

**CAUCUS PRIOR TO STRONGSVILLE BOARD OF ZONING &
BUILDING CODE APPEALS**
Meeting of
December 27, 2017
7:30 p.m.

Board of Appeals Members Present: David Houlé, John Rusnov, and Tom Smeader
Administration: Assistant Law Director Daniel J. Kolick
Building Department Representative: Anthony Biondillo
Recording Secretary: Kathy Zamrzla

The Board members discussed the following:

NEW APPLICATIONS

1) K. HOVNANIAN HOMES, OWNER/Bob Keeler, Representative

Requesting a 33.47' Setback variance from Zoning Code Section 1253.11 (b) (3), which requires a 35' Setback from the Common Area and where a 1.53' Setback from the Common Area is proposed in order to construct a new Single Family Dwelling; property located at 12422 Edgebrook Drive, PPN 392-24-015, zoned Residential Townhouse – Cluster (RT-C).

The Board noted that the 1.5' setback is on the side and back of the property and abuts the narrow common area. They also noted that there are topographical issues because the property slopes down from north to south which is where it meets the creek. The Board also stated that there are no homes on the side where they want the setback variance. The side of the structure that meets the neighboring condominiums mostly meets the required 5' property setback. They then noted that they will heavily consider the decision of the Homeowners Association since they own the neighboring property as well.

2) J & W OF OHIO, OWNER/Adam Sroka, Representative

Requesting a 50' Front Parking Setback variance from Zoning Code Section 1262.07, which requires a 50' Front Parking Setback and where a 0' Front Parking Setback is proposed in order to construct a Parking Area; property located at 21265 Westwood Drive, PPN 392-15-014, zoned General Industrial (GI).

The Board noted that they would like to add additional parking in the front of the business. They also noted that they have already approved a similar request a few years ago for the lot.

PUBLIC HEARINGS

There are no Public Hearings.

**STRONGSVILLE BOARD OF ZONING & BUILDING CODE APPEALS
MINUTES OF MEETING
December 27, 2017**

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

Present: Mr. Houlé
Mr. Rusnov
Mr. Smeader

Also Present: Mr. Kolick, Assistant Law Director
Mr. Biondillo, Building Department Representative
Ms. Zamrzla, Recording Secretary

Mr. Houlé – Good evening ladies and gentlemen. I would like to call this December 27th, 2017 meeting of the Strongsville Board of Zoning and Building Code Appeals to order. Kathy if you would call the roll please?

ROLL CALL: ALL PRESENT EXCEPT MR. BALDIN AND MR. EVANS.

Mr. Smeader – I'd like to make a motion to excuse Mr. Baldin and Mr. Evans for just cause.

Mr. Rusnov – Second.

Mr. Houlé – I have a motion and a second. May I have a roll call please?

ROLL CALL: ALL AYES MOTION PASSED

Mr. Houlé – I hereby certify that this meeting has been posted in accordance with Chapter 208 of the Codified Ordinances of the City of Strongsville. This evening we also have minutes from our December 13th meeting. If there are no further changes I will submit them as presented. We have Findings of Fact and Conclusions of Law regarding Goodwill Industries and the decision of the Board on December 13th, 2017.

Mr. Smeader – I make a motion to accept the Findings of Fact and Conclusions of Law regarding Goodwill Industries and the decision of the Board on December 13th, 2017.

Mr. Rusnov – Second.

Mr. Houlé – Could we have another roll call please?

ROLL CALL: ALL AYES MOTION PASSED

Mr. Houlé - During tonight's meeting, we will ask that each of the individuals presenting come forward in order and give us their name and address for the record. Then we are going to ask them to describe their request for a variance. Anyone in our audience this evening that wishes to speak, whether it is to present to the Board tonight or to speak at a public hearing, I ask that you stand now and be sworn in by our Assistant Law Director, along with our Recording Secretary, and our Representative from the Building Department.

