

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

**Meeting of  
August 10, 2022**

Board of Appeals Members Present: Ken Evans, Dustin Hayden, John Rusnov, Rich Baldin, David Houlé

Administration: Assistant Law Director Daniel J. Kolick

Assistant Building Commissioner: Brian Roenigk

Recording Secretary: Kathy Zamrzla

Mr. Evans – I'd like to call this caucus for the meeting of August 10, 2022 to order. Caucus is a time for the Board Members to discuss the items on the agenda. We have minutes from the meeting of July 20, 2022. There are no corrections to those minutes. We also have Findings of Facts and Conclusions of Law for the application of Robert Medina and Yolanda Carpio.

The Board members discussed the following:

**1) ROBERT AND CHERYL LISIEWSKI, OWNERS**

Requesting a 24' variance from Zoning Code Section 1252.17 (c), which prohibits a fence encroachment and where a Fence encroaching 24' onto PPN 393-17-004 is proposed; property located at 14635 Settler's Way, PPN 393-18-313, zoned RT-C.

Mr. Rusnov questioned if cluster homes allow fencing. Mr. Kolick stated that some clusters have limited common areas. Mr. Evans stated that there is HOA approval.

**2) DANIEL HOSTERT AND JULIE FINDLEY, OWNERS**

- a) Requesting a 3.5' Side Yard Setback variance from Zoning Code Section 1252.05, which requires a 5' Side Yard Setback and where a 1.5' Side Yard Setback is proposed in order to construct a Garage Addition;
- b) Requesting a 2' variance Setback (East) from Zoning Code Section 1252.04 (e), which requires a 15' Setback between the adjacent detached single-family dwelling and where a 13' Setback to the adjacent detached single-family dwelling (East) is proposed; property located at 19586 Tanbark Lane, PPN 391-28-020, zoned R1-75.

Mr. Rusnov stated that there are many irregular lots in this development. Mr. Houlé stated that there is an existing bump-out that goes out just as far as the request.

**3) CHRIS AND ISABELLA BARILE, OWNERS**

Requesting a 6.25' Side Yard Setback variance from Zoning Code Section 1252.16 (e), which requires a Concrete Patio maintain the same Side Yard Setback as the main dwelling and where the applicant is proposing a Concrete Patio encroaching 6.25' beyond the main dwelling into the Side Yard Setback; property located at 10758 West 130 Street, PPN 398-21-014, zoned R1-75.

Mr. Rusnov stated that he will recuse himself from voting on this application. Mr. Houlé stated that a variance was granted last year for a pool for these applicants.

4) **SHARMILA SAMAROO, OWNER**

Requesting a 19' Setback variance from Zoning Code Setback 1252.15 (a), which requires a 20' Setback from the main dwelling and where a 1' Setback from the main dwelling is proposed in order to construct a 10' x 14' Accessory Structure; property located at 9970 Rosalee Lane, PPN 398-08-054, zoned R1-75.

Mr. Evans stated that his concern is the size of the shed because it is right next to the house and could be a fire hazard.. Mr. Rusnov stated that all the yards are very shallow and if it is approved the shed should have fire rated materials. Mr. Roenigk stated that a similar situation was approved but the shed was smaller. No variance would be required if an addition was put on the house.

5) **KEVIN AND ROSEANN WESTOVER, OWNERS**

Requesting a 9' Side Yard Setback variance from Zoning Code Section 1252.05, which requires a 20' Side Yard Setback and where an 11' Side Yard Setback is proposed in order to construct a 288 SF Addition; property located at 13324 Cheryl Drive, PPN 399-32-125, zoned R1-75.

Mr. Evans questioned the location of the addition. Mr. Baldin stated that the house next door is close to the property line.

6) **DAVID AND SUSAN SPAULDING, OWNERS**

- a) Requesting a 7' Rear Yard Setback variance from Zoning Code Section 1252.16 (e), which requires a 36' Rear Yard Setback and where a 29' Rear Yard Setback is proposed in order to construct a Deck;
- b) Requesting a 7' Rear Yard Setback variance from Zoning Code Section 1252.16 (e), which requires a 36' Rear Yard Setback and where a 29' Rear Yard Setback is

proposed in order to install a Concrete Patio; property located at 19241 Saratoga Trail, PPN 397-28-028, zoned R1-75.

