

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

**Meeting of
November 8, 2017
7:30 p.m.**

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

Administration: Assistant Law Director Daniel J. Kolick

Building Department Representative: Michael Miller

Recording Secretary: Kathy Zamrzla

The Board members discussed the following:

NEW APPLICATIONS

There are no New Applications.

PUBLIC HEARINGS

1) MARTIN DORR, OWNER

- a) Requesting a variance from Zoning Code Section 1252.15 (a), which prohibits an Accessory Structure in a side yard and front yard and where a 1,200 SF Accessory Structure in a side yard and front yard is proposed;
- b) Requesting a 720 SF Floor Area variance from Zoning Code Section 1252.15, which permits a 480 SF Floor Area and where a 1,200 SF Floor Area is proposed in order to construct an Accessory Structure;
- c) Requesting a 0.5' Height variance from Zoning Code Section 1252.04 (g), which permits a 15' Height and where a 15.5' Height is proposed in order to construct a 1,200 SF Accessory Structure;
- d) Requesting a variance from Zoning Code Section 1252.17 (a), which prohibits a fence along the front property line and where the applicant is proposing 139' of 4' high Wood Shadowbox Fence along the front property line; property located at 19214 Boston Road, PPN 394-32-018, zoned R1-75.

The Board was divided on whether they liked the changes that the applicant made to his plans based on their suggestions from the last meeting. Some Board members specified that this fence would cause a precedent that they don't want. The Board also mentioned that the size of the structure is quite large, but they also discussed houses and properties that currently have a similar situation. They noted that it would be nice to have him put in a hard surface driveway. They also noted that the topography makes it a hardship for him to do any new construction that fits the Code. The Board also expressed that people are asking for larger and larger structures all the time especially on the large plots of land.

2) **TIMOTHY AND THERESA FAGAN, OWNER, Diane Bija of New Creation Builders, Representative**

- a) Requesting a variance from Zoning Code Section 1252.15 (a), which prohibits an Accessory Structure in a side yard and the applicant is proposing a 240 SF Accessory Structure in a side yard;
- b) Requesting a 48 SF Floor Area variance from Zoning Code Section 1252.15, which permits a 192 SF Floor Area and where a 240 SF Floor area is proposed in order to construct an Accessory Structure; property located at 20795 Oak Trail Court, PPN 391-23-038, zoned R1-75.

The Board indicated that there was a last minute adjustment, they moved the structure to the backyard, so they have taken away the necessity for item (a) at the applicant's request.

3) **Requesting an extension of the November 2, 2016 determination of the Board of Zoning and Building Code Appeals:**

JEFFREY MIHU, OWNER/Eli Miller Construction, Representative

Requesting a 57.5 SF Floor Area variance from Zoning Code Section 1252.22 (c), which permits a 1,000 SF Floor Area and where a 1,057.5 SF Floor Area is proposed in order to construct a Garage Addition; property located at 10306 Pamela Drive, PPN 391-27-020, zoned R1-75.

The Board indicated that there had been issues with their contractor's attendance, and they commented that the applicant has repositioned the building and cut the size of it down per their suggestions. They noted that they will have the public hearing tonight.

OTHER BUSINESS

4) **WILLIAM MCVEY/David M. Leneghan, Representative**

Appeal from the decision of the Building Commissioner, pursuant to Codified Ordinance 1402.01 RCO Adoption, which requires inspections for permit #RALT 17-2294 and where the applicant did not request inspections at 10354 Eastland Road, PPN 391-27-033, zoned R1-75.

The Board specified that item number (4) is just a review of the appeals from a previous meeting. They noted that Mr. Miller had a report to give during the meeting for the record, and that there won't be a vote on this item.

**STRONGSVILLE BOARD OF ZONING & BUILDING CODE APPEALS
MINUTES OF MEETING
November 8, 2017**

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

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

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

Mr. Evans – Good evening ladies and gentlemen. I would like to call this November 8th, 2017 meeting of the Strongsville Board of Zoning and Building Code Appeals to order. Kathy if you would call the roll please?

