

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

**Meeting of
February 14, 2018
7:30 p.m.**

Board of Appeals Members Present: Kenneth Evans, John Rusnov, Richard Baldin, David Houlié,
Thomas Smeader

Administration: Assistant Law Director Daniel J. Kolick

Building Department Representative: Mike Miller

Recording Secretary: Kathy Zamrzla

The Board members discussed the following:

NEW APPLICATIONS

1) NICHOLAS AND LAUREN CATANZARITE, OWNERS

- a) Requesting a 46 SF Floor Area variance from Zoning Code Section 1252.15, which permits a 192 SF Floor Area and where a 238 SF Floor Area is proposed in order to construct a Pool House Accessory Structure;
- b) Requesting a 15' Rear Yard Setback variance from Zoning Code Section 1252.29 (b) (1), which requires a 15' Rear Yard Setback and where a 0' Rear Yard Setback is proposed in order to install an Inground Swimming Pool; property located at 12534 Saddlebrook Lane, PPN 392-02-092, zoned R1-100.

The Board pointed out that he owns the neighboring property, and that the topography of the lot is an issue. They also added that the automatic pool cover is safer than a fence.

2) GREG HILLER, OWNER

Requesting an 800 SF Floor Area variance from Zoning Code Section 1252.15, which permits a 400 SF Floor Area and where a 1,200 SF Floor Area is proposed in order to construct an Accessory Structure; property located at 12809 Webster Road, PPN 398-26-028, zoned R1-75.

The Board indicated that many people are moving to Strongsville to be able to build huge structure for their massive car collections, but the Board is concerned that others will see it and want one as well for whatever use of their own.

3) ROGER AND LISA PUZZITIELLO, OWNERS

Requesting a 15' Rear Yard Setback variance from Zoning Code Section 1252.29 (b) (1), which requires a 15' Rear Yard Setback and where a 0' Rear Yard Setback is proposed in order to install an Inground Swimming Pool; property located at 22342 Pinnacle Point, PPN 392-13-058, zoned R1-75.

The Board indicated that there is no room elsewhere on the property because of its topography and the limited size of usable space.

4) DARREN AND VANESSA WHITFORD, OWNERS

Requesting a 18.5' Rear Yard Setback variance from Zoning Code Section 1252.04 (f), which requires a 50' Rear Yard Setback and where a 31.5' Rear Yard Setback is proposed in order to construct a 380 SF Addition; property located at 18249 Meadow Lane, PPN 396-07-021, zoned R1-75.

The Board indicated that they already approved the same variance request for their neighbor for the same reasons.

PUBLIC HEARINGS

There are no Public Hearings.

STRONGSVILLE BOARD OF ZONING & BUILDING CODE APPEALS
MINUTES OF MEETING
February 14, 2018

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

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

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

Mr. Evans – Good evening ladies and gentlemen. I would like to call this February 14th, 2018 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

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. This evening we have minutes from our January 10, 2018 meeting. If there are no changes I will submit them as presented. We also have before us this evening Findings of Facts and Conclusions of Law regarding the decision of the Board on January 10th of 2018 for the applicant, K. Hovanian Homes. Are there any corrections or anything else to discuss regarding those? If not, I'll entertain a motion to approve them.

Mr. Baldin – I make a motion to approve the Findings of Facts and Conclusions of Law regarding K. Hovanian Homes.

Mr. Rusnov – Second.

Mr. Evans – May we have a roll call please?

ROLL CALL: ALL AYES MOTION PASSED

Mr. Evans – Thank you, they are approved and recorded. 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) NICHOLAS AND LAUREN CATANZARITE, OWNERS

- a) Requesting a 46 SF Floor Area variance from Zoning Code Section 1252.15, which permits a 192 SF Floor Area and where a 238 SF Floor Area is proposed in order to construct a Pool House Accessory Structure;
- b) Requesting a 15' Rear Yard Setback variance from Zoning Code Section 1252.29 (b) (1), which requires a 15' Rear Yard Setback and where a 0' Rear Yard Setback is proposed in order to install an Inground Swimming Pool; property located at 12534 Saddlebrook Lane, PPN 392-02-092, zoned R1-100.

Mr. Evans – Thank you first on the agenda tonight is Nicholas and Lauren Catanzarite. Please come up to the microphone and give us your name and address for the record.

Mr. Catanzarite – Nick Catanzarite, 12534 Saddlebrook Lane, Strongsville.

Mr. Evans – Thank you, and you are here requesting two variances. Why don't you take us through what you're requesting please?

Mr. Catanzarite – Yes, thank you. The two variances that are being requested, the first is for a floor area variance for a pool house, and the second is a setback variance for the pool deck itself. The property line in question where the setback is needed is the western property line and I'm also the owner of that adjacent property. So I promise not to come back and complain to the Board if the variance is granted as the adjacent property owner.

