

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

**Meeting of
July 14, 2010
7:30 p.m.**

Present - Board of Appeals Members: Rich Baldin; Ken Evans; William Harr; Frank Bohac;
Administration: Assistant Law Director, Dan Kolick;
Building Department Representative, Joe Allen
Recording Secretary, Kathryn Zamrzla

The Board members discussed the following:

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

Extension of the determination of January 23, 2008, January 14, 2009 and December 16, 2009 of the Board of Zoning and Building Code Appeals:

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.

Mr. Baldin stated that the plan submitted didn't seem any different from the last one. Mr. Kolick reminded the Board that they aren't approving anything different from the last time and that the drawing submitted has some added things that we aren't looking at for tonight's meeting.

2) **CLEARWIRE, APPLICANT/STRONGSVILLE CITY SCHOOLS,
PROPERTY OWNER/John Sindyla, Esq., Representative**

Requesting a 120' Setback variance from Zoning Code Section 1273.07 (b) (4), which requires a 500' Setback abutting a Residential Lot and where a 380' Setback (North) is proposed in order to install a 190' Monopole; property located at 15650 Pearl Road PPN 393-27-017 zoned Public Facility (PF).

Mr. Baldin stated that the School has an opportunity to make some revenue if this variance is approved. Mr. Evans stated that we have approved other cell towers that needed variances.

3) **WILLIAM VRANIC, OWNER**

a) Requesting a 9' Rear Yard Encroachment variance from Zoning Code Section 1252.16 (e), which permits a 14' Rear Yard Encroachment into the 30' Rear Yard Setback and where a 23' Rear Yard Encroachment is proposed in order to approve an Existing Deck;

- b) Requesting a variance from Building Code Section 1438.06, which requires that no structure can obstruct a drainage easement and where the applicant constructed a Deck 3' into the drainage easement;
- c) Requesting an 8' variance from Zoning Code Section 1252.16 (e), which requires a 5' setback from any easement and where the applicant constructed a Deck 3' into the drainage easement; property located at 13800 Blackberry Circle PPN 398-10-105 zoned R1-75.

Ms. Zamrzla reminded the Board that this applicant came before the Board to ask for a variance for a pool. The Board granted the variance and the Building inspector discovered a deck without a permit while inspecting the pool.

4) LISA WOSNAK, OWNER

Requesting an 11' Rear Yard Setback variance from Zoning Code Section 1252.05, which requires a 50' Rear Yard Setback and where a 39' Rear Yard Setback is proposed in order to construct an Addition; property located at 18471 Meadow Lane PPN 396-07-016 zoned R1-75.

The Board stated that this property backs up to the City ball fields by the Rec Center. Mr. Allen stated that the shed is in the middle of the property line. The applicant stated that the fence and the shed were there before she moved in.

(H) PUBLIC HEARINGS

5) DAWN WIEMER, OWNER

Requesting a 4' 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 6' high fence 4' beyond the setback of the main building; property located at 13504 Olde Orchard Road PPN 399-33-042 zoned R1-75.

The Board stated that the applicant said at the last meeting that the fence would extend beyond the rear corner of the house towards the street but the applicant stated that the drawing is incorrect and the fence would start at the corner of the house. The applicant also stated that the gate would be at the opposite side of the fence.

STRONGSVILLE BOARD OF ZONING & BUILDING CODE APPEALS

MINUTES OF MEETING

July 14, 2010

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

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

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

Mr. Baldin – Good evening, ladies and gentlemen. I'd like to call this July 14, 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 EXCEPT FOR DR. GOIST

Mr. Harr – I would like to make a motion to excuse Dr. Goist for good cause.

Mr. Bohac – Second.

Mr. Baldin – We have a motion and a second. Kathy, would you call the roll please.

ROLL CALL: ALL AYES: MOTION CARRIED

Mr. Baldin – 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.

Mr. Harr - Mr. Chairman, I would like to move that we approve the amended agenda.

Mr. Harr – Second.

Mr. Baldin – We have a motion and a second. Roll call.

ROLL CALL: ALL AYES: MOTION CARRIED

Mr. Baldin – We also have some minutes from June 9, 2010 and June 23, 2010. Is there anyone who has any comments or anything that they would like to approve or disapprove on these minutes?

