidence. First of all, to highlight some of the existing conditions that pertain to the site and vicinity. It was mentioned this 30.8 acre development site is at the corner of a major intersection, Royalton Road and Prospect Road. In fact, in the master plan it notes that Royalton Road is used significantly by trucks going to the industrial zone. We also know that this area, Prospect Road, is the extreme western edge of the R1-75 zoning and once you get on the other side of the road it's all industrial. It's a huge swath of industrial zoning and your premier industrial area in terms of quantity and the amount of development potential that still exists in the Foltz Parkway industrial development. The development site, as was noted, is adjacent to commercial on the other three quadrants of the intersection as well as the garden center that abuts the property to the east. So, it is within a commercial area and interestingly enough, the comprehensive plan, the master plan, even talks about this area as a commercial area, even though the property is zoned R1-75. I did do an analysis of the parcels that front on Royalton Road from Pearl Road all the way to the western end of the city. In looking at the parcels that have a Royalton Road address, over 70% of the land is zoned for commercial or industrial development. Only about 17% of that area is vacant. In contrast, about 30%, the remaining 30% is zoned for residential development. 22% of that is R1-75 zoning, the rest is higher density zoning. Of the 30% of the residential zoning, only 17% of that land area is vacant, which is about 28 acres. There isn't a whole lot of vacant land remaining along Royalton Road. Then I did a sampling of the development, the single family homes found along Royalton Road. For the most part and looking at aerial photos, Royalton Road was subdivided into these frontage lots around the 1950's. It was post WWII when the housing boom occurred when the veterans came home. There about 103 single family dwellings along the corridor on north and south from about Pearl Road going west. These lots average 1.12 acres. Almost four times what the minimum lot size is. In order to be a marketable parcel, viable single family lot, it needs to be much bigger than what the zoning code currently requires for the R1-75. Looking at the subject site itself, there are 8 single family houses on 8 of the parcels that comprise the subject site. Those lots are even larger. They average 1.4 acres. Two of the houses were built prior to 1930 and the other six were built between 1949 and 1956. They are older than the majority of the houses in Strongsville. Since the 1950's and 1960's the dominant type of development that's occurred along Royalton Road has been commercial and industrial. From what I can tell and the aerial photos I've looked at, there hasn't been any

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**Ms. Hopkins continues** - significant single family developments on those parcels fronting Royalton Road. In contrast, when you look at page 3 of my report, I include a graph of the year the housing structures were built and this is from the census data. It shows that between 1970 and 2000, 68% of the houses in Strongsville were built during that 30 year period. Since 2000 residential construction has slowed considerably. In fact, according to the census data, which you know is an estimate, there have been less than 1,000 houses built since 2010. We know that there was a housing crisis in 2008 and that had lingering effects for a number of years; however, I believe that it also is a sign, when you look at the maps that were prepared and are included in the comprehensive plan, where the vacant land is, I believe it also is a sign that you have limited parcels available for development. The parcels that remain undeveloped remain so because they have issues. The easier it is to develop a site, the sooner the site gets developed. According to the master plan, there is a statement in there based on the analysis that was done of the vacant land that the city is largely “built out in terms of residential capacity.” We’re looking at a unique site in the sense that it’s one of the larger, vacant, undeveloped sites zoned for single family R1-75 development. When we look at the areas that are still vacant, it is interesting to note that there are some types that are impacted by natural preserves, such as ravine that crosses this site and flood plain. There are also parcels that are located on major streets like Pearl Road, especially the southern end of Pearl Road, but much of that is commercial, the frontage is zoned commercial. However, the conditions that are typically found in a scattered site, located along busy streets, or have environmental features such as steep slopes, that make development more difficult. All of these conditions are true for this one site. It’s a compilation of all those existing conditions. In terms of looking at population and household trends, the 2020 census data is available, so we know that Strongsville’s population increased by almost 4%. An estimate on the number of occupied housing units, or households, increased by 9%. However, when you look at what those characteristics are of both the population growth and the household growth, its clear there is a shift going on within Strongsville. The number of residents 65 and older grew at a 44% from 2010 to 2020. In comparison the number of people under 20, actually declined by 11%. So, you are seeing an aging population which is common across the U.S. People are having fewer kids, people are waiting later in life to have them, people are choosing not to even have them. We’ve got a lot of national trends that are affecting how the national demographics are changing in Strongsville. The other thing that was interesting in the master plan because the county does have access to all of the data for all of the communities in Cuyahoga County, it notes that Strongsville older population increased 10 times the rate that the county did. It is a significant change for the city and other peer communities. When you have this diverging population shift the median age increased 2.5 years, from 41 years to almost 47 years. In terms of the household composition, when you have an increasing number of older residents, the number of older householders, also increased. Currently householders where they are 65 years and older make up one third of all of the houses. That’s a shift. It used to be 24%, so that’s a big shift. The other thing that is notable is the number of households with children. That has declined from one third down to 27%. What all this means is

