

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

**Meeting of
January 27, 2010
7:30 p.m.**

Present - Board of Appeals Members: Glenn Goist; Ken Evans; Frank Bohac; Rich Baldin; William Harr

Administration: Assistant Law Director, Dan Kolick;
Building Department Representative, Joe Allen;
Recording Secretary, Kathryn Zamrzla

The Board members discussed the following:

1) **CATHY AND PAUL CATON, OWNER**

Requesting a 10.5' Setback variance from Zoning Code Section 1252.17 (c), which requires that the fence be located within the setback of the main building and where the applicant is proposing a 4' high 3-split-rail wooden fence 10.5' beyond the setback of the main building; property located at 14626 Fetterman Drive PPN 393-19-008 zoned R1-75.

Mr. Allen explained that the owner wants to place the fence 10' 6" from the main building line where they are permitted to be. The Board discussed the current placement of the trees and the retaining wall on the property. The owner stated that the Building Department already determined that the property pins exist. Mr. Baldin stated that there is no City sidewalk on the property and everyone else has one but that it's an existing house. Mr. Allen stated that Mr. Baldin would need to contact the City Councilman to pursue having a sidewalk installed on the property.

2) **JASON SCHRAIBMAN, OWNER**

Requesting a 25' Setback variance from Zoning Code Section 1252.04 (d) (1), which requires a 100' Setback from the Centerline of Lunn Road and where a 75' Setback is proposed in order to construct an Addition; property located at 19510 Lunn Road PPN 393-23-003 zoned R1-75.

Mr. Baldin stated that the owner has a nice corner lot and the variance is small, only 8'. Mr. Baldin and Dr. Goist stated that they were in favor of approving the variance and would defer their comments until after the Public Hearing.

STRONGSVILLE BOARD OF ZONING & BUILDING CODE APPEALS

MINUTES OF MEETING

January 27, 2010

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

Present: Dr. Goist
Mr. Baldin
Mr. Evans
Mr. Bohac
Mr. Harr

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 27, 2010 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. We have minutes from December 16, 2009 and from January 13, 2010. If there are no corrections or additions, could I have a motion to accept the minutes?

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 - For the people who are in the audience who would like to speak before the Board of Zoning and Building Code Appeals this evening, if you would now please stand and be sworn in by our Assistant Law Director.

Mr. Kolick then stated the oath to those standing.

1) **CATHY AND PAUL CATON, OWNER**

Requesting a 10.5' Setback variance from Zoning Code Section 1252.17 (c), which requires that the fence be located within the setback of the main building and where the applicant is proposing a 4' high 3-split-rail wooden fence 10.5' beyond the setback of the main building; property located at 14626 Fetterman Drive PPN 393-19-008 zoned R1-75.

Dr. Goist – Our meetings are in two portions, New Applications first and Public Hearings second. Our first new application is Cathy and Paul Caton. If you would like to come and give me your name and address and speak right into the microphone there and tell us what you're asking for.

Mr. Caton – Paul Caton, 14626 Fetterman Road and we're looking for a variance to move the fence over from the building line.

Dr. Goist – You're asking for a variance of 10' 6".

Mr. Caton – Yes, sir.

Dr. Goist – That is a variance from what you're allowed by Code because the Code actually makes you come off of your house instead of where you want to be and we have looked at the drawings. Only Mr. Baldin has been out to your house. The rest of us will be out before the next meeting and take a look at it and that is the only variance that you are asking for. It's a split rail fence, 4' high.

Mr. Caton – It's going to be a three-rail split rail fence 4' high with wire attached to it.

Dr. Goist – Board members, do you have any questions for Mr. Caton?

Mr. Harr - Mr. Chairman?

Dr. Goist – Yes?

Mr. Harr – Mr. Caton, just to reiterate a couple of things that we talked about in caucus, first of all, you are enclosing your entire back yard, correct?

Mr. Caton – Yes, sir.

Mr. Harr – And the fence as it comes off the garage will butt up to the existing retaining wall there in the southwest corner of your lot?

Mr. Caton – Yes, sir and it will be on the inside of the retaining wall on the one side.

Mr. Harr – So, it will run all the way to the back of the property.

1) **CATHY AND PAUL CATON, OWNER, Cont'd**

Mr. Caton – The fence will run all the way to the back of the property.

Mr. Harr – So, we're not going to have any big gap between that wall and the fence.

Mr. Caton – There will no gaps.

Mr. Harr – The stand-up pine trees – as our Chairman indicated, I have not been to your property – will be between the split rail fence and Temple Drive?

Mr. Caton – Yes, sir. They have actually been planted three or four feet at the back of the yard higher than the grade up where the fence will be in the back of the yard.