Mr. Harr - Mr. Chairman, I make a motion to approve the minutes as submitted.

Mr. Evans – Second.

Mr. Baldin – We have a motion and a second for approval on the minutes. Roll call please.

ROLL CALL: ALL AYES: MOTION CARRIED

Mr. Baldin – Ladies and gentlemen in the audience, our Zoning Board meetings here are in two portions. New Applicants are the first portion and the second portion is our Public Hearings. If there is anyone in the audience who would like to speak in front of this Board this evening, if you would now please rise and be sworn in by our Assistant Law Director.

Mr. Kolick then stated the oath to those standing.

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

Extension of the determination of January 23, 2008, January 14, 2009 and December 16, 2009 of the Board of Zoning and Building Code Appeals:

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.

Mr. Baldin – We'll start with New Applications and number one on the agenda is Angel House Center, Carol Dombrose, Owner. Carol, would you come forward and state your reasons for the variance.

Ms. Dombrose – Carol Dombrose, 14217 Mill Hollow Lane in Strongsville.

Mr. Baldin – You're here again looking for an extension, is that correct?

Ms. Dombrose – Right, an extension for the new building on the side of the house.

Mr. Baldin – This would be what, the second or third extension that we're –

Ms. Dombrose – I was here the second time and then you wanted more information before we did it, so I think this will be the second extension even though it's the third meeting.

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

Mr. Baldin – Okay. I know we started way back in 2008 with this property, correct?

Ms. Dombrose – Yes.

Mr. Baldin – Okay. You did provide us with a new set of drawings, which shows the overall layout of the area but we're only really here for the extension.

Ms. Dombrose – Right.

Mr. Baldin – However, there might be some circumstances that we might want to – Bill, didn't you have some questions on some of the old items that we covered?

Mr. Harr - Mr. Chairman, ma'am, first off I just want to be sure that as it pertains to this variance, it's a building that it affects - there are no changes from what was originally approved. Is that correct?

Ms. Dombrose – Correct.

Mr. Harr – Okay. The previous approvals, we did cite in those approvals that the barn area would be used only for storage as far as that approval. Is that still the plan?

Ms. Dombrose – That is for now, that is what is happening.

Mr. Harr – Only because as I take a look at the overall plan - which I do appreciate you providing us because it does give us an idea of, kind of, where you are going with it - there is a whole lot of parking surrounding that facility down there and there is a board walk, brick walk, concrete – I see all kinds of things going on. Is the grand plan to refurbish or rebuild that in some fashion?

Ms. Dombrose – The plan is to renovate the barn for a theatre purpose, to make it a theatre.

Mr. Harr – Okay, and make it structurally sound and that will be a whole separate set of approvals and you understand that.

Ms. Dombrose – Right.

Mr. Harr – Okay because our approval would still carry with it those same conditions that the barn only be used for storage.

Ms. Dombrose – Right, for now. That is where it is.

Mr. Baldin – I think that pretty much covers what we were discussing the last time she was up here. Does anyone on the Board have any other questions?

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

Mr. Bohac – No.

Mr. Baldin – Well then Carol, our next meeting will be July 28, 2010. That will be your Public Hearing.

Ms. Dombrose – Okay, I have to come here again for that one.

Mr. Baldin – Yes, it's a Public Hearing. There might be some other people. Some of your neighbors, et cetera.

Ms. Dombrose – Okay, all right. Thank you.

Mr. Baldin – Thank you.

2) **CLEARWIRE, APPLICANT/STRONGSVILLE CITY SCHOOLS,
PROPERTY OWNER/John Sindyla, Esq., Representative**

Requesting a 120' Setback variance from Zoning Code Section 1273.07 (b) (4), which requires a 500' Setback abutting a Residential Lot and where a 380' Setback (North) is proposed in order to install a 190' Monopole; property located at 15650 Pearl Road PPN 393-27-017 zoned Public Facility (PF).

Mr. Baldin – Okay, moving along here, we have Clearwire, Strongsville City Schools, Property Owner, John Sindyla, Representative.