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**Ms. Hopkins continues** - that there is a demand for a different kind of housing. In Strongsville 77% of the housing, according to the master plan, 77% of the housing units are single family detached units. We know that Strongsville school district was a desirable school district, so you did have a lot of families move here and consequently the single family homes that accommodate families. It's not surprising that in the master plan there is a goal in there to support "a multi-generational" community in order to respond to current housing trends. One of the key action steps that's noted on page 120 of the master plan is to permit mixed use condominiums. Now mixed use in this is not defined, but it could mean a different type of dwelling units as well. But mixed used condominiums in "commercial areas" to promote redevelopment of housing for both seniors and young professionals. On the map that identifies the location, the potential locations for this type of development, there are only five of them. One of them being industrially zoned land that would require rezoning. That is one of the justifications for the reason this variance is being requested. Also, what was shown in the master plan were some examples of the kind of housing types that could be considered. There was even some recommendation for making some changes to the zoning code to address specific types of different housing units. However, the proposed development, which is a cluster housing project, with two or three units attached, as was pointed out, adds the same density, or as in conformance with the R1-75, which is 2.6 units an acre, that is the lowest end of the spectrum in terms of density in providing additional variety to your housing units. It is significantly different than when you comment on the townhouse projects you have approved so far, that according to the zoning code they are either permitted at about 4 units an acre or 6 units an acre, considerably different. When we talk about the project that is being proposed, it is characterized as a single family development where the dwellings happen to be attached.

Mr. Kolick – Is what you're saying is that this product is needed in the city because of the aging, empty nesters who would typically use it and young professionals who would not have any children or fewer children? Is that why this product you feel is needed with the city?

Ms. Hopkins – That's consistent with what the master plan is saying. This type of development typically townhouse, these types of attached units, typically attract that type of development. Single professional women, it's common knowledge that they desire to go into a project like that because they feel more protected. Younger professionals typically these days don't want to deal with maintenance like mowing the lawn as well as people who are empty nesters and are looking to downsize.

Mr. Kolick – We may be getting this with the traffic expert and I may be jumping the gun a little bit, but that also means fewer cars, fewer traffic, if these homes don't have children.

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Ms. Hopkins – That’s correct. I have some data on that as well. On page 12 I do have a table that shows the comparison of the estimated trip generation by dwelling type. Chris, the engineer on the project, he prepared the trip generation estimates based on the proposed single family attached units. They estimated traffic, average daily traffic for a weekday is 559 trips. It provides also the peak am and the peak pm on that table.

Mr. Kolick – I think we understand. You’re saying if they were all single family detached the average trip numbers would be 822 as opposed to 559.

Ms. Hopkins – That is correct.

Mr. Kolick – And if you had single family attached and detached would be 697, so there’s less traffic generated from this type of product than there would be if there were single family units in them.

Ms. Hopkins – That’s correct. The next item addressed in the master plan is environmental protection. One of the key benefits of a townhouse or attached unit project at 2.6 units per acre, which you usually don’t find and develop at that density, is that you have a lot of opportunity then to preserve more of the site. That is consistent with the goal of the master plan to protect the environment. In the master plan it talks about how “a healthy environment creates a beautiful setting where people desire to live.” It also provides recreational opportunities, it reduces strain on the storm water management, infrastructure and can increase property values. Therefore, it’s important to protect and enhance the natural environment within the city. One of the key action steps in terms of advancing environmental protection is to provide incentives to reduce impervious surface and the amount of land surface. I would argue that allowing 100% of the units be attached and still maintain the characteristics of single family units is one incentive to have this property be developed in a more environmentally friendly manner.

Mr. Slagter – I would just ask, as a typical planning method, as you transition from commercial property or industrial or even an area with a lot of traffic, they usually have a higher dense cluster type of product as opposed to separate detached single family and it ultimately is a transitional type of use. Is that a typical planning that’s recommended?

Ms. Hopkins – Yes, that is common because it provides the step down transition from more dense development to lower density development. I did want to highlight how this is a generally conforming project except for the one variance that’s being requested for the R1-75 district. I have a little history. I don’t know the exact history, but based on the dates that are provided in the zoning code, it looks like the residential development in Strongsville, based on Chapter 1252,

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**Ms. Hopkins continues** - which has been around for the most part since at least 1981, that much of the dominant or more recent and the majority, therefore, development in Strongsville was developed according to Chapter 1252. And that includes a number of different zoning districts, but for the R1-75 that's a single family detached house on a lot that 12,750 square feet, 75 foot wide lot. There is no common open space requirement in the R1-75 standard subdivision. In 2012 the zoning code was amended to adopt Chapter 1253, which is labeled Single Family Detached and Cluster Development, for the R1-75 and the R1-100 district. That's an alternative manner in which a developer can request the Planning Commission to review. The key thing is that limits the number of dwelling units to the same number, the same density that you're permitted under the standard single family lot subdivision, 2.6 units per acre.

Mr. Kolick – I've been with the city since 1972. We adopted the cluster zoning because a developer would come in and he would take out every single tree and they would just clear out an area to put in single family homes. That's the reason that Council adopted the cluster zoning in order to provide for more green areas and the other thing is once we approve plans through Planning Commission they are approved with Architectural Review Board standards that require landscaping. That can't be changed. The problem we were having with a lot of residential developments is even after we approved them, then the single family homeowner would say they didn't want trees on their lot and they would just take them all down and they would take out the landscaping. I think what the applicant's witness is developing is some of the reasons why we adopted these chapters in order to be able to do this.

Mr. Slagter – The developer will cover this. I'm going to expediate this. The planner is here to answer any questions you may have. She has done a full blown report. I'll have you jump to the variance standards and quickly go through them. We have submitted a plan to you that shows an area what we're calling conservation area. We're going to have restrictions on that which would be proposed to the City and have to be approved by the City so that area cannot be touched. In addition, you'll see from the site plan, unlike normal single family development where everyone owns a particular lot, we're going to have open space that again will be conserved. There's much more conservation here and it's reflected in the numbers. Why don't we run through this real quickly the variance request and your opinion as a planner based on your research whether you believe a variance is proper in this case.

