

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

**Meeting of  
June 8, 2016  
7:30 p.m.**

Board of Appeals Members Present: Richard Baldin, John Rusnov, Tom Smeader, David Houlié, 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) MITCHELL'S ICE CREAM/Matt Plecnik of Dimit Architects, Rep.**

- a) Requesting a 52.25' variance from Zoning Code Section 1258.08, which requires a 150' Lot Width and where a 97.75' Lot Width is proposed in order to construct an Ice Cream Store;
- b) Requesting a 66' Front Building Setback variance from Zoning Code Section 1258.11 (a), which requires an 80' Front Building Setback and where a 14' Front Building Setback is proposed in order to construct an Ice Cream Store;
- c) Requesting a 10' Side Parking Setback 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 an Ice Cream Store;
- d) Requesting an 8' Rear Parking Setback variance from Zoning Code Section 1258.11 (a), which requires a 10' Rear Parking Setback to a residential lot line and where a 2' Rear Parking Setback to a residential lot line is proposed in order to construct an Ice Cream Store;
- e) Requesting a 20 Parking Space variance from Zoning Code Section 1270.05 (c) (4), which requires 36 Parking Spaces and where 16 Parking Spaces are proposed in order to construct an Ice Cream Store; property located at 18832 Westwood Drive, PPN 396-10-016, zoned Restaurant Recreational (RS).

**The Board noted that many of these variance requests are due to the location of this establishment in town center. The Board noted that near there are public parking spaces. They also noted that customers will not be staying very long due to the nature of the business.**

**2) ADAM KALL, OWNER**

Requesting a variance from Zoning Code Section 1252.15 (a), which prohibits an Accessory Building in a Side Yard and where the applicant is proposing a 12' x 16' Accessory Building in the Side Yard (East); property located at 18784 Cook Avenue, PPN 396-18-043, zoned R1-75.

**The Board saw no obvious issues with this variance request. They noted that it is located behind McDonalds.**

## **PUBLIC HEARINGS**

### **3) STRONGSVILLE PLAZA /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 noted that they were presented new drawings prior to the start of caucus. The Chairmen recommended that they be reviewed appropriately by the Building Department before there is a vote by the Board. All the Board members concurred. They also discussed how effective the suggested sign would be on a five lane street with so many tenants in the plaza.**

### **4) STRONGSVILLE HIGH SCHOOL/Rodwell King, Representative**

Requesting a 40' Height variance from Zoning Code Section 1272.29 (c), which permits a 35' Height and where a 75' Height is proposed in order to install a Flag Pole; property located at 20025 Lunn Road, PPN 393-26-003, zoned Public Facility (PF).

**The Board saw no issue with this variance request.**

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

- a) Requesting a 15' 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 110' 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 the measurements on the drawings have all been corrected. They also mentioned that they have already held the public hearing so they will just be voting on this variance request on the floor.**

**6) 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 2,000 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 2,000 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 2,000 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 2,000 SF Restaurant; property located at 17200 Royalton Road, PPN 396-14-011, zoned Shopping Center (SC).

**The Board noted that they have already held the public hearing so they will just be voting on this variance request on the floor. They also mentioned that all the drawings were double checked for correct measurements. They Board saw no issue with this variance request.**

## **STRONGSVILLE BOARD OF ZONING & BUILDING CODE APPEALS**

### **MINUTES OF MEETING**

**June 8, 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 June 8, 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. 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, this evening we have minutes from our May 25<sup>th</sup> meeting. If there are no other corrections I will submit them as presented. 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.

## NEW APPLICATIONS

### 1) **MITCHELL'S ICE CREAM/Matt Plecnik of Dimit Architects, Rep.**

- a) Requesting a 52.25' variance from Zoning Code Section 1258.08, which requires a 150' Lot Width and where a 97.75' Lot Width is proposed in order to construct an Ice Cream Store;
- b) Requesting a 66' Front Building Setback variance from Zoning Code Section 1258.11 (a), which requires an 80' Front Building Setback and where a 14' Front Building Setback is proposed in order to construct an Ice Cream Store;
- c) Requesting a 10' Side Parking Setback 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 an Ice Cream Store;
- d) Requesting an 8' Rear Parking Setback variance from Zoning Code Section 1258.11 (a), which requires a 10' Rear Parking Setback to a residential lot line and where a 2' Rear Parking Setback to a residential lot line is proposed in order to construct an Ice Cream Store;
- e) Requesting a 20 Parking Space variance from Zoning Code Section 1270.05 (c) (4), which requires 36 Parking Spaces and where 16 Parking Spaces are proposed in order to construct an Ice Cream Store; property located at 18832 Westwood Drive, PPN 396-10-016, zoned Restaurant Recreational (RS).

Mr. Evans – First on our agenda tonight is Mitchell's Ice Cream. Please come up to the microphone and give us your name and address for the record.

Mr. Plecnik – My name is Matt Plecnik from Dimit Architects. The address is 29241 Beachwood Drive, Wickliffe, Ohio. I'm also here with Mike Mitchell from Mitchell's Ice Cream.

Mr. Evans – Mr. Mitchell, if you'd be so kind as to give us your name and address for the record please.

Mr. Mitchell – Sure, 1867 W. 25<sup>th</sup> St. Cleveland, 44113.

Mr. Evans – Thank you very much. Mr. Plecnik you're taking the lead on this?

Mr. Plecnik – Sure.

Mr. Evans – Alright, so you're requesting five variances from us, can you explain the reasons for the variances please?

1) **MITCHELL'S ICE CREAM/Matt Plecnik of Dimit Architects, Rep., Cont'd**

Mr. Plecnik – It's a new ice cream store with an outdoor patio and parking. Essentially it was thought because of the constraints of the size of the existing site that it would be very difficult to get particularly the parking facilities in for this ice cream store. What we did with the site plan in order to best accommodate Mike's needs as well as respecting the adjacent residential facility. We want to provide the most parking we can get, and also still have good turning radiuses for maneuverability in and out of the lot.

Mr. Evans – Before I open it up to my other members of the Board, obviously the Town Center Commission and a lot of other people have reviewed this. First and foremost we'd say that we're glad to have Mitchell's building on the square here. We think it's going to be a wonderful addition to the center of town. Needless to say it is shoehorning it in which normally we don't like, but for good projects we understand that there are existing constraints. We've certainly worked with Mr. Catan in development of the other areas there, and also with Mr. Justice with his project. We think they are all wonderful additions, but we as a Board need to take a look at the variance requests and determine whether or not they fit in with what we're given as appropriate reasons for granting variances. So gentlemen do you have any questions or comments?

Mr. Baldin – I think you covered it very well Mr. Chairman with the comment of shoehorning, but I don't think there's much choice. No further comments.

Mr. Rusnov – I honestly can't see any other way to make this project work without these variances.

Mr. Evans - All of the members of the Board will be out to visit the property to take a look at it. There will also be a notice that will go out to your neighbors within 500 feet of your property. It will state exactly the description that is written in the agenda tonight. Kathy will each individual resident get a copy of this or just the building owner.

Ms. Zamrzla – Just the building owner.

Mr. Evans – So the building behind you there will be notified, you may if you haven't had prior discussions with them you may like to advise them on what's happening. Although I think they are probably giddy about having the ice cream store so close to them. The public hearing is on June 22<sup>nd</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. Plecnik – Thank you very much.

Mr. Mitchell – Thank you.

Mr. Evans – Thank you Mr. Mitchell.

2) **ADAM KALL, OWNER**

Requesting a variance from Zoning Code Section 1252.15 (a), which prohibits an Accessory Building in a Side Yard and where the applicant is proposing a 12' x 16' Accessory Building in the Side Yard (East); property located at 18784 Cook Avenue, PPN 396-18-043, zoned R1-75.

Mr. Evans – Item number two on our agenda is Adam Kall. Please come up to the microphone and give us your name and address for the record.

Mr. Kall – My name is Adam Kall, I live at 18784 Cook Ave in Strongsville.

Mr. Evans – Thank you, and you're here asking for one variance. The Code prohibits the accessory building in the side yard. You've asked to build this in front of the fenced in backyard. We understand that you are a new owner of the property and that this is sitting right behind McDonald's on Cook. Please give us a little bit of an idea of your project.

Mr. Kall – I tried to follow the code and I had plans drawn up to put it in the back corner. Only when I was mowing the lawn a couple of days later I found that you could see the dip of the water running down the runoff in the back of the lawn. When you're looking at the runoff from the house, it doesn't look very significant. When you're standing at the top of that hill where the water runs down you can see the dip of where the water runs. So I don't want to put a \$3200 shed on top of property that might deteriorate over time. Trying to make it 20' from the garage, I can do that but there's also large trees and root systems that make it very hard to grade the property or put it in a spot that makes sense in the large backyard. I have a large side lawn that I'm really not doing anything with, and it would be a lot easier if I could put the shed on that piece of the property.

Mr. Evans – OK. All of the members of the Board will be out to visit the property to take a look at it. Please stake out the location of the shed. 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. Do any of the Board member have questions?

Mr. Rusnov – If I understand you correctly sir you can't put it at the rear right hand corner because of the swale and the runoff, and if you build a wooden shed there it's not going to last very long. Secondly if you disturb the root systems on those trees, you run the risk of them coming down.

Mr. Kall – It's a very large tree. I like that tree. So to grade that part of the property would damage the tree, and I don't want to do that.

Mr. Rusnov – It'll weaken the root system.

2) **ADAM KALL, OWNER, Cont'd**

Mr. Kall – Exactly and the expense to do it too. There's a storm drain at the bottom of that runoff outside of the fence between my property and McDonald's property. The runoff is significant enough that the City put a storm drain there.

Mr. Rusnov – Near the parking lot. OK, thank you sir. You cleared it up.

Mr. Baldin – You have a deep lot, correct?

Mr. Kall – Correct.

Mr. Baldin – What's behind the house? What's in this circle here, am I reading something about fire right of way?

Mr. Kall – The previous owner had put a large gravel ring with just a fire pit in the middle of it.

Mr. Baldin – So there's no problem with water back there?

Mr. Kall – There is. It seeps up a little bit.

Mr. Baldin – So is that about 50' from the house?

Mr. Kall – Maybe a little bit less.

Mr. Baldin – The water and the runoff, what is it 10' or 15' from the back of the property line?

Mr. Kall – It gets very wet down there.

Mr. Baldin – Alright. That's all, I'll check it out when I get out there.

Mr. Kall – OK.

Mr. Houlé – I have a question too, it's a large two car garage. Is that primarily just for storage? There's not enough room in the garage?

Mr. Kall – I'm engaged to be married, and I have baby on the way. I'd like to be able to get both of the cars into the garage during the wintertime. So I need to move a lot of stuff out of the garage and into the shed in order to do that.

Mr. Evans – Mr. Kall I'll ask the question of whether or not you looked at adding onto the garage, which would not require a variance for having a second building. That might make it more convenient for you.



2) **ADAM KALL, OWNER, Cont'd**

Mr. Kall – I've considered it, but if I add on to the back of the garage then it's very close to that concrete pad on the back where I have patio furniture and the grill and what not. If I add on to the right side, the land is a lot higher than where the concrete pad is for the inside of the garage. So I'd have to have all that graded out. Then with the way the roof line comes down architecturally it would be expensive for me to attach something to that side.

Mr. Evans – OK. Is there anything else? No? So the public hearing is on June 22<sup>nd</sup>. We will invite you back at that time. It is not necessary that you stay for the rest of the meeting tonight.

Mr. Kall – Thank you for your time.

**PUBLIC HEARINGS**

3) **STRONGSVILLE PLAZA /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 – Item number three on our agenda this evening is in our public hearing portion of the meeting. This is Strongsville Plaza signage. Please come up to the microphone and give us your name and address for the record.

Mr. Ali – My name is Eyad Ali with Neon City and Signs. Our address is 11500 Madison Ave. in Cleveland, Ohio.

Mr. Evans – OK. Mr. Ali were you here at the last meeting?

Mr. Ali – Yes, I was.

Mr. Evans – So we talked about changes we thought might need to be made, and you came in this evening with a drawing that has some different things about it. It's shorter and Mr. Miller from our Building Department looked at it in caucus. We normally don't like to be surprised by things coming in at the start of the meeting when we have a different drawing being presented. I'm going to let Mr. Miller ask you a couple questions that we need to ask about the drawing and the measurements to clarify for the Board what's different about the drawing tonight.

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

Mr. Miller – Mr. Ali, on your site plan that you submitted tonight you show a height from ground to top of sign face at 84". We're concerned about the pointed caps that you're going to extend. What is the overall dimension of that after being added to the sign height?

Mr. Ali – First of all I apologize, I tried to email it to Kathy but somehow it didn't make it.

Mr. Evans – OK.

Mr. Ali – From the top of the cap to the bottom it is 7'. That was my mistake, I did not shave down a drop. It dropped the peak into the level of the sign. If you realize on the old arch work the whole sign sits above the ground about 3'. So what I did was I went to the original base which comes out to almost a foot. So I dropped the sign from the ground up to the original that exists in the 6'. We requested an extra one foot. That's why you see instead of having 20 tenants, we have 7 on each one. If you take those measurements and divide into 7, you come out with almost a foot for each tenant's business name. The owner advised to have most of the businesses that are set back on the sign, and the front ones since they have a bigger sign it won't have their names on it.

Mr. Miller – So you're only adding one foot in height to the existing sign?

Mr. Ali – One foot in height is existing now. What I did was drop the actual base of the sign into the ground. There's an eighth inch gap, I'd say about almost a foot from the ground to the base of the bricks. So I dropped it down and I have requested a variance for one foot. That's it.

Mr. Miller – Actually you're at 7' for your overall height. You're allowed a maximum of 5', so you need to ask for a 2' height variance.

Mr. Ali – Right 2' variance. At the last meeting I inquired if I'd be able to use the eight inches below. I kept the height at the 5' existing because I went down, but we're going to go an additional one foot higher than the existing sign.

Mr. Miller – Right, but you're overall sign height is measured from the base to the highest point.

Mr. Ali – That is correct from the base to the top it is 84".

Mr. Miller – Which is 7'.

Mr. Ali – 7', correct.

Mr. Miller – So you're requesting a 2' sign height variance.

Mr. Ali – One foot from the bottom and one foot from the top.

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

Mr. Miller – OK. My next question is, you're showing your overall sign face at 56 SF 7'x8' according to your dimensions here. Is that true? That 7 x 8 is 56. Your variance request was for a 60 SF variance,

Mr. Ali – 56 SF, I'll have to revise that.

Mr. Miller – So you're down to a 6' sign face variance.

Mr. Ali – Yes, my apologies.

Mr. Evans – That's fine. Anytime the numbers go down we're more than happy. Alright, so we're for first looking at the 2' sign height variance where 5' is permitted. Secondly, we're at a variance which allows 50 SF and we're looking for a 6' to go to 56 SF.

Mr. Ali – Correct.

Mr. Rusnov – 60 SF to go to 56 SF?

Mr. Evans – 56 instead of 60.

Mr. Ali – Yes.

Mr. Evans – 8 x 7 is 56.

Mr. Rusnov – OK.

Mr. Evans – Alright, now one of the things that we have on our agenda is that when each of us were out to take a look at the property there are always multiple signs across the face of that property on Pearl Road. There's signs for pizza, this sale, that sale, et cetera. Those signs are not permitted in our Code and as fast as we can go out and take them down, they go back up again. Were we to grant this variance, I don't know if you have the authority to speak for the owner of the property or not.

Mr. Ali – Yes.

Mr. Evans – If we were to grant the variance our enforcement of those signs is going to be swift and sure and at that point if someone were to continue to put signs up it's going to be a problem.

Mr. Ali – I respect the rules and the laws and the owner is a good friend of mine. In fact I went out on the last meeting and we stayed there two or three hours. I said, look how many times you have the A frame they're chained into the trees.

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

Mr. Evans – Correct.

Mr. Ali – They are not safe. What if one of them flew into high traffic? He said, if you can convince them the 7' then I promise you all of that would go away. We drive down the street. He's not the only one.

Mr. Evans – We understand that.

Mr. Ali – As a safety aspect his facility I promise that we'll behave. You could enforce it with a ticket. If it's not within a period of time to get all these down. As soon as we put up the sign and accept the variances, then absolutely all the other signs will come down.

Mr. Evans – An honest answer is that those should go away yesterday so if the variance were granted tonight, or whether or not the variance would be granted, they should be going away rather quickly.

Mr. Ali – They should regardless. I respect that. For safety issues with the traffic coming you know down the streets it should be taken out. It's not safe because there is no base for it. When the air is blowing it flies all over the place.

Mr. Evans – OK. Alright, members of the Board do you have questions for Mr. Ali?

Mr. Smeader – Those temporary signs look bad aesthetically as well.

Mr. Ali – Absolutely. It makes the entire plaza look absolutely unprofessional. You know what though, when I put myself in the owner's shoes as a businessmen and as a business, he's thinking, I don't have a sign and people don't acknowledge me being in the back. So he gets a lot of complaining from his tenants, and that's why he allows them basically. If the variance goes well, then it'll be all taken care of.

Mr. Baldin – Mr. Ali, this is going to be a two-faced sign, right? Front and back.

Mr. Ali – Correct.

Mr. Baldin – Did I understand either that some of your tenants are concerned whether they are going to be on the sign? Some need to be bigger on one side than the other side? Did I misunderstand something?

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

Mr. Ali – It's divided into 7. You have Strongsville to show the name of the Plaza. Then you have the rest of the signs as 8.9" tall each. That's pretty decent for the 14 tenants with 7 on one side and 7 on the other. Most of his complaints regarding business is the one that sits in the L shape. That's where most of his pressure comes from. He has no issues with the front stores because you can see their signs very well.

Mr. Baldin – You know you've got a lot of signage on that street, and just south of you they're in compliance. There are a lot of businesses. We know we gave them some additional signage though because it's a long street of a main street, and they're only 5' high.

Mr. Ali – Across the street it does not sit back that far as big as this plaza. The smaller the size the closer you get to the streets, but if you sit way back you have to have a bigger sign. Also there's not enough tenants across the street like there are in Strongsville Plaza. You can't even see the business way in the back. So that's why if he put them on a monument sign it would be perfect.

Mr. Baldin – Are we satisfied with the right numbers? We have all the right numbers now?

Mr. Rusnov – I believe so.

Mr. Evans – I think we have.

Mr. Baldin – Thank you.

Mr. Houlé – I'm satisfied with the compromise.

Mr. Evans – OK. 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 2' Sign Height variance from Zoning Code Section 1272.12 (e), which permits a 5' Sign Height and where an 7' Sign Height is proposed in order to install a Ground Sign; and also a 6 SF Sign Face Area variance from Zoning Code Section 1272.12 (e), which permits a 50 SF Sign Face Area and where a 56 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); conditioned that there be no auxiliary signs on the tree lawn, hanging from trees, or on the building.

Mr. Smeader – Second.

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

Mr. Ali – This is it.

Mr. Evans – Thank you, we have a motion from Mr. Rusnov and a second from Mr. Smeader. 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. Again like Mr. Rusnov said, we expect the extra signage that has been around the property to disappear fairly quickly.

Mr. Ali – I promise, I'll take them down myself.

Mr. Evans – Thank you. You are all set then.

Mr. Ali – Thank you.

**4) STRONGSVILLE HIGH SCHOOL/Rodwell King, Representative**

Requesting a 40' Height variance from Zoning Code Section 1272.29 (c), which permits a 35' Height and where a 75' Height is proposed in order to install a Flag Pole; property located at 20025 Lunn Road, PPN 393-26-003, zoned Public Facility (PF).

Mr. Evans – Item number four on our agenda this evening is Strongsville High School with Rodwell King representing from GPD Architects. Mr. King is not here this evening so I'd like to go ahead and consider this. The applicant is requesting a 40' height variance from section Zoning Code 1272.29 (c), which permits a 35' Height and where a 75' Height is proposed in order to install a Flag Pole. This is at the high school's Catan field where the artificial turf is now being installed as a result of a massive fund raising campaign within the district. They are also putting turf down in the new middle school. The flag would be similar to those flags that we see at many other local stadiums including Brecksville, North Royalton, Baldin Wallace, and others. It is simply that we don't have an allowance for a flag that big. This has all been done without public funds. It's all by privately raised funds. I think that would be the information that Mr. King would have conveyed to us. Are there any questions about it from the Board?

Mr. Rusnov – No,

Mr. Baldin – No.

4) **STRONGSVILLE HIGH SCHOOL/Rodwell King, 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 now entertain a motion.

Mr. Kolick – Before you make that motion, our notice and the application shows a 70' height and I'm just wondering which of these are correct?

Ms. Zamrzla – 70' is correct.

Mr. Kolick – Maybe it's wrong on the agenda.

Ms. Zamrzla – The agenda is wrong, Mr. Chairman.

Mr. Evans – It couldn't possibly be wrong on the agenda.

Mr. Baldin – Oh no.

Ms. Zamrzla – The amount he applied for was a 75' and it was changed to a 70'. That's how the public hearing notice went out.

Mr. Kolick – Then the first number would be 35' and 75' should be 70' if your pen is working now, Mr. Rusnov.

Mr. Rusnov – Yes, I squeezed some ink out.

Mr. Evans – Before you do that I just wanted to see if we actually have the height. I don't see it on the drawing.

Ms. Zamrzla – It's on his application.

Mr. Evans – 70' is on the drawings as well so I'm inclined to go with that. So you have your pen at the ready?

Mr. Rusnov – Yes. I make a motion to approve a request for a 35' Height variance from Zoning Code Section 1272.29 (c), which permits a 35' Height and where a 70' Height is proposed in order to install a Flag Pole; property located at 20025 Lunn Road, PPN 393-26-003, zoned Public Facility (PF).

Mr. Smeader – Second.

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

4) **STRONGSVILLE HIGH SCHOOL/Rodwell King, Representative, Cont'd**

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. Kathy I will ask that you notify GPD Architects and Mr. King that the variance was approved in their absence.

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

- a) Requesting a 15' 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 110' 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 – Alright, item number five on our agenda. We have already had a public hearing so Mr. Macosko will you come forward please? We'll need your name and address for the record.

Mr. Macosko – Ted Macosko, 24 Glen Oaks Lane, Berea, Ohio 44017.

Mr. Evans – Thank you. So we held the public hearing at the last meeting and the only thing that we needed to do was to make sure that all the measurements were correct on your application. We had a couple of questions on that at the last meeting. The measurements now that are in the agenda are correct?

Mr. Macosko – Yes.

Mr. Evans – We verified everything, now are there any questions from the Board?

Mr. Baldin – No questions.

Mr. Evans – Is there anything else that you need to tell us?