Mr. Kolick then stated the oath to those standing.

NEW APPLICATIONS

1) K. HOVNANIAN HOMES, OWNER/Bob Keeler, Representative

Requesting a 33.47' Setback variance from Zoning Code Section 1253.11 (b) (3), which requires a 35' Setback from the Common Area and where a 1.53' Setback from the Common Area is proposed in order to construct a new Single Family Dwelling; property located at 12422 Edgebrook Drive, PPN 392-24-015, zoned Residential Townhouse – Cluster (RT-C).

Mr. Houlé – Our first new application on the agenda is K. Hovnanian Homes with Bob Keeler representing them. Please come up to the microphone and give us your name and address for the record.

Mr. Keeler – My name is Robert Keeler, 11727 Woodview Ave., Parma Heights, Ohio.

Mr. Houlé – Thank you. Please briefly describe why you need this variance.

Mr. Keeler – The request is about being over the 5' setback by 1.53' to build a house on sub lot 4 in the Edgebrook community. What's stated is pretty accurate.

Mr. Houlé – OK, thank you. You're saying in your application that due to the angle of the lot on the left side your housing plans will not fit in there, correct?

Mr. Keeler – Correct. Due to the shape of the lot and the slope of that back corner, no other design that would match the rest of the development would fit in there. It's just that back corner that's an issue. We chose one that was as close to it as possible with the Appleton. It fits within that community, floorplan has already been accepted by the HOA.

Mr. Houlé – In caucus I brought this point up that when you were initially designing your development, I was curious as to why the initial design did not take into account the fact that you're going to be 33.5' short and then plan accordingly so that it would ramp up toward the back of the development.

1) **K. HOVNANIAN HOMES, OWNER/Bob Keeler, Representative, Cont'd**

Mr. Keeler – That's a question I won't be able to answer. We weren't the original developer. We're purchasing these lots individually. So I wouldn't be able to answer that question.

Mr. Rusnov – In other words the product that you bought was the finished product that was plotted out by another individual or developer.

Mr. Keeler – Correct.

Mr. Rusnov – So you got what you got.

Mr. Keeler – Right.

Mr. Rusnov – This is probably one of the last lots, if not the last, to be built on.

Mr. Keeler – This will be our last one.

Mr. Rusnov – The last one to finish the project. Is there any consideration for making the common area a little bit bigger and donating this to the Homeowners Association?

Mr. Keeler – Again I can't answer that. That's something I'd have to come back to you with later.

Mr. Rusnov – OK.

Mr. Kolick – Mr. Chairman, we will need from the applicant a letter from the Homeowners Association to show their approval. Even if you have control of it, we'd still need to have that. You'll also need a second variance we noticed tonight. So the notice will go out with two variance requests on it. The one is for the common area and the other one is that you're already in violation of the side rear yard setback on the south side of the property. I just wanted you to understand why the notice will show two variances.

Mr. Keeler – Thank you.

Mr. Smeader – If you look at the plat at the south west corner, is the 1.53' the actual distance from the corner of the house to the setback line, is that correct?

Mr. Keeler – Right that is the smallest distance.

Mr. Smeader – So the variance is actually 3.47' not 1.53'.

Mr. Keeler – Oh, yes, thank you.

1) **K. HOVNANIAN HOMES, OWNER/Bob Keeler, Representative, Cont'd**

Mr. Rusnov – We'll correct that on our records.

Mr. Houlé – No, the side setback is 35' though.

Mr. Rusnov – Right.

Mr. Smeader – This setback on the corner, our notes indicate that there's a 1.53' setback, and that should be a 3.47' setback because that is the distance from the line. It's supposed to be a 5' setback. So 5' minus 1.53' is 3.47' as the setback variance.

Mr. Houlé – That would be for the side setback, but this is to the common land though.

