

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

**Meeting of
May 25, 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:

Changes to the May 11, 2016 Minutes. Additionally, they discussed the items below:

NEW APPLICATIONS

1) STRONGSVILLE PLAZA SIGNAGE/Eyad Ali with Neon City, Representative

- a) Requesting a 3.5' Sign Height variance from Zoning Code Section 1272.12 (e), which permits a 5' Sign Height and where an 8.5' Sign Height is proposed in order to install a Ground Sign;
- b) Requesting a 10 SF Sign Face Area variance from Zoning Code Section 1272.12 (e), which permits a 50 SF Sign Face Area and where a 60 SF Sign Face Area is proposed in order to install a Ground Sign; property located at 14711 – 14783 Pearl Road, PPN 396-19-001, zoned General Business (GB).

The Board discussed similar signage and variance requests. The Board noted that there is a visibility issue in this location. They also debated whether allowing this size of signage would cause a flood of variance requests by other businesses in the future.

PUBLIC HEARINGS

2) BETTY JANE LANGE, OWNER/Cary Wescott with Champion Windows, Representative

- a) Requesting a variance from Zoning Code Section 1252.20 (a), which prohibits the enlargement or alteration of an existing non-conforming cluster home and where the applicant is proposing to add a 192 SF Sunroom Addition;
- b) Requesting a 25' Rear Yard Setback variance from Zoning Code Section 1253.11 (b) (3), which requires a 35' Rear Yard Setback and where a 10' Rear Yard Setback is proposed in order to construct a 192 SF Sunroom; property located at 16406 Logan Court, PPN 395-25-001, zoned R1-75.

The Board saw no issue with this variance request.

3) GARCIA PROSTHETICS/Ted Macosko, Architects, Inc., Representative

- a) Requesting a 13' Front Building Setback variance from Zoning Code Section 1258.11 (a), which requires a 125' Front Building Setback from the centerline of Pearl Road and where a 112' Front Building Setback from the centerline of Pearl Road is proposed in order to construct a 7,216 SF Addition;
- b) Requesting a 13' Front Parking Setback variance from Zoning Code Section 1258.11 (a), which requires a 75' Front Parking Setback from the centerline of Pearl Road and where a 62' Front Parking Setback from the centerline of Pearl Road is proposed in order to construct a 7,216 SF Addition;
- c) Requesting a 22 Parking Space variance from Zoning Code Section 1270.05 (c) (1), which requires 52 Parking Spaces and where 30 Parking Spaces are proposed in order to construct a 7,216 SF Addition; property located at 8180 Pearl Road, PPN 395-05-002, zoned General Business (GB).

The Board noted that this is needed due to the widening of Pearl Road. They saw no issue with these variance requests.

4) GREAT ESCAPE OUTLOT BUILDING/Dan Neff with Neff & Associates, Representative

- a) Requesting an 85' Front Building Setback variance from Zoning Code Section 1258.11 (a), which requires a 200' Front Building Setback from the centerline of Royalton Road and where a 115' Front Building Setback from the centerline of Royalton Road is proposed in order to construct a 2,400 SF Drive Thru Restaurant;
- b) Requesting a 35.4' Side Yard Setback variance from Zoning Code Section 1258.11 (a), which requires a 50' Minimum Side Yard Setback (East) and where a 14.8' Side Yard Setback (East) is proposed in order to construct a 2,400 SF Drive Thru Restaurant;
- c) Requesting a 15' Front Parking Setback variance from Zoning Code Section 1258.11 (a), which requires a 40' Front Parking Setback and where a 25' Front Parking Setback is proposed in order to construct a 2,400 SF Drive Thru Restaurant;
- d) Requesting a 10' Side Parking Setback (West) variance from Zoning Code Section 1258.11 (a), which requires a 10' Side Parking Setback and where a 0' Side Parking Setback is proposed in order to construct a 2,400 SF Drive Thru Restaurant;
- e) Requesting a 2 Parking Space variance from Zoning Code Section 1270.05 (c) (3), which requires 279 Parking Spaces and where 277 Parking Spaces are proposed in order to construct a Drive Thru 2,400 SF Restaurant; property located at 17200 Royalton Road, PPN 396-14-011, zoned Shopping Center (SC).

