

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

**Meeting of
February 24, 2016
7:30 p.m.**

Board of Appeals Members Present: Richard Baldin, John Rusnov, Tom Smeader, David Houlé, Kenneth Evans
Administration: Assistant Law Director Daniel J. Kolick
Building Department Representative: Mike Miller
Recording Secretary: Kathryn Zamrzla

The Board members discussed the following:

NEW APPLICATIONS

**1) WITHDRAWN AT REQUEST OF APPLICANT VIA CORRESPONDENCE DATED
FEBRUARY 24, 2016
COMMONS AT SOUTHPARK, Kenneth J. Fisher, Attorney and Agent**

- a) Determination of jurisdiction of the Board to hear the appeal filed by the Applicant on February 18, 2016 from the Architectural Review Board giving an unfavorable recommendation on January 26, 2016 to the Planning Commission on a proposed ground sign.
- b) Determination of the appeal of the Applicant from the Architectural Review Board giving an unfavorable recommendation to the Planning Commission for a multi-tenant ground sign on Route 82 for property located at 17887 SouthPark Center, P.P. No. 396-20-005, at SouthPark Mall, zoned Shopping Center.

PUBLIC HEARINGS

2) DAVID DORA, OWNER/Beatty's Builders, Representative

- a) Requesting a 2,000 SF Floor Area variance from Zoning Code Section 1252.15, which permits a 400 SF Floor Area and where a 2,400 SF Floor Area is proposed in order to construct an Accessory Building;
- b) Requesting a 4' Height variance from Zoning Code Section 1252.04 (g), which permits a 15' Height and where a 19' Height is proposed in order to construct an Accessory Building; property located at 20904 Albion Road, PPN 391-25-010, zoned R1-75.

The Board stressed the large proportion of this requested garage. It was mentioned that it would be larger than the house. They discussed what the garage will be used to store such as trailers, etc. and the necessity of its size. The Board desired to talk over a possible compromise about this with the applicant.

3) **KELLY A. STOYANOFF REVOCABLE TRUST, OWNER/Dan Masuga,
Representative**

Requesting a 782 SF Floor Area variance from Zoning Code Section 1252.22, which permits a 1,000 SF Floor Area and where a 1,782 SF Floor Area is proposed in order to construct an Attached Garage; property located at 22254 Royalton Road, PPN 392-08-001 zoned ER (Estate Residential).

The Board indicated no difficulties with this variance request.

4) **WORLD CHAMPION TAEKWONDO, TENANT/Dean Guernsey with Dynamic
Sign Company, Representative**

Requesting a 2' Sign Height variance from Zoning Code Section 1272.12 (c), which permits a 5' Sign Height and where a 7' Sign Height is proposed in order to install a Wall Sign; property located at 17910 Pearl Road, PPN 394-25-006, zoned (GB) General Business.

There were reservations over the larger sign size, but some of the members found no issue with this variance request.

STRONGSVILLE BOARD OF ZONING & BUILDING CODE APPEALS

MINUTES OF MEETING

February 24, 2016

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

Present: Mr. Evans
Mr. Baldin
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'd like to call this February 24, 2016 meeting of the Strongsville Board of Zoning and Building Code Appeals to order. Kathy if you'd 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. We have before us this evening an amended agenda. May I have a motion to approve?

Mr. Houlé – I make a motion.

Mr. Baldin – Second.

Mr. Evans – We have a motion and a second to approve the amended agenda. May I have a roll call please?

ROLL CALL: ALL AYES MOTION PASSED

Mr. Evans – Anyone in our audience this evening that wishes to speak before this Board, I ask that you stand now and be sworn in by our Assistant Law Director, also including our Recording Secretary, and our Representative from the Building Department.

Mr. Kolick then stated the oath to those standing.

Mr. Evans – Thank you, ladies and gentlemen our meetings are normally divided into two portions. The first half is hearing new applications, then we will go into the public hearing portion of tonight’s meeting. We will ask that each of those 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.

NEW APPLICATIONS

1) WITHDRAWN AT REQUEST OF APPLICANT VIA CORRESPONDENCE DATED FEBRUARY 24, 2016 COMMONS AT SOUTHPARK, Kenneth J. Fisher, Attorney and Agent

- c) Determination of jurisdiction of the Board to hear the appeal filed by the Applicant on February 18, 2016 from the Architectural Review Board giving an unfavorable recommendation on January 26, 2016 to the Planning Commission on a proposed ground sign.
- d) Determination of the appeal of the Applicant from the Architectural Review Board giving an unfavorable recommendation to the Planning Commission for a multi-tenant ground sign on Route 82 for property located at 17887 SouthPark Center, P.P. No. 396-20-005, at SouthPark Mall, zoned Shopping Center.

Mr. Evans – Our first item on the agenda this evening has been withdrawn at the applicant’s request.

PUBLIC HEARINGS

2) DAVID DORA, OWNER/Beatty’s Builders, Representative

- a) Requesting a 2,000 SF Floor Area variance from Zoning Code Section 1252.15, which permits a 400 SF Floor Area and where a 2,400 SF Floor Area is proposed in order to construct an Accessory Building;
- b) Requesting a 4’ Height variance from Zoning Code Section 1252.04 (g), which permits a 15’ Height and where a 19’ Height is proposed in order to construct an Accessory Building; property located at 20904 Albion Road, PPN 391-25-010, zoned R1-75.

Mr. Evans – So we will move on to our second item which is David Dora with Beatty’s Builders representing.

Mr. Dora – I’m David Dora at 20904 Albion Road. I’m here for the building of a 40 by 60, 2400 SF garage.

2) **DAVID DORA, OWNER/Beatty's Builders, Representative, Cont'd**

Mr. Evans – Mr. Dora, we asked at the last meeting if there was going to be any business run out of the building or if it was going to be occupied as a residence. You stated that it would not. Is that correct?

Mr. Dora – That is correct.

Mr. Evans – In caucus tonight we talked about how you already have a rather large shed back there that is allowed. As well you also have a detached garage. We talked about that this is rather large and we're assuming that you are intending for your request still be for the same size building.

Mr. Dora – Yes.

Mr. Evans – The other thing we talked about in caucus was that there is a trailer back behind the block building which some of us missed. Is that trailer going to stay or does that go away?

Mr. Dora – That's going to get cut up when the new building is done.

Mr. Evans – So those are the questions we already talked about. Are there any other questions from Board members?

Mr. Baldin – It's a very large request so I think we need to ask the gentlemen if he'd maybe like to reduce that size.

Mr. Dora – By a certain amount height wise, or what?

Mr. Baldin – You're only allowed 400 SF and you're asking for a lot of square footage. We just don't allow that type of size. You're not going to run a business out of it, and I did notice that you had a bunch of older cars around. I assume you plan on working on them or restoring them. You have cars that you wish to put in there, correct?

Mr. Dora – Yes, and an RV and a boat that is not currently on the property.

Mr. Baldin – OK. So that's why you need the extra height because of the RV?

Mr. Dora – Yes, that's where the height comes into it and the length.

Mr. Baldin – I think I'll stop right now, thank you.

Mr. Evans – Part of the reason Mr. Dora that Mr. Baldin suggested that is that we have to live with whatever we approve. If you want 2400 SF then the next guy in asks for 2600 SF, and so on. It just grows from there. We've allowed buildings on properties where there is acreage involved, and the acreage here is not as substantial as the ones that we've approved in the recent past. Our concern is simply that it is an awfully big building and it sits in a residential area. Really this

2) **DAVID DORA, OWNER/Beatty's Builders, Representative, Cont'd**

Mr. Evans continues - would be the kind of building that you'd find on either very large properties or perhaps over in an area where it's industrial or commercial. The other part of asking that is because sometimes we'll have applicants that come before us and say that they need it 40' wide in order to be able to park cars in a certain way or the building I'm guessing has trusses and they are set up for a 20' width or whatever it may be. Again our problem is that we have to deal with whatever we approve, and there is always someone who will ask for something bigger and use your building as an example.

Mr. Baldin – How large is your RV length wise?

Mr. Dora – I think its 37'.

Mr. Baldin – Mr. Miller what is the law here in terms of having RVs parked in your yard?

Mr. Miller – It would have to be parked on a hard surface, and only between April 1st and November 1st.

Mr. Baldin – Is there is certain length?

Mr. Miller – 35' max. It has to be a minimum of 20' from the right of way.

Mr. Baldin – Thank you. You think it might be 36' long?

Mr. Dora – Pretty close to that.

Mr. Baldin – You're asking for 60'.

Mr. Dora – Well that was going to be parked on the north side of it from end to end, and then the three doors on the front are for my wife's cars and mine.

Mr. Evans – From my perspective, we've done a couple of them that have been 40' by 40'. I'm not sure that I'd say that 40' by 40' would be out of the realm of what we'd prefer to see. 40' by 60' is just huge when you consider the size of the home. We definitely want you to stay in Strongsville. That's not an issue, but it's just that 40' by 60' is just too big. I don't know of any other way of saying it. I understand that you've got things you want to put in there. Mr. Baldin has always in the past made the statement that no matter how big you build it, you'll fill it. That's just the nature of what people do. 40' by 40' is so much easier for us to approve.

Mr. Dora – So I need to have Mr. Beatty draw that up? He couldn't make it tonight.

Mr. Baldin – Are you interested in making it smaller then? Would you compromise here? Maybe 40' long and 30' wide? Do you need a four car garage?

2) **DAVID DORA, OWNER/Beatty's Builders, Representative, Cont'd**

Mr. Dora – I'd like to stay with what I had, but you know if I have to compromise. We all have to live together here.

Mr. Evans – If you were amenable to reducing the size to something we could agree on then we could approve it tonight and have it subject the final drawings being later submitted to the Building Department. That's an option that we could easily exercise. This is the time of year that you're not going to start on it right away and there's a 20 day waiting period for Council to review it. Honestly even if we approved it tonight for 40' by 60' I doubt that Council would let that judgment pass by them.

Mr. Kolick – What does that do with the height? He'll still need a height variance if it's 40' by 40' or would that bring it down?

Mr. Miller – I don't think it would bring down the height because he's using a truss roof so the designs would remain the same.

Mr. Evans – It's just the width that would change.

Mr. Kolick – I'm just looking at it, and it seems like the height even exceeds 19'.

Mr. Baldin – How tall are your RV and boat?

Mr. Dora – I think he was going for a 13' door. I haven't even seen the blueprints for it yet. We've just talked about it tentatively.

Mr. Baldin – We have them, you don't have any?

Mr. Dora – I don't have any.

Mr. Evans – Mr. Kolick is correct. It's a 19.75' height. So instead of a 4' variance it would be a 5' height variance.

Mr. Baldin – I don't think you'll need that much height.

Mr. Miller – His detail shows a 4-12 pitch on that truss so it's not a steep pitched roof.

Mr. Evans – I'd be inclined to say that if we reduced the square footage then I would be OK with the height variance. It's not that egregious knowing that it's a trussed structure.

Mr. Baldin – It will be pretty much blocked from the shopping center which I don't think is going to go away.

Mr. Dora – No.

2) **DAVID DORA, OWNER/Beatty's Builders, Representative, Cont'd**

Mr. Evans – Mr. Kolick suggested that if we are inclined to do this then we do the height variance at 4.75' which is what is shown on the drawing as 19.75'. That would make it correct. I guess Mr. Dora, the question is would you be OK with changing it to 40' by 40' instead of 40' by 60'? You need to make a decision and then we need to vote on it.

Mr. Dora – Then yes, I guess we'll go with the 40' by 40'.

Mr. Evans – Having determined that, we'll stipulate for the record that the applicant is agreeable to downsize his request to 40' by 40'. The second variance at 4.75' would also still be required. 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. You'll need to be sworn in.

Mr. Kolick then stated the oath to the individual standing.

Mr. Evans - Please come up to the microphone and give us your name and address for the record.

Mr. Scheeff – My name is David Scheeff, I live at 19879 Winding Trail in Strongsville. I've lived there for the last 20 some years.

Mr. Evans – I had asked if there was anyone who wished to speak for the granting of the variance.

Mr. Scheeff – Yes, I'm in favor of it.

Mr. Evans – OK. Thank you. We appreciate that.

Mr. Scheeff – Thank you.

Mr. Evans - Is there anyone else 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. Houlé - I would like to make a motion to approve a request for a 1,200 SF Floor Area variance from Zoning Code Section 1252.15, which permits a 400 SF Floor Area and where a 1,600 SF Floor Area is proposed in order to construct an Accessory Building; and approve a request for a 4.75' Height variance from Zoning Code Section 1252.04 (g), which permits a 15' Height and where a 19.75' Height is proposed in order to construct an Accessory Building; property located at 20904 Albion Road, PPN 391-25-010, zoned R1-75.

Mr. Baldin – Second.

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

2) **DAVID DORA, OWNER/Beatty's Builders, Representative, Cont'd**

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 need to get the revised plans to the Building Department and then you will get a notice from them when the waiting period has passed. We appreciate you working with us on this. I know it's not what you wanted, but we hope that it'll still work for you. We appreciate you doing that. Thank you.

Mr. Dora – Do I need 9 copies again?

Mr. Evans – No, only 2 copies.

Mr. Miller – Mr. Dora you'll need complete construction drawings when you submit now. Not just these elevations. I think Mr. Beatty is aware of that.

Mr. Dora – OK. Thank you. I'll let him know.

Mr. Evans – Thank you.

Ms. Zamrzla – Mr. Dora, you'll receive a letter tomorrow that I'll mail to you explaining everything.

Mr. Dora – OK. Thank you.

Mr. Evans – There is no need for you to stay for the rest of our meeting tonight.

3) **KELLY A. STOYANOFF REVOCABLE TRUST, OWNER/Dan Masuga, REPRESENTATIVE**

Requesting a 782 SF Floor Area variance from Zoning Code Section 1252.22, which permits a 1,000 SF Floor Area and where a 1,782 SF Floor Area is proposed in order to construct an Attached Garage; property located at 22254 Royalton Road, PPN 392-08-001 zoned ER (Estate Residential).

Mr. Evans – Third on our agenda this evening is Kelly Stoyanoff the owner of Revocable Trust. Dan Masuga is representing. Please come up to the microphone and give us your name and address for the record.

Mr. Masuga – Dan Masuga 10235 Versailles Drive, Strongsville, OH. We're here tonight asking for a 782 SF variance for an attached garage in order to accommodate equipment needed to maintain the property. We are proposing to build a new home as well on this parcel on Royalton Road.

4) **WORLD CHAMPION TAEKWONDO, TENANT/Dean Guernsey with Dynamic Sign Company, Representative, Cont'd**

Mr. Guernsey – My name is Dean Guernsey 1202 Rowley Ave, Cleveland, Ohio.

Mr. Evans – You're here for a variance for the size of the sign on the Taekwondo Academy. You heard us talking in caucus about whether you could look at slightly reducing the size of the sign. Such as instead of a 2' variance, could it be done with a 1' variance? Tell us a little about why that particular size is needed. We've seen the drawings, and we've seen how it would look with the small and the large one. Give us an idea of the possibly slightly altering the dimension of the sign to reduce the height variance.

Mr. Guernsey – I've been in business for 30 years, and I've designed literally thousands of signs. In my opinion, for that particular location and that particular design of his logo and the size of his building, it seems like a proper fit. There is no set sign that we design. I looked at the overall parameters of the project, and figured that this would be the best thing considering the fact that he has nothing else on his building sign-wise. I think it's a natural fit, and that's why I picked that size. When you compare it to other signs in the area, square foot wise it's so much smaller than others. If we go any smaller than 7', and it's certainly possible, but then it almost wouldn't even be a project that I think he should go with. If it goes too much smaller than that, I think it'll look kind of silly. Almost like a postage stamp in my opinion. So that's why I came up with that size.

Mr. Evans – Mr. Guernsey, a couple of things, when you were here the last time I think the minutes would reflect that we had asked whether it was the owners intent to put additional signage up. Are you aware that the intent is that there are no other signs being put up on the face of the building?

Mr. Guernsey – Yes, that's what he told me. He only wants his shield design. That's what he has on everything. I talked with him about doing channel letters on the longer part of the building, and price-wise he wasn't open to that idea. That's why we came back to doing only the logo on the front.

Mr. Evans – The other thing is, do you know at this point whether the applicant intends to use the windows to put signage up like many of our businesses in town have done?

Mr. Guernsey – The only thing he said about the windows was that he wanted them shaded from the sun. He never mentioned putting letters or anything else. I suggested putting a logo on the front door on the glass as well as the hours of operation, and he didn't seem to want to do that either. He may want to do that in the future, but I wouldn't know.

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

Mr. Baldin – Is that his logo that he uses all the time?

4) **WORLD CHAMPION TAEKWONDO, TENANT/Dean Guernsey with Dynamic Sign Company, Representative, Cont'd**

Mr. Guernsey – Yes, it's on his jackets, letterhead, and it's also on his studio in Chagrin Falls as well. I didn't do the sign there though.

Mr. Baldin – Does he have the same type there?

Mr. Guernsey – He has the same logo at both locations.

Mr. Baldin – Does he have the sign up on the wall looking like this?

Mr. Guernsey – I didn't do any work down there, I was only going by what he told me.

Mr. Baldin – So you don't know.

Mr. Guernsey – He wants to be consistent.

Mr. Baldin – So if you reduced it 6" or so it probably doesn't make a whole lot of difference, but it would look too squatty or what?

Mr. Guernsey – I guess if you go 6" either way bigger or smaller, if you look at his logo from the street even at 7' it's hard to read.

Mr. Baldin – So you don't think anyone will be able to read the letters regardless.

Mr. Guernsey – I think we're at the minimum size with those letters to even read them from the parking lot. If we go any smaller, it's almost a moot point. His sign on the street has his name, and then he'll have the logo on the building. I think that's going to make him happy. It'll stop him from calling me every day.

Mr. Baldin – He does have a sign out on the street.

Mr. Guernsey – Yes, he does have that.

Mr. Baldin – So the logo, whether you can read it or not makes no difference.

Mr. Guernsey – It's just to have the logo on the building. It would distinguish to people whether to turn right when they pull into the driveway because he's in the front or go in the back of the building to Paul Davis' business. So he definitely needs some sort of identification on his front part of the building.

Mr. Baldin – I agree.

4) **WORLD CHAMPION TAEKWONDO, TENANT/Dean Guernsey with Dynamic Sign Company, Representative, Cont'd**

Mr. Evans – Mr. Baldin, he has worked to develop that logo as a point of recognition. I saw one of the uniforms at Market District last week, and there's really nothing else on that uniform other than that design. Even the signs that they have throughout the community, all you see is the design of the logo. It doesn't have anything else. He's developed that as a point of recognition. Are there any other questions?

Mr. Houlé – Did the owner request the 7' or was that your recommendation?

Mr. Guernsey – We had a meeting with the owner, Paul Davis, Ken and I. All three of us after putting up a tape measure, we all decided that anything smaller than 7' is going to be too small. So yes, he and I both agreed to that size after he asked me for a recommendation and did the sketches. When I submitted the application, then I realized I would need a variance, but like I said as a sign man I think it's logical.

Mr. Baldin – That is a problem though, how much you're asking for. We've given a foot or maybe a foot and a half, but to go two feet? I like the logo, don't get me wrong.

Mr. Guernsey – The way it shapes out, you lose a lot of square footage from a rectangular to a square design. It's one of those things, it's a design consideration. We like the design, and if we want to stay true to his logo I think this is the way to do that.

Mr. Baldin – Would you have the authority being that you are the sign man to change it without consulting with the owner?

Mr. Guernsey – I wouldn't think so.

Mr. Baldin – Thank you.

Mr. Kolick – One thought is that we talked about in caucus and out here that it's the only signage. I don't think we can really make it on that because this is a tenant first of all. This building could wind up if this tenant decides he only wants to use $\frac{3}{4}$ of it, he'll wind up with another tenant in there. He's not the owner of the building. I don't think a representative of a tenant is going to be able to make a commitment to the City that there will be no other signage on the building front. You may be able to make it contingent on this particular tenant not putting up any other signage up there, but you couldn't make it for no other signage on this building.

Mr. Guernsey – I did submit everything to the owner of the building, Paul Davis, and the owner of the Taekwondo and they were in agreement with it.

4) **WORLD CHAMPION TAEKWONDO, TENANT/Dean Guernsey with Dynamic Sign Company, Representative, Cont'd**

Mr. Kolick – I'm not questioning whether they are in agreement with the sign, I don't know if they'd be in agreement with a restriction that says that no other tenant could have any other signage on the front of this building. You don't have the authority to do that.

Mr. Guernsey – No I don't.

Mr. Evans – I do know that when they came in for the variance of the use of the building, they are using 100% of the building.

Mr. Kolick – They are now, but we don't know if that may be in the future. We don't know if they're going to paste anything on the windows, etc. I think the only restriction you can make is for this tenant to not put any other signage on the façade of the building. The other thing is, if there's something on the window or on the door. I don't want to put the Building Department in a difficult situation.

Mr. Evans – OK. Is there anything else?

Mr. Rusnov – 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 would like to make a motion that we approve a request for a 2' Sign Height variance from Zoning Code Section 1272.12 (c), which permits a 5' Sign Height and where a 7' Sign Height is proposed in order to install a Wall Sign; property located at 17910 Pearl Road, PPN 394-25-006, zoned (GB) General Business contingent upon the current tenant not putting up any other signage.

Mr. Smeader – Second.

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

ROLL CALL:

SMEADER – YES
BALDIN – NO
RUSNOV – YES
HOULÉ – NO
EVANS - YES

MOTION PASSED

4) **WORLD CHAMPION TAEKWONDO, TENANT/Dean Guernsey with Dynamic Sign Company, Representative, Cont'd**

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. You are all set to go.

Mr. Guernsey – Thank you very much.

Mr. Evans –Thank you. Is there anything else to come before the Board this evening? Then this meeting stands adjourned.

<u>Signature on File</u>	<u>Signature on File</u>	<u>March 9, 2016</u>
Mr. Evans, Chairman	Kathryn A. Zamrzla, Sec'y	Approval Date