Mr. Harr – They have been mounded up.

Mr. Caton – They are on top of the retaining wall.

Mr. Harr – Okay. I have no other questions until I see the property.

Dr. Goist – If you have not previously, would you please stake out where you want to have the fence so that each of us, when we come out, can see where you are planning on putting the fence?

Mr. Caton – Yes. I'll put a line out with it clearly marked. There is a row of logs there now.

Dr. Goist – Are there any other questions?

Mr. Evans – Mr. Caton, there is no fence there now?

Mr. Caton – Yes, there is on top of the retaining wall. There is a fence that was put up eighteen years ago or something like that.

Mr. Evans – But that doesn't encompass the entire property though.

Mr. Caton – No, it's just on top of the retaining wall.

Mr. Evans – How long have you been an owner there?

Mr. Caton – Twenty-two years, so that fence is at least twenty-two or twenty-three years old.

Mr. Evans – Thank you, Mr. Chairman.

Mr. Harr - Mr. Chairman?

1) **CATHY AND PAUL CATON, OWNER, Cont'd**

Dr. Goist – Yes?

Mr. Harr – I think you mentioned in our caucus that putting the fence up is a requirement.

Mr. Caton – I have no choice but to put the fence up.

Mr. Harr – There was a pet issue or what have you and it was mandated that you put the fence in.

Mr. Caton – Yes, the dog is on a trolley and a pen but the dog did not take well to an enclosure. She ripped it apart and broke out, escaped.

Dr. Goist – You may have a broken split rail fence but you're going to put wire next to it.

Mr. Caton – It's going to be attached to the three-rail split. It's going to be green wire, vinyl coated.

Dr. Goist – Thank you. Any other questions Board members? Mr. Allen, any questions? Okay, your Public Hearing will be February the 10th and all of your neighbors will receive a letter that says that we're having a Public Hearing. At that time, your neighbors that want to may speak for or against the variance.

Mr. Caton – Okay. Thank you.

Dr. Goist – You do not have to stay for the rest of the meeting.

Mr. Caton – Thank you.

2) **JASON SCHRAIBMAN, OWNER**

Requesting a 25' Setback variance from Zoning Code Section 1252.04 (d) (1), which requires a 100' Setback from the Centerline of Lunn Road and where a 75' Setback is proposed in order to construct an Addition; property located at 19510 Lunn Road PPN 393-23-003 zoned R1-75.

Dr. Goist – Now, we will open the Public Hearing. Jason Schraibman, if you would come to the microphone and tell us your name and address please.

Mr. Schraibman – Jason Schraibman, 19510 Lunn Road.

Dr. Goist – Again, if you'll go over your request for your variance.

2) **JASON SCHRAIBMAN, OWNER, Cont'd**

Mr. Schraibman – Yes, we're proposing to extend our house 8' towards Lunn Road and 8' towards our driveway and put in a first floor restroom and a first floor bedroom and front porch.

Dr. Goist – I really have no questions. Board members, do you have any questions?

Mr. Bohac – I was out there and I have no problem with it.

Mr. Baldin - Mr. Chairman, I was out to the property. He has a nice piece of property. I don't see any problems with it. He does have a concrete driveway.

Dr. Goist – Mr. Evans?

Mr. Evans – No, I asked my question in caucus. I'm set.

Dr. Goist – All right, thank you. This is a Public Hearing so I will ask if there is anyone in the audience who would like to speak against your variance. Is there anyone who would like to speak for his variance? Hearing none and seeing none, I will ask for a motion.

Mr. Harr - Mr. Chairman, I will make a motion that a request for a 25' Setback variance from Zoning Code Section 1252.04 (d) (1), which requires a 100' Setback from the Centerline of Lunn Road and where a 75' Setback is proposed in order to construct an Addition; property located at 19510 Lunn Road PPN 393-23-003 zoned R1-75 be approved.

Mr. Bohac – Second the motion.

Dr. Goist – There is a motion and a second. Kathy, would you call the roll.

ROLL CALL: ALL AYES: MOTION CARRIED

Dr. Goist – Mr. Schraibman, your variance has been approved. There is a twenty-day waiting period and then you can go to the Building Department and they will carry you from there.

Mr. Schraibman – All right. Thank you very much.

Mr. Bohac – You're welcome.

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Dr. Goist – If there is no other business to come before the Board, meeting is adjourned.

Meeting adjourned by Dr. Goist at 8:09 p.m.

<u>Signature on File</u>	<u>Signature on File</u>	<u>Signature on File</u>
Glenn Goist, Chairman	Kathryn A. Zamrzla, Sec'y	Approval Date