Mr. Kolick – You're looking at page 10 of your report?

Ms. Hopkins – I would just like to give you a data point on what John has just mentioned. That is the total open space, the preserved open space, at 10.5 acres is 34% of the site. Significantly more than the minimum 20% that's required. Starting on page 10, I have bullet points that address each of the four criteria for granting variances that the Board of Zoning Appeals follows. The first one

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**Ms. Hopkins continues** - is whether or not the literal application results in unnecessary hardship that is particular to the project or to the property. In my opinion, requiring 65% of the dwelling units to be single family detached lots at 12,750 square feet each, subdivided, is an unnecessary hardship because the site is not suitable for single family lots even as a portion of the development. I come to that conclusion for the following reasons. Nearly the entire length of Royalton Road was subdivided for single family development long ago at one acre or larger on average in the 1950's. However, this site was not developed for some reason, likely because of the environmental issues. In addition, there has been strong demand, as my chart shows, since 1970, 68% of your dwelling units were built between 1970 and 2000. The majority of the subject site was not developed. Has never been developed. In my opinion this is an indication that it is not a suitable site for single family subdivision. It's also located at a major intersection and has significant frontage on the two major streets, adjacent to commercial development to the north, east and west. It then forces the project to be inward oriented. It doesn't make sense, it's not advisable to develop more houses that have driveways right onto the main street. That's not desirable. In this regard it begs to be treated as a cluster development. The natural features on the site impact over 20% of the area in the southern part of the project area. This limits the ability and shape of the site and limits the ability to design a roadway system with the combination of single family lots and attached single family clusters. The master plan notes that there are "few remaining locations for new residential development." It indicates also that this site is located in a "commercial area" even though it is zoned R1-75 and further recognizes that this site, in particular, is one of five that is better suited for alternative, multi-generational housing. Letter B is whether or not there are exceptional circumstances or conditions. We've already covered the topographical conditions. When you combine that with contemporary resource protection requirements in terms of protecting steep slopes and things like that, it's again another reason why it's difficult to design and develop the site with single family detached lots. In contrast when you think of all of the subdivisions that have occurred because there is quite a bit of development standards, single family subdivisions south of the project. These were generally constructed as larger projects. Even though they do have some ravines that run through them, they are easier to accommodate and keep the open space closer to the minimum 20% and deal with the flood plain and the waterways.

Mr. Kolick – I think we can read through your standards. If you could just highlight them. You don't need to address every single number. Hit the ones you think are the most important factors and I think that would be sufficient for the Board.

Ms. Hopkins – Under C, I would just like to reiterate that the development does advance the goals of the master plan. The variance does allow reasonable use that enables use of the property without rezoning to a higher density development, zoning district, or to a commercial use district. It also assures that the open space will remain open and protected and as someone has already mentioned, that it will preclude a homeowner from going in and clear cutting the trees. You have some protection with the manner in which the project would be managed. It also enables the footprints

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**Ms. Hopkins continues** - of the buildings to be pulled further away and concentrated in the center of the development. The buildings are actually further away from the adjoining neighboring properties so it gives added protection to the adjacent homeowners.

Mr. Kolick – So instead of separate driveways from individual homes, they are only proposing two roadways leading in, one on Royalton and one on Prospect. Is that correct?

Ms. Hopkins – That is correct.

Mr. Kolick – If you would just touch on the final point?

Ms. Hopkins – Finally under item D on page 12, as I mentioned, it advances the goals of the master plan for multi-generational housing and protecting the natural environment. It allows for a smaller building footprint in general so there's less grading, less disturbance of the land.

Mr. Evans – I will challenge one statement you made. You said from Prospect Road west is all industrial development. There are existing residential development on the west side of Prospect. I want to make sure that I make that statement on the record. Mr. Slagter, in view of the fact that Ms. Hopkins went almost 50 minutes, I'm going to ask if you could limit your other expert witnesses, please. Those of you that may need use the restroom facilities, they are located directly behind you, because we are going a lot longer than I had anticipated.

Mr. Slagter – I did speak to my experts and indicate that we are just going to summarize. We're here to answer any questions. Next is Travis Crane who is our project engineer. Since we're here just for the variance and not for planning or otherwise, I just asked him to give a general outline. His background and also from an engineering perspective, if you see any issue with granting the variance and whether you believe there's any characteristics of the property that are unique that would support a variance in a case like this.

Mr. Kolick – We have his CV already.

Mr. Evans – I will stipulate that he is an expert and we can do away with his credentials.

Mr. Kolick – Your book will be made part of the record, so you don't have to worry about testimony not being on the record.

Mr. Crane – Travis Crane, Area Manager, Davey Resource Group, 1310 Sharon Copley Road, Sharon Center, Ohio.



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Mr. Evans – If you could take us to whatever it is that pertains to the variance.

Mr. Crane – I'll be very brief and say that I concur with Ms. Hopkins testimony. I agree 100%. From an engineering standpoint the terrain on this site is difficult. One of the advantages of the additional cluster units, it helps us with storm water management standpoint on two variables. We have less pervious area, less impervious area and more pervious area that we are maintaining and also provides more room to do storm water management. It helps on both ends of those variables.

