

**CAUCUS PRIOR TO STRONGSVILLE BOARD OF ZONING &  
BUILDING CODE APPEALS**  
**Meeting of**  
**February 28, 2018**  
**7:30 p.m.**

Board of Appeals Members Present: Kenneth Evans, John Rusnov, David Houlié, Tom Smeader  
Administration: Assistant Law Director Daniel J. Kolick  
Building Department Representative: Michael Miller  
Recording Secretary: Kathy Zamrzla

The Board members discussed the following:

**NEW APPLICATIONS**

**1) STEVE AND PATTY BISCHOF, OWNERS**

Requesting an 11.04' Rear Yard Setback variance from Zoning Code Section 1252.04 (f), which requires a 50' Rear Yard Setback and where a 38.96' Rear Yard Setback is required in order to construct a 352 SF Addition; property located at 17223 Misty Lake Drive, PPN 397-24-016, zoned R1-75.

**The Board noted that there is only 54' in the rear yard, and that it's a likely hardship. They also mentioned they need an HOA letter.**

**2) CHRISOPHER WOZNICKI & TIFFANY EAKIN, OWNERS/Joe Lull of Joyce Factory Direct, Representative**

- a) Requesting a variance from Zoning Code Section 1274.06, which prohibits the enlargement of an existing non-conforming structure and where the applicant is proposing a 196 SF Sunroom;
- b) Requesting an 18' Rear Yard Setback variance from Zoning Code Section 1252.04 (f), which requires a 50' Rear Yard Setback and where a 32' Rear Yard Setback is proposed in order to construct a 196 SF Sunroom; property located at 17079 Partridge Drive, PPN 397-04-086, zoned R1-75.

**The Board noted that this is a non-conforming lot. They indicated that likely no one will see this since it's fully fenced.**

**PUBLIC HEARINGS**

**3) 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 indicated no specific issues with this variance request. They noted that they received the HOA letter. The pool house/shed is being reduced in size from 13' by 18' to 15' by 14'.**

**4) 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 a 30' x 40' x 15' Accessory Structure; property located at 12809 Webster Road, PPN 398-26-028, zoned R1-75.

**The Board mentioned that although he came down in height, he has not reduced the square footage. They felt it is still too large; it's three times the size of what the Code allows. They felt that others will be in before them asking for the same size accessory building. That said, they noted that it is so isolated that rarely will anyone see it. They also indicated that he planned to also put in a hard surface driveway all the way back to this structure on the back of the property.**

**5) 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 noted that they received an approval letter from the HOA. They also noted that this has a Code approved pool cover so they don't need a fence. The Board noted that the topography of the property is definitely the reason why this variance request is needed.**

**6) 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 noted that the next door neighbor has the same situation, and already received a variance for this problem from them. They saw no issues with this variance request.**

**STRONGSVILLE BOARD OF ZONING & BUILDING CODE APPEALS  
MINUTES OF MEETING  
February 28, 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

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 28<sup>th</sup>, 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 EXCEPT MR. BALDIN

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

Mr. Smeader – Second.

Mr. Evans – Thank you, we have a motion and a second now may we have a roll call please?

ROLL CALL: ALL AYES

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 our February 14<sup>th</sup>, 2018 meeting before us tonight. If there are no changes I will submit them as presented. We ask that each of the individuals 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 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) STEVE AND PATTY BISCHOF, OWNERS**

Requesting an 11.04' Rear Yard Setback variance from Zoning Code Section 1252.04 (f), which requires a 50' Rear Yard Setback and where a 38.96' Rear Yard Setback is required in order to construct a 352 SF Addition; property located at 17223 Misty Lake Drive, PPN 397-24-016, zoned R1-75.

Mr. Evans – Thank you, our meetings are divided into two portions, we'll start with new applications. First on the agenda for the evening is Steve and Patty Bischof. Please come up to the microphone and give us your name and address for the record.

Mr. Bischof – My name is Steve Bischof. My address is 17223 Misty Lake Drive.