The Board noted that they could vote on these variance requests separately. They wished to discuss the location of the dumpster during the meeting. They also debated whether this would be an issue long-term when Great Escape is no longer in this location. It was also noted that traffic could be an issue due to limited space. It was also mentioned that if the

structure is blocking things behind it then they may have to deal with requests for more signage. They found issues regarding the measurements on their drawings.

5) CHAD ZIEGLER, OWNER

- a) Requesting a variance from Zoning Code Section 1252.20 (a), which prohibits the enlargement or alteration of an existing non-conforming dwelling and where the applicant is proposing to add a Deck;
- b) Requesting a 29' Rear Yard Setback variance from Zoning Code Section 1252.16 (e), which requires a 36' Rear Yard Setback and where a 7' Rear Yard Setback is proposed in order to construct a Deck; property located at 20567 Hemlock Circle, PPN 393-24-041, zoned R1-75.

The Board saw no issue with this variance request.

STRONGSVILLE BOARD OF ZONING & BUILDING CODE APPEALS

MINUTES OF MEETING

May 25, 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 May 25, 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. This evening we have minutes from our May 11th meeting. In caucus we talked about a few minor points which do not change the content. We will ask that those be changed with those changes that we discussed in caucus. If there is nothing else then we will submit those minutes as they were corrected for approval. We also have the Findings of Facts and Conclusions of Law for Charley's changeable copy sign. If there is no additional comment and there were none in caucus then I will accept those as they were submitted as well.

Mr. Kolick – For that one you will actually need a motion to accept them.

Mr. Evans – We do. So I would need a motion to approve.

Mr. Rusnov – I make a motion to approve.

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 – Thank you, that has been approved. Good evening again ladies and gentlemen. Our meetings are divided into two portions; first is new applications and then the public hearings. 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. 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.

NEW APPLICATIONS

1) **STRONGSVILLE PLAZA SIGNAGE/Eyad Ali with Neon City, Representative**

- a) Requesting a 3.5' Sign Height variance from Zoning Code Section 1272.12 (e), which permits a 5' Sign Height and where an 8.5' Sign Height is proposed in order to install a Ground Sign;
- b) Requesting a 10 SF Sign Face Area variance from Zoning Code Section 1272.12 (e), which permits a 50 SF Sign Face Area and where a 60 SF Sign Face Area is proposed in order to install a Ground Sign; property located at 14711 – 14783 Pearl Road, PPN 396-19-001, zoned General Business (GB).

Mr. Evans – Thank you, and with that we can get underway with our new applications. Item number one on our agenda is Strongsville Plaza Signage/Eyad Ali with Neon City, Representing. Please come up to the microphone and give us your name and address for the record.

Mr. Ali – Good evening everyone. My name is Eyad Ali. I'm with Neon City and signs. We're located in Cleveland, Ohio.

Mr. Evans – What is your address in Cleveland?

Mr. Ali – 11500 Madison Ave, Cleveland, Ohio.

Mr. Evans – Thank you. So Mr. Ali you will be doing the presentation?

Mr. Ali – Yes.

Mr. Evans – If you could take us through the information that we have. We have all been provided with the application and the photo that you submitted.

1) **STRONGSVILLE PLAZA SIGNAGE/Eyad Ali with Neon City, Representative,
Cont'd**

Mr. Ali – We're using the same infrastructure. All we are requesting is an extension based on the shape of the plaza. It's an L shape. Most of the tenants on the back side are not recognized by their customers even though they send flyers or direct mailings to them. They are looking for their name when you pull into the plaza, and there is none. If there is no name it affects the owners. They are having serious issues renting these units because most of the customers want to put a sign out front. We're requesting only 30" not the 3.5'. I would appreciate it if you would allow us this even though if it's a foot extra we could redesign the cabinet we could make Strongsville smaller with the logo, and extend it a foot or foot and a half from the existing sign. Then we could maybe put 15 business names on it. I think that maybe the owner could ask his tenants facing the street to not have their name on this sign because they already have their business names on the building itself where they are visible from the street.

Mr. Evans – Thank you Mr. Ali. Are there any questions from Board members? I do note that we have in the agenda 3.5' sign variance for the height. So you are saying that it would be only 7.5' instead of 8.5'?

Mr. Ali – Correct.

Mr. Evans – So that would make it a 2.5' sign variance. We'll make that notation for the record. Is there anything else from the Board?

Mr. Smeader – How many units are in that project?

Mr. Kafantaris – Hi, my name is Gus Kafantaris with K & F Properties of Strongsville LLC. Our address is 8111 Broadview Road, Broadview Heights. There are approximately 18 to 20 units.

Mr. Evans – Thank you very much.

Mr. Smeader – 18? And how many of them are currently occupied or vacant?

Mr. Kafantaris – Vacancy is about 4 units.

Mr. Smeader – What's been the historic occupancy of this building?

Mr. Kafantaris – Most of you that have been here in Strongsville you know that I took a beating there for years, but we stayed strong and kept it going. We didn't foreclose on it. It's just old-school and we survived that portion of time in that plaza. You've seen what we've done with Old Carolina BBQ and the gym upstairs, and now we're getting some new tenants over on the other side as well.

1) **STRONGSVILLE PLAZA SIGNAGE/Eyad Ali with Neon City, Representative,**
Cont'd

Mr. Smeader – So by increasing the size of the sign you're hoping what?

Mr. Kafantaris – Retain and increase our occupancy.

Mr. Smeader – And identify who the current tenants are?

Mr. Kafantaris – Retaining is the main issue because of as Mr. Ali mentioned, there were some tenants that were asking if they could go up on the sign like the pizza shop. Obviously we also have Casey and Head Over Heels all the way in the back over there so he's the main tenant that should be there. He's the largest tenant so we'd like to keep him there as well. There are a few other little guys like the bank. There's a dentist as well along with a chiropractor.

Mr. Evans – We understand that different businesses require different signage. We go through this all the time. Some places are a destination point like Head Over Heels where it's not something that is an impulse buy. Whereas some of the places are an impulse buy. Kartel's and Bilo's want to have that identification. Mr. Kolick pointed out to me that on the photo that you submitted which is sort of a drawing, it shows an 8" down at the bottom. The sign height is from the ground level to the top of the sign. So that 8" does actually figure into it. I guess the concern that I would have is where does that measure in? I know that the current sign is elevated from the ground. One of the things that we have people say is that they can build a 5' mound, and then put the sign on top of it. It doesn't work that way though.

Mr. Ali – The 8" at the bottom are to keep the air and pressure so it does not affect the sign. Also for safety the sign will not get rusted, it'll last longer. Between the old sign and the new one from bottom to top we're requesting only 2'.

Mr. Kafantaris – We could shave off a little bit off the height variance because it's going up on a gable and it does look prettier like that.

Mr. Ali – We could make it flat and take the circle off or whatever. We would at least like to have enough space for his tenants to be on the sign.

Mr. Evans – I cannot speak for the other Board members, but I can tell you that in the past we've considered situations like yours. In your case we could call it a topographically or geographical hardship due to the L shape of the building. I think that we would rather see it done the right way. I understand that you want to use the same platform that currently exists. I think you heard us talking in caucus that when looking at options you're telling us that you want to get the primary tenants onto the sign. My hope is that you could put your pencil back to paper and come up with a better more creative or different way of doing that rather than stacking these. Quite frankly like you heard us say in caucus they are probably not going to be able to read these when they're driving

1) **STRONGSVILLE PLAZA SIGNAGE/Eyad Ali with Neon City, Representative,**
Cont'd

Mr. Evans continues - on a 5 lane Pearl Road. If you're looking for identification, flattening it may not be quite as pretty we get that. We would rather see it done so you can perhaps not expose every tenant, but at least the primary ones that are destination spots or whatever.

Mr. Rusnov – I have a two-fold question. We realize that a problem exists with the rear tenants as evidenced by next to Head Over Heels. Several great places were there and they died out because of no signage. Is there some alternative to the one sign out front, Mr. Kolick and Mr. Property Owner? Is there some way to solve this situation so you can get up to 100% occupancy and maximize this complex?

Mr. Kolick – I don't know if there is a paradise situation.

Mr. Rusnov – I'm not looking for paradise.

Mr. Kolick – We can certainly look at what they might propose for signage on the building. We start getting into problems if we start looking at a multiplicity of signs or making that sign larger than what's permitted. Then we run into that same problem all the way up and down Pearl Road then.

Mr. Rusnov – What about where Carolina BBQ is located, a wall sign facing Pearl Road.

Mr. Evans – Like what we did on the Plaza at Southpark.

Mr. Rusnov – Yes. Then another sign, the existing sign, you'd use for the rear group of tenants. Basically I'm trying to solve the situation so you don't keep losing those one or two tenants because nobody knows they're there. Maybe it would behoove you to talk with the people at the Building Department or Engineering or Mr. Kolick or someone to see if there's an alternative. I don't know if I'm overstepping my bounds here, but I'm looking for a common sense solution here.

Mr. Evans – And creative.

Mr. Baldin – I think you heard our Chairman make a comment about the 8" so if you look at the 8" plus the 60 and 30 then we're talking 36". I think you need to go to the drawing board, and I heard what John said over there. He's trying to be creative. I think you need to talk with your people and see what you can really live with size-wise.

Mr. Kafantaris – Would a second sign closest to where the...

1) **STRONGSVILLE PLAZA SIGNAGE/Eyad Ali with Neon City, Representative,
Cont'd**

Mr. Baldin – You're not going to get a second sign though. That's what I'll say. Because I think our Code does not call for anything like that.

Mr. Kafantaris – OK.

Mr. Baldin – I think you need to go back to the drawing board and take a hard look. Talk to your tenants. I've lived here for years, Kartel's is probably your oldest tenant.

Mr. Kafantaris – Right.

Mr. Baldin – I know Chris, we've golfed together. Everyone knows Kartels and Bilo's they don't have a problem. A couple of the other places like the cupcake shop or the drapery place there. They're well known. I know a lot of the other places aren't. I think Nino's was probably the best little Italian secret in the world stuck in the corner originally and went out of business. I feel bad for you guys. See what you can really live with. You have to consider the 8" on the bottom because that is part of the sign height.

Mr. Kafantaris – So when you're saying the 8" we're talking about the mulched bed or what?

Mr. Evans – From the ground.

Mr. Kafantaris – From the ground, the mulch bed.

Mr. Kolick – The highest point of the sign.

Mr. Evans – That's why I say that we don't permit you to build it up 4', and have the sign sit on top of that.

Mr. Kafantaris – So that 8" is including the cinder block or the pavers? So I could rip that out and add more. I don't want to be spending the unnecessary money. I'm doing it because I want to improve the visibility for the other tenants.

Mr. Baldin – How long has this sign been there now? 5 years maybe?

Mr. Kafantaris – 5 or 7 years.

Mr. Baldin – It's good looking, and everyone was shocked when that one went up. It was nice, but you only have three businesses on there or 4? Years ago we could only give them 5'?

Mr. Kolick – We only allowed three tenants to be identified.

1) **STRONGSVILLE PLAZA SIGNAGE/Eyad Ali with Neon City, Representative,**
Cont'd

Mr. Baldin – Only three tenants at one time, in a 5' area. So we've sort of changed things a little bit.

Mr. Ali – What if since everybody knows the issue and the problem and you feel so bad about it, what about an extra foot?

Mr. Baldin – That's what I'm saying, go back to the drawing board and see what you can live with. Talk with your people. Can you live with just one foot instead of three extra feet? Can you live with a foot and a half?

Mr. Kafantaris – Can we meet in the middle?

Mr. Ali – If you approved it.

Mr. Kafantaris – I think I can live with that.

Mr. Baldin – This is your first meeting. You're going to be back for another meeting. So you have some time to come up with an idea. So talk with everyone and see what you can work out. That plaza has been there a long time, we don't want to see you go away. Its created jobs, etc. and so forth.

Mr. Kafantaris – So we would have to resubmit something?

Mr. Kolick – Come to the Building Department and give them new drawings. You don't have to start the whole process again. They just need the right numbers to give to the Board, and show them the redesigned sign. Whatever you come up with along with the Building Department.

Mr. Ali – So you don't mind if we put the sign on the ground?

Mr. Smeader – No.

Mr. Kolick – No.

Mr. Baldin – No.

Mr. Ali – OK. So we could drop it the 8". OK so what we'll do is redesign the sign and then submit it to the Building Department. Thanks for everything.

Mr. Baldin – I think you guys can work it out.

1) **STRONGSVILLE PLAZA SIGNAGE/Eyad Ali with Neon City, Representative,
Cont'd**

Mr. Evans - 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 June 8th. Get those new drawings to the Building Department by the Friday before the 8th, whatever that date may be.

Ms. Zamrzla – By the Wednesday prior to the meeting.

Mr. Kafantaris – The 1st, right I'll submit it by then. Thanks.

Mr. Evans – Alright thank you very much.

PUBLIC HEARINGS

2) **BETTY JANE LANGE, OWNER/Cary Wescott with Champion Windows,
Representative**

- a) Requesting a variance from Zoning Code Section 1252.20 (a), which prohibits the enlargement or alteration of an existing non-conforming cluster home and where the applicant is proposing to add a 192 SF Sunroom Addition;
- b) Requesting a 25' Rear Yard Setback variance from Zoning Code Section 1253.11 (b) (3), which requires a 35' Rear Yard Setback and where a 10' Rear Yard Setback is proposed in order to construct a 192 SF Sunroom; property located at 16406 Logan Court, PPN 395-25-001, zoned R1-75.

Mr. Evans – Item number two on our agenda tonight is a public hearing for Betty Jane Lange. Please come up to the microphone and give us your name and address for the record.

Ms. Lange – Betty Jane Lange, 16406 Logan Court, Strongsville, Ohio.

Mr. Wescott – Carey Wescott 1648 Canterbury Road, Westlake, Ohio.

Mr. Evans – Thank you. Betty Jane you're requesting a variance for building a sunroom on the house. It's a nonconforming plot right now because of the setback on it because it's a cluster. It is on a pie shaped lot as we talked about in caucus. At the last meeting you talked about why you wanted to add the sunroom on it. If you could just summarize that for us very quickly again for the record, that would be great.

2) **BETTY JANE LANGE, OWNER/Cary Wescott with Champion Windows,
Representative, Cont'd**

Ms. Lange – The sunroom would surely improve the house and where I lived before I had a big sunroom. I would definitely like to have another sunroom.

Mr. Evans – Members of the Board, we've all been out there to view it. Are there any questions, comments or observations?

Mr. Baldin – No questions. I don't have a problem with it.

Mr. Smeader – That's going to be a three season room predominately a glass structure?

Mr. Wescott – Yes.

Mr. Smeader – Thank you.

Mr. Houlé – We have the Homeowners Association's written letter of approval.

Mr. Evans – Yes and we discussed that it's a pie-shaped lot and because of that there are unique features to it that compromise the backyard setbacks. It does back up to CEI's easement. So we've established all those things in our prior conversations. Is there anything else that anyone would like to add? 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 variance from Zoning Code Section 1252.20, which prohibits the enlargement or alteration of an existing non-conforming cluster home and where the applicant is proposing to add a 192 SF Sunroom Addition; and also approve a request for a 25' Rear Yard Setback variance from Zoning Code Section 1253.11 (b) (3), which requires a 35' Rear Yard Setback and where a 10' Rear Yard Setback is proposed in order to construct a 192 SF Sunroom; property located at 16406 Logan Court, PPN 395-25-001, 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

2) **BETTY JANE LANGE, OWNER/Cary Wescott with Champion Windows,
Representative, Cont'd**

Mr. Evans continues - that time has passed. You are welcome to leave now. Thank you for staying in Strongsville and adding to your home.

Ms. Lange – Thank you very much.

3) **GARCIA PROSTHETICS/Ted Macosko, Architects, Inc., Representative**

- a) Requesting a 13' Front Building Setback variance from Zoning Code Section 1258.11 (a), which requires a 125' Front Building Setback from the centerline of Pearl Road and where a 112' Front Building Setback from the centerline of Pearl Road is proposed in order to construct a 7,216 SF Addition;
- b) Requesting a 13' Front Parking Setback variance from Zoning Code Section 1258.11 (a), which requires a 75' Front Parking Setback from the centerline of Pearl Road and where a 62' Front Parking Setback from the centerline of Pearl Road is proposed in order to construct a 7,216 SF Addition;
- c) Requesting a 22 Parking Space variance from Zoning Code Section 1270.05 (c) (1), which requires 52 Parking Spaces and where 30 Parking Spaces are proposed in order to construct a 7,216 SF Addition; property located at 8180 Pearl Road, PPN 395-05-002, zoned General Business (GB).

Mr. Evans – Next on our agenda is item number three Garcia Prosthetics. Mr. Macosko please come up to the microphone and give us your name and address for the record.

Mr. Macosko – Ted Macosko, Architect. 24 Glen Oaks Lane, Berea, Ohio.

Mr. Evans – Thank you. Mr. Macosko you let me know that something in the presentation in the agenda is incorrect. I'm going to ask you to describe the reason for the variance request, and then also correct whatever is wrong in the agenda. That would be great.

Mr. Macosko – The variances that are listed are generally correct. We're asking for a setback for the building. Actually we're asking for a 15' variance from the 125' setback. I think it's on the drawing that I submitted because it's on my drawing. Would you mind if I took a look at that?

Mr. Evans – Sure.

Mr. Macosko – As you can see it's on the drawing at a 110' and I don't know how it got listed on this agenda.

Mr. Evans – You're indicating that the building setback that is required is 125' and you're showing 110' setback on the drawing. So you're indicating that it's really a 15' setback variance?

3) GARCIA PROSTHETICS/Ted Macosko, Architects, Inc., Representative, Cont'd

Mr. Macosko – Right, not 13'. I'm sorry that I didn't notice this last time. I submitted the drawing properly, and someone else wrote this up. I did not look at it last time, and it's my error. I noticed from the previous agenda it was listed in the same way.

Mr. Evans – Is that because of the cover over the entryway then?

Mr. Macosko – If you look at the drawing, we're basically matching the building. There's a portico entry and that is where the setback is. The building itself is at the same level. It's going to look like one building like it's always been there. I'm sorry I didn't notice this on the first go around, but here we are and I just don't want it to be a problem when we're done.

Mr. Evans – Does that change the parking setback in item B?

Mr. Macosko – I don't believe so. Wait a minute. I didn't even list this one. These came from the City Planner.

Mr. Evans – It says 13' on both from the City Planner.

Mr. Baldin – Two extra feet.

Mr. Evans – I'm guessing it should be 15' on both.

Mr. Baldin – I would think so.

Mr. Macosko – That's 75...

Mr. Houlé – The City Planner might have been scaling off of this drawing that one inch equals 30'. That might be where he came up with these figures.

Mr. Macosko – The building setback was listed right on the drawings you can see it on the right hand side there.

Mr. Evans – Yes.

Mr. Houlé – The only other question I would think is the portico out front. He might not have included that portico.

Mr. Evans – It looks like he probably did.

Mr. Macosko – That portico would have to be included. It's a solid structure.

3) GARCIA PROSTHETICS/Ted Macosko, Architects, Inc., Representative, Cont'd

Mr. Evans – I agree. Yes. It looks like that's the 110' setback right there.

Mr. Macosko – That's right.

Mr. Evans – Portico on the other side that's being constructed.

Mr. Kolick – If it's right at the 110' the code requires 125'.

Mr. Evans – That should be a 15' on both then.

Mr. Kolick – That goes from here to the right away so that's not going to be affected by it.

Mr. Evans – So we don't have that measurement on here.

Mr. Kolick – Do you know what the existing parking is to the street right of way?

Mr. Macosko – I am sorry, I do not. Again that must have been the Engineer doing that too. It's matching the existing. I didn't even know we needed a parking setback variance until it was reported to me. I just went with what he filled in.

Mr. Evans – Mr. Kolick may we approve a 15' and if it's less than that it doesn't really make any difference in order to move this along? The applicant may only be asking for 13', but they could be asking for 15'.

Mr. Kolick – If you approve it at 15' then either this applicant or a future one could take it another two feet closer to the street. I don't know that we want to do that. I think what the Planner is saying is line up with the existing pavement. We don't want another two feet over here at this pavement from the existing pavement.