Mr. Rusnov – Are you sure about that?

Mr. Catanzarite – I'm sure, and I'm under oath. So yes. All kidding aside, there aren't any neighboring property owners that would be affected by this setback variance if it were granted. There's really no other way to orientate this pool without the variances that are being requested so I appreciate your favorable recommendation. I'm happy to answer any questions you may have.

Mr. Rusnov – In other words, this is the only place the pool can go.

Mr. Catanzarite – Pretty much.

Mr. Rusnov – OK. Thanks.

Mr. Evans – The reason for the larger pool house than what is permitted is what?

Mr. Catanzarite – Really there was no magic number with the size other than putting in a bathroom and enough area for storage and pool equipment. If you want me to take another look at the size, I can do that. That was just where we started.

Mr. Evans – Our job is to try and minimize variances so we ask those questions just to make the appropriate determinations. Are there other questions from the Board members?

Mr. Rusnov – Do you wish to reconsider? The size of the variance is only 46’ so anything you could do to get it down to Code would be great. That would eliminate one whole variance. Just consider it, if it’s not practical, then tell us.

Mr. Catanzarite – I can take another look at it. As designed, it’s...

Mr. Rusnov – We’re just asking that you reconsider.

Mr. Catanzarite – Alright, I can take a look at that.

Mr. Baldin – With the size of his lot there, I can see that it’s not a real problem. It’s not going to affect anyone.

Mr. Catanzarite – Thank you.

Mr. Evans – I haven’t been out to visit it yet, I know some of the others have been already. 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 except those in Lorain County. 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. The public hearing is on February 28th. 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. Catanzarite – Thank you very much.

2) **GREG HILLER, OWNER**

Requesting an 800 SF Floor Area variance from Zoning Code Section 1252.15, which permits a 400 SF Floor Area and where a 1,200 SF Floor Area is proposed in order to

construct an Accessory Structure; property located at 12809 Webster Road, PPN 398-26-028, zoned R1-75.

Mr. Evans – Next on the agenda is Greg Hiller. Please come up to the microphone and give us your name and address for the record.

Mr. Hiller – Yes, Greg Hiller, 12809 Webster Road.

Mr. Evans – Mr. Hiller you've asked for a 30' by 40' barn to store your classic car collection. The first question we always ask on the floor under oath is whether you intend to run a business or do you intend to occupy the building with plumbing to bathrooms or kitchens and so forth.

Mr. Hiller – I certainly do not intend to do any of those things.

Mr. Evans – OK. One of the hesitations we have about granting variances of this nature is that while you may not intend on running a business or anything out of that structure, when the building is as large as that, the next owner might look at it and say that they can use it for their business's needs. Therefore our propensity in residential areas is to not look favorable on putting up large barns in like that for that reason. You may hear some conversation from us about why, and that's really the basis for it. What winds up happening invariably as we talked about in caucus is that you will put up that structure, then everyone around you is going to start thinking about putting up their own for whatever their reason may be. Then your 30' by 40' structure becomes a 40' by 40' for the next guy's needs, and a 50' by 40' for the one after that. It just seems to mushroom, so often times we'll have a reluctance to putting in buildings that large. Gentlemen, do you have questions or comments?

Mr. Rusnov – This is almost three times what the City allows. So if you can cut this thing down, then please do.

Mr. Hiller – What is the size garage that they allow?

Mr. Rusnov – 400 SF.

Mr. Hiller – For the accessory structure?

Mr. Evans – Yes.

Mr. Hiller – Well you know, I plan on staying in the house a long time. Someday I might even take my existing garage and turn it into part of the house and make it 1300 SF house. I'm not ready to do that right now, but as my house fills up it might be something I'd consider. So you're thinking to knock down the square footage?

Mr. Evans – It would be easier for us to approve a variance if it were to be a smaller variance. Please understand that City Council sets the rules for the City and the Code we have permits no more than 400 SF. When we go over that and grant a variance, Council has the opportunity to look at it and overturn our decision even if we do approve it. Sometimes they've been known to do that. So if you were to reduce the square footage of it then it would make it easier for us to consider granting a variance for this. We'll entertain the request as you submit it. Even though you may not run a business out of it, we may never know what the next guy is planning. We try to learn from our lessons, and not repeat the same mistakes. How many vehicles do you have now that you need to store?

Mr. Hiller – I have three vehicles. I have a 1953 Chevy, 1927 Oakland, and a 1927 Ford. So two of them are at my grandmother's house in the garage.

Mr. Evans – So one of the things we know is that no matter how big you build a garage, people can always find new things to put in it, and then the garage is never big enough. People just tend to acquire more and more as time goes on. Is there anything else Board members?

Mr. Smeader – The drawing indicates an 18' height. Mr. Miller is that to Code?

Mr. Miller – No, he'll require an additional variance for that. 15' is the maximum.

Mr. Hiller – Oh, that's fine. That's no problem, I can reduce it to 15'. I thought the Code maximum was 18'. That's my mistake. I have no problem with that.

Mr. Smeader – Does he need to resubmit that?

Mr. Miller – No, it's not for construction purposes, so he's now advised the Board that he will not exceed 15'.

Mr. Evans – Excellent.

Mr. Smeader – As we suggested to Mr. Catanzarite, you should consider something less than 1200 SF.

Mr. Evans – That would be to your advantage. That doesn't mean we won't approve the 1200 SF, but it's more likely to be approved if it were less. That puts us in a better position to do so than when you're talking about three times what the allowable square footage is, that makes it hard for us to justify it.

Mr. Baldin – How many cars can you put in a building this size?

Mr. Hiller – To be honest, I'm only planning on putting the three in there. It's just nice to have some room around them. My '53 Chevy, once the doors are opened on that, it takes up a lot of

space. So really, that's it. There will also be a workshop area in there. I have to get rid of my shed so all the stuff from the shed will also be in there.

Mr. Baldin – You'll be working on them over a period of months or years?

Mr. Hiller – They're really kind of done. We have a shop for our business that I use for anything major if I wanted to. It's really kind of for storage, and for using it just as a workshop.

Mr. Baldin – It is plenty of room then.

Mr. Hiller – Yes, it's enough for as long as I plan to live in the house which is a very long time, so that's enough to cover that.

Mr. Baldin – Thank you.

Mr. Evans – Mr. Hiller, I noted that on the information you submitted that you indicated a concrete driveway would be extended to this garage? I just wanted to make sure that you understand that it is a requirement.

Mr. Hiller – Yes, I do.

Mr. Evans – Also our Building Department would have to have revised sketches by February 21st so that we could review them and also have them for the meeting on the 22nd. You'll need to show a drawing with the height lowered to 15' so we have it on record; as well as adjusting the square footage if you decide to reduce the request. We will advertise it to your neighbors though as 1200 SF. All of the members of the Board will be out to visit the property to take a look at it. The notice 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. They may want to know how big it is or why you're putting it up. As I understand it, the topography of your lot is such that it might be a little higher, and that may make it more visible to certain people. So consider that as you think about whether you need to speak with your neighbors about what you're proposing.

Mr. Hiller – OK. Yes, someone mentioned about visibility, and you don't really see the houses that are in that one cul-de-sac, but even more pine trees could help. It has quite a bit of pine trees already too. No one lives in the other house, but you do make a good point about it being near it.

Mr. Evans – OK. Is there anything else gentlemen? Alright, so the public hearing is on February 28th. 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. Hiller – Thank you.

3) **ROGER AND LISA PUZZITIELLO, OWNERS**

Requesting a 15' Rear Yard Setback variance from Zoning Code Section 1252.29 (b) (1), which requires a 15' Rear Yard Setback and where a 0' Rear Yard Setback is proposed in order to install an Inground Swimming Pool; property located at 22342 Pinnacle Point, PPN 392-13-058, zoned R1-75.

Mr. Evans – Item number three on our agenda is Roger and Lisa Puzzitiello on Pinnacle Point. Please come up to the microphone and give us your name and address for the record.

Mr. Puzzitiello – Good evening. Roger Puzzitiello, 22342 Pinnacle Point in Strongsville.

Mr. Evans – Thank you, and you are asking for a setback variance for a pool. Tell us about where this is situated and why you need to put it close to the property line?

Mr. Puzzitiello – Well there's a couple conditions that make it necessary. The house sits on a hill, and the way the rear yard property lines are set up it's in a triangle, and the pool will be rectangular. So we're limited on the left hand side because it has the deck on it, and there's a pinch point there so to extend the pool deck I need the 15' variance for the concrete to go around the pool and up to the property line.

Mr. Evans – It is an unusually shaped lot. We talked about that in caucus, and I failed to mention that we do have the HOA approval for our first item, and that we have also an HOA approval letter for yours as well. Are there other questions?

Mr. Rusnov – That pretty much covers it.

Mr. Baldin – I won't be here for the next meeting, but what I saw out there was that there's nothing behind there except a big ravine and a drop off. He's just trying to utilize what he can. So I don't have a problem with it personally.

Mr. Smeader – This is another one where the lot size and the topography make this the only place he can put it.

Mr. Evans – Alright, so we invite you back as well on February 28th. All of the members of the Board will be out to visit the property to take a look at it. Again, there will also be a notice that will go out to your neighbors within 500 feet of your property. So it is not necessary that you stay for the rest of the meeting tonight, and we'll see you again on the 28th. Thank you.

Mr. Puzzitiello – Thank you for your time.

4) **DARREN AND VANESSA WHITFORD, OWNERS**

Requesting a 18.5' Rear Yard Setback variance from Zoning Code Section 1252.04 (f), which requires a 50' Rear Yard Setback and where a 31.5' Rear Yard Setback is proposed in order to construct a 380 SF Addition; property located at 18249 Meadow Lane, PPN 396-07-021, zoned R1-75.

Mr. Evans – Our last item for the evening is Darren and Vanessa Whitford. Please come up to the microphone and give us your name and address for the record.

Mr. Gallagher – My name is Dan Gallagher, my address is 19336 W. 130th in Strongsville. I'm the Contractor representing the Whitfords. Their address is 18429 Meadow Lane. There is one correction that needs to be pointed out on there. The setback when the building is finished will be 31.5' and not 21.5' from the rear property line.

Mr. Evans – That means that the variance would be only 18.5'.

Mr. Gallagher – Yes.

Mr. Evans – Mr. Miller perhaps?

Mr. Miller – Can I have my worksheet for this please?

Mr. Evans – That doesn't make sense though does it?

Mr. Gallagher – Currently its 48.5' from the rear property line, and the footprint of the house has a three foot jog in it. From the back of the jog, we're going 17' out, 19' across, and then 20' back to the existing house.

Mr. Evans – I guess that would be right.

Mr. Rusnov – Without the jog it's what?

Mr. Gallagher – Without the jog its 20'.

Mr. Rusnov – OK.

Mr. Gallagher – 120' by 19'.

Mr. Smeader – 380 SF.

Mr. Miller – So the actual size of this change, because your application says 19' by 20' family room, and you're showing us a 17' by 19' room.

Mr. Evans – No, it's actually 20' by 19', but the setback of the house is 3' on the jog. 17' comes off the 48' which leaves 31'.

Mr. Rusnov – So the variance is 31.5'?

Mr. Evans – The setback is 31.5', and the variance is 18'.

Mr. Rusnov – So the variance he needs is smaller than what is on here.

Mr. Evans – Correct.

Mr. Kolick – I think the existing setback of the house is out of compliance too.

Mr. Miller – It is, it's non-conforming.

Mr. Gallagher – Back behind them are the baseball fields.

Mr. Miller – He's a foot and a half out of compliance with it.

Mr. Rusnov – From when the house was built.

Mr. Miller – That's according to the current required setback.

Mr. Kolick – So what is the distance we need here, Mike?

Mr. Miller – 31.5'.

Mr. Evans – 18.5'. The setback is still 50', even though the house is out of compliance, the setback requirement is 50'.

Mr. Miller – 50'...

Mr. Evans – 31.5' and 18.5' is 50'.

Mr. Miller – I know it adds up to 50, but I was thinking it was the other way around.

Mr. Evans – No because the space that he'll have will be 31.5'.

Mr. Kolick – He's saying when he's done he's going to be 31.5' off.

Mr. Evans – So the variance should read 18.5'.

Mr. Miller – Yes.

Mr. Evans – Good thing this isn't an essay or anything.

Mr. Rusnov – We'd be on Mars instead of the moon.

Mr. Miller – The house is out of compliance now so then the variance would be from the rear lot to where the house is.

Mr. Rusnov – To where the addition is.

Mr. Miller – Right, so it would be 50' that is required.

Mr. Evans – Being out of compliance doesn't change what the setback requirement is.

Mr. Miller – I would think the whole addition would be out of compliance then. If the house was out of compliance.

Mr. Evans – It's what the house would be at completion verses what the setback requirement is. Even if it's now 48'...

Mr. Smeader – So this would be 31.5' to here.

Mr. Miller – It'll be 31.5' from there to the property. From the addition to there.

Mr. Smeader – So it's 18.5'.

Mr. Evans – Are we all in agreement? That it's 18.5'. Alright, now that it's resolved, we know that this is for a room to be added to the back of the house, and we noticed the neighbor is about the same situation and they already got a variance from us for this type of project. Basically for them to do what they want to do with the family room, I'm assuming 19' by 20' is what they need on the interior of the room.

Mr. Gallagher – Yes.

Mr. Evans – OK.

Mr. Gallagher – It is matching the next door neighbor's also.

Mr. Evans – Are there any other questions or comments? Some of you have been out there already. Some have yet to be out there, but we'll all be out to see the property before the next meeting. Alright. So February 28th will be the public hearing for it. We'll invite you back at that time, and you're all set. Thank you.

Mr. Gallagher – Thank you.

PUBLIC HEARINGS

There are no Public Hearings.

Mr. Evans – There are no public hearings tonight. Is there is any other business to come before the Board? Then a Happy Valentine’s Day to all, and we will stand adjourned.

Mr. Evans, Chairman

Kathryn A. Zamrzla, Sec’y

Approval Date