Mr. Evans – In the proposed plan or the schematic that we saw, there is an area of detention to contain water on the site. That is a part of the engineering plan and we've also talked about conservancy which is a 6.5 acre across the southern border which is basically Baker Creek back into the developed areas.

Mr. Crane – That is accurate.

Mr. Slagter – That's really all we have.

Mr. Kolick – So the storm water detention will be maintained on the premises, it's not going to create any more storm water heading south or heading west off the site. In other words, it will be maintained on the site?

Mr. Crane – Based on city regulations and requirements that the city has, I would assume you would have significantly less runoff per second than you have now. That's our measurement. Post development than there is existing right now.

Mr. Kolick – I ask that because I know those were some of the concerns that some of the residents had in the area there. Afraid there may be more water going into Baker Creek.

Mr. Crane – We had two designs plats on this site. There's flowing going toward the north towards 82 and then there's flow to the south, southwest towards Baker Creek and we'll have storm water management facilities at both. I could go into detail.

Mr. Kolick – I don't think we need any detail. Just assurances there won't be any more water going off the site than there is now from the site. In fact, from what I understand, it should help some of the storm water drainage. Is that correct?

Mr. Crane – I would agree with that.

Mr. Prisk – Chris Prisk, Traffic Engineer with Wanyon, 6000 Lombardo Center, #210, Cleveland. I promise I will be under 5 minutes.

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Mr. Slagter – His report is in Tab 13.

Mr. Prisk – The first step that we usually look at for a proposed development is trying to identify how much traffic it's going to generate. We use standard ITE methodology. For this use it looks about 30 vehicles in the am peak hour which is like the worst case 7 – 9 commuter time frame. Then about 50 vehicles in the pm, that's total, that includes entering and exiting. Your standard rule of thumb is if a development generates more than 100 vehicles entering or more than 100 exiting during a one hour period, then you move on to perform a study because you might have some impact. In this case it's pretty much cut and dry for me. We're well under that 100 number so I can easily make the statement that there isn't going to be a substantial traffic impact. To give you some context, a supermarket, just a standard size supermarket is about 150 in the am and about 450 in the pm. So, you're starting to see the range there. There was a comment made about the City having concerns about access off of Prospect. I think initially the one site plan that was sent out there was a combined kind of commercial, residential access that was a little bit further up. The latest site plan has a separate driveway for the commercial retail piece in the corner which I think we should evaluate what that access looks like there, but then the residential access is about 600 feet south. I don't personally have any concerns with full access there, but talking with Lori Daley we can do some further analysis just to confirm and report back and work with the City in that case. If you look around the intersection there is full access for multiple parcels at 250 feet or less. I don't think there is going to be a concern with that residential access but we'll do that follow up assuming things go favorably tonight.

Mr. Evans – My questions is going to be and I don't know that you are necessarily the one to answer it, but from a development standpoint, if the variance was approved and the City would make it contingent on Engineering looking at it with appropriate traffic studies, if a third lane is necessary for left turn going south on Prospect into this development, is that something that the developer would be willing to do if it is determined by all of the appropriate parties that it would be necessary to avoid traffic problems there?

Mr. Prisk – I can speak to the fact that assuming we move forward, I'm going to evaluate that. As far as if it is deemed warranted or not and then who would be responsible and in more capable hands.

Mr. Evans – At this point the City would be the ultimate authority on that. I'm going to tell you that we already know that there's a lot of traffic on Prospect. It may only be 30 cars in the am and 50 cars in the pm. That's still going to be an impact on the traffic in that area. I just want to be sure that you or your Mr. Slagter or Mr. Catanzarite, whoever, understands that this Board has that consideration when we talk about the reason that we grant variances and the appropriate conditions that we do it for. It may not be that we're the experts but we want to make sure that if the experts require that, that it is something the developer understands could be a condition for the granting of

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**Mr. Evans continues** - the variances. So, Mr. Catanzarite if you're the appropriate person, we need your name and address.

Mr. Catanzarite – Nick Catanzarite, 1301 East Ninth Street, #3500, Cleveland, Ohio. To your point, yes, it is something we will look at. I can't sit here today and commit that a third lane is necessary. I think Chris has additional analysis to do. There's a larger traffic study that we're going to do that analyzes the intersection and the two lanes and he's talked through that with Lori and the rest of the team.

Mr. Evans – I'm not saying that we would only condition it on that fact but as traffic studies and Engineering looks at it, that whatever the appropriate determination is. I just want to be sure that we're clear with you that in granting a variance that it could be a condition that it does get looked at and it does get appropriately resolved.

Mr. Catanzarite – We understand that. We're happy to look at it.

Mr. Kolick – While we're on that, the concern of the City with that area is a left turn heading southbound on Prospect to get into the development. That's where our biggest concern is. We had the same concern up by Kylemore over at the other end. We had the same concern at Westwood Farms. The way we alleviated that is by requiring a separate left turning lane to get in there. That's the concern. Our engineers haven't seen a problem with anything on Route 82. Prospect is the area that they will probably be focusing on with you, recognizing that we've had that concern in similar areas of the City. While I have your traffic expert here, so, this development if it's utilized the way it is here, would have less impact on traffic than if it was developed commercially which had been some of our previous development proposals for that parcel? Is that correct?

Mr. Prisk – Yes, substantially.

Mr. Kolick – And would it also be less than if that was a combination of detached single family and what's being proposed here?