Mr. Evans stated that these are shallow lots. Mr. Hayden stated that there is HOA approval.

7) **MICHAEL AND DEANNA CLOUSE, OWNERS**

- a) Requesting a 9' Side Yard Setback variance from Zoning Code Section 1252.16 (e), which requires a Deck maintain the same Side Yard Setback as the main dwelling and where the applicant is proposing a 264 SF Deck encroaching 9' beyond the main dwelling into the Side Yard Setback;
- b) Requesting a 5' Side Yard Setback (South) variance from Zoning Code Section 1252.29 (b) (1), which requires a 15' Side Yard Setback and where a 10' Side Yard Setback (South) is proposed in order to install a partially Inground Pool; property located at 9962 Juniper Court, PPN 398-10-048, zoned R1-75.

Mr. Evans stated that there is HOA approval.

Mr. Evans – Is there anything else?

Mr. Kolick – My comment is that if you weren't here at the last meeting, you shouldn't vote on the approval of the minutes nor the Findings of Fact.

Mr. Evans – The minutes we don't actually do a vote but the Findings of Fact we do.

**STRONGSVILLE BOARD OF ZONING & BUILDING CODE APPEALS**  
**MINUTES OF MEETING**  
**August 10, 2022**

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

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

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

Mr. Evans – I would like to call this August 10, 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	PRESENT

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 July 20, 2022. If there are no further comments, we will submit those as they were given to us for the record. We also have before us Findings of Fact and Conclusions of Law for the application of Roberto Medina and Yolanda Carpio. If there are not comments or corrections, I will entertain a motion for approval.

Mr. Houlé – Mr. Chairman, I make a motion to approve the Findings of Fact and Conclusions of Law regarding the application of Roberto Medina and Yolanda Carpio for three variances for 14094 Blazey Trail, PPN 398-23-002.

Mr. Hayden – Second.

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

ROLL CALL:	MR. EVANS:	AYE	MOTION PASSED
	MR. HOULÉ:	ABSTAIN	
	MR. HAYDEN:	AYE	

MR. BALDIN : ABSTAIN  
MR. RUSNOV: AYE

Mr. Evans – Those have been approved and entered into 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) ROBERT AND CHERYL LISIEWSKI, OWNERS**

Requesting a 24' variance from Zoning Code Section 1252.17 (c), which prohibits a fence encroachment and where a Fence encroaching 24' onto PPN 393-17-004 is proposed; property located at 14635 Settler's Way, PPN 393-18-313, zoned RT-C.

Mr. Evans – Item number one is Lisiewski on Settler's Way. If you would come forward and state your name and address for the record.

Mr. Lisiewski – My name is Robert Lisiewski, 14635 Settler's Way.

Mr. Evans – You heard us talking about this. Give us an idea about why you want the fence and how it figures into the patio. I will say for all of the items on the agenda this evening, the Board Members have been out and looked at each one of them.

Mr. Lisiewski – Basically there is a deck back there and we want to keep the dog in and keep the deer out.

Mr. Evans – We talked about the red stake. That is the corner of where the fence will be.

Mr. Lisiewski – Yes.

Mr. Hayden – We do have HOA approval.

Mr. Kolick – This is a little different than some of the other ones we've had because when you cross the property line, you need to get a variance, but this is in what they call a limited common area. They don't need a separate easement for it because they have the rights under the Covenants and Deeds which is a filed, recorded document, to go ahead and do this. Just so you understand the distinction.

Mr. Evans – It is an unusual circumstance. Any other thoughts? 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

**1) ROBERT AND CHERYL LISIEWSKI, OWNERS**

**Mr. Evans continues** - 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. Rusnov – Mr. Chairman, requesting a 24’ variance from Zoning Code Section 1252.17 (c), which prohibits a fence encroachment and where a Fence encroaching 24’ onto PPN 393-17-004 is proposed; property located at 14635 Settler’s Way, PPN 393-18-313, zoned RT-C.

Mr. Hayden – Second.

Mr. Evans – Thank you Mr. Rusnov for the motion and Mr. Hayden 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. Lisiewski – Thank you.