Mr. Evans – Thank you, Mr. Bischof. You're requesting a rear yard setback variance. We spoke in caucus, and we do have a letter from your Homeowners Association already. Can you explain why you need the variance and what your plans are please?

Mr. Bischof – The plan is to extend the kitchen and put in a larger eating area.

Mr. Evans – How long have you lived in Strongsville?

Mr. Bischof – For about 15 years.

Mr. Evans – Excellent, OK. Board members, do you have anything to ask or add?

Mr. Rusnov – You're improving the property.

Mr. Bischof – Yes, I'm improving the property because we plan on staying there.

Mr. Evans – Good.

Mr. Rusnov – No questions.

Mr. Evans – Other questions? Several Board members have been out there already, and all of us will be out at some point before the next meeting. 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. The public hearing is on March 14<sup>th</sup> for the public hearing. 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. Bischof – Thank you for your time.

2) **CHRISOPHER WOZNICKI & TIFFANY EAKIN, OWNERS/Joe Lull of Joyce Factory Direct, Representative**

- a) Requesting a variance from Zoning Code Section 1274.06, which prohibits the enlargement of an existing non-conforming structure and where the applicant is proposing a 196 SF Sunroom;
- b) Requesting an 18' Rear Yard Setback variance from Zoning Code Section 1252.04 (f), which requires a 50' Rear Yard Setback and where a 32' Rear Yard Setback is proposed in order to construct a 196 SF Sunroom; property located at 17079 Partridge Drive, PPN 397-04-086, zoned R1-75.

Mr. Evans – Item number two on the agenda is Chrisopher Woznicki and Tiffany Eakin. Please come up to the microphone and give us your name and address for the record.

Mr. Lull – Good evening, my name is Joe Lull. I'm the production manager for Joyce Factory Direct. The address is 1125 Berea Industrial Parkway, Berea, Ohio.

Mr. Evans – Alright, you're representing these individuals so Mr. Lull what are they planning on doing here?

Mr. Lull – They currently have a patio off the back of the home, and they'd like to make that livable space so we're planning on adding on a 14' by 14' seasonal sunroom addition. My understanding is that the property as it stands is not in conformance with the Zoning Code, so that is the reasoning for the first variance. Then also we need the setback variance to extend off the home 14' back from the house toward the rear yard setback. As it was mentioned in caucus, it's a fenced-in yard. To my knowledge, what we're planning to construct won't even be visible to any of the neighbors.

Mr. Evans – The size of the actual room is 14' by 14'.

Mr. Lull – Correct.

Mr. Evans – One of the questions we ask since our objective is to minimize variances, 14' by 14' is obviously a square, if you were to go 10' by 14' it would reduce the amount of the variance. The room that is planned is just an open three-season room is that correct?

Mr. Lull – It's fully enclosed, but yes it's a seasonal room. The reason for the 14' by 14' is due to obstructions on the back of the house. We're dealing with window and door locations, and it's not feasible to accomplish what the homeowner wants then. Believe me, we actually like to make them wider and shorter. It's better for us, but it's not feasible for this particular homeowner.

Mr. Evans – Excellent, gentlemen, do you have questions?

Mr. Smeader – The proposed improvement was staked if I recall. Is that one staked?

Mr. Lull – Full disclosure, I was in Charlotte, NC the last couple weeks. So I don't know if it was staked or not. I can take a look out there.

Mr. Smeader – I think I recall it being staked in my mind's eye. It's only slightly larger than the existing deck if I'm not mistaken.

Mr. Lull – Yes, if it was staked then props to Mr. Woznicki.

Mr. Smeader – It was within about a foot or so.

Mr. Lull – Yes, it's very close to what's existing now.

Mr. Evans – This is going to replace that so they are not doing the room and then also putting a patio or deck in the back correct?

Mr. Lull – No.

Mr. Rusnov – It was staked.

Mr. Lull – OK.

Mr. Smeader – They're just raising the deck to put the sunroom up.

Mr. Evans – Alright, is there anything else Mr. Houlé?

Mr. Houlé – No. It looks good.

Mr. Evans – So the same thing will apply to you. 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. The public hearing is on March 14<sup>th</sup>. 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. Lull – Alright, thank you very much. Good night.

## **PUBLIC HEARINGS**

### **3) 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 – Item number three on the agenda moves us into public hearings. Our first public hearing is item number three on the agenda which 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 – We mentioned in caucus that we have a HOA approval letter from Westwood Farms for this variance request. We spoke about the fact that this one does not require a fence because there is a pool cover being applied to this pool that meets Code. We are looking at a floor area variance for the pool house structure as well as the setback. In caucus we talked about the fact that you're reducing the size of the building to a footprint of 15' by 14'. That is a total of 210 SF. That reduces the variance request to an 18' setback. That's about it.

Mr. Houlé – Also we said that there really isn't another alternative on that lot because of the difficult irregular topography.

Mr. Evans – So topography is an issue.

Mr. Rusnov – It's a very irregular lot. Period. That's the only place it could go.

Mr. Evans – Is there anything else? Mr. Evans – This is a public hearing. I'll ask if there is anyone here this evening who would like to speak for the granting of this variance. Is there anyone here who would like to speak against the granting of the variance? Hearing none and seeing none, I will declare the public hearing closed and now entertain a motion.

Mr. Rusnov – I make a motion to approve a request for 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; and a request for 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. Smeader – Second.

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

ROLL CALL:

ALL AYES

MOTION PASSED

Mr. Evans – The variances have been granted again pending a 20 day waiting period during which time Council may review our decision. You will get a notice from the Building Department when that time has passed. Then you can move forward with your project.

Mr. Catanzarite – OK. Thanks everyone.

Mr. Evans – Yes, thank you.

**4) 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 a 30' x 40' x 15' Accessory Structure; property located at 12809 Webster Road, PPN 398-26-028, zoned R1-75.

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

Mr. Hiller – Gregory Hiller, 12809 Webster Road.

Mr. Evans – Thank you. Mr. Hiller you were here last time requesting an 800 SF variance to build an accessory structure. We've all been out there to look at the property. We know that there are accessory structures in the neighboring area, and as we discussed with you our objective is always to try and minimize the variances. We will act on whatever request you put before us. We asked you last time if you were going to run a business out of the structure, and your answer was what?

Mr. Hiller – No.

Mr. Evans – Correct. OK. At this point you've indicated that you have a number of vehicles, and that you're a car collector. You said they are now stored off site and you want to bring them onto your property. We asked that you consider reducing the size of your request. We ask that of everyone that appears before us for a variance. After the caucus we talked briefly about some of the ones that might be in the area that have been approved. What our reason was for asking for the reduction is simply that the Council does review what we do here. Often times when we approve a request they look at it and say no we don't agree. They then have the opportunity to overturn any decision we make here. Ours is the authority, but they have the ultimate authority if you will. So that being said, are there questions from Board members?



Mr. Rusnov – There was a suggestion made when we spoke about how you were thinking about expanding your living area and taking the two car garage and converting it into a family room. That would throw you into a whole different ball game with an accessory structure that would then be your garage. That means it would be a 1000 SF, and that's 200 SF less than what you want. I just ask you to consider that.

Mr. Hiller – I definitely did, and I appreciate that. We have a child on the way, and at this point I just don't want the house to be under construction. Quite frankly my wife doesn't want the house under construction. We finally got it situated, and that's what it comes down to. I can't picture how I'm going to use that space yet, and I'd like to wait a little bit to figure that out. I would like to really think about it if I'm going to do something like that.

Mr. Evans – OK. Good observation Mr. Rusnov, thank you.

Mr. Smeader – Subsequent to caucus Mr. Hiller indicated that a variance had been granted on Webster Road for something very similar to this. After that, I spoke with Mr. Miller about it. If you would, Mr. Miller, please indicate the extenuating circumstances on why that other Webster Road property was able to build what they wanted to build.

Mr. Miller – Which one was that?

Mr. Rusnov – Marcus'.

Mr. Miller – I think he started with a barn that was going to be retained in its original condition, and just change some doors. Then he downsized that egress opening so that if the door is less is 6' and 7' wide, then he could do what he had planned. That was one of the reasons it got granted as it is. Then he was granted a variance for not having to put in a hard surface driveway. I don't think his project was as large as yours. I don't believe anyhow. I'd have to go back and check our records for that one.

Mr. Rusnov – I read the vote, and there were three no votes on that property. So we were over turned or there was a reconsideration someplace else because at the tail end said that the vote has no's for Baldin, Rusnov, and Smeader.

Mr. Smeader – Where they converted the existing garage into living area space so the variance was only 200 SF instead of what he was originally requesting.

Mr. Houlé – No, that was on another one. That was on Albion Road.

Mr. Hiller – Can I bring this up to you?

Mr. Rusnov – Sure, I mean I read the NO vote.

Mr. Hiller – That's the door variance.

Mr. Rusnov – The door variance? OK.

Mr. Hiller – The next variance is for the size. That's the last page where it was passed. I just wanted to show you that.

Mr. Kolick – You have to be by the microphone so we can pick you up for the record.

Mr. Rusnov – I can't see who voted for what. All I see is three no votes at the back.

Mr. Houlé – Mr. Dobeck did not want to put in a hard surface driveway so he wanted a larger door, and that was denied by the Board. They did not give a variance on the hard surface driveway. The square footage was approved for him though.

Mr. Evans – I remember now, and what I remember is that he had asked for a much larger structure originally.

Mr. Houlé – Yes, I want to say that on the initial application he had asked for closer to 1800 SF.

Mr. Evans – And we reduced that down to 960 SF, right.

Mr. Houlé – You voted down the door for the hard surface driveway.

Mr. Evans – The hard surface driveway that was what was propelling us. Now that we have that cleared up we're back to you, Mr. Hiller.

Mr. Hiller – OK, I guess my question is what the difference is between mine and his property? I know the square footage is different because he has 960 SF, but the door doesn't come into play. The fact that he has a smaller door doesn't make that a different project.

Mr. Evans – No, it doesn't. When he originally came in, he was asking for a significantly larger building. We got him reduced to 960 SF. Your observation was that he was allowed to have 233 or whatever that number may have been, and we've approved roughly three times that. There was a replacement of a barn as part of that deal. So there was some horse trading that went on as a part of that if I remember right.

Mr. Miller – There was an existing structure. It was a dilapidated barn that he was going to partially reconstruct.

Mr. Hiller – Then he went back and made a new request because he was going to demo that one.

Mr. Miller – Correct.

Mr. Hiller – OK. So given that, I'm at 1120 SF. That's a 5% reduction in what I had requested. It is a smaller size. It's not as close to three times the size as his was.

Mr. Evans – Those numbers again?

Mr. Hiller – 28' by 40' which is 1120 SF.

Mr. Rusnov – That's an 80' difference from what you originally requested.

Mr. Smeader – 720 SF variance.

Mr. Hiller – That's correct.

Mr. Evans – Yes. That's still a big structure, but we'll accept your reduction as your new request. If we were to grant it we'd need further approval of the drawings to be submitted to the Building Department and everything. We can still work with those numbers for our purposes tonight. We can go forward with that. Bear in mind that if we would not approve the variance, then in order for the applicant to come back and apply for a variance of any size it would have to be a substantial change or you have to wait six months.

Mr. Kolick – Yes, six months. What is the smallest size you can live with, Mr. Hiller? 960 SF is what the Board has granted in that area. I guess, and I can't speak for the Board, but I would think they would want something a bit closer to those numbers than 1100 SF.

Mr. Evans – But we will act on whatever it is that you request.

Mr. Hiller – Well, you know I was looking at it. You're allowed to build 1000 SF garage so the actual dimensions of that is not really too large for the City. My property compared to Dobeck's property is quite a bit larger than his. It's a half an acre larger. That was my grounds for that size. I mean, I could go down to 27. It's just that space in between that gets too cramped with the car doors opening. If you open a door on a '53 Chevy, and it's like 44" its hanging out. So that's what it really comes down to.

Mr. Houlé – Could you reduce the 40' too then? Do you need that kind of depth?

Mr. Hiller – That would allow me to put the double deep in. That's really at the limits of it for being remotely comfortable. Granted cars aren't 20' long, but the interior wall dimensions are less, and then once you get them in there you still have to be able to walk around the perimeter. 40' is definitely the minimum on the length in order to put the cars double deep. That's pretty tight anyway.

Mr. Rusnov – Just to clarify, that 1000 SF that you're talking about, that's allowable with the conversion of the existing garage into living area. The City would allow you through the Code to put up a 1000 SF structure which is 200 SF less than what you're asking for. Do you see where I'm going with this?

Mr. Hiller – Yes.

Mr. Rusnov – Because you're in a whole different world when you convert that garage that's there to living space.

Mr. Hiller – I understand that.

Mr. Rusnov – OK. OK.

Mr. Hiller – I'm not going to take the loan out to do that. I have the money saved for this. I'm not the kind of person that does that. I'll do the work mostly myself on a project like that so it's just too much right now. My grandma is 96, I kind of have to do something with these cars. They've been in her garage.

Mr. Evans – Alright, are there additional questions? Yes, I know. This is a public hearing. I'll ask if there is anyone here this evening who would like to speak for the granting of this variance. OK. Please come up to the microphone and give us your name and address first please. Mr. Hiller, you could just have a seat for now.

Mr. Meyers – Edward Meyers, 12903 Webster Road, Strongsville.

Mr. Evans – Yes, go ahead Mr. Meyer.

Mr. Meyers – I recently moved to Webster Road, and the reason we bought our property is because of the accessory buildings so I can understand how he would like some. Every neighbor on our street has at least one building. I have a three car garage in the back in addition to the two car garage in the front. We also have an eight stall horse barn. I have no problem with him putting up any garage at any size he'd like. Plus you can't really see it from the street the way the property is. You guys have been out there, and you can't see anything that's in the back.

Mr. Evans – That's true. One of the things we've talked about Mr. Meyers is that Strongsville has a unique situation. At least we think it must be unique situation because of the incredible the number of car collectors that we have in the City. It's also incredible how many people would like an 80' by 80' structure to put cars in, and I think how many cars can you have? That said, we seem to have that luxury here in Strongsville. When you moved in, I'm guessing that the three car garage and the barn were already there?

Mr. Meyers – Yes.

Mr. Evans – OK. In Strongsville many, many years back there were all kinds of barns all around, and we've had large preexisting structures on properties. One of the problems is that beauty is always in the eye of the beholder, and we've found as a Board that it doesn't matter how big the structure is when we approve it, the owners always seem to fill it up and need more space for their car collections, etc. One of our biggest judicial problems is figuring out how it's best to accommodate everyone who wants big buildings when the Code says that this is as big as it's permitted. Council doesn't like it when we legislate and therefore they have the opportunity to overturn our decisions. They have been known to do that occasionally when they look at a variance request and decide that they don't like it. It's their option to do that, so we try to balance it with meeting the person's request while also figuring out what's appropriate for the City. There are four conditions that are given to us to grant a variance like topography and so forth. One of the reasons is not just simply that I want it. That makes it difficult for us sometimes to try and negotiate with people to determine the appropriate size. One neighbor will have a 30' by 40', and the next wants 40' by 40', and the neighbor after that, and suddenly we've got buildings everywhere. Then someone asks where did all these buildings come from? So that's the reason we have to work very conscientiously at making sure we are following the Code and make decisions for variances when they are appropriate. Gentlemen, is there anything else to add on this?

Mr. Rusnov – No.

Mr. Evans – OK. We appreciate you coming and making the comment on behalf of Mr. Hiller. Is there anyone else who wishes to speak for the granting of the variance? Yes sir come on forward.

Mr. Hiller – My name is Denis Hiller, I'm Greg's dad. He's the youngest of six. I'm not going to pull out a story on you, but that's just a little background on the guy. We started messing with cars when he was 12 years old. The kid's worked hard and saved his money, we're in business on our own in N. Royalton. So there's not going to be anything but storage of these vehicles. Along with the ones that he put in that paper, he didn't put in other three that I own. We just need a safe and secure place to store them. The idea is to build it as big as we can because of the cost. It's never big enough, and I moved from 1200 SF on Engle Road in Middleburg Heights to something like 12000 SF, and we've outgrown it in five years. That's the gist behind him trying to push it to the limit but yet he wants to get it accepted. He's not trying bang heads or anything, he really needs to get it underway as soon as possible. Like he said, my Mom is getting up there in age. She parks two cars for us every year, and it's income for her so it worked out good. Now we see the writing on the wall. We have no room to park these cars outside at the shop, and we definitely don't have room to put them inside because we have street sweepers everywhere. So I just wish you'd keep that in mind, I think the fact that it's not visible is a big thing. He's talked to his neighbor's and he got nothing negative back in return; including the one down the hill who I thought would have the most problem with this if anyone, but he said it was great. So it's a small lot with a big building, I get it. It's going to stick out like a sore thumb, but in his situation I think it's going to blend in nice. It won't be a problem that way. So that's all I ask you to do is just give him a little guidance. He doesn't want to buck this up. If he can just reduce it a little bit to make everyone happy so he can get on his way and get building it, that's all he's after.

Mr. Evans – Mr. Hiller, I do need to ask for your address though.

Mr. Hiller – Sure. It's 4461 West Sprague Road, North Royalton.

Mr. Evans – Thank you. Are there any questions from the Board?

Mr. Smeader – No.

Mr. Evans – Thank you Mr. Hiller. Is there anyone else who wishes to speak for the granting of the variance? Is there anyone who wishes to speak against the granting of the variance? So Mr. Hiller we can bring you back up to the microphone. So what you asked for was 28' by 40', and I know that Mr. Rusnov was trying to lead you in the direction of perhaps 1000 SF, and your dad spoke very eloquently on your behalf as did Mr. Meyers and we appreciate that. Nonetheless we are going to have to make a decision one way or the other. I will tell you that the reason for this Board's existence is that we trade horses every day because part of our job is to try and meet the needs of residents with what the Zoning Code allows. We try and judiciously apply the different things that we have within our ability. You heard what we've said in caucus and out here. Our objective is to try and work with you, and we certainly want to do that. If your determination is that 28' by 40' is the smallest you can go, then we'd be happy to act on that at this point.

Mr. Hiller – I think I'll take it down to 27' by 40'. That's 1080 SF, and that's pretty close to 1000. I can live with that.

Mr. Evans – Alright so, 27' by 40', and that's 1080 SF. That would change our numbers here. So 680 SF would be the variance then against the 400 SF allowed. Are there any other questions from the Board? OK. I declare the public hearing closed. Now I will entertain a motion.

Mr. Smeader – I make a motion to approve a request for an 680 SF Floor Area variance from Zoning Code Section 1252.15, which permits a 400 SF Floor Area and where a 1,080 SF Floor Area is proposed in order to construct a 27' x 40' x 15' Accessory Structure; property located at 12809 Webster Road, PPN 398-26-028, zoned R1-75.

Mr. Kolick – I think you need to add on there that this is contingent on...

Mr. Smeader – removing the existing structure and also installing a hard surface driveway to the structure.

Mr. Rusnov – Second.

Mr. Evans – Thank you both. May I have a roll call please?

ROLL CALL:

SMEADER – NO  
RUSNOV – NO  
HOULÉ – YES

MOTION DENIED

EVANS – YES

Mr. Evans – So with the tally two to two that means that the motion is not granted. You may reapply for a variance after six months or if there were a significant change in what you're proposing. It's not that we have anything against you, it's just that the size is often times a determinate. That's why we're here; to make those decisions. The variance is denied based on it being a tie, and that would conclude the process.

Mr. Hiller – Thank you.

Mr. Evans – Thank you, Mr. Hiller.

5) **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 five on the agenda is Roger and Lisa Puzzitiello. Please come up to the microphone and give us your name and address for the record.

Mr. Puzzitiello – Roger Puzzitiello, 22342 Pinnacle Point.

Mr. Evans – You need a variance for a rear yard setback. This is a pool that you're intending on building. We have a letter from the Homeowners Association that approves this. Are there questions from the Board?

Mr. Smeader – This was another situation that we had to consider lot size and topography.

Mr. Puzzitiello – Correct.

Mr. Smeader – Thank you.

Mr. Rusnov – I got it right, that is the highly dramatic backyard.

Mr. Evans – We talked about in caucus that this does not require a fence around it because you're using an approved motorized pool cover. Is there anything else to be said?

Mr. Rusnov – There's no real questions.

Mr. Evans – This is a public hearing. I'll ask if there is anyone here this evening who would like to speak for the granting of this variance. Is there anyone here who would like to speak against

the granting of the variance? Hearing none and seeing none, I declare the public hearing closed and I will now entertain a motion.

Mr. Rusnov – I make a motion to approve a request for 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. Smeader – Second.

Mr. Evans – We have a motion and a second, may I have a roll call please?

ROLL CALL: ALL AYES MOTION PASSED

Mr. Evans – The variance has been granted again pending a 20 day waiting period during which time Council may review our decision. You will get a notice from the Building Department when that time has passed. Then you can proceed. I think we told you at the first meeting that we expect to be invited to the pool opening, and with that you're all set.

Mr. Puzzitiello – Thank you very much.

**6) 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 – Item number six on the agenda is Darren and Vanessa Whitford on Meadow Lane. Please come up to the microphone and give us your name and address for the record.

Mr. Gallagher – Dan Gallagher, 19336 W. 130<sup>th</sup> St., Strongsville. I'm representing Darren and Vanessa at 18249 Meadow Lane.

Mr. Evans – Thank you Mr. Gallagher. You are the construction agent?

Mr. Gallagher – Yes, I'm a contractor. I'm doing the addition.

Mr. Evans – They are requesting a setback variance in the rear to construct a room on the back of the house. It's a three season room?

Mr. Gallagher – It's a family room.



Mr. Evans – OK. We have in the record that we need to comment on an email we received from John Reel at 18203 Meadow Lane. According to Mr. Reel, the applicants are fine and honorable neighbors. We wanted to read that into the record that they are in favor of the granting of the variance. We wanted to make that observation. Are there questions for Mr. Gallagher?

Mr. Rusnov – None.

Mr. Smeader – No.

Mr. Evans – This is a public hearing. I'll ask if there is anyone here this evening who would like to speak for the granting of this variance. Is there anyone here who would like to speak against the granting of the variance? Hearing none and seeing none, I will now entertain a motion.

Mr. Rusnov – I make a motion to approve a request for 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. Smeader – Second.

Mr. Evans – We have a motion and a second, may I have a roll call please?

ROLL CALL:

ALL AYES

MOTION PASSED

Mr. Evans – The variances have been granted again pending a 20 day waiting period during which time Council may review our decision. You will get a notice from the Building Department when that time has passed. You are all set.

Mr. Gallagher – Thank you.

Mr. Evans – Thank you. Mr. Kolick we will need to ask for Findings of Facts and Conclusions of Law for Greg Hiller.

Mr. Kolick – Will do.

Mr. Evans – OK. Is there anything else? Then we are adjourned.

**Signature on File**

Mr. Evans, Chairman

**Signature on File**

Kathryn A. Zamrzla, Sec'y

**February 28, 2018**

Approval Date