

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

**January 9, 2008
7:30 p.m.**

Present: Board of Appeals Members: Glen Goist, Bill Harr, Rich Baldin, Ken Evans.
Administration: Assistant Law Director, Dan Kolick; Building Department Representative,
Joe Allen; Recording Secretary, Kathy Zamrzla.

The following was discussed:

1) **ANGEL HOUSE CENTER/Carol Dombrose, Owner**

Requesting a 23.5' Front Yard Setback variance from Zoning Code Section 1256.04 (a) which requires a 100' Front Yard Setback from the center line of Mill Hollow Lane and where a 76.5' Front Yard Setback is proposed in order to construct a New Building; property located at 14217 Mill Hollow Lane PPN 399-05-007 Zoned Public Facility.

The board will ask on the floor what will the barn be used for after the new building is constructed, what kind of business is Angel House, where does it get funding from and can the building be switched to another location. The parking variance was removed due to sufficient parking.

Misc. items -

Kathy explained that Walmart will be at the next meeting asking for an extension to their sign variance and she distributed the sign drawing from the original variance.

The board also asked Kathy and Joe to check on the signs in the parking lot at CVS, the status of the Kadel inspections and fence construction, the status of demolishing the house at Order and Royalton because there are too many cars there and whether a stone fence is permitted at the Donzanti home on Howe.

STRONGSVILLE BOARD OF ZONING & BUILDING CODE APPEALS

MINUTES OF MEETING

January 8, 2008

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

Present: Dr. Goist
Mr. Baldin
Mr. Harr
Mr. Evans
Mrs. McGrath

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

Dr. Goist – Good evening, ladies and gentlemen. I'd like to call this January 9, 2008 meeting of the Strongsville Board of Zoning and Building Code Appeals to order. Kathy, would you call the roll, please?

ROLL CALL: ALL PRESENT

Dr. Goist - I hereby certify that this meeting has been posted in accordance with Chapter 208 of the Codified Ordinances of the City of Strongsville. Our first order of business on the agenda, we have an amended agenda. So, I would entertain a motion for the amended agenda.

Mr. Harr – So moved.

Mr. Evans – Second.

Dr. Goist – We have a motion and a second. Kathy, would you call the roll?

ROLL CALL: ALL AYES: MOTION CARRIED

Dr. Goist – Our first order of business is the election of officers for the year 2008 and I would entertain a motion for election of officers.

Mr. Harr – Mr. Chairman? I would make a motion to nominate Dr. Glenn Goist as Chair and Mr. Ken Evans as Vice Chair for the Strongsville Board of Zoning and Building Code Appeals, calendar year 2008.

1) **ANGEL HOUSE CENTER/Carol Dombrose, Owner**

Requesting a 23.5' Front Yard Setback variance from Zoning Code Section 1256.04 (a) which requires a 100' Front Yard Setback from the center line of Mill Hollow Lane and where a 76.5' Front Yard Setback is proposed in order to construct a New Building; property located at 14217 Mill Hollow Lane PPN 399-05-007 Zoned Public Facility.

Ms. Pittner – I'm here in Carol's place.

Dr. Goist – Your name please.

Ms. Pittner – Jodi Pittner.

Dr. Goist – And your address.

Ms. Pittner – 21572 Hickory Branch Trail, Strongsville, Ohio.

Dr. Goist – Okay. You're taking Carol's place, is that correct?

Ms. Pittner – Yes, I am the director of children's programs for Angel House.

Dr. Goist – Okay and we know that you are requesting a setback variance but I think we as a committee have a lot of questions to ask you as to what Angel House does. We also have some questions about the facilities themselves. Some of us have seen it; some have not. So, if you will tell us in your words, what you do and what your programs are and what your plans are.