Mr. Macosko – No Sir.



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

Mr. Evans – Sounds expedient to me. So I will now entertain a motion.

Mr. Rusnov – I make a motion to approve a request for a 15' 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 110' Front Building Setback from the centerline of Pearl Road is proposed in order to construct a 7,216 SF Addition; also a request for 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; also a request for 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. Smeader – Second.

Mr. Evans – I will say just for the record that we discussed this at the prior meeting and we noted the topographical differences in the property and the fact that this was changed when Pearl Road was widened and those would be the justifications that we established before granting the variance. It was just a question of the dimensions. 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. We appreciate that Garcia is expanding and staying in our City.

Mr. Kolick – Just to make sure Mr. Macosko knows, you'll need to still go back to the Planning Commission and to the ARB.

Mr. Macosko – Yes indeed.

Mr. Kolick – You can go to ARB during this interim period, but you won't be able to get back to the Planning Commission until the 20 days is up.

Mr. Macosko - OK. Thank you.

Mr. Evans – Thank you.

6) **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 2,000 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 2,000 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 2,000 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 2,000 SF Restaurant; property located at 17200 Royalton Road, PPN 396-14-011, zoned Shopping Center (SC).

Mr. Evans – Last on our agenda is item six for the Great Escape Outlet Building with Dan Neff and Associates as their representative. Please come up to the microphone and give us your name and address for the record.

Mr. Neff – Good evening. Mr. Dan Neff with Neff and Associates. 6405 York Road, Parma Heights, Ohio.

Mr. Evans – In the same way at the last meeting we held the public hearing for this and there was some question as to dimensions. We have now verified that all of those are correct. Has anything changed in the project?

Mr. Neff – No. I do want to note that in item D there's a pen change that the 2400 SF should be 2000 SF.

Mr. Evans – OK. Yes, members of the Board do you have any questions?

Mr. Baldin – No questions, but Mr. Neff, I wanted to say that I appreciated whomever went out there and lined the parking lot. It was plain and to the point.

Mr. Neff – Well we appreciate that. I know it helps.

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

Mr. Baldin – As a fact, some of the business people in the area have seen that and it gave them better input as well.

Mr. Neff – Maybe we're setting some new standards.

Mr. Baldin – Yes, thank you.

Mr. Evans – For the record we discussed this at the last meeting and held the public hearing and we know that the fact that it's being added into an existing situation and the architects have worked to make sure that they have kept within the spirit of the Code when sizing and positioning everything for this building. I will now entertain a motion.

Mr. Houlé - I make a motion to approve a request for 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 2,000 SF Drive Thru Restaurant; also a request for 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 2,000 SF Drive Thru Restaurant; also a request for 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 2,000 SF Drive Thru Restaurant; also a request for 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 2,000 SF Drive Thru Restaurant; also a request for 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 2,000 SF Restaurant; property located at 17200 Royalton Road, PPN 396-14-011, zoned Shopping Center (SC); with the conditions that there will be no direct driveway access onto Route 82 and that there be no additional ground signs permitted on Route 82.

Mr. Neff – Agreed.

Mr. Evans- Thank you Mr. Kolick, and Mr. Baldin now I will entertain your second.

Mr. Baldin – Second.

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

ROLL CALL:

ALL AYES

MOTION PASSED

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

Mr. Evans – Mr. Neff, 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. Mr. Kolick I believe he can go to ARB as well?

Mr. Kolick – Go to ARB and return to Planning as well.

Mr. Evans – We wish you well with the construction of that, and we appreciate you working with us. Thank you Mr. Neff.

Mr. Neff – Thank you very much.

Mr. Evans – Is there anything else to come before the Board tonight? Then we will stand adjourned.

<u>Signature on File</u>	<u>Signature on File</u>	<u>June 22, 2016</u>
Mr. Evans, Chairman	Kathryn A. Zamrzla, Sec'y	Approval Date