Mr. Sindyla – Good evening, John Sindyla, 7425 Royalton Road, North Royalton, 44133.

Mr. Baldin – Okay, you're representing the School.

Mr. Sindyla – Clearwire as well as Strongsville City School.

Mr. Baldin – Both of them.

Mr. Sindyla – Bob Morton is here as well. He is the Business Manager for Strongsville City Schools to answer any questions that you may have.

Mr. Baldin – Okay. Why don't you start out here, John.

Mr. Sindyla – The proposal before you is to locate a 190' tower at the Strongsville School bus yard off of Pearl Road. The City Code requires that any tower be 500' from a Residential District lot line and the proposal that we have before you tonight would be to locate it 380' from the Residential District lot line. Whereas the location of the tower does not meet the requirements of the Code, I would like to point out two things. One, we are over 700' to the

2) **CLEARWIRE, APPLICANT/STRONGSVILLE CITY SCHOOLS,
PROPERTY OWNER/John Sindyla, Esq., Representative, Cont'd**

Mr. Sindyla - closest residence to the North and 885' to the South and I have some aerial photos for you. Essentially, I understand the intent of the Code to make any new tower as far away as possible from a residence. So, whereas this particular tower location does not meet the Code requirements, the property to the North, those Residential District lot lines, essentially, are very deep lots. As you can see from the aerial photos is that if we are 700' to the nearest house to the north and we're 380' to a lot line, there is 320' to 100' trees that separates the lot line from the actually residence. The reason that we have selected this location also lends an explanation as to why we need this variance. As Bob can attest later on in the meeting, this is (indicating) the future plans for this property on Pearl Road. Obviously, you know that the high school and the new football stadium – the School District plans to install a new avenue to the stadium. You can see from the aerial lot lines, the current access – the only access to this (indicating) property is off of Pearl Road and through there (indicating) – I guess you would call it maintenance area, maintenance sheds, garages, bus yard and you drive directly into the stadium. The Districts plan for the future would be to remove this actual entryway and make an actual tree lined avenue into the stadium. So, if you could imagine where we could put this tower to benefit both the residents, the School and the business areas of Strongsville, we can't locate it where the current bus yard is. Ideally, our intentions, our design, meeting with Bob and the rest of the School Board, we had to locate this tower where it wouldn't interfere with any future development of this property, which is exactly right here in between the existing maintenance, sheds, garages on the North side of the property. As you can see, this is the Post Office, a gigantic retention pond, so to speak, for drainage and you can see the closet house is exactly right here, and you can visualize the forest that separates that house from this property as well as the retention pond to the tower location. So, in terms of the variance is that this is, technically, if you look at the whole plan for this property in the future, this is the only location that wouldn't interfere with this new development for the School System and also could provide coverage to AT & T and not interfere with any future development for the property. Are there any questions? I know Bob would like to speak as well.

Mr. Baldin – The School District owns all that green area right there?

Mr. Sindyla – The School District owns all of this (indicating) all the way through. This (indicating) is owned by the Post Office right here, then this (indicating) is residential and this (indicating) is residential down here and so this (indicating) is actually owned by the School as well. If we located it here (indicating), it would be a greater variance than what we're asking for right now.

Mr. Baldin – How long down the pike are your future plans for this?

Mr. Morton – Well, we are well on our way to getting a wet land mitigation and all of that.

Mr. Baldin – Excuse me, we need your name and address.

2) **CLEARWIRE, APPLICANT/STRONGSVILLE CITY SCHOOLS,
PROPERTY OWNER/John Sindyla, Esq., Representative, Cont'd**