Mr. Kolick – There's two, that's what I was mentioning before. He needs two separate variances. One is that he has to be 35' from the common area. He's only at 1.53' now from there because that's where he is to the lot line. So that's a 33.47' variance. Then he needs a second variance because he's within that 5'.

Mr. Smeader – So this is correct on here.

Mr. Kolick – That's correct for the first one, but it doesn't have the second variance on there. We'll make sure it's added and it goes out correctly.

Mr. Keeler – Alright, thank you.

Mr. Houlé – I have one other question too. I couldn't tell from the map. How wide is that common area then from the end of this lot to wherever it ends? I know there's a creek down there, is that all part of it too then?

Mr. Keeler – I'm not that familiar with the common area. That's something my dad would have to come back with.

Mr. Houlé – Obviously it was snow covered, but I don't think that common area has a paved sidewalk, does it?

Mr. Keeler – It does not.

Mr. Rusnov – No. The common area you can see as you're coming down Westwood on the left hand side you have the creek. That's the common area that slopes around. There's no sidewalks there. It's just grassy with shrubs and trees.

1) **K. HOVNANIAN HOMES, OWNER/Bob Keeler, Representative, Cont'd**

Mr. Houlé – OK. I was just curious how wide that was from the creek to where that will be. I can't tell from looking at this.

Mr. Rusnov – The common area is a buffer between the cluster home development and the residents that front on Westwood.

Mr. Houlé – Right.

Mr. Rusnov – When you go there you'll notice a very large brick ranch that has a garage door, and that's the first house, and there's a couple other houses that abut that property when you head west.

Mr. Houlé – Right, and part of that is the purpose of having a common area to give a buffer, and we'd be cutting into that buffer area then quite a bit since its 33' or so. That's why I wondered how much of a buffer is in the common area. If it's only 5' wide now and we're cutting it down more, then that would affect my decision.

Mr. Rusnov – It's a lot wider than 5', but if you could bring us the width of that common area that would be good. If it's all 25.6' for that entire area that would be nice to know.

Mr. Keeler – OK.

Mr. Houlé - All of the members of the Board will be out to visit the property to take a look at it. There will also be a notice that will go out to your neighbors within 500 feet of your property. It will state exactly the description that is written in the agenda tonight. So if you have curious neighbors that will want to ask questions, you should get together with them before the next meeting to explain simply what your plans are. That may save everyone some time and the trouble.

Mr. Rusnov – Don't forget the letter from the Homeowners Association. Seeing as how the builder is in control of the Homeowners Association, I don't know if the residents even have their Association formed yet. Do they?

Mr. Keeler – No they don't have their own formed.

Mr. Rusnov – So basically the builder is going to say that they have no problem. That's why the letter going out to everyone within 500' can produce important input for us.

Mr. Kolick – If all these lots are built, the Homeowners Association should have been formed by now. You may not have turned over the common property, but you would have turned over control of the Homeowners Association, would you not have?

Mr. Rusnov – No.

1) **K. HOVNANIAN HOMES, OWNER/Bob Keeler, Representative, Cont'd**

Mr. Keeler – I don't think we have at this point in this community. I apologize, I'm fairly new to this community myself so I can't answer all these questions.

Mr. Kolick – If you could find out that would be helpful because there are Covenants and Deeds that indicate when that control gets turned over, and it's not until you sell the very last lot. I can tell you that.

Mr. Rusnov – The last lots have not been sold yet. There's about three or four new units going in there that have not been sold yet.

Mr. Kolick – Most of those Covenants and Deed Restrictions read that once a certain percentage of homes are sold, it could be 50% or 60% you've got to form the Association and turn it over to them. You may not turn over the common properties yet, but you have to turn over control. If there is a Homeowners Association we would need someone in the Homeowners Association instead of someone from K. Hovnanian Homes to send us a letter to indicate that they don't have a problem with what you're attempting to do. That's what we're looking for if one is formed.

Mr. Keeler – OK.

Mr. Kolick – Alright.

Mr. Houlé – The public hearing is on January 10th. We will invite you back at that time. It is not necessary that you stay for the rest of the meeting tonight. Thank you.

Mr. Keeler – OK great. Thanks.

2) **J & W OF OHIO, OWNER/Adam Sroka, Representative**

Requesting a 50' Front Parking Setback variance from Zoning Code Section 1262.07, which requires a 50' Front Parking Setback and where a 0' Front Parking Setback is proposed in order to construct a Parking Area; property located at 21265 Westwood Drive, PPN 392-15-014, zoned General Industrial (GI).

Mr. Houlé – Alright, new application number two is J & W of Ohio with the owner Adam Sroka representing them. Please come up to the microphone and give us your name and address for the record.

Mr. Sroka – My name is Adam Sroka, 21265 Westwood Drive, Strongsville.

Mr. Houlé – Thank you. Briefly describe for us your need for a zoning variance.

2) **J & W OF OHIO, OWNER/Adam Sroka, Representative, Cont'd**

Mr. Sroka – Sure. We're requesting the zoning variance because there is no readily accessible parking for customers to the front face of the building. I requested a variance for our parking right to the line to allow for a parking lot to be put in. It would tie back into Westwood Drive via a service portal.

Mr. Houlé – Describe for me your typical visitors. Is it high volume? Is it low?

Mr. Sroka – There's typically a visitor every day. Our visitors could be our vendors, and more importantly our customers, which could come from all over the world. We're a custom machinery builder. We build projects under contract. So it could be someone from Ford, from Hormel Foods, or it could be someone local too. We get visitors from all over.

Mr. Houlé – This request is basically identically to the one that we granted back in 2015.

Mr. Sroka – Yes, with the exception that in addition here we already planned for extending the sidewalk across the entire face of the property.

Mr. Houlé – Good.

Mr. Smeader – How many parking spaces are we talking about roughly?

Mr. Sroka – I believe it's...

Mr. Houlé – It's seven.

Mr. Smeader – Seven?

Mr. Sroka – Yes, and that will include handicapped spots.

Mr. Rusnov – So this is not a high volume parking lot in the front.

Mr. Sroka – No, it's not like a retail store or anything.

Mr. Rusnov – And access to the front of the building is extremely difficult from the rear parking lot?

Mr. Sroka – It's not convenient.

Mr. Rusnov – You have to go through the shop areas. This is a circa 1950's original building.

Mr. Sroka – Yes.

2) **J & W OF OHIO, OWNER/Adam Sroka, Representative, Cont'd**

Mr. Rusnov – I have no further questions.

Mr. Houlé – Does anyone need more time? OK. All of the members of the Board will be out to visit the property to take a look at it. There will also be a notice that will go out to your neighbors within 500 feet of your property. It will state exactly the description that is written in the agenda tonight. So if you have curious neighbors that will want to ask questions, you should get together with them before the next meeting to explain simply what your plans are. That may save everyone some time and the trouble. You had some feedback last time you did this, but that was for the rear and I don't anticipate this will have the same reaction. We'll have to see what kind of feedback we get from them. The public hearing is on January 10th. We will invite you back at that time. It is not necessary that you stay for the rest of the meeting tonight. Thank you.

Mr. Sroka – OK. Are there any other concerns?

Mr. Smeader – No, I think we're good.

Mr. Houlé – We're good. Thank you.

Mr. Sroka – Thank you, Mr. Chairman.

PUBLIC HEARINGS

There are no Public Hearings.

Mr. Houlé – Is there anything else to come before the Board this evening?

Mr. Kolick – Happy New Year.

Mr. Houlé – Happy New Year.

Mr. Smeader – Happy New Year.

Mr. Houlé – Thank you. Then we stand adjourned.

Signature on File
Mr. Evans, Chairman

Signature on File
Kathryn A. Zamrzla, Sec'y

January 10, 2018
Approval Date