Ms. Pittner – Okay. I will do my best. Angel House is located in the Historic District, which used to be Mill Hollow Slab City. It's historic farm property with a farmhouse. The Angel House Non-Profit was developed or started in about 2002 and our purpose is to help individuals come to their own creative purpose in life and we try to create a safe, nurturing space for people to develop themselves personally and creatively by offering innovative counseling so people who are perhaps in a place of loss or grief would come to get counseling as well as use some of the programs. People who are looking to find their purpose in life may come to our facilities and use some of the services that we have to develop themselves in that way and part of our mission also is community outreach and also earth based programs, developing programs that help people in our community become more aware of supporting the earth and environmental issues and things like that. So, there is, kind of, a three-pronged approach that we take at Angel House. One is on the individual level, the community level and then the earth based level. I am newly appointed last summer. I will give you an example – one of the programs we are doing there is we started a community garden on the property. The purpose of the garden is to connect children and families back to

1) **ANGEL HOUSE CENTER/Carol Dombrose, Owner, Cont'd**

Ms. Pittner continues - earth. It's a pretty small space. It's just twenty-five by fifty. We do some square foot gardening. We help the kids raise everything from seed all the way through to harvesting, if the groundhogs don't get it first and we are doing some programs through that garden to help families come together and our intention is hopefully to let the kids grow enough vegetables to make a donation to the food bank, potentially in this area here in Strongsville and surrounding cities. So, we're expanding programs in that area and secondly, the creative arts aspect of the name Angel House Creative Arts Center and Life Chain Center is where we're at now with the building, wanting to develop those programs further simply because of space limitations. We're working to do a permanent art studio eventually as well as theatre space and just a larger space for more workshops that can accommodate more people. So, that is the mission in the coming years, which is why we're here.

Dr. Goist – My first question to you is some of the things that you have described – would you describe yourself as a religious organization, almost a church?

Ms. Pittner – No. It is a non-secular type of organization. One of the goals in terms of community outreach is to promote spiritual diversity in the community so there is not one particular face or philosophy that's adhered to. It's really a celebration of all faiths and looking at what are some of the similarities and some things across all faiths that we can celebrate in the community and in the people that are part of the community. The programs are developed to allow people to express their own unique perspectives and to allow that to, kind of, filter into the community in a way that's very free and non-committal and to help everybody really get a bigger perspective of the world that we live in. So, that is the purpose.

Dr. Goist – This new structure that you're planning on building that you're asking the variances for will be for adults only, for children only, and if it's for children and adults, what age groups are you targeting? Are you looking at five-year-olds to seventy-year-olds? This is not something for pre-kindergarten children or it is?

Ms. Pittner – For example, the garden – I know that this is the outdoor aspect so it really doesn't answer your questions specifically on the indoor programs – we have a range from two to about twelve years old in the garden – the families that are involved in the garden space – so there will probably be programs that will be developed in both lines. So, there will be some children's programs that will be grouped in the younger years, school age. Most of the real young things will be mommy and me type of things where the parents are always involved as well as teen programs and then separate adult programs as well. The intention for the new building is to develop programs that are more movement oriented - Tai Chi, Yoga, some dance, things that will need more space as well as possibly a gallery type of space where they would have the ability to do some small art shows and things like that. So, the answer to your question is little bit of everything.

1) **ANGEL HOUSE CENTER/Carol Dombrose, Owner, Cont'd**

Mrs. McGrath - Mr. Chairman?

Dr. Goist – Yes, Mrs. McGrath?

Mrs. McGrath – Thank you. For my own edification, how do people find out about this and, I know that you're not close to public transportation but if you have children and adults at the same time, how does – I'm just thinking if you're close to public transportation and somebody finds out that children are here and maybe not with their parents and not a family program, what are the safety issues there?

Ms. Pittner – Currently, the only programs that exist so far are the community garden and nobody is allowed there without their parent.

Mrs. McGrath – How do people find out about this place?

Ms. Pittner – Right now we do some small amount of marketing communication through Mimi's or the library program. Just the regular typical community outreach. Sometimes they do some advertising through the community education bulletin as well as we have had one of our programs advertised on the channel for Strongsville. Those types of outlets. We aren't currently doing much marketing communication simply because we don't want to encourage a lot of large groups because we can't accommodate them. So that's how we do it now.

Mr. Baldin - Mr. Chairman?

Dr. Goist - Mr. Baldin?

Mr. Baldin – My question is, is this a non-profit organization? Is this a business? Are you a 501(c)(3)? How do you people exist? All these different programs and I don't know how many people are working there. Are you all educators or psychologists or psychiatrists or just what? It's hard for me to visualize what's going on here.

Ms. Pittner – It's a 501(c)(3) non-profit organization. We have an official board, which includes people from education background. We have a master of education who works in the Berea City Schools who helps develop some of the programs. The counselors are all trained psychologists, Ohio certified, all of the appropriate qualifications for that area. We have Tania Edwards, who is an integrated medical doctor through the Cleveland Clinic Foundation, who is on our board, who wants to work with us on developing some of the healing arts programs that we do there. We have then a couple of other people, such as myself. I have a business background. I have a degree from Ohio State in marketing and advertising, a Business Administration degree. So, I offer myself in that capacity as well as right now we are creating a new advisory board that is going to be working on developing a business plan for some of

1) **ANGEL HOUSE CENTER/Carol Dombrose, Owner, Cont'd**

Ms. Pittner continues - these new initiatives that we're doing, which will include even more business people from the community in areas of real estate, marketing, finance – kind of the whole broader gamut to help us develop these programs. So, there is, kind of, a variety but in each area there is a professional.

Mr. Baldin – Do people pay a fee to come there?

Ms. Pittner – Not – currently –

Mr. Baldin – How is this existing? Are you getting donations?

Ms. Pittner – We do have donations. We have – we're working to get grants right now. We have a grant writer who has recently come aboard to help us get some sustainability of grants. We are developing some other membership based programs that would help finance some of the things that we do. Currently, the counselors are individually separated and they do their own fee structures.

Mr. Baldin – What are you actually classified as? What type of business?

Ms. Pittner – It's a non-profit center for art and creative life change. So, we look at how can creativity enhance your life. How can you use creativity to come to help yourself go through different transitions in life.

Mr. Baldin – So, you're a licensed business to operate Angel House as a non-profit organization in the City at that specific location.

Ms. Pittner – Yes.

Mr. Baldin – Interesting. Thank you.

Dr. Goist – Is there someone who currently lives in the house structure itself?

Ms. Pittner – Yes, Carol Dombrose.

Dr. Goist – Okay. She lives –

Ms. Pittner – And she is Executive Director of Angel House.

Dr. Goist – And do events take place seven days a week?

Ms. Pittner – No, not that many.

1) **ANGEL HOUSE CENTER/Carol Dombrose, Owner, Cont'd**

Dr. Goist – Are you there on the weekends primarily?

Ms. Pittner – It just depends on the workshop and when they are offered. I think evenings are probably most of the time spots just because of the availability of other people to attend them at night. So, a lot of the workshops tend to be from seven to nine.

Dr. Goist – So, Carol Dombrose lives there by herself? Is this a family –

Ms. Pittner – She is a single woman and she also has a rental part of the area that is currently rented by a Remax agent above the garage. He has an office there and that's pretty much the uses.

Mr. Harr - Mr. Chairman?

Dr. Goist – Yes?

Mr. Harr – So, the existing barn on the south side of the structure has been used for some activities or some events in the past, is that –

Ms. Pittner – The only thing that exists right now is music lessons. There is one teacher who has been teaching there for quite a long time, Melissa Berris.

Mr. Harr – So, other events or other activities have been handled within the existing, what on our plan shows, is the residence?

Ms. Pittner – Yes.

Mr. Harr – And the plan is that the vast majority of activities will move to this new finished space and then what will the barn be used for?

Ms. Pittner – We hope to raise funds to recreate the barn space. Eventually – there are some drafted plans that we would like to have the barn space to be a theatre space on the upper level with a permanent art studio and four workshop spaces downstairs, or rentable office type spaces.

Mr. Harr – Is it structurally sound at this point?

Ms. Pittner – No.

Mr. Harr – It is not structurally sound?

Ms. Pittner – No. That's why there are not programs there.

1) **ANGEL HOUSE CENTER/Carol Dombrose, Owner, Cont'd**

Mr. Allen - Mr. Chairman?

Dr. Goist – Mr. Allen has a question.

Mr. Allen – Right now the occupancy – that’s just a barn or a shed so for them to be able to occupy that and use that for any of those assemblies, they would have to come before the Planning Commission and the Building Department and submit plans so that this building is restructured to meet the design requirements that you want and it has to pass the Ohio Basic Building Code.

Ms. Pittner – Right, we are aware of that and we’re just not prepared to do that right now.

Mr. Harr – That would - Mr. Allen, that might impact the parking situation as well?

Mr. Allen – Definitely.

Ms. Pittner – Yes, that has it’s whole other requirements.

Mr. Harr – How many families would you guess that the facility services presently?

Ms. Pittner – Which part? The home or the entire –

Mr. Harr – The operation. I’m just trying to get a scope – is it a relatively small operation presently? Do you expect it to grow?

Ms. Pittner – It’s relatively small. Yes, we expect it to grow.

Mr. Harr – Just eyeballing the print here as I take a look at the area to be built we’re talking about a setback variance for that. Have you contemplated or has the engineer taken a look at whether you can flip some of the – where the existing gravel parking is and some of the new drive parking is, with the facility that you intend to build, it appears that we might have more room over here. Do you know what I mean? Down near where the garage is?

Mr. Illes – I’ll address that. My name is Kerry Illes. I’m the architect who prepared the drawing and the actual location of the project was suggested by the City as the most appropriate location on this property for that structure. So, the City actually looked at it prior to us doing anything.

Mr. Harr – Due to the topography, the spacing, because the driveway is there?

1) **ANGEL HOUSE CENTER/Carol Dombrose, Owner, Cont'd**

Mr. Illes – Right. The topography – the northeast corner is probably five or six feet above the waterline and the property slopes from south to north and from west to east. So, the property slopes away from the road toward the creek and from the barn toward the house. That's the general slope of the whole property. Currently there is a circular drive there and what we're proposing to do to increase the parking to accommodate the number of people that we have listed that are more than likely to be used in the new structure, which is, like, 24, I believe. We have shown 25 parking spaces assuming one person per car, which is not normally the case but it's a very safe approach. If anything should ever happen at the barn, that's a whole different game, a whole different submittal and a whole different a lot of things. So, we're aware that it's there but we're not going to use it and if and when the new building is built, the music that currently is there will move into the new building. So, the barn would literally be abandoned until such time it could be renovated.

Mr. Harr – Rebuilt if possible with whatever requirements.

Mr. Illes – And, of course, they would have to comply with the code.

Mr. Harr – It was the City's direction to put the –

Mr. Illes – Suggestion.

Mr. Harr – Okay.

Mr. Baldin - Mr. Chairman? Getting back to the barn, so that barn has been there and you have been using and utilizing that barn for some time for musical teaching or whatever?

Ms. Pittner – There were too small office spaces that were created. I'm not sure the dates. That is before my time and it's only one on one lessons that are done in the front office space. The rest of it is pretty much an outdoor shed where they keep lawnmowers and such.

Mr. Baldin – From what we have heard from our representative from the Building Department they are saying that it's not proper to utilize that as a teaching facility and what have you. Am I understanding that correctly, Joe?

Mr. Allen – That is correct at this time.

Mr. Baldin – Why has this been going on all this time then?

Ms. Pittner – All I know is that there was an awareness that there are one on one lessons in the barn and that's all.

1) **ANGEL HOUSE CENTER/Carol Dombrose, Owner, Cont'd**

Mr. Baldin – Today, there had to be at least a half a dozen cars out there. Was everybody in the house or was this one student and one teacher in the barn?

Ms. Pittner – I don't know. I'm not aware of the schedule today.

Mr. Baldin – There are people utilizing this facility and it's against the codes and so forth and it's not structurally sound, etc., from what we're hearing. I'm bringing this up because we need to know that.

Mr. Allen - Mr. Chairman?

Dr. Goist – Yes, Mr. Allen?

Mr. Allen – The issue is not whether it's structurally sound. It's whether it's used for an assembly and therefore it has to meet the code requirements for assembly. I don't know if it's structurally sound or not but what I'm saying is I don't know that they've made application for a change of use group to an assembly.

Mr. Illes – No, they have not.

Ms. Pittner – No, we have not.

Mr. Baldin – So, apparently this has been going on for some time and it should not be, from what I can gather.

Ms. Pittner – There are no group things in the barn.

Mr. Kolick - Mr. Chairman? I know as a City we haven't looked at it but because it's not appropriate for public assembly, it doesn't necessarily mean that it may not be appropriate for a music lesson or something. That's a building code issue that we would have to look at as a different issue. What I'm hearing from the applicant though is that when this structure gets built they're going to abandon any use in the barn structure, which is obviously what we're looking at if it doesn't comply with the City's building codes and that would certainly be the requirement of this Board, if in fact you were to grant the variance, is that it does get abandoned. At that point, when you have your new structure up we wouldn't even expect music lessons or anything coming out of that barn structure because we haven't calculated parking or anything utilizing that barn structure. All we're talking about is utilizing the existing structure on the sites. So, as long as you're clear that's how we would handle the contingency of any variance being granted, if in fact it's granted.

1) **ANGEL HOUSE CENTER/Carol Dombrose, Owner, Cont'd**

Mr. Baldin – I appreciate that, Mr. Kolick and then I hear something that was said about above the garage somebody is running a real estate business out of there.

Ms. Pittner – It's a rental space.

Mr. Baldin – It's a rental space.

Ms. Pittner – Yes.

Mr. Baldin – So, they are, sort of, running – there is an office up there above the garage then and somebody is utilizing that?

Ms. Pittner – Yes.

Mr. Baldin – Do we know about that as well?

Mr. Allen – I would have to check the records to see if there is any mention of that.

Mr. Baldin – Thank you.

Dr. Goist – I have one question to the applicant. If we were to grant the variance, do you have a timetable or the time-period when you're thinking about building this structure? Obviously, you collect funds. Someone has asked how you get funds. Do you already have funds to proceed? Sometimes we grant a variance and it's only good for a year and I'm asking if you have a timetable.

Mr. Illes – There has been some movement to solicit funds and grants for the purpose of erecting the building that has started. It has not started, let me say, with great earnest because they don't know if in fact they will or they won't and so, if in fact you do, then they will work much harder and the time-table is to have the building erected within the year. That's the goal but in order to get the funds to do the goal they want to know if we can do it rather than get a commitment and then say, Oh, I'm sorry, we can't use your money, type thing. Yes, that has been put into force and Carol has – Carol is the quarterback of the whole thing. The rest of us are just pawns, if you will, but she has been doing a lot of work for a long time getting things in line to make this happen and now we're presenting to the City what we would like to do. If the City should be gracious enough to grant it then we and she will pursue much harder to make it a reality. So, that's where we are.

1) **ANGEL HOUSE CENTER/Carol Dombrose, Owner, Cont'd**

Dr. Goist – Thank you. I think the one thing that we need to know is the one thing that Mr. Baldin had alluded to and that is that there is a business being run out of the garage and I think our Building Department now, because it is on public record, needs to check out the fact that it is being rented out and the business is being run out of there. So, as of this evening when we have put it on public record, I think Mr. Allen will have to check to see if that is an appropriate use of that space. Board members, do you have other questions?

Mrs. McGrath - Mr. Chairman?

Dr. Goist – Yes, Mrs. McGrath?

Mrs. McGrath - Mr. Chairman? I wanted to ask you all how many different families live in Ms. Dombrose's residence?

Ms. Pittner – I don't know if I can answer that. I don't know all of her personal –

Mrs. McGrath – Somebody other than her? She is not the only one living there?

Mr. Illes – I don't know. I can't answer that. I have no idea.

Ms. Pittner – I'm not sure. I don't know if she has guests and so on. You'll have to direct that question to her. I don't know if I can answer that.

Mr. Harr – Will she be present for the public hearing portion?

Ms. Pittner – Yes, tonight was an exception.

Mr. Illes – She is teaching a class tonight in Middleburg Heights.

Dr. Goist – I have another question. Is this the kind of thing with the structure where people come and stay overnight almost like, I would use in quotes, a bed and breakfast? Do they come, participate, have a program and stay there overnight?

Ms. Pittner – I'm not aware of a program where that specifically happens. It's usually, like I said, an evening or a daytime program.

Mr. Illes – In the new building the restrooms are only for a code requirement there for ADA requirements for each sex but there are no ways of bathing in the new building. There is a little snack bar that's 6' but that's for coffee.

1) **ANGEL HOUSE CENTER/Carol Dombrose, Owner, Cont'd**

Dr. Goist – I'm not just alluding to the new building. I'm alluding to the residence if there are programs that are going on and Ms. Dombrose lives in this house and they have a meeting, do people stay there overnight?

Ms. Pittner – I'm not aware of anything that has ever been as an overnight.

Mr. Kolick - Mr. Chairman? Maybe expanding on that, if the only place now - if the barn has one office for the music, where is the counseling taking place?

Ms. Pittner – I believe Carol does that in her own home.

Mr. Kolick – In her residence?

Ms. Pittner – Yes.

Mr. Kolick – Will that continue even after the new structure or will all the counseling be moved to the new structure?

Mr. Illes – The intention is to move the whole function out of the home into the other building so that she has a home and not a multiple use building type thing. Right now, the classes are in the living room or the dining room or whatever and it's just a mess but it's growing. That type of thing.

Mr. Kolick – That's fine and I don't have a problem with that but you need to note that that's what we would expect to happen then when the new structure goes up because, again, you're saying 25 parking spaces because you have assembly for 24 or whatever in the new structure. We're not accounting for parking spaces if they are going to continue to use the existing home for future counseling lessons at the same time. So, as long as it's clear that once the new structure is built, everything in the interior – I understand you have an outside garden and something else – but everything in the interior is going to be run from the new structure. That's what we need to have your commitment on and I'm hearing we do. Is that correct?

Ms. Pittner – That is the intention, I believe.

Mr. Kolick – Okay. Well, if it's something other than that, then Carol or someone needs to let us know because that may affect the parking and may affect some building code issues involving the house and may affect ADA issues involving the structure. There are a whole panoply of things that occur. So, if that's not the case, please let us know before the next meeting.

Ms. Pittner – I will let Carol know and she will let you know.

1) **ANGEL HOUSE CENTER/Carol Dombrose, Owner, Cont'd**

Mr. Harr - Mr. Allen? The parking that was calculated was done strictly on the new assembly area and did not take into account any business activity in the garage or anything like that, whether permitted or not.

Mr. Allen – That’s correct. It appears, based on the submittal of the preliminary drawings to us, there is 912 SF of assembly area and you divide that by 48 and they are required to have 19 parking spaces. They have an existing 9 parking spaces. The three in front of the garage do not count as parking spaces. So, with the nine that they have and the thirteen that they are proposing that would give us 22 parking spaces and with the assembly area of 912 SF they are only required nineteen.

Mr. Harr – So, there are a few extra potentially.

Mr. Allen – That’s correct, sir.

Ms. Illes – Would you like to know how we got what we got, parking wise?

Mr. Harr – No. I think we’re all having some of the same questions. I think we all perfectly understand the variance request at face value. I think we’re all trying to understand exactly what the property is being used for and whether that use fits the zoning that is out there and the intended purposes of the property. I think we’ll get, maybe, a few more of those answers when Carol is present as well and get a firm understanding how exactly each of these structures are intended to be used and make sure that makes sense.

Dr. Goist - Mr. Baldin?

Mr. Baldin - Mr. Chairman? Speaking of parking and looking at your print here where the new parking is going to be, right now there is grass in there. On the opposite, you have the circular drive and are you planning to asphalt that or concrete it or just what?

Mr. Illes – Well, it would have to be one or the other.

Mr. Baldin – The second question to that would be in your new facility – you show asphalt in front there and you show, apparently, asphalt in front of the existing residence as well – is that going to be allowed, Mr. Allen, according to what exactly is taking place here? Does that have to be hard surface, which means concrete? We’ve had a lot of questions recently about asphalt and concrete in this city.

1) **ANGEL HOUSE CENTER/Carol Dombrose, Owner, Cont'd**

Mr. Allen - Mr. Chairman? This is a public facility. It isn't a residential zoning. In public facility, we allow both asphalt and concrete but we have minimum standards for both of those. They will have to have vertical concrete curbs. They will have to meet all the minimum paving standards for the City of Strongsville in this area in a public facility zoning district.

Mr. Illes – We showed the curbs and the only difference would be – would probably be at the time – money. Asphalt and concrete at this time are even Steven.

Mr. Harr - Mr. Chairman? I would just remind the applicant for those of us, including myself, who have not been to the site, if you would be so kind as to accurately stake where that new building is going to go.

Mr. Illes – The new building is to the north –

Mr. Harr – No, we need it staked so that we can actually see the outline of the building please.

Mr. Illes – Oh, staked in the ground.

Mr. Baldin – Stake out the corners.

Mr. Harr – The corners for us so that we can see exactly where you're planning to put it.

Mr. Illes – Sure.

Mr. Baldin – You're adding a deck on there as well. I don't know how big the deck is.

Mr. Illes – The deck is 9 or 12 –

Dr. Goist – Hold the mic, please.

Mr. Illes – The deck is 12 by 24.

Dr. Goist – I have one more question just to go along with that because I did a drive by the other day. I did not get out and walk around but there is a very deep creek/ravine type area that would be right to the east of the deck that you're planning on building. Are there any kind of plans to put in a fence that could keep people from going down into the ravine? Is that part of your plans at this point?

1) **ANGEL HOUSE CENTER/Carol Dombrose, Owner, Cont'd**

Mr. Illes – Well, we show the deck has a railing and guardrail and appropriate safety features. At this point, we had not contemplated doing anything to prevent someone from going into the creek because in the normal scope of things, that creek is very mild and slow rolling. If it should be in the flooding stage, if you will, anyone that's near it or going toward it has got to have something wrong. We purposely elevated that so that we are approximately 6' higher than the normal water level, which we felt was a safe – we're higher than the finished floor of the current house so we thought that was a safe dimension to use especially since, according to Carol, as long as she has been there they have never had a situation where they have flooded or she has flooded.

Ms. Pittner – It was dry all summer. No water.

Mr. Illes – It's only fed from a 12" pipe currently.

Dr. Goist – Mr. Kolick, do you have any other questions?

Mr. Kolick – No, Mr. Chairman.

Mr. Evans - Mr. Chairman?

Dr. Goist – Yes, Mr. Evans?

Mr. Evans – I want to go back to what Mr. Illes said about the City suggesting the location and whether or not the parking area and the building could be flipped. One of the things that we deal with here at the Board of Zoning Appeals is the hardship situation as to why the variance is required and while all the other information is very interesting, it's really not germane to what we have to make the decision on. So, my question would be to Mr. Illes whether or not, as the architect, you looked at the possibility of putting it elsewhere and at the same time, I'm going to ask Mr. Allen then to render what the reason was that the Building Department suggested that. Again, that's germane to why we have to approve or consider the variance. I would want to address that specific issue.

Mr. Illes – In my observation, in order to put the building where the gazebo is – and that's what you're asking me – we would have to tear down the garage to do that and we did not think it was in good practice to remove the garage to put the building there and not have any garage and I think it's a three car garage from memory, I believe, where as from the north to the present home is basically open. I think, from memory, we only took out a couple of trees, two small trees. We were very conscious of the trees that are there. We wanted to leave them there. So, we really felt that that was the least disturbance for the property to put it to the north and I also honestly believe that's part of the reason the suggestion was made to put it there. We would cause the least disturbance of the ground and that northeast side of the

1) **ANGEL HOUSE CENTER/Carol Dombrose, Owner, Cont'd**

Mr. Illes continues - property – well, that whole property is very, very nice looking. It's trees and ravines and it just looks great and so we felt that was the least disturbance. We would really like – originally we tried to bring the driveway back on in front of the building to the street but then we would have to fight some large boulders and things that have been there forever. So, we decided not to do that.

Mr. Evans – The property does go back deeper. So, the reality is that were it to be configured a little bit differently, you could probably drop the new building back a little bit further with doing, as you say, little disturbance to the area in order to accommodate –

Mr. Illes – We were trying not to touch the creek or any of the trees if we didn't have to and that was our goal, if you will.

Mr. Evans – So, Mr. Chairman, I would just want to have Mr. Allen confirm that the City did indeed suggest that because again, that's germane to our consideration.

Mr. Allen - Mr. Chairman? I would have to check with – I don't know who the applicant spoke with.

Mr. Illes – Tony.

Mr. Allen – I would have to check with Mr. Biondillo.

Mr. Evans – Thank you. If we could do that, that would be helpful to us in our deliberation.

Dr. Goist – Board members, do you have any other questions?

Mr. Baldin – I have no further questions.

Dr. Goist – Your public hearing will be January the 23rd. All of the businesses or homes within 500' of this area will be notified and so we will have your public hearing here on the 23rd.

Mr. Illes – Thank you.

Dr. Goist – There are no public hearings. Is there any other business to come before this board? No other business, meeting adjourned.

Meeting adjourned at 9:10 p.m.

Signature on File
Glenn Goist, Chairman

Signature on File
Kathryn A. Zamrzla, Sec'y

February 13, 2008
Approval Date