Mr. Morton – Oh, I'm sorry, Robert Morton, Director of Business Services, Strongsville City Schools and we were well on our way and that is what prompted this (indicating) architect's rendition. As all of you are aware or may or may not be aware, we have student parking, we have the access road that currently comes in off of Pearl Road just off the entrance into the Post Office and creates a significant traffic problem over the years and in 2004, we started using this (indicating) access road to allow vehicular traffic to come in and go out to the High School. We received a lot of concerns from employees and staff and parents and so forth about kids walking and the use of that access road for vehicular traffic because it just created a safety hazard. We have 15 mile per hour limits, we have stop signs but it's a constant problem. First of all in 2005, we purchased these (indicating) 17 acres from the Kinat Kuzda properties and the front portion of this property right here (indicating) belongs to Jardine. So, we have from this point here (indicating) back. There is some thought process, and it's just a thought process in the back of our minds, that this (indicating) is a primary location for a potential new middle school. So, when Mr. Sindyla approached the District and me about putting this up– we looked at the entire property. They have a need for a tower in this (indicating) area of the High School someplace to complete their triangle, and I don't understand all of that, for their cell tower and their locations and everything. He asked me what I thought and if we put it anywhere in here (indicating), it could potentially create the need to move it later on or to build around it. If we would build a middle school here (indicating), we do have plans of expanding the current High School parking lot from a 360 space lot to a 968 spaces so we can accommodate more parking during the school day as well as for athletic events and that type of thing because that is a real problem in today's setting over there. So, we said lets look at where we can place that that least restricts our ability to meet this plan or a similar plan to this and we looked along here (indicating). I approached Mr. Sindyla about putting it in this (indicating) location. They have done some core drilling that appears to be relatively well. We looked at the neighbors because they are a consideration. We looked at the amount of foliage and trees and so forth that existed between where we want to place that right here (indicating) to these (indicating) homes along Lunn Road and we said it probably would be least disruptive and most palatable if it was a place like that and least disruptive to the development of this. So, that was the thought process of the district when we said let's try to put it there. Then Mr. Sindyla started down the road of what we have to do. This (indicating) is a large retention pond, the development of this (indicating) for future use – who knows what it's going to be – I know that the widening of Pearl Road, they are expanding the storm sewer and dumping into that retention pond now. So, the chances of that moving into something else, we have about \$250,000 to \$300,000 of wet land mitigation to do in all of this area to accommodate all that. That's, kind of, the School's plan and why we think that this (indicating) is a location that would be least disruptive.

Mr. Baldin – Very good, thank you. We appreciate that. Board members?

Mr. Evans - Mr. Chairman?

2) **CLEARWIRE, APPLICANT/STRONGSVILLE CITY SCHOOLS,
PROPERTY OWNER/John Sindyla, Esq., Representative, Cont'd**

Mr. Baldin - Mr. Evans?

Mr. Evans – Mr. Morton or Mr. Sindyla, I'm not sure which one of you wants to address it. If you were to take the position that you're proposing and drop it immediately to the South , that would fall still within what I imagine from the plan is going to continue to be the bus parking area, which does currently have power to it and everything else but it would take us away and although we don't have a scale on there and I've certainly not walked the property, it would look to me like if we moved it across to where the trees are going to be and the new boulevard coming in, that that would take us away from the Lunn Road restriction there in terms of setback, take us toward the South , but I think that would still give you enough room that you wouldn't require a variance.

Mr. Morton – I'm not sure that this (indicating) distance is great enough to offset that. I don't know, I don't have a scale with me. Do you have one?

Mr. Sindyla – Sure.

Mr. Evans – I'm guessing that you looked at that but that's the obvious thing to me is that that is a possible way of mitigating it because as long as we cross over the existing Collier's driveway that is in there that is being used and get across that then that alleviates it from having to be redone when the new boulevard would go in.

Mr. Morton – We have underground storage tanks on that side.

Mr. Evans – Right, understood.

Mr. Morton – Twelve thousand gallon tanks.

Mr. Sindyla – It would be very close making that setback. My concern is what happens if the School wants to do something else instead of making this (indicating) a two lane, they make it a three lane or adjusting it for any reason like wetlands mitigation problems. Currently, there isn't any use for this (indicating) property whatsoever. To be honest with you, I didn't want to make a situation where we put the School District in a lurch with their future development plans by even attempting to potentially disrupt what they want to do here (indicating) and that was the idea of going here (indicating).

Mr. Evans – Basically, in between those buildings, which, again, are the old Collier buildings there is nothing in between there. Those are used for maintenance purposes. You have the bus repair and you have offices and storage.

Mr. Sindyla – I personally didn't want to make any attempts to disrupt what was happening because what happens if there was a Middle School.