Mr. Prisk – Correct.

Mr. Slagter – That's all we have. I have the developer here but obviously I think the issues have been addressed.

Mr. Kolick – You may want to come up after we take any comments from the audience.

Mr. Slagter – We'll be here to answer any questions there may be. Thank you for your patience.

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Mr. Kolick – Mr. Chairman, before you open this up, we should go through some of the letters that we received and some of what their concerns are because those are legitimate concerns we need to address. One item I would like to address though and it seemed to come up many times in some of those letters is the difference between this proposal and what was on the ballot because some people have been asking the City how come we turned this down and why is this going forward now. The proposal on the ballot was to permit 6 units per acre which would be 180 units on that site. Their proposal would have permitted them to have up to that. Their proposed plan showed us 143 but the proposal, if rezoned to where it was, would have permitted up to a total of 180 units. This proposal is 80 units and they would not be able to construct more than that without coming back to the City for another variance. This variance does not allow them to do anything more than 2.6 units per acre. They are limited to 80 units. So that people understand I wanted to explain why there was a difference to what was on the ballot. Maybe you could go through some of those letters and at least explain some of them.

Mr. Evans – I want to give an opportunity to the Board Members too. I do want to take 60 seconds just to indicate that we have letters from Matthew & Stacey Suhay, 20266 Abigail Lane; Randal Zadar, 14462 Shireen Drive; Bernice Piazza, 14404 Prospect Road; Charles & Karen Pavluk, Anthony Contreras, 14000 Prospect Road; Tina Nassey, Michele Feick Ryan on Crystal Creek; James Pierce, 14558 Regency Drive. All of those letters are a matter of public record. Basically, those letters all identified concerns about rezoning. This is not a rezoning. This is changing the density of the project and allowing 80 housing units rather than a higher number.

Mr. Kolick – It wouldn't be changing the density. It's just to allow more cluster units. The density is limited to 2.6 units an acre and that would be the same thing if it was developed to all single family units. So, it wouldn't be the density, it would be the requirement limited to the 30% cluster units.

Mr. Evans – Traffic was another concern that they had. We talked about that with Prospect and you heard the discussion with the developer about that. Concerns about the impact on the schools. We talked in Caucus very briefly about the fact that cluster homes either attract young professionals or seniors usually and those do not bring school children in. We know that Muraski is challenged right now with the number of students. This cluster development would probably not add that many to Muraski and the schools. Sewers, we talked about the detention area on the project basin and the fact the city would make sure this does not impact Crystal Creek or other areas within the city. Wildlife, we talked about the conservancy area of 6.5 acres that are proposed on the south side of this development running basically from Baker Creek to those homes that are on the south side of this. The voting issue, as Mr. Kolick said, that was for a different project. This is a completely different layout. Those were concerns that were address in those letters. We're not going to read those letters tonight. They are a matter of public record but I wanted to tell you what the basis of those letters were. Members of the Board, do you have any questions

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**Mr. Evans continues** - for Mr. Slagter or his team? These are going to be rental units, correct Mr. Slagter? And could you tell us perhaps what the general size of these units might be and what the projected rental might be, the range of the rental cost?

Mr. Catanzarite – The units will range from 1,200 square feet to probably 2,000 square feet. They will mostly be two bedrooms, some of the larger units will probably be three bedrooms. The community will have certain amenities. There will be a clubhouse with a workout facility. There will be a pool. There will be a firepit. There will be amenities that you would typically see in a residential subdivision of this nature.

Mr. Evans – Rental cost per month is a guesstimate. The reason I'm asking that is that at this juncture with the previous project there were a lot of people that talked about that this would not be an upscale development. From what we understand, this is intended to be an upscale development.

Mr. Catanzarite – I think the price points will be consistent with where the market is and I would say that Strongsville does not have a product like this to compare it to. I can look at some surrounding communities to get an idea of what those price points would be and I would say they would range from probably \$1,800 a month to \$2,500, \$2,600 a month, but I don't know where the market is a year from now and I don't know, especially in this market where there is a competing product type.

Mr. Evans – We talked earlier about the 20 feet minimum distance between buildings. I understand that it is part of it. In the plan that we saw there were a couple of stubs that were provided on the drawings. Is there an intent to connect further areas?

Mr. Catanzarite – I think the only stub is to the east and the reason that stub was designed that way is to provide a turnaround radius for the firetrucks. Although it looks like it's stubbed for someone to project there's no plans to connect to Maria Gardens and elsewhere, it's really more of a turning radius issue. Firetruck can back in there and make a turnaround and get out of there rather than just dead-end that street.

Mr. Kolick – Mr. Catanzarite, the eastern border goes all the way up to Maria Gardens, does it not?

Mr. Catanzarite – It does.

Mr. Kolick – So there would be no room to expand it any further in that direction.

Mr. Catanzarite – Correct.

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Mr. Evans - This is a public hearing. If there are audience members who wish to speak, if you would please raise your hand and we will recognize you one at a time. . .

Mr. Kolick – Is there anybody in favor? Like you normally would ask if anyone is in favor or against.

Mr. Evans – I’m sorry. Is there anybody in the audience who wishes to speak in favor of granting the variance? Is there anybody who wishes to speak against the granting of the variance? If you would come forward and state your name and address for the record.

Ms. Basalla – My name is Pat Basalla. I live at 14602 Windsor Castle Lane. My backyard abuts this development. If you look at the drawing, I can practically touch the creek from my backyard. Those units will come very close to my backyard. This is the third time I’m speaking to defend the zoning as it currently exists. The first time was the Drug Mart development rejected by voters. The second was the first Camden Woods development rejected by voters in November. Now this proposal about which, until tonight, we knew very little. It wasn’t until your caucus that we were certain it was a rental property. Why did the voters say no? Some had concerns about traffic. Others had concerns about the environment. The environmental concerns are about a wetland, not a greenspace, but a wetland. Still others had concerns about the holding of this property as rental, which we have now learned it will be. Those concerns still remain. You are being asked to change the zoning from 35% cluster to 100% cluster. Why? Because the developers want that. Strongsville voters are not going to be given a vote this time. It is up to you as citizens. I hope this body acts as agents of the people. The current proposal bears a striking resemblance to the one that the voters rejected. The first proposal was 144 units and this one is 80. The concerns of the votes that caused them to reject it in November still remain; traffic, the environment, wildlife, rental property and much more. I can find no compelling reason to change the zoning. I ask with due respect that the wishes of the voters be considered. The developers are free to develop this property as single family homes. I understand the challenge that exists as the property exists. Hi Mr. Mayor. You are the person who granted us the loan on the property we live in now thirty years ago. We were told then how difficult that property would be to develop. Those difficulties still remain. The wetland is not preserved by putting a greenspace. The wetland will be damaged by property encroaching upon it. I thank you for the opportunity to have a chance to speak here and I hope you’ll consider what I have to say. Thank you.

Mr. Kolick – Mr. Chairman, maybe before the speaker leaves the podium, just two things I would like to mention. One is that 6.5 acres, I don’t know if you have seen the plan that’s being preserved, they are not going to be able to build out.

Ms. Basalla – I understand that sir.

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Mr. Kolick – Let me finish the other item. If there are any wetlands on the site, they have to be preserved or remediated. That's something that's required by the Planning Commission before the development goes forward. In fact, the Army Corp of Engineers, under federal law, requires they cannot impact the wetlands on the site. At least I can alleviate your concerns on the wetlands.

Ms. Basalla – I appreciate it. Mr. Kolick, you're very smart. I really respect your knowledge about the area and property development and so on. I invite you to come have coffee at my house and look out my back window.

Mr. Evans – Before you leave, as a Board, one of our concerns is that the developer eventually whoever owns that property, could develop with commercial and whatever else.

Ms. Basalla – Only if you don't give then a variance, it's zoned single family.

Mr. Evans – It's zoned single family now. But they could go back and get a change to go from single family to commercial.

Ms. Basalla – Not unless you grant it.

Mr. Evans – We would have no authority to grant that. That would have to be something that would go back to City Council and go on the ballot. What I'm suggesting is that eventually something is going to get built there like single family homes. This Board has looked into developments in the past, single family homes are going to put a lot more traffic in that area.

Ms. Basalla – There are currently 8 homes on that property now and they generate no traffic whatsoever. What you're asking us to accept is that 80 units, with an average of 2 cars, is not going to have any more impact on Prospect or 82 than the 8 homes that currently exist.

Mr. Evans – That's not true. We know that there's going to be an impact from the 80 units. But if they develop that as 35% cluster and 65% single family, you will have a lot more traffic from those. That's what we're concerned about.

Ms. Basalla – I thank you for hearing me out.

Mr. Evans – Is there anyone else who wants to speak against the granting of the variance? If you will come forward.

Ms. Costello – Margaret Costello, 14310 Prospect Road. I'm going to reiterate the traffic problem because where the proposed entrance into Camden is probably directly across from my home and my neighbor Shirley. It's going to be somewhere in there. When they are talking about making a

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**Mr. Costello continues** - study, all they have to do is come over, sit in my driveway, rush hour morning and night. Night goes up until 7:00, 8:00. It isn't just what people would consider a normal rush hour. If we try to get out of our drive at rush hour, you sit a long time.

Mr. Evans – Going north? Turning north?

Ms. Costello – Right. The talk about doing a study and putting a third lane in there – that's a two lane road. Where are you going to put it? Are you going to take our frontage? Are they going to take frontage from their land? Where's it going to go?

Mr. Evans – The right-of-way for Prospect Road is wide enough to put in four lanes. But you would not put a four lane road where Prospect is right now. That could be done in the future.

Ms. Costello – Up at the end there is enough room but where our homes are, that's two lanes.

Mr. Evans – It is but I'm saying the right-of-way, what the city has a right to expand that right-of-way is much wider than the two lanes.

Ms. Costello – Where would it go?

Mr. Evans – It would probably be divided between the two. If you think about where Westwood Farms is further north on Prospect. It would be the same type of situation. That's two lanes with a third lane added for the turning. That's what I'm saying about the situation.

Ms. Costello – I didn't think I was going to talk but when they were talking about the people that will be coming into these units, rental units, young professionals and seniors. There's a lot of baby boomers. I'm one. There's a lot of us around there. They said maybe not families. But you've going to have young professionals which are going to have a different life style than us senior citizens. They're going to have visitors they will need parking for them. That's going to add to the traffic. As you age you have family that comes. My drive and Shirley's drive accommodates our families. Because there is no parking on Prospect. If you do, you're going to go in a ditch. I really hope they would look at the traffic and the proposal. How do they know what's going to go in there? You don't. You don't know who's going to come in and rent. It could be a family that can't afford a home.

Mr. Evans – That's a possibility.

Ms. Costello – Everything's a possibility.



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Mr. Evans – Generally speaking with what we know from Polo Club and areas like that are that it is young professionals and seniors. That's what it tends to be. Demographics and the studies that have been done tend to bear that out. It may not be the case here.

Ms. Costello – You don't know. I know there are concerns for the schools, having more children.

Mr. Evans – All that we can do is take a look at does it make sense to do less density which is what is being proposed here. 2.5 units per acre versus 5 single family.

Ms. Costello – I agree with the lady that just spoke too. This was put to the people and coming in with a variance and I think some of the responses to this coming out, the people who wrote letters, they weren't aware because I wasn't. It says variance but I didn't know exactly what it meant. I think they are figuring the same thing. We addressed this. This was how the voters felt. We weren't aware of what the variance meant.

Mr. Evans – The variance, again, does not change the zoning code. It does not change what they are asking for.

Ms. Costello – I get that now, but I think when those letters came out we were all stunned. What is the difference?

Mr. Kolick – That is why we have these public meetings to enlighten everybody as to exactly what is being proposed and what is being requested. That's why everybody within 500 feet got notice of this. When they came in with their original plan, everybody within 500 feet got notice of that. We try to be transparent and get it out.

Ms. Costello – I didn't get one the first time.

Mr. Kolick – We did find there was a slip up by the title company so we remedied that and sent out notices to people who didn't get it the first time.

Ms. Costello – I was checking property titles myself.

Mr. Kolick – As far as parking is concerned, we have parking requirements under the Code that have to be met. No one is going to be parking on Prospect Road or we'll have our police go down there and take care of it right away. We can't have cars parked on Prospect. Don't worry about that. If this is approved and the development goes through, this is just the first step. They have to go through our Planning Commission who will look at the parking requirements on the site for the number of units that are there. As far as the number of children, I'm not saying and I don't think they're saying either that there won't be any children in there. It's just that our studies have shown

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**Mr. Kolick continues** - that single family lots, 75 x 135 or whatever deep, generate a whole lot more children per unit than what these types of units go. We've had a long history of these in the City. We've got clusters in High Point, Deerfield, Waterford.

Ms. Costello – They seem a little different than this proposal.

Mr. Kolick – All I'm saying is that we know what generates children and about how many children are generated from those because we're always cognizant of that. That's why when they were looking at this product, it seemed to generate less, not no children, but less children than what you would get in an all single family development. That was a concern of ours. Also, traffic is a concern. Right now, they could come in and tear down those homes and put up a single family development and we couldn't stop that from happening. We're looking at something that will have less of an impact on the City, less of an impact on the traffic, less of an impact on the density, less of an impact on the schools than what they could develop in a straight single family development.

Ms. Costello – Right in that area we're the minority, the houses right there. There's traffic now.

Mr. Kolick – There maybe somebody sitting in your driveway for the traffic study. Believe me, that's something that we're going to look at real hard.

Ms. Costello – I appreciate your time and listening.

Mr. Kolick – I hope it's been instructive tonight.

Ms. Costello – I'm glad I got off the couch. My neighbor next door gets up early for work and that's why he's not here. We're one of the duplexes we bought together after I became a widow so he could take care of me.

Mr. Evans – Is there anyone else who would like to speak against? Please come forward and state your name and address.

Mr. Carmichael – My name is Anthony Carmichael, 14482 Windsor Castle Lane. I bought my property in 2020. I just like to say I support developing the property but I object to the variance and my reason for that is I think Strongsville needs more single family homes. That's the reason I bought my home. I bought my home thinking the property would not be developed. I understand things happen. I would like to stay in Strongsville and I think the City needs more single family homes. I'd like to say I buck the trend. I'm a young professional. I'm not living in a condo, not living in a cluster home, not in an apartment. I have six bedrooms and I might need them someday. I have family all around in the different suburbs. We all want more space and want a backyard.

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**Mr. Carmichael continues** - A real one, not like the applications that came in earlier. Can't have a patio or deck. That's my objection.

Mr. Evans – You're on the north side?

Mr. Carmichael – Yes.

Mr. Evans – So you have a pretty big drop off to the creek?

Mr. Carmichael – Yes, the creek is right there.

Mr. Evans – Is there anybody else to speak against? Come forward and state your name and address for the record.

Mr. King – Richard King, 14818 Windsor Castle Lane. My wife and I are one of those young professionals, 20 years ago. We live off of Waterford Parkway and we decided to downsize and moved off Windsor Castle for quiet enjoyment.

Mr. Evans – You're one of the clusters?

Mr. King – Yes, we are. We are a cluster. Two concerns. One is traffic and the other is noise. That's a deep concern. With the traffic, however, when I look at the two major projects that are going on, you have the Vitalia Senior Resident Housing and they're going in with 71 senior units, villas. You have another one proposed just south of Boston close to Drake of 72 acres.

Mr. Evans – North.

Mr. King – North, yes. North of Boston. When I look at these three projects within the next one, two, three years, Prospect will become a bottleneck that's unbelievable. That's a concern. I understand and appreciate the engineering behind the studies and looking at the environmental impact. I've done those types of studies over the years for industry. I have a deep appreciation for that, but when I look at the noise level now, when I sit on my patio, it's unbearable. We can't even open our windows because of the trucks, because of the cars going down Prospect currently.

Mr. Evans – We don't have trucks going down Prospect.

Mr. King – Oh yes, we do. We have a lot of trucks going down Prospect. We have motorcycles going down Prospect. We have also the trash trucks going down Prospect which wakes me up every morning. I have a deep concern for that at this point. The noise level now with the construction project too, I don't know how you will divert the trucks to go elsewhere. Prospect is

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**Mr. King continues** - probably busy it unless you develop an access road for the vehicles, which I doubt because you don't have the space to do that. My concerns are one, the traffic, based on the synergy combined effects of all these major projects and two, the noise level, that will increase substantially. I downsized for a reason. I moved there for the quiet enjoyment of the property and as a citizen of Strongsville, I have a right to that. My request to you is to consider those. Because I'm not the only one in my family. I appreciate it and thank you.

Mr. Evans – Is there anybody else who would like to speak against the granting of the variance?

Mr. Kolick – Does the developer want to say anything more?

Mr. Evans – Mr. Slagter, if you would come back to the microphone. Is there anything further you want to say? I don't know what you can do about the construction all coming in off Route 82. That would seem to be a good thing for you if we could do that, but I don't know if that would be something within the power of the developer.

Mr. Kolick – We don't allow trucks on Prospect, so construction vehicles would have to come off of 82. They are aware of that.

Mr. Slagter – We will work with the City. Obviously, the professional engineers or otherwise in designing it, we're going to have to. I don't know if there is anything further to add. One, we appreciate your patience, your consideration. We understand the residents concerns about development, but I think we're asking for a variance not whether the property can be developed or not. Under the zoning that's allowed and the fact that you would have a lot of these impacts that the residents have talked about are exactly why we believe this project is appropriate. It's even better than what we would do on the rezoning. For those reasons, we would ask for the variance to be granted. We appreciate your time and consideration this evening. Thank you.

Mr. Evans – Anything else from Board Members?

Mr. Baldin – My comment would be, we're talking about what would the City need. What does a senior do, downsize. That gentleman that just spoke here, he downsized and moved into a cluster. I don't have to downsize and move into a cluster. The wife and I have thought about it. But we built a single family home which is a ranch with a basement and we have a lot of room on a corner lot. We're very happy. A lot of my friends had two story buildings and they're getting up to my age, 85, and going up and down steps and they're younger than me. They moved out of the City or some have moved in the City because they could not find a place that people have moved out. There's very few clusters or townhouses that you can move into in the City of Strongsville. The wife and I have been looking a little bit and I don't know if we want to do that. Someday I'm just going to leave or pass away or maybe go down and live where my daughter lives down south. I

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**Mr. Baldin continues** - just had to say that. I don't know what you people really want to see in that piece of property there. In the many years that I've been on the Board, people have come up and said you're taking my woods away. That wasn't your woods. It belongs to somebody else. If you did own it and you needed some money, you'd probably want to sell it. That's all I have to say. Thank you.

Mr. Kolick – Mr. Chairman, any motion to act on this should have two contingencies based on our discussions here tonight. The first one is there being a minimum setback of 20 feet between the separate buildings and second one addressing the concerns raised here by a number of people and are own discussions, that being no left turn into the development heading southbound on Prospect Road or other adequate traffic solutions agreeable to the City are made to alleviating any possible traffic congestion on Prospect and/or Royalton Roads as determined in the sole discretion of the City. Those would be two appropriate contingencies because they would cover what's going on here with the request for the variance. Thank you.

Mr. Evans – That being the case, I will declare the public hearing closed and I will then entertain a motion.

Mr. Baldin – Mr. Chairman, requesting a variance from Zoning Code Section 1253.11 (b)(2), which permits 35% of the allowable dwelling units in a single family detached and cluster development to be allocated to cluster dwellings and where the applicant is proposing 100% of the units to be developed as cluster dwellings; property located at the Southeast corner of Prospect Road and Royalton Road, known as PPN's 393-15-002, 395-15-003, 393-15-004, 393-15-005, 393-15-006, 393-15-007, 393-15-008, 393-15-009, 393-15-010, 393-15-012, 393-15-013, 393-15-014, zoned R1-75, contingent upon there being a minimum setback of 20 feet between the separate dwelling buildings and no left turn into the development heading southbound on Prospect Road or other adequate traffic solution agreeable to the City are made to alleviate any possible traffic congestion on Prospect and/or Royalton Roads as determined in the sole discretion of the City, be approved.

Mr. Houlé – Second.

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

ROLL CALL:

ALL AYES:

MOTION PASSED

Mr. Evans – The variance has been granted by this Board. There is a twenty day waiting period during which time City Council has the opportunity to review our decision. Now, let me tell you that I hope to be living in this city for a long time because I like Strongsville and I've served on

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**Mr. Evans continues** - this Board for well over 25 years. We have approved a lot of developments and we've approved a lot of variances. I believe that this City's commitment in allowing this project to go forward will be to make sure that all of you that have spoken tonight are going to come back 10 years from now and say, you know it worked, because that's what I hope is going to happen and I can tell you that this City will work very hard with the developer to make sure that is the case. We appreciate you coming. We have heard your comments. I know the developer has heard the comments. The administration has heard the comments. It is our job to make sure we fulfill that to you, the residents. I appreciate you coming and to give you that assurance. Is there anything else to come before the Board? Then we will stand adjourned.

Signature on File  
Mr. Evans, Chairman

Signature on File  
Kristi Onofre, Secretary

April 27, 2022  
Approval date