Mr. Macosko – Right.

Mr. Evans – So the appropriate action would be to table this?

Mr. Baldin – Yes.

Mr. Evans – Until we have accurate measurements?

Mr. Macosko – Will it be another 2 weeks is that it?

Mr. Evans – It would be June 8th.

3) GARCIA PROSTHETICS/Ted Macosko, Architects, Inc., Representative, Cont'd

Mr. Macosko – OK. Well I will call the Engineer.

Mr. Evans – The City Engineer?

Mr. Kolick – No, he's talking about his Engineer.

Mr. Macosko – Do I need to verify it with whoever generated the variance?

Mr. Houlé – The City Planner.

Mr. Macosko – OK. The City Planner, right.

Mr. Evans – George.

Mr. Macosko – Alright. I can verify the parking setback and the building is accurate at 110'.

Mr. Evans – It looks like from the drawings that the building setback was supposed to be 110'.

Mr. Macosko – That's correct.

Mr. Evans – That's not the one in questions. It's the parking setback which is in question.

Mr. Kolick – I think our City Planner is just going to tell you that he took the scale that you have on your plan here 1" equals 30' and measured it from the right of way to the parking. So I think what's more important is to have your office, or Engineer, or whoever drew up the site plan draw out the parking lot in the correct spot so we know what the distance is. So it's not so much contacting our City Planner, it's to make sure that your drawing is properly reflecting what is.

Mr. Macosko – I agree. I just needed to know who I needed to coordinate it with.

Mr. Evans – They should have that measurement on there for what the parking setback is.

Mr. Macosko – I understand. I did not know I even needed it.

Mr. Evans – Right. OK. So before we do any of that. Can we clear up the public hearing tonight and get that at least done?

Mr. Kolick – We can.

3) **GARCIA PROSTHETICS/Ted Macosko, Architects, Inc., Representative, Cont'd**

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 then declare the public hearing closed. You do need the appropriate measurements so would you like to request that this be tabled until our June 8th meeting?

Mr. Macosko – Yes, I would.

Mr. Evans – OK. Anything else from anybody?

Mr. Baldin – No.

Mr. Rusnov – No.

Mr. Evans – OK. So we will table that to June 8th, and you'll have the wonderful opportunity to come back and join us again on that date.

Mr. Macosko – Thank you very much for your patience.

Mr. Evans – Thank you.

4) **GREAT ESCAPE OUTLOT BUILDING/Dan Neff with Neff & Associates, Representative**

- a) Requesting an 85' Front Building Setback variance from Zoning Code Section 1258.11 (a), which requires a 200' Front Building Setback from the centerline of Royalton Road and where a 115' Front Building Setback from the centerline of Royalton Road is proposed in order to construct a 2,400 SF Drive Thru Restaurant;
- b) Requesting a 35.4' Side Yard Setback variance from Zoning Code Section 1258.11 (a), which requires a 50' Minimum Side Yard Setback (East) and where a 14.8' Side Yard Setback (East) is proposed in order to construct a 2,400 SF Drive Thru Restaurant;
- c) Requesting a 15' Front Parking Setback variance from Zoning Code Section 1258.11 (a), which requires a 40' Front Parking Setback and where a 25' Front Parking Setback is proposed in order to construct a 2,400 SF Drive Thru Restaurant;
- d) Requesting a 10' Side Parking Setback (West) variance from Zoning Code Section 1258.11 (a), which requires a 10' Side Parking Setback and where a 0' Side Parking Setback is proposed in order to construct a 2,400 SF Drive Thru Restaurant;

4) **GREAT ESCAPE OUTLOT BUILDING/Dan Neff with Neff & Associates,
Representative, Cont'd**

- e) Requesting a 2 Parking Space variance from Zoning Code Section 1270.05 (c) (3), which requires 279 Parking Spaces and where 277 Parking Spaces are proposed in order to construct a Drive Thru 2,400 SF Restaurant; property located at 17200 Royalton Road, PPN 396-14-011, zoned Shopping Center (SC).

Mr. Evans – Item number four on our agenda is Great Escape Outlet with Dan Neff and Neff Associates. Please come up to the microphone and give us your name and address for the record.

Mr. Neff – Thank you, Daniel Neff. Neff and Associates 6405 York Road, Parma Heights, Ohio.

Mr. Evans – Thank you, Mr. Neff in caucus we discussed the fact that you have reduced the foot print of the building. We identified the building in the agenda and on the notice that was sent out as being 2400 SF. We determined in caucus that it was not that. Do you have a number to replace that?

Mr. Neff – There is a mistake on the drawing with the dimensions. The owner has committed to 2000 SF. So what I'd like to offer is to help with the commission is resubmit with proper dimensions inside the building footprint to show that it is a 2000 SF footprint. That way we can adjust and make all of these variances read that it is 2000 SF which they agreed to.

Mr. Evans – We're presuming that the numbers for the variances are correct.

Mr. Neff – Yes.

Mr. Evans – Mr. Kolick, if we do that it would necessitate us to table this one as well?

Mr. Kolick – We would table this one because from what I'm hearing is that some of these other numbers may change then based on the fact that it's going to be 2000 SF. They were all taken from the building site plan as we have it. If anything they should probably shorten and be even less of a concern.

Mr. Neff – I think that's the proper way to handle that. We'll come back in and I'll get that resubmitted in the next couple of days.

Mr. Evans – OK.

Mr. Kolick – I think what we could do is go forward with the public hearing like we did with the last one.

Mr. Evans – Yes. No doubt about it. Gentlemen on the Board, do you have anything to say first?

4) **GREAT ESCAPE OUTLOT BUILDING/Dan Neff with Neff & Associates,
Representative, Cont'd**

Mr. Rusnov – No.

Mr. Baldin – No 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, then we will declare the public hearing closed and Mr. Neff I will entertain your request to table.

Mr. Neff – Thank you, I appreciate that.

Mr. Evans – OK. So we will table this until June 8th and we'll invite you back then. We appreciate you taking care of this so we can appropriately act on it.

Mr. Kolick – Dan, please no later than the Wednesday before the meeting.

Mr. Neff – I'll have it to you by Tuesday.

Mr. Evans – Thank you Dan.

5) **CHAD ZIEGLER, OWNER**

- a) Requesting a variance from Zoning Code Section 1252.20 (a), which prohibits the enlargement or alteration of an existing non-conforming dwelling and where the applicant is proposing to add a Deck;
- b) Requesting a 29' Rear Yard Setback variance from Zoning Code Section 1252.16 (e), which requires a 36' Rear Yard Setback and where a 7' Rear Yard Setback is proposed in order to construct a Deck; property located at 20567 Hemlock Circle, PPN 393-24-041, zoned R1-75.

Mr. Evans – Item number five on our agenda this evening is Chad Ziegler from Hemlock Circle. Please come up to the microphone and give us your name and address for the record.

Mr. Ziegler – Good evening, my name is Chad Ziegler. I live at 20567 Hemlock Circle, Strongsville, Ohio.

Mr. Evans – Since you're speaking to such a large audience this evening can you describe for us the reason for requesting the variances in 30 seconds or less?

Mr. Ziegler – I'm just looking to add a deck on the back of the house and remove the 10' by 12' aluminum awning that is currently there.

5) CHAD ZIEGLER, OWNER, Cont'd

Mr. Evans – OK. Excellent. We've all been out to visit it. Are there any questions or observations?

Mr. Baldin – No questions.

Mr. Evans – We talked in caucus about the 6' fence behind. We have no neighbors here. 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 variance from Zoning Code Section 1252.20 (a), which prohibits the enlargement or alteration of an existing non-conforming dwelling and where the applicant is proposing to add a Deck; and also approve a request for a 29' Rear Yard Setback variance from Zoning Code Section 1252.16 (e), which requires a 36' Rear Yard Setback and where a 7' Rear Yard Setback is proposed in order to construct a Deck; property located at 20567 Hemlock Circle, PPN 393-24-041, 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 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 good to go. Thank you. Is there any other business to come before the Board tonight? If not then I will declare the meeting adjourned.

Signature on File

Mr. Evans, Chairman

Signature on File

Kathryn A. Zamrzla, Sec'y

June 8, 2016

Approval Date