2) **CLEARWIRE, APPLICANT/STRONGSVILLE CITY SCHOOLS,
PROPERTY OWNER/John Sindyla, Esq., Representative, Cont'd**

Mr. Morton – I have approached the Post Office about the School purchasing this (indicating) property and moving all this bus parking back here (indicating) to allow this (indicating) to be developed into the use for the Middle School or whatever would be here (indicating). So, that was the other thought process.

Mr. Evans – That makes sense. I just wanted to make sure that we looked at the alternatives because part of our responsibility is to look at mitigation of variances and whether or not they are appropriate.

Mr. Morton – I will share with you the Post Office has said “no” so far.

Mr. Evans – Big surprise there. Okay.

Mr. Baldin – They’re hurting, they need the money. Anybody else have any questions on the Board?

Mr. Evans – Mr. Chairman, I think the one observation that I’m sure that people have already had some say at Board meetings and things like that, there will be a notice about the hearing and I would expect the School Board to be prepared to make sure they can do as much as they can ahead of time with those people, particularly on Lunn Road that it would directly impact to let them know what is going on.

Mr. Baldin – Thank you. I do have one question here. I’m a little confused. You provide some drawings with 700’ to the North and 800 some feet to the South. You’re saying 380’ from Residential. Do you want to explain that?

Mr. Sindyla – Yes, what is important is the distance from our location to the lot lines but that is under the Code and that is what the survey says but personally, I think the most important issue is how far you are from the residence. That was my argument saying if a house is located right on the property line that is a valid argument and if there was a clear view looking at a 190’ tower I understand that but we’re talking about a 380’ setback and then you’re talking about 320’ of – I have been at this property more than a few times as I’m sure you have – 100’ tall trees looking at it this way. That, I think, is the important issue to make here. To the South, you’re talking 885’ to the nearest residential home. That was the point I was trying to make is, granted, we don’t make the variance the way it sits but when you look at a practical point of view and the aerial view you can see that these (indicating) people won’t be affected by this tower.

Mr. Baldin – I just wanted you to make it clear.

2) **CLEARWIRE, APPLICANT/STRONGSVILLE CITY SCHOOLS,
PROPERTY OWNER/John Sindyla, Esq., Representative, Cont'd**

Mr. Sindyla – That was my point. I would also like to point out that we currently have a lease together with the Strongsville School District, Clearwire, over the next 30 years, will be paying the School District over \$775,000 and AT & T – this tower will be designed to be co-locatable for four other carriers. AT & T has already expressed an interest in co-locating on this tower and they have already contacted Clearwire and that will generate another \$500,000 to the School District over the next thirty years. They're looking at 1.2 million dollars.

Mr. Evans – Over thirty years.

Mr. Sindyla – Correct and then in addition the tower is co-locatable so if you think about those coverage grids that I had in front of you, every one of those towers surrounding here (indicating) is all the carriers in the City but there isn't anything in the center.

Mr. Evans – It's a prime location.

Mr. Sindyla – When this tower goes up, there will be other carriers on this tower as well.

Mr. Baldin – I'm surprised everybody waited so long. Thank you. Your Public Hearing is going to be July 28, 2010.

Mr. Sindyla – Thank you.

3) **WILLIAM VRANIC, OWNER**

- a) Requesting a 9' Rear Yard Encroachment variance from Zoning Code Section 1252.16 (e), which permits a 14' Rear Yard Encroachment into the 30' Rear Yard Setback and where a 23' Rear Yard Encroachment is proposed in order to approve an Existing Deck;
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Mr. Baldin – Okay, William Vranic, you're back here again. Do you want to run us through it one more time.

3) **WILLIAM VRANIC, OWNER, Cont'd**

Mr. Vranic – William Vranic, 13800 Blackberry Circle, Strongsville. Basically, this is the only spot where the deck could go. Bottom line, because I had to put the pool where I did and it's inside the pool. It's not as deep in the yard as the pool. There is still plenty of room for the flow and, like you said, the four posts, so it's not a total obstruction of anything.

Mr. Baldin – When you were here in the past, you put that deck in since then.

Mr. Vranic – Yes, sir.

Mr. Baldin – Okay. