

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

**Meeting of
December 15, 2021**

Board of Appeals Members Present: Ken Evans, Richard Baldin, John Rusnov, Dustin Hayden, 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 December 15, 2021 to order. This is a time for the Board Members to discuss the items that are on our agenda. We'll invite your participation at 8:00 p.m. when the actual meeting begins. You can stay and listen to the Board Members talk about the items on the agenda. We have minutes for December 1, 2021. No corrections or changes were noted so we'll approve those in the meeting. Item number one is Somera Road in the Royalton Collection. Should we decide to entertain this motion, it will be necessary for us to stipulate the conditions that were outlined in Mr. Smerigan's report which are the existing cross-liens and conditions and requirements that have been stipulated in the past.

The Board members discussed the following:

1) SOMERA ROAD, LLC/ Bill Boron, Representative

- a) Requesting a 10' Side Yard Parking Setback from Zoning Code Section 1258.11 (a), which requires a 10' Side Yard Parking Setback and where a 0' Side Yard Parking Setback is proposed in order to approve a Lot Split on Parcel 1;
- b) Requesting a 10' Side Yard Parking Setback from Zoning Code Section 1258.11 (a), which requires a 10' Side Yard Parking Setback and where a 0' Side Yard Parking Setback is proposed in order to approve a Lot Split on Parcel 2; property located at 17800 Royalton Road, PPN 396-12-039, zoned General Business (GB).

Mr. Rusnov stated that it's a lot split and that both parcels are odd-shaped and the only variance that they are requesting is the sideline which is due to topographical issues with the property. Mr. Kolick stated that there are restrictions that were imposed on the whole lot when they received the rezoning and they would still have to meet the density requirements on the individual lots. Physically nothing is changing. The purpose is for financing or for selling purposes. It's not for new buildings.

2) IAN AND MELISSA MUSTEE, OWNERS/Frank Colabianchi with Colabianchi Construction, Representative

Requesting a 220 SF Floor Area variance from Zoning Code Section 1252.22 (c), which permits a 1,000 SF Floor Area and where a 1,220 SF Floor Area is proposed in order to

construct a New Single-Family Garage; property located at 14368 Castlereagh Lane, PPN 398-17-043, zoned R-100.

Mr. Rusnov stated that this request is only to enlarge the garage. Mr. Kolick stated that the Building Department is considering changing some of the zoning codes to update them. Mr. Evans stated that HOA approval was not received by the Board.

**STRONGSVILLE BOARD OF ZONING & BUILDING CODE APPEALS
MINUTES OF MEETING
December 15, 2021**

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

Present: Mr. Evans
Mr. Baldin
Mr. Rusnov
Mr. Hayden
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 December 15, 2021 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 Codified Ordinances of the City of Strongsville. We have minutes from December 1, 2021. 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 stated the oath to those standing.

1) SOMERA ROAD, LLC/ Bill Boron, Representative

- a) Requesting a 10' Side Yard Parking Setback from Zoning Code Section 1258.11 (a), which requires a 10' Side Yard Parking Setback and where a 0' Side Yard Parking Setback is proposed in order to approve a Lot Split on Parcel 1;
- b) Requesting a 10' Side Yard Parking Setback from Zoning Code Section 1258.11 (a), which requires a 10' Side Yard Parking Setback and where a 0' Side Yard Parking Setback is proposed in order to approve a Lot Split on Parcel 2; property located at 17800 Royalton Road, PPN 396-12-039, zoned General Business (GB).

1) SOMERA ROAD, LLC/ Bill Boron, Representative, Cont'd

Mr. Evans – We have two public hearings. Item number one is Somera Road. This is Royalton Collection. If the representative would come forward and state your name and address for the record.

Mr. Boron – Bill Boron from Langan Engineering 6000 Lombardo Center, Seven Hills, Ohio.

Mr. Evans – Thank you. You are here this evening for two requests which are parcel splits. If you would give us a quick explanation of the reason that the applicant wants to do these splits.

Mr. Boron – The splits contains 4.1 acres. Originally there was a split and this is the second split for the property. The split will be 2.4 and a 1.7 acre split. It's to split off the front to make two parcels for finance purposes for Somera Road.

Mr. Evans – All the conditions, the cross-easements, and the requirements will continue to be met. We've got a draft document that has been presented to the Law Department. We're anticipating that it will be executed and become part of the official record.

Mr. Boron – Correct.

Mr. Evans – Questions? Comments? Mr. Rusnov, could you give us a summary of your comments in caucus for the record?

Mr. Rusnov – This property was originally zoned differently and there was a split after the sale and you purchased the land for redevelopment. This is for financing reasons to make the lot split. The zoning was a lot different when this property was originally developed. You're conforming with all the easements, encroachments, right-of-way, and everything else that was originally requested by the City on that property and you're going to put that into the deed restrictions. Basically, this property was repurposed from the original use.

Mr. Evans – This is a public hearing. I will ask if there's anybody in the audience who wishes to speak for the granting of this variance. Is there anybody in the audience who wishes to speak against the granting of this variance? Hearing none and seeing none, I will declare the public hearing closed and entertain a motion.

Mr. Houlé - Mr. Chairman, requesting a 10' Side Yard Parking Setback from Zoning Code Section 1258.11 (a), which requires a 10' Side Yard Parking Setback and where a 0' Side Yard Parking Setback is proposed in order to approve a Lot Split on Parcel 1; (b) Requesting a 10' Side Yard Parking Setback from Zoning Code Section 1258.11 (a), which requires a 10' Side Yard Parking Setback and where a 0' Side Yard Parking Setback is proposed in order to approve a Lot Split on Parcel 2; property located at 17800 Royalton Road, PPN 396-12-039, zoned General Business (GB) subject to the approval of the Law Department.

1) **SOMERA ROAD, LLC/ Bill Boron, Representative, Cont'd**

Mr. Baldin – Second.

Mr. Kolick – Just note that the approval from the Law Department is the amended covenants and deed restrictions that are required and that the applicant is aware of that.

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 not to take action, you will be notified by the Building Department at the end of the twenty days.

Mr. Kolick – After the twenty days, you need to contact Carol to get back on the Planning Commission agenda to grant the actual plat split; and make sure your counsel gets the signed documents with all the attachments over to me before then, because you can't get on Planning Commission until those are in my hands.

Mr. Boron – Understood.

Mr. Evans – You are all set for tonight. Thank you very much.

Mr. Boron – Thank you.

2) **IAN AND MELISSA MUSTEE, OWNERS/Frank Colabianchi with Colabianchi Construction, Representative**

Requesting a 220 SF Floor Area variance from Zoning Code Section 1252.22 (c), which permits a 1,000 SF Floor Area and where a 1,220 SF Floor Area is proposed in order to construct a New Single-Family Garage; property located at 14368 Castlereagh Lane, PPN 398-17-043, zoned R-100.

Mr. Evans – Item number two is Mustee with Frank Colabianchi as the representative. Please come forward and state your name and address for the record.

Mr. Colabianchi – Frank Colabianchi, 11005 Pearl Road, Suite 2, Strongsville. I represent Ian and Melissa Mustee who own the lot in Avery Walden.

Mr. Evans – You heard us during caucus. Basically, this is a larger garage than what is permitted by City Code. Are they going to conduct a business out of the garage?

2) **IAN AND MELISSA MUSTEE, OWNERS/Frank Colabianchi with Colabianchi Construction, Representative, Cont'd**

Mr. Colabianchi – No, they are not. They are a nice, young couple, and believe me there's not a mechanic in their bones.

Mr. Evans – Mr. Hayden, did we hear from the HOA?

Mr. Hayden – I did not hear back from them yet.

Mr. Evans – At this point, without the HOA verification, I think we can go ahead and do the public hearing tonight, but we will probably have to hold the decision up until we hear from Avery Walden.

Mr. Colabianchi – I spoke with them this afternoon. We went along with everything the HOA requested, square footage requirements, colors and all that. They asked me to just raise the pitch on the roof, which I did from a 7.12 to an 8.12 and the only other thing I had to do, which was a little unusual, on every elevation they want me to stipulate the percentage of stone to Drivit and I did get that to them this afternoon. So, I'm assuming, hopefully there's a letter of approval waiting for me now.

Mr. Houlé – What's the approximate size of the house? Square footage?

Mr. Colabianchi – I think it's 7,800 square feet. It's a pretty big house.

Mr. Rusnov – What you're saying is that it's a custom built, luxury class home, similar to other ones in the neighborhood size-wise and cost-wise and this is probably a unique house and you've conformed to all the things that everyone has asked you to do, from the HOA to the City Building Department. The only variance that you're looking for is an additional 220 square feet of garage area.

Mr. Colabianchi – Yes, that correct. I wanted to pull the garage a little forward to make it a little bit more comfortable because it's a little unique where you pull up the middle and you go to the right or the left into the garage. So, getting it off of the front porch a little bit more makes it a lot more comfortable pulling in and out.

Mr. Evans – Any other questions or comments? This is a public hearing. I will ask if there is anybody in the audience who wishes to speak for the granting of the variance. Is there anybody 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. Mr. Kolick, I believe we will need to defer and table this until we have HOA approval?

Mr. Kolick – We should have something, if not in writing, at least by way of text.

2) **IAN AND MELISSA MUSTEE, OWNERS/Frank Colabianchi with Colabianchi Construction, Representative, Cont'd**

Mr. Hayden – Mr. Lake is responding to me now (indicating on the cell phone).

Mr. Evans – Then we'll wait for his answer.

Mr. Hayden – Tom Lake, who is the President of Avery, responded and he said that he's going to have to check with the design review committee because they are independent of the Board.

Mr. Evans - We're used to that as well because we have that same kind of set up.

Mr. Hayden - He said they have an engineer and builder on that design review board, so he will need to check with them.

Mr. Colabianchi - So that means we'll have to table it until the next meeting?

Mr. Evans – Technically the answer is yes that we would need to request you to table it because we do need to have the HOA approval before we can act on it. My apology on doing that.

Mr. Hayden – He's asking me for the address right now so maybe it's something he can check on.

Mr. Evans – If we can hold it up for a couple of minutes, I'm okay with doing that.

Mr. Colabianchi – I could get a hold of Thad Vasko. He's on the board also. He's actually on the architectural review part of it and maybe that might help too.

Mr. Rusnov – Go ahead and give it a shot.

Mr. Evans – We'll pause now.

Mr. Evans – If the architectural review has proved that there would be no reason for Tom to say that there was a problem. . . Is Thad Vasko on the architectural review group?

Mr. Colabianchi – Yes.

Mr. Evans – So I think at this point if we have his determination that the architectural review is approving it based on the changes that you made in response to them, that at that point we can accept the fact that Tom will get the word from them and we'll pass it through that way. He can send it to the Building Department in the morning now that we've heard Thad say that.

Mr. Colabianchi - Thad, say it again, that you're basically okay with it and I'll get them the letter in the morning.

2) **IAN AND MELISSA MUSTEE, OWNERS/Frank Colabianchi with Colabianchi Construction, Representative, Cont'd**

Mr. Vasko (on speaker phone) – The drawings are in an approvable form. We just need to tweak the amount of stone but the square footage, the roof pitches, the samples, everything is in approvable form, so I will issue an approval letter stating that and we will confirm the actual calculation of Drivit versus stone in the next couple days.

Mr. Colabianchi – Thanks Thad. This a cool way to do it.

Mr. Hayden – Tom Lake, the President of Avery Walden HOA, also mentioned in his message back to me that if we are talking to Thad, that he's the right person to talk to and they would support whatever that board decides.

Mr. Evans – The record will show that we've had a telephonic conversation with Thad Vasko who is on the architectural review committee, Tom Lake who is the President of Avery Walden has said that they would be in agreement with whatever the architectural review committee has said, and Thad Vasko said that it was approvable with the changes that were requested.

Mr. Kolick – He said he would send a letter tomorrow confirming it to the City.

Mr. Evans – At this point we are approvable for this evening.

Mr. Kolick – That's Thad Vasko?

Mr. Evans – Yes.

Mr. Kolick – So we have it as part of the record that the HOA has approved it.

Mr. Evans – Having concluded the public hearing and now having the HOA in an approvable format, Mr. Rusnov, you may proceed.

Mr. Rusnov - Mr. Chairman, requesting a 220 SF Floor Area variance from Zoning Code Section 1252.22 (c), which permits a 1,000 SF Floor Area and where a 1,220 SF Floor Area is proposed in order to construct a New Single-Family Garage; property located at 14368 Castlereagh Lane, PPN 398-17-043, zoned R-100.

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

2) **IAN AND MELISSA MUSTEE, OWNERS/Frank Colabianchi with Colabianchi Construction, Representative, 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 take action, you will be notified by the Building Department at the end of the twenty days. You are set for this evening.

Mr. Colabianchi – Thank you very much. I appreciate all the good things you said about me.

Mr. Evans – Is there anything else to come before the Board? Then we are done. Meeting adjourned and Merry Christmas to all.

Signature on File
Mr. Evans, Chairman

Signature on File
Kathy Zamrzla, Sec'y

January 12, 2022
Approval date