**2) DANIEL HOSTERT AND JULIE FINDLEY, OWNERS**

- a) Requesting a 3.5’ Side Yard Setback variance from Zoning Code Section 1252.05, which requires a 5’ Side Yard Setback and where a 1.5’ Side Yard Setback is proposed in order to construct a Garage Addition;
- b) Requesting a 2’ variance Setback (East) from Zoning Code Section 1252.04 (e), which requires a 15’ Setback between the adjacent detached single-family dwelling and where a 13’ Setback to the adjacent detached single-family dwelling (East) is proposed; property located at 19586 Tanbark Lane, PPN 391-28-020, zoned R1-75.

Mr. Evans – Item number two on our agenda is Hostert and Findley. If you could come forward and state your name and address for the record.

Ms. Findley and Mr. Hostert – 19586 Tanbark Lane.

**2) DANIEL HOSTERT AND JULIE FINDLEY, OWNERS, Cont'd**

Mr. Evans – You are requesting two variances to accommodate an addition onto the house. Tell us about the project and why you need these variances. I will ask you to identify if you run a business out of your house.

Ms. Findley – When you came out to the house you saw that our garage is “L” shaped in order to preserve the trees when it was built. We have had to replace a beam in the middle of the garage and take it out because I hit it. It is a hard right turn. We have very limited storage space in our basement and our garage is a two car garage. My husband has a lot of tools for woodworking, which is his hobby. He builds things for family gifts. We try not to park the cars in the garage but because of the trees our cars have sustained a lot of damage from the Hickory trees. We would like to park both cars in the garage but it’s difficult with all the stuff in there. We’d like to build onto the back of the garage but the variances, if we only go to eight feet, it’s still going to be very tight in there. We’d like to optimize the space.

Mr. Hostert – The space would not be for vehicles. It’s just for storage.

Mr. Rusnov – The lots are very irregular.

Mr. Evans – You should anticipate no matter how big your addition is to store stuff, you probably still won’t be able to park both cars in the garage because stuff accumulates.

Ms. Findley – We actually try to not get so much clutter for that very reason.

Mr. Houlé – Is this going to be about the same distance out as the bump out that’s by the kitchen in the back of the house?

Ms. Findley – The little side shed?

Mr. Houlé – Yes.

Ms. Findley – We might actually take that down. That was there when we moved in and it gets a lot of mice in it. I just use it as a potting shed right now. This will go out closer to the fence.

Mr. Baldin – Are you running a business? You said you had a lot of tools, but you never really stated that you are not going to run a business? She did say that you do make things for family and friends.

Mr. Hostert – I’m a nurse. I’m not running and won’t run a business.

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

**2) DANIEL HOSTERT AND JULIE FINDLEY, OWNERS, Cont'd**

**Mr. Evans continues** - of the variance? Hearing none and seeing none, I will declare the public hearing closed and entertain a motion.

Mr. Rusnov - Mr. Chairman, (a) requesting a 3.5' Side Yard Setback variance from Zoning Code Section 1252.05, which requires a 5' Side Yard Setback and where a 1.5' Side Yard Setback is proposed in order to construct a Garage Addition; (b) requesting a 2' variance Setback (East) from Zoning Code Section 1252.04 (e), which requires a 15' Setback between the adjacent detached single-family dwelling and where a 13' Setback to the adjacent detached single-family dwelling (East) is proposed; property located at 19586 Tanbark Lane, PPN 391-28-020, zoned R1-75.

Mr. Hayden – Second.

Mr. Evans – Thank you Mr. Rusnov for the motion and Mr. Hayden 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.

Ms. Findley – Thank you.

**3) CHRIS AND ISABELLA BARILE, OWNERS**

Requesting a 6.25' Side Yard Setback variance from Zoning Code Section 1252.16 (e), which requires a Concrete Patio maintain the same Side Yard Setback as the main dwelling and where the applicant is proposing a Concrete Patio encroaching 6.25' beyond the main dwelling into the Side Yard Setback; property located at 10758 West 130 Street, PPN 398-21-014, zoned R1-75.

Mr. Evans – Item number three on our agenda is Barile on West 130<sup>th</sup> Street. If you would come forward and state your name and address for the record.

Mr. Barile – Chris Barile, 10758 West 130<sup>th</sup> Street.

Mr. Evans – We have talked in Caucus about this. We have had a number of requests for your house for variances. Give us an idea how this ties into the overall project and whether or not this is one in a series or whether you will be done with the backyard.



**3) CHRIS AND ISABELLA BARILE, OWNERS, Cont'd**

Mr. Barile – I hope I’m done after this one. I have a huge property. The width, not so much. That’s why I’m asking for this variance. You require nine feet away which brings me into the middle of the yard. With the river I have coming through the back yard, my entrance point to the main backyard, if I had to move that over it would be walking right into that. I would like it three feet away if possible. I have a big family. I could use it for volleyball for the girls, pickle ball. The guy that drew it actually wanted it bigger, but I brought it down to twenty-seven. This is what the guy designed for the backyard with the pool and the pool house. I would put in some grass and I should be done.

Mr. Evans – Are there plans to light this area?

Mr. Barile – Not really, but now that you say it, I wouldn’t mind, but I don’t know if you like that or not.

Mr. Evans – Part of the reason I’m asking that question is because when people put in pads like that for various uses they want to light it up and the neighbors tend not to like it very much. We are always concerned about lighting areas like that.

Mr. Barile – To be honest with you, in his plans he did have a 17 foot pole for a solar powered light. But I didn’t think I was going to do it because it was too expensive and I don’t think I need to have my kids playing at 10:00 at night. I do have one light on the shed.

Mr. Evans – We’re not worried about security lighting or secondary lighting. I’m looking at stadium lighting. So, your intent is not to put in court lighting.

Mr. Barile – No. If that’s the rule, then I won’t do it.

Mr. Houlé – I know you have a lot of concrete in your backyard. I know you did some things for the drainage when we did variances for your last year. If you would just repeat it for the record.

Mr. Barile – I own a concrete company so that’s the cheapest thing for me to do. The last rain we had last week, that heavy rain, we went out there and my neighbors had ponds and my yard has the stone and a huge swale, which more stones will go in there, and we got a lot of rain and there was no issue. My plants have not gone in yet but I think we have fixed it the best we could right now. If you want me to take it to the creek, I can do that. Right now, it’s stopped at my property. If the neighbor wants me, or lets me, I would have to get a right-of-way according to Mike Miller, to go in there and connect it. I don’t care, I’ll do it. He has a catch basin on his property.

Mr. Roenigk – Yes, you would have to get an easement to go through other properties.

**3) CHRIS AND ISABELLA BARILE, OWNERS, Cont'd**

Mr. Barile – I'm willing to do that too. I'm actually hoping he sells his house and I could buy it and put a big pond in the backyard.

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 6.25' Side Yard Setback variance from Zoning Code Section 1252.16 (e), which requires a Concrete Patio maintain the same Side Yard Setback as the main dwelling and where the applicant is proposing a Concrete Patio encroaching 6.25' beyond the main dwelling into the Side Yard Setback; property located at 10758 West 130 Street, PPN 398-21-014, zoned R1-75.

Mr. Houlé – Second.

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

ROLL CALL:	MR. HAYDEN:	AYE	MOTION PASSED
	MR. BALDIN:	AYE	
	MR. RUSNOV:	ABSTAIN	
	MR. HOULÉ:	AYE	
	MR. EVANS:	AYE	

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. Barile – Thank you.

**4) SHARMILA SAMAROO, OWNER**

Requesting a 19' Setback variance from Zoning Code Setback 1252.15 (a), which requires a 20' Setback from the main dwelling and where a 1' Setback from the main dwelling is proposed in order to construct a 10' x 14' Accessory Structure; property located at 9970 Rosalee Lane, PPN 398-08-054, zoned R1-75.

**4) SHARMILA SAMAROO, OWNER, Cont'd**

Mr. Evans – Item number four on our agenda is Samaroo on Rosalee Lane. If you would come forward and state your name and address for the record.

Ms. Samaroo – Sharmila Samaroo, Anil Samaroo, 9970 Rosalee Lane.

Mr. Evans – Give us an idea of what it is that you're doing.

Mr. Samaroo – We have a lot of kids toys that have accumulated over the years since we've moved. We need a shed. We haven't even got grass yet. I don't have my yard tools in there. I kind of have a problem buying cars so the driveway is full. I want to put the cars inside so we can get in and out. The kids have their toy cars too. We need a shed to put our yard tools in and summer stuff, like heaters for patios. Just to store things. I can't put anything in the way back because of the drop off.

Mr. Rusnov – Way back in the yard. Correct?

Ms. Samaroo – Yes.

Mr. Rusnov – So it becomes a topographical issue, the placement of the shed.

Mr. Samaroo – Yes.

Mr. Rusnov – So this is the only place it will go or can you move it someplace else that's further away from the house?

Mr. Samaroo – There's nowhere else I can put it.

Mr. Rusnov – The issue we have is when you have sheds next to the house, they have to have fire rated drywall and things of that nature.

Mr. Evans – In Caucus we talked about the fact that the Fire Department is reticent for us to grant variances where we put sheds next to homes. Using fire rated drywall is one way of doing it, but typically the sheds that we have allowed have been six by eight feet. You're talking about a ten by fourteen which is large enough for things that you want to put in there, but that's a huge shed. You or the next person may put stuff in there that now becomes very combustible and being that it's that close to the house, you're not going to know if something in there is burning until that shed is engulfed and then your house is going to be engulfed as well. We, as a Board, don't like allowing variances that put a shed next to a building. Where we have done it for smaller sheds,

**4) SHARMILA SAMAROO, OWNER, Cont'd**

**Mr. Evans continues** - the fire rated drywall is a means of at least controlling a fire. Your comment about putting the heaters in there says that you're going to have combustible materials. It could be gasoline or propane. We would encourage you to do a smaller shed or to move it perhaps ten feet away. A shed can have a platform and be anchored even if it's on a slope. We would, as a general rule, not put a shed that big, one foot away from the house. The other option would be to add onto the house and create storage in the back of the house. When you are adding onto the house, the addition conforms to the Building Code and like a garage, we're not going to be as concerned because you're going to put fire rated drywall between the house and the new addition that's going to be used for storage. That way it conforms with the Building Code whereas the shed doesn't conform to the Zoning Code. It will be more expensive but it will be more valuable in the long run.

Mr. Rusnov – We're not trying to be difficult. The risk factor for something being that close is high. You could build up the back edge of the shed so that's it level in an area that's further away from the house. That's our major concern, is the safety. Is it feasible that you could move that shed and have the foundation accommodate the shed?

Mr. Samaroo – Let's say I made the shed smaller.

Mr. Rusnov – Let's say ten by twelve.

Mr. Evans – That's not much smaller.

Mr. Rusnov – I just threw that number out there. What size does the Code allow in that area?

Mr. Roenigk – Twelve by sixteen, 192 square feet.

Mr. Rusnov – The size is within the Code, but he doesn't have the room with the proper distance from the house.

Mr. Evans – If they want it twelve by fourteen, then they would need to move it twenty feet away from the house and shore up the back and that won't be an issue for us. As long as you are twenty feet away you don't need a variance. It's the fact that you want to be one foot away. If you wanted to do eight by six, you could probably be five feet away from the house and maybe that would work.

Mr. Rusnov – You could table this and go back to the drawing board and consult with the Building Department and you might not need a variance if you place the shed twenty feet, plus or minus,

**4) SHARMILA SAMAROO, OWNER, Cont'd**

**Mr. Rusnov continues** - away from the house. That takes the safety issue off the table. It's your choice if you want to table it.

Mr. Samaroo – So I could put something in that drainage area? I could put a concrete pad there?

Mr. Roenigk – You have to be fifteen feet from the rear of the property.

Mr. Rusnov – The back right-hand corner is a lot better than one foot from the house.

Mr. Samaroo – We have wasted space right now.

Mr. Rusnov – Reconsider what we've said and sit down with the Building Department and see what you can do to accommodate it with no variance.

Mr. Baldin – Was there ever any thought of attaching this to the house?

Mr. Samaroo – I did. It was \$4,000 for a shed and \$20,000 to attach it. I wish I would have known that I could have changed the building design when I was building the house. I didn't know I could have extended it at the same time.

Mr. Evans – You could ask to table this. You could go in and talk to the Building Department about what your options are. If you still want the variance, we could act on it, but I don't want to give you false hope. It's not something we have normally done.

Mr. Samaroo – I don't know if you remember the plastic shed that's three houses away. They have a plastic shed that has drywall inside. Is that the size you would want?

Mr. Houlé – Yes, that's the one we did the variances. It's in the same spot as yours. Correct?

Mr. Samaroo – Yes. So about that far away and that size?

Mr. Kolick – For the applicant, why don't you table this tonight? We're not going to resolve it here. You can go in and talk to the Building Department to see if it makes sense to put an addition on. So, if you agree to table it, we can table it.

Mr. Samaroo – I will table it.

Mr. Evans – Do you want to do the public hearing first?

4) **SHARMILA SAMAROO, OWNER, Cont'd**

Mr. Kolick – No, let's just leave it this way in case he has to come back. We'll continue the public hearing until then.

Mr. Evans – Okay. We will table it for tonight.

5) **KEVIN AND ROSEANN WESTOVER, OWNERS**

Requesting a 9' Side Yard Setback variance from Zoning Code Section 1252.05, which requires a 20' Side Yard Setback and where an 11' Side Yard Setback is proposed in order to construct a 288 SF Addition; property located at 13324 Cheryl Drive, PPN 399-32-125, zoned R1-75.

Mr. Evans – Item number five on our agenda is Westover on Cheryl Drive. If you would come forward and state your name and address for the record.

Mr. Westover – Kevin Westover, 13324 Cheryl Drive.

Mr. Evans – In the application and the plans, we didn't see exactly what the interior of this is. If you could describe what the reason for the addition is and why that particular location.

Mr. Westover – What I intend to do is make an opening in the garage, basically extend the garage. Asking for a variance for a full garage was a little excessive. I'm on a corner.

Mr. Evans – So your intent is to make it a three bay, instead of a two bay?

Mr. Westover – It's not going to be a full garage, but additional storage area off the garage.

Mr. Evans – Back behind the garage.

Mr. Westover – It extends a little bit in the back of the garage, but it will follow the existing roofline. I'm going to have the roof replaced this year and I want them to do it all in one.

Mr. Rusnov – What you are doing is increasing the size of the garage.

Mr. Westover – Correct.

Mr. Baldin – But you're not going to put a garage door in the front.

**5) KEVIN AND ROSEANN WESTOVER, OWNERS, Cont'd**

Mr. Westover – No. There's not enough room. It's on a corner lot. I would have to ask for more of a variance.

Mr. Roenigk – It will be built to the Residential Code of Ohio, so it will be done properly.

Mr. Evans – Our concern is the sight line since all those houses have setbacks. Your house was designed where the garage is in line with the setback. When you come out, that will stick out nine feet which will change the appearance on the corner.

Mr. Westover – I staked it out. There's a row of trees there. There's no sidewalk there. It's not extending beyond that, so it's closer to the house. The pine trees are going to stay. I might remove one of them because it might be too close to the addition. It's a nice, natural barrier.

Mr. Rusnov – This will only affect the side yard setback which is the corner which is long and narrow.

Mr. Evans – It's going to look like it's part of the house. Is it all solid siding or are there going to be windows?

Mr. Westover – I'm looking at putting a window on the front to the left of the existing garage. The garage fascia is brick right now. There's a mixture of brick and siding on the front of the house. It will match what's there right now.

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. Baldin - Mr. Chairman, requesting a 9' Side Yard Setback variance from Zoning Code Section 1252.05, which requires a 20' Side Yard Setback and where an 11' Side Yard Setback is proposed in order to construct a 288 SF Addition; property located at 13324 Cheryl Drive, PPN 399-32-125, zoned R1-75.

Mr. Houlé – Second.

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

ROLL CALL:

ALL AYES:

MOTION PASSED

**5) KEVIN AND ROSEANN WESTOVER, OWNERS, Cont'd**

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. Westover – Thank you.

**6) DAVID AND SUSAN SPAULDING, OWNERS**

- a) Requesting a 7' Rear Yard Setback variance from Zoning Code Section 1252.16 (e), which requires a 36' Rear Yard Setback and where a 29' Rear Yard Setback is proposed in order to construct a Deck;
- b) Requesting a 7' Rear Yard Setback variance from Zoning Code Section 1252.16 (e), which requires a 36' Rear Yard Setback and where a 29' Rear Yard Setback is proposed in order to install a Concrete Patio; property located at 19241 Saratoga Trail, PPN 397-28-028, zoned R1-75.

Mr. Evans – Item number six on our agenda is Spaulding on 19241 Saratoga Trail. If you would come forward and state your name and address for the record.

Mr. Spaulding – Dave Spaulding, 19241 Saratoga Trail.

Mr. Evans – Give us a quick description of what it is that you're doing and why you're doing it.

Mr. Spaulding – We have a very old paver patio and a very old wooden deck. We want to replace the patio with a stamped concrete patio and replace the wood deck with a Trex decking in the exact same footprint that exists now.

Mr. Rusnov – This has been there since the house was built?

Mr. Spaulding – The house was built in 1981. It may have been the first house built in the development.

Mr. Rusnov – The builder did the work.

Mr. Spaulding – We bought the house in 1999 so we would have no knowledge of it.

Mr. Baldin – There is an approval from the HOA.



**6) DAVID AND SUSAN SPAULDING, OWNERS, 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. Baldin - Mr. Chairman, (a) requesting a 7' Rear Yard Setback variance from Zoning Code Section 1252.16 (e), which requires a 36' Rear Yard Setback and where a 29' Rear Yard Setback is proposed in order to construct a Deck; (b) requesting a 7' Rear Yard Setback variance from Zoning Code Section 1252.16 (e), which requires a 36' Rear Yard Setback and where a 29' Rear Yard Setback is proposed in order to install a Concrete Patio; property located at 19241 Saratoga Trail, PPN 397-28-028, zoned R1-75.

Mr. Houlé – Second.

Mr. Evans – Thank you Mr. Baldin for the motion and 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. 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. Spaulding – Thank you.

**7) MICHAEL AND DEANNA CLOUSE, OWNERS**

- a) Requesting a 9' Side Yard Setback variance from Zoning Code Section 1252.16 (e), which requires a Deck maintain the same Side Yard Setback as the main dwelling and where the applicant is proposing a 264 SF Deck encroaching 9' beyond the main dwelling into the Side Yard Setback;
- b) Requesting a 5' Side Yard Setback (South) variance from Zoning Code Section 1252.29 (b) (1), which requires a 15' Side Yard Setback and where a 10' Side Yard Setback (South) is proposed in order to install a partially Inground Pool; property located at 9962 Juniper Court, PPN 398-10-048, zoned R1-75.

Mr. Evans – Item number seven on our agenda is Clouse on Juniper Court. If you would come forward and state your name and address for the record.

7) **MICHAEL AND DEANNA CLOUSE, OWNERS, Cont'd**

Mr. Clouse – Michael Clouse, 9962 Juniper Court.

Mr. Evans – Please give us a quick rundown on the project and why you need the variance.

Mr. Clouse – We want to install a pool and instead of an above-ground, we have a height issue with looking out at our backyard. We can only see four feet of the above-ground pool and may consider putting it two and a half feet in the ground. To install it they needed a couple feet away from the concrete patio that exists. The porch, we want to do a deck that goes up to the pool. We may want to do a concrete extension on that, stamped concrete. I don't know how big of an issue it is to change that from deck to stamped concrete. I don't know if it goes back and forth.

Mr. Rusnov – You will need to consult the Building Department on that.

Mr. Clouse – Okay. That's something we've been having deck contractors come out and they had recommended to do concrete.

Mr. Roenigk – If we just added that it's the deck work the variances are the same.

Mr. Clouse – I just wanted to clarify that while I was here.

Mr. Roenigk – As long as we make it either or, it's fine with me.

Mr. Evans – Just so everybody is clear, we would be saying 264 square foot deck or patio.

Mr. Clouse – We're pushing it out away from the current stamped concrete, but we're also in relation to the trees in the back we'd have to remove and the neighbor we don't want to get too close to. Trying to balance everything.

Mr. Evans – We do have HOA approval. 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. Houle - Mr. Chairman, (a) requesting a 9' Side Yard Setback variance from Zoning Code Section 1252.16 (e), which requires a Deck or Patio maintain the same Side Yard Setback as the main dwelling and where the applicant is proposing a 264 SF Deck or Patio encroaching 9' beyond the main dwelling into the Side Yard Setback; (b) requesting a 5' Side Yard Setback (South) variance from Zoning Code Section 1252.29 (b) (1), which requires a 15' Side Yard Setback and where a 10' Side Yard Setback (South) is proposed in order to install a partially Inground Pool; property located at 9962 Juniper Court, PPN 398-10-048, zoned R1-75.

7) **MICHAEL AND DEANNA CLOUSE, OWNERS, Cont'd**

Mr. Hayden – Second.

Mr. Evans – Thank you Mr. Houlé for the motion and Mr. Hayden 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. Clouse – Thank you.

Mr. Evans – Is there any other business to come before the Board? If not, we are adjourned.

Signature on File

Mr. Evans, Chairman

Signature on File

Kathy Zamrzla, Secretary

August 24, 2022

Approval date