

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

**Meeting of  
September 8, 2021**

Board of Appeals Members Present: Ken Evans, Richard Baldin, David Houlé, John Rusnov  
Administration: Assistant Law Director Daniel J. Kolick  
Assistant Building Commissioner: Brian Roenigk  
Recording Secretary: Kathy Zamrzla

Mr. Evans – Good evening ladies and gentlemen. I'd like to call this caucus for the September 8, 2021 meeting of the Strongsville Board of Zoning & Building Code of Appeals to order. Caucus is a time when the Board Members get to discuss informally the items on the agenda tonight. You will be invited to participate when we get to 8:00 and the official meeting and at that time, if you wish to participate, you will be sworn in by our Assistant Law Director. You are welcome to stay and listen to the deliberations, thoughts, and comments by Board Members, but this is a time only for Board Members to discuss the items. So, gentlemen, we have one item on the agenda this evening. We also have minutes from August 25<sup>th</sup> that were sent to us by Kathy. Anything in the minutes?

Mr. Houlé – No, they were very good. I got a good flavor of the meeting having not been there. Page 17, it's just a real small spelling error. On item number six there it should be "functional" instead of "unctional".

The Board members discussed the following:

**1) JAMES A. PAVLIK, JR., OWNER**

- a) Requesting a variance from Zoning Code Section 1252.18, which permits one (1) Accessory Structure and where one (1) Shed exists and a second Accessory Structure (Gazebo) is proposed;
- b) Requesting a 12' Rear Yard Setback variance from Zoning Code Section 1252.16 (e), which requires a 36' Rear Yard Setback and where a 24' Rear Yard Setback is proposed in order to install a 500 SF Concrete Patio; property located at 15365 Dewitt Drive, PPN 395-14-095, zoned R1-75.

Mr. Rusnov stated that this is a cul-de-sac lot and if you stand at the rear the right-hand side is 150 feet and the left-hand side is 124 feet. All six of the lots on the street are irregular shaped. Mr. Houlé questioned if any of the other items in the yard were going to be removed or added to. Mr. Baldin stated that he believes that the homeowner will be removing the pavers and the firepit in the corner. Mr. Rusnov stated that there are no water issues. Mr. Evans stated that there is Homeowner approval.

**STRONGSVILLE BOARD OF ZONING & BUILDING CODE APPEALS  
MINUTES OF MEETING  
September 8, 2021**

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

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

Absent: Mr. Hayden

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

Mr. Evans – I would like to call this September 8, 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	ABSENT
	MR. BALDIN	PRESENT
	MR. RUSNOV	PRESENT

Mr. Houlé – Mr. Chairman, I would like to make a motion to excuse Mr. Hayden for just cause.

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
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Mr. Evans - I hereby certify that this meeting has been posted in accordance with Chapter 208 of the Codified Ordinances of the City of Strongsville. We have before us this evening minutes from August 25, 2021. We discussed these in caucus. If there are no other changes other than the one minor correction, we will submit them as they were given to us for the record. If you are here this evening and you intend on speaking to the Board, I would ask that you now stand and be sworn in by our Assistant Law Director. If you intend on presenting a request for a variance or if you are speaking at the public hearing related to that request, you would need to stand and be sworn in by

our Assistant Law Director in order to be able to speak as well as our Building Department representative and secretary.

Mr. Kolick stated the oath to those standing.

1) **JAMES A. PAVLIK, JR., OWNER**

- a) Requesting a variance from Zoning Code Section 1252.18, which permits one (1) Accessory Structure and where one (1) Shed exists and a second Accessory Structure (Gazebo) is proposed;
- b) Requesting a 12' Rear Yard Setback variance from Zoning Code Section 1252.16 (e), which requires a 36' Rear Yard Setback and where a 24' Rear Yard Setback is proposed in order to install a 500 SF Concrete Patio; property located at 15365 Dewitt Drive, PPN 395-14-095, zoned R1-75.

Mr. Evans – So, item number one on our agenda is James Pavlik on Dewitt Drive. Do we have someone who's going to speak about this? If you would come forward and the first thing that we will need from you is your name and address for the record.

Mr. Pavlik – James Pavlik. 15365 Dewitt Drive, Strongsville, Ohio.

Mr. Evans – Thank you. Mr. Pavlik, we have all been out to visit the property. You may have heard in caucus that we had a couple of questions about what comes, what stays, what's new. Why don't you take us through a quick description of the project in its totality.

Mr. Pavlik – Basically we've been there for thirty three years. It's me and my wife now, we just retired and the other member mentioned that people are fixing up their homes to get more enjoyment out of it. We've had a shed there on the property for about six years now. That's not new. We've had a patio there for about twenty five years. Basically what we want to do is do an upgrade there. Replace the pavers, add a structure to help protect us from the elements, give us some shade, so when it's raining, and we could have more of an extension year-round of the backyard space to be out there. That's basically why we're here to go ahead and get the permission to go ahead with the project. Really, it's just an upgrade to what we have at this point in time in terms of the space and how much of the yard it really takes up.

Mr. Evans – Do you, by any chance, know the measurement of where the current paver and patio configuration is compared to what you're proposing? You're asking for the twelve foot variance.

Mr. Pavlik – Currently right now we have two sixteen feet diameter circles. If you look at the yard, I spray painted it. Mr. Baldin came out today and I showed him there. Well actually we have the patio and we have about a two feet perimeter there for landscaping. Really the pavers come to where the existing landscaping is at. So, you don't have too much of an extension now.

1) **JAMES A. PAVLIK, JR., OWNER, Cont'd**

**Mr. Pavlik continues** - To the right we are adding a little fire pit area there that goes into the grass, but still, it's aligned with the house looking at it from the street. In terms of going back that's probably about a foot farther back than the current patio structure we have.

Mr. Evans – When I looked at it my estimation was that it's not twenty eight feet farther back than what it is now. My gauge is you're probably asking for about an additional eight feet from what is there now to the total amount that you're having for the patio there.

Mr. Pavlik – We spray painted it. The expansion may be two or three feet and it's just right on the edge of the perimeter of the landscaping.

Mr. Rusnov – In other words, what you have and what you're going to have are minimal compared to what was there originally.

Mr. Pavlik – We had nothing there.

Mr. Rusnov – Also, one other point, when you bought this house thirty three years ago, the Zoning codes have changed numerous times. When they laid the lots out in the subdivision they conformed to the Code at that time. They may not at this point in time and that's what makes life a little bit miserable for the property owners when they want to improve their property, and that's Rockefeller Estates?

Mr. Pavlik – Yes, exactly. We have, like I said, grass and we put the original patio in. We've had no issues with anybody since that time.

Mr. Rusnov – At that time I probably did the construction loans for the bank.

Mr. Evans – You also commented that it is a pie-shaped lot.

Mr. Rusnov – It's an irregular shaped lot and one of the criteria that we have is topographical and the layout of this lot is very irregular. When you're standing at the rear line, the right line is 150 feet and the left line is 124. They have 94 feet as the frontage. That's not correct. They included an arc. You satisfied me as far as what you're going to be doing.

Mr. Baldin – When I looked at the topo and when I went to look at the property, I wasn't quite sure but you showed me where the markings were and he's not going outside the boundary of the house line.

Mr. Pavlik – No, it going to be within the house line.

1) **JAMES A. PAVLIK, JR., OWNER, Cont'd**

Mr. Houlé – Is the existing fire pit going to stay where it's at or are you going to be making it part of this new area?

Mr. Pavlik – No, that's going to be landscaped over which is removing that and putting dirt over that and basically what we're getting is just a gas fired fire pit as part of the patio.

Mr. Rusnov – If I understand this correctly, he is re-doing what is already there and just some minor expansion work and some improvements.

Mr. Pavlik – Right.

Mr. Evans – Anything else gentlemen? 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. If you will come forward and give us your name and address.

Mr. Murray – Mike Murray, 15249 Sassafra. I'm here as a neighbor and representing the HOA. I reviewed the diagrams and plans. I've walked the property and have seen the same paint marks you have and we recommend approval.

Mr. Evans – Thank you Mr. Murray. We do have that as part of the record this evening that the Homeowner's Association did approve it. Is there anybody else who wishes to speak for the granting of the variance? Is there anybody 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 variance from Zoning Code Section 1252.18, which permits one (1) Accessory Structure and where one (1) Shed exists and a second Accessory Structure (Gazebo) is proposed; (b) requesting a 12' Rear Yard Setback variance from Zoning Code Section 1252.16 (e), which requires a 36' Rear Yard Setback and where a 24' Rear Yard Setback is proposed in order to install a 500 SF Concrete Patio; property located at 15365 Dewitt Drive, PPN 395-14-095, zoned R1-75.

Mr. Baldin – Second.

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

ROLL CALL:

ALL AYES:

MOTION PASSED

1) **JAMES A. PAVLIK, JR., OWNER, Cont'd**

Mr. Evans – The variance has been granted. 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 on it or has no problems with it, you'll be notified by the Building Department at the conclusion of the twenty days and you can move forward with the project. You are all done for tonight. You just need to wait the twenty days, hear from the Building Department, then you can move forward with the project. You are all set. Congratulations on retiring. Hope you enjoy it. Is there anything else to come before the Board this evening? We are adjourned.

Signature on File

Mr. Evans, Chairman

Signature on File

Kathy Zamrzla, Sec'y

Sept. 22, 2021

Approval date