ROLL CALL: ALL AYES MOTION PASSED

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 an amended agenda this evening. I'll entertain a motion to approve the amended agenda.

Mr. Houlé – I'd like to make a motion to approve our amended agenda as posted here.

Mr. Evans – Thank you.

Mr. Smeader – Second.

Mr. Evans – Second by Mr. Smeader. Thank you. May we have a roll call please?

ROLL CALL: ALL AYES MOTION PASSED

Mr. Evans - This evening we also have minutes from our October 25th meeting. If there are no changes I will submit them as presented. During tonight's meeting, we will ask that each of the individuals presenting come forward in order and give us their name and address for the record. Then we are going to ask them to describe their request for a variance. Anyone in our audience this evening that wishes to speak whether it is to present to the Board tonight or to speak at a public hearing, I ask that you stand now and be sworn in by our Assistant Law Director, along with our Recording Secretary, and our Representative from the Building Department.

Mr. Kolick then stated the oath to those standing.

Mr. Evans – Thank you, our meetings are divided into two portions; this evening we have no new applications so we'll move right into our public hearings.

NEW APPLICATIONS

There are no New Applications.

PUBLIC HEARINGS

1) MARTIN DORR, OWNER

- a) Requesting a variance from Zoning Code Section 1252.15 (a), which prohibits an Accessory Structure in a side yard and front yard and where a 1,200 SF Accessory Structure in a side yard and front yard is proposed;
- b) Requesting a 720 SF Floor Area variance from Zoning Code Section 1252.15, which permits a 480 SF Floor Area and where a 1,200 SF Floor Area is proposed in order to construct an Accessory Structure;
- c) Requesting a 0.5' Height variance from Zoning Code Section 1252.04 (g), which permits a 15' Height and where a 15.5' Height is proposed in order to construct a 1,200 SF Accessory Structure;
- d) Requesting a variance from Zoning Code Section 1252.17 (a), which prohibits a fence along the front property line and where the applicant is proposing 139' of 4' high Wood Shadowbox Fence along the front property line; property located at 19214 Boston Road, PPN 394-32-018, zoned R1-75.

Mr. Evans – First on our agenda tonight is Martin Dorr. Please come up to the microphone and give us your name and address for the record.

Mr. Dorr – Martin Dorr, 19214 Boston Road, Strongsville.

Mr. Evans – Thank you. We've talked in caucus about the fact that you delivered to us a revised plan. If you could give us a brief summary of your variance requests. Also, if you could please address the issue we had in caucus that the fence would be an usual precedent for us to allow you to put it in the front yard, and why you think it is absolutely necessary? Keep in mind that you could if you were so inclined, you could separate the garage out from the other requests in order to address those separately. That is if you feel like there was a need to do that. OK. So a quick explanation of the project first please.

1) MARTIN DORR, OWNER, Cont'd

Mr. Dorr – OK. You pretty much covered in caucus the dimensions and the placement of everything on the plans. It is going to be for automotive storage primarily. I did take into consideration from the last meeting from two weeks ago, the gentleman had mentioned coming down possibly 10%-20%. I believe you mentioned 1200 SF. So we went back and redrew everything, and pitched it back to try and get more conforming to the Code. So we did go about 22% smaller. It also brought the roof line down about 6". I also heard a concern about having the building in the front yard aesthetically because it would be visible from the road, and I wanted to mention since it wasn't clear on the drawing that the intention is to finish it in a matching color and style siding and roof as the house. It will match, and I think it'll be pleasing to the eye. We said it wasn't feasible to attach it to the house, in a full addition where it would be closed in. I know there is a lot of newer constructions where they're just putting awnings across between the additional garage and the main garage. I didn't know if that would help to make it more of a steady flow, and I didn't think that was really here nor there on it. Regarding the fence, there's two reasons for that. One is that I want my own privacy. Being right there on the top of the hill there's a lot of traffic stopped in the afternoons. They just sit right outside the house. It wouldn't be a full privacy fence, you know that board on board stuff. You'd be able to see through it at an angle so it would offer some visibility, I thought at the 4' level it would be low enough that you pretty much look over it, but because of the grade and where the building would be placed it wouldn't seem like that much. Even though the building is 15.5' tall, it's down quite a bit from the road already so it would offer enough privacy so I wouldn't have people sitting at the light, looking into my garage. It'll also sort of shield it from view a little bit too. The 4' still seems adequate from where you'd sit in a car. At least that's how it seems to me. I've seen some privacy fences in Strongsville in the front. I know the ones that you have are mostly a lot closer to the houses. I really can't come back a whole lot further because of the topography. I've tried to meet all four topics for the zoning variances, and I feel like it conforms to that as much as possible. Anything we can do to make it work would be good for me,

Mr. Evans – Thank you. We appreciate the fact that you came down in size, and we mentioned that in caucus. We recognize that you may be there for a long time, but eventually someone will probably have that property. At that point with a big building often times other things than what the original owner intended become its use, and then we have to live with all those things down the line. We try to get through it with doing what you want, and also trying to keep it under control. Other members of the Board, do you have any questions or comments?

Mr. Houlé – Mr. Miller, does a breezeway constitute an attachment?

Mr. Miller – I would have to see what is proposed there and then it would have to be more than just a breezeway for an attachment. That wouldn't qualify.

1) **MARTIN DORR, OWNER, Cont'd**

Mr. Rusnov – What about having one side closed in with a door or opening? I'm looking for a way to attach this thing to the house to minimize the impact and the amount for the variance required? If there was a breezeway, awning, trellis, something that's attached to the house, would it suffice?

Mr. Miller – No, we would be looking at habitable space. For instance a mudroom that's fully enclosed with heating, and not just something you pass through. Some of the older homes have that here, but the Codes have changed enough where I believe according to our Codes we'd have to make that a habitable space.

Mr. Evans – Mr. Kolick, am I not correct that we though in approving the variance could either encourage the applicant or require the applicant, depending on the situation to do something that's less of a connection to the house that would make it look like in fact it were a part of the house? I mean even though it would still require a variance, that it would mitigate the idea that it's two separate buildings? Just to make it look as if it's a single structure.

Mr. Rusnov – In other words, like a T1-11 side wall facing the street with a door on it that would make it look like it's part of the house. I know it sounds like its nuts on our part, but what we've got to deal with is all the other car collectors that want the 40' by 80' building in their front yard. You're the only one to my knowledge that will have anything in their front yard that would be like this at 2400 SF. I'm looking for a reasonable way to get this done. If that includes putting a wall up that looks like it's attached to the house, then it might be something you'd want to consider. If it looks like it's a continuous structure to the house, then unlike Mr. Baldin I actually do look at stuff while I'm driving down the street, and if one of your neighbors got turned down for a variance he rode the entire City looking for similar structures as to what he was proposing. We're looking for a way to lessen the impact, and the cost would be minimal for a wall that runs from the leading edge of your garage going to the same edge on the house. It would make it look more contiguous or architecturally pleasing, and hopefully no one will notice it. It may be something you should consider.

Mr. Dorr – Sure. I looked at that, and I don't know how. I mean if it's a matter of doing something just to make it seem more conforming, but look like its band aided on there, I don't want to do that anymore than you do. There's brick on that side of the house, and there's no way we'll match that brick.

Mr. Rusnov – Did you ever get a chance to go down and talk with the Building Department about what your alternatives were to circumvent any variances?

Mr. Dorr – I did, I spoke with Kathy on the phone, and she spoke with Mike, and from what we looked at with the position of where it's located in the yard it was going to need a variance regardless.

1) **MARTIN DORR, OWNER, Cont'd**

Mr. Rusnov – What we're trying to do is minimize the impact.

Mr. Dorr – Sure, I understand.

Mr. Rusnov – We have to deal with the rest of the City too.

Mr. Dorr – Sure. I appreciate that. I'm willing to do whatever I can to try and work with you guys. I mean it would be much cheaper to build a pole barn, but I want to make it look flowing and from most angles because the house is set at a 45 degree angle from the road it will overlap the building, and so it will look like a continuous flow. The roof lines are identical. I feel like putting just a faux T1-11 wall isn't going to do anyone any service.

Mr. Rusnov – I just used that as an example.

Mr. Evans – Mr. Dorr, one other suggestion I have is that if you were to landscape that area in between it, it might soften the impact as well. You know, put a couple of Pine trees across there it would then not look as if it were open, it would present a little bit more.

Mr. Dorr – There is a full line of pine trees already right here. Have you been out there, did you see?

Mr. Evans – Oh yes.

Mr. Dorr – Where were you referring exactly, between the house and the garage?

Mr. Evans – Yes, between. So it might not be going up and down between, but maybe one with each building.

Mr. Dorr – Sure.

Mr. Evans – That would give it the appearance that it's not as quite as big of a separation.

Mr. Dorr – Right.

Mr. Evans – That's one thing I can think of. Is there anything else from any Board members?

Mr. Baldin – I think we covered a lot of it in caucus, and I don't think there's much more we can add to it. Unless the gentlemen thinks that there are some other things that he thinks he can do. The suggestions of a wall or trees sound good. I don't know if we'd be able to accept just having trees. I think the wall sounds ridiculous myself.

1) **MARTIN DORR, OWNER, Cont'd**

Mr. Rusnov – It was just a thought.

Mr. Baldin – Yes.

Mr. Rusnov – If there was a way to do it to make it contiguous to the house it would sure look a lot better than an open space. Then your eye would not be drawn to it.

Mr. Baldin – Well, he's willing to put shrubs and trees in to take up that open space apparently.

Mr. Rusnov – This is the lowest you can go on the size?

Mr. Dorr – Yes.

Mr. Rusnov – OK.

Mr. Miller – I think any type of wall or structure short of some privacy screening lattice would have to comply with the requirements of the Residential Code of Ohio which would include footers, and proper anchorage, proper securement, wind bracing, etc.

Mr. Evans – Right.

Mr. Miller – So it tends to grow even though it sounds like a simple solution. I would agree with you that the landscaping and some sort of vegetative screening would be a much better option for the applicant. I don't believe the City would have an issue with that option.

Mr. Evans – OK. So if we were so inclined we could condition it, Mr. Kolick, on the applicant adding landscaping to fill in that area?

Mr. Kolick – Yes you can.

Mr. Evans – OK. Is there anything else?

Mr. Baldin – So we're adding landscaping, and we can condition it with that, and that would be acceptable? But what we're talking about as far as not being acceptable is the size. Correct?

Mr. Rusnov – It was a simple question, can it be reduced in size any further?

Mr. Baldin – I know, and that's what I'm saying. Again Mr. Dorr is going to say yes or no that he can or can't.

1) MARTIN DORR, OWNER, Cont'd

Mr. Dorr – At this point, if I bring it down any more it's not going to offer me what I need. I'm right at the limit right now space wise for garage doors. If I go down another foot, I'm going to be one less car in there, and then it's not worth the cost that's involved in building it for me. So I did already come down as far as I could already right off the bat.

Mr. Evans – OK. And as you indicated you reduced it 20%.

Mr. Baldin – It's something that we ask for. We try to comply. As far as a fence goes, would you be interested in any other types of fencing?

Mr. Dorr – I'm open to a different style if you think it would be aesthetically more pleasing. I don't really want to do anything like a split rail or farm fence. I don't see any purpose for that. I'm not putting the fence in for landscaping aesthetics. If I would do that, we'd just leave it. The trees are there, I could just plant some more trees on that property line.

Mr. Baldin – I have no further 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. Please come up to the microphone and give us your name and address for the record.

Mr. Stryker – Edward Stryker, 19330 Boston Road, Strongsville. I'm two lots over from Mr. Dorr, and if you look at that piece of property to do what he's doing I think is the best of what you're going to get out of it. You can paint it any color you want, but that's a tough piece of property to do anything on. It's too bad the house is not in a better place, but it can't be changed. I just feel that I would support that building being built. I don't think it's a problem. Thank you.

Mr. Evans – Thank you, Mr. Stryker. Is there anyone else who wishes to speak for the granting of the 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. I also wish at this point, Mr. Dorr, to bring you back up and I discussed the option that you have to separate the items from this point on. The first three items (a), (b), and (c) are all related to the garage, and item (d) is related to the fence. We can take them all together if you wish or if you would like we could separate the first three from the last one. That is if you feel like there's any reason why the fence would put the others in jeopardy.

Mr. Dorr – Yes, I think that's a good option.

Mr. Evans – Thank you, so I would entertain a motion that would cover the first three items.

1) MARTIN DORR, OWNER, Cont'd

Mr. Rusnov - I make a motion to approve a request for a variance from Zoning Code Section 1252.15 (a), which prohibits an Accessory Structure in a side yard and front yard and where a 1,200 SF Accessory Structure in a side yard and front yard is proposed; also to approve a request for a 720 SF Floor Area variance from Zoning Code Section 1252.15, which permits a 480 SF Floor Area and where a 1,200 SF Floor Area is proposed in order to construct an Accessory Structure; also to approve a request for a 0.5' Height variance from Zoning Code Section 1252.04 (g), which permits a 15' Height and where a 15.5' Height is proposed in order to construct a 1,200 SF Accessory Structure; property located at 19214 Boston Road, PPN 394-32-018, zoned R1-75; contingent on landscaping being installed between the buildings as determined by the Building Department, and also contingent on the demolition of the current accessory building.

Mr. Smeader – Second.

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

ROLL CALL:	HOULÉ – YES	MOTION PASSED
	EVANS – YES	
	SMEADER – NO	
	BALDIN - YES	
	RUSNOV – NO	

Mr. Evans – Mr. Dorr, for items (a), (b), (c) the variances have been conditionally approved. Council has the opportunity to review our decision during the next 20 days, and now we'll move on to item (d). Are there any other questions for this item? Then I will entertain a motion.

Mr. Rusnov - I make a motion to approve a request for a variance from Zoning Code Section 1252.17 (a), which prohibits a fence along the front property line and where the applicant is proposing 139' of 4' high Wood Shadowbox Fence along the front property line; property located at 19214 Boston Road, PPN 394-32-018, zoned R1-75.

Mr. Smeader – Second.

Mr. Evans – Thank you, may we have a roll call please?

ROLL CALL:	EVANS – NO	MOTION DENIED
	SMEADER – NO	
	BALDIN – NO	
	RUSNOV – NO	
	HOULÉ – NO	

Mr. Evans – So item (d) the request for the fence has been denied. At this point the other three were approved with the conditions stated. The Building Department can work with you to come up with something appropriate between there. You'll be notified by them at the end of the 20 days, and at that point you'll be all set. We appreciate you working with us on this. Hopefully the project will work out the way you want.

Mr. Dorr – I appreciate that, thanks guys.

Mr. Evans – Thank you.

2) **TIMOTHY AND THERESA FAGAN, OWNER, Diane Bija of New Creation Builders, Representative**

- a) Requesting a variance from Zoning Code Section 1252.15 (a), which prohibits an Accessory Structure in a side yard and the applicant is proposing a 240 SF Accessory Structure in a side yard;
- b) Requesting a 48 SF Floor Area variance from Zoning Code Section 1252.15, which permits a 192 SF Floor Area and where a 240 SF Floor area is proposed in order to construct an Accessory Structure; property located at 20795 Oak Trail Court, PPN 391-23-038, zoned R1-75.

Mr. Evans – Item number two on our agenda is Fagan. Diane, if you could come forward and give us your name and address for the record.

Mr. Bija – Diane Bija, 2885 Peace Drive, Rocky River.

Mr. Evans – Thank you Diane. In caucus tonight we were presented with the new drawing that you have given to us. That eliminates Item (a) on the agenda for the request of the side yard variance. That's very good. We're left with only the 48 SF variance. That information you presented in caucus is still correct?

Mr. Bija – It's correct.

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

Mr. Rusnov – Only a comment. Thank you for moving that building back and conforming to the Code.

Mr. Bija – The homeowner is very happy that you're willing to work with him. It's not a big deal for us.

Mr. Evans – OK.

2) **TIMOTHY AND THERESA FAGAN, OWNER, Diane Bija of New Creation Builders, Representative**

Mr. Bija – We’re working out the difference with him on the concrete. At this point it’s so cheap for us that it’s not going to be a big deal.

Mr. Rusnov – Thank you very much.

Mr. Evans – Anything else?

Mr. Baldin – No.

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

Mr. Rusnov - I make a motion to approve a request for a 48 SF Floor Area variance from Zoning Code Section 1252.15, which permits a 192 SF Floor Area and where a 240 SF Floor area is proposed in order to construct an Accessory Structure; property located at 20795 Oak Trail Court, PPN 391-23-038, zoned R1-75; conditioned upon the second auxiliary structure being removed.

Mr. Smeader – Second.

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

ROLL CALL:

ALL AYES

MOTION PASSED

Mr. Evans – Diane the variance has been conditionally approved and you have to wait for 20 days for Council to review our decision tonight. After that you’ll be notified by the Building Department, and we’ll see you back here whenever you have your next project in need of us.

Ms. Bija – Thank you.

Mr. Evans – Thank you.

3) **Requesting an extension of the November 2, 2016 determination of the Board of Zoning and Building Code Appeals:**

JEFFREY MIHU, OWNER/Eli Miller Construction, Representative

Requesting a 57.5 SF Floor Area variance from Zoning Code Section 1252.22 (c), which permits a 1,000 SF Floor Area and where a 1,057.5 SF Floor Area is proposed in order to construct a Garage Addition; property located at 10306 Pamela Drive, PPN 391-27-020, zoned R1-75.

3) Requesting an extension of the November 2, 2016 determination of the Board of Zoning and Building Code Appeals:

JEFFREY MIHU, OWNER/Eli Miller Construction, Representative, Cont'd

Mr. Evans – Item number three is Jeffrey Mihu, please come up to the microphone and give us your name and address for the record.

Mr. Mihu – Jeff Mihu, 10306 Pamela Drive.

Mr. Evans – Thank you. You were here a year ago, and we understand that there may have been a project delay. Can you give us a 30 second version of what transpired?

Mr. Mihu – Basically I've been in contact with Austin Miller, which is the man who owns Miller Construction, and in the meantime we had discussed a decrease in the building size which was originally a lot larger, as you remember. I'd like to reduce it down to a smaller version, but over time I got two different quotes from him, and one was over \$300 per SF. At that point, it seemed ridiculous for what I was adding on to the garage. There was a 12' by 22'. I went back to him, and tried to negotiate it, but I only got it down to just under \$50,000. I realized he wasn't going any further, and it just wasn't going to work for me. During the course of the year I was looking around for another piece of property, and another home to purchase. That didn't happen because I didn't find anything I liked or something that I could work with. So because of that, I'm standing here asking for an extension.

Mr. Evans – No problem. OK. Are there questions from anybody on the Board? OK then. This is a public hearing. I'll ask if there is anyone here this evening who would like to speak for the granting of the granting of an extension. Is there anyone here who would like to speak against the granting of the extension? Hearing none and seeing none, I will now entertain a motion.

Mr. Rusnov - I make a motion to approve a request for an extension of the November 2nd, 2016 determination of the Board of Zoning and Building Codes Appeals for a 57.5 SF Floor Area variance from Zoning Code Section 1252.22 (c), which permits a 1,000 SF Floor Area and where a 1,057.5 SF Floor Area is proposed in order to construct a Garage Addition; property located at 10306 Pamela Drive, PPN 391-27-020, zoned R1-75.

Mr. Smeader – Second.

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

ROLL CALL:

ALL AYES

MOTION PASSED

3) Requesting an extension of the November 2, 2016 determination of the Board of Zoning and Building Code Appeals:

JEFFREY MIHU, OWNER/Eli Miller Construction, Representative, Cont'd

Mr. Evans – The extension has been granted again pending a 20 day waiting period during which time Council may review our decision. Since this has already been passed, I doubt there will be any further action on it from them though. You will get a notice from the Building Department when that time has passed. Then hopefully you can figure out what to do and move forward with your project. Again, we appreciate you working with us.

Mr. Mihiu – Alright.

Mr. Evans – Thank you.

Mr. Rusnov – Thanks for cutting the size down by the way.

OTHER BUSINESS

4) WILLIAM MCVEY/David M. Leneghan, Representative

Appeal from the decision of the Building Commissioner, pursuant to Codified Ordinance 1402.01 RCO Adoption, which requires inspections for permit #RALT 17-2294 and where the applicant did not request inspections at 10354 Eastland Road, PPN 391-27-033, zoned R1-75.

Mr. Evans – Alright, item number four on our agenda is other business. Mr. Miller you have a report related to this for us?

Mr. Miller – Yes, I met with Mr. McVey and the current homeowner yesterday, November 7th, 2017, to discuss the electrical panel that was installed without permits or inspections. We did find violations in that panel. Mr. McVey is currently dealing with two electrical contractors that are registered within the City in accordance of our Ordinances to correct those violations. Additionally we discussed the requirements that were left when the Board denied his other appeals. He is working for a compliance towards them. I would request that this remain on this Boards agenda for future consideration once those corrections have been made.

Mr. Evans – You will advise us at that time, am I correct?

Mr. Miller – Yes.

Mr. Evans – Alright thank you.

4) **WILLIAM MCVEY/David M. Leneghan, Representative, Cont'd**

Mr. Kolick – What we do with it is if he corrects the electrical panel it'll make moot the violation so we'll withdrawal that violation at that point. The whole idea is compliance. We want to get compliance. On the other items, I think he's agreed to...

Mr. Miller – He's putting an electrical outlet in the peninsula counter in the kitchen to comply with the Codes. He's also installing arc-fault breakers to protect the wiring that was installed in the basement area. We did look at the insulation in there, and didn't find any evidence of mold or moisture.

Mr. Evans – Good.

Mr. Smeader – Where do we stand with the basement ceiling?

Mr. Miller – We looked at the wiring in the basement ceiling and it appears that the wiring is OK. The lighting that is installed in the ceiling is going to be protected by an arc-fault breaker as well. That's the best technology right now for wiring. We feel confident that if he complies with the requests that we made that we wouldn't have a problem issuing a Certificate of Occupancy for those alterations.

Mr. Smeader – OK. Thank you.

Mr. Evans – Thank you, Mr. Miller. OK. Mr. Kolick we need Findings of Facts and Conclusions of Law for one item.

Mr. Kolick – OK.

Mr. Evans – Is there anything else to come before the Board? Then with that we'll stand adjourned.

Signature on File
Mr. Evans, Chairman

Signature on File
Kathryn A. Zamrzla, Sec'y

November 29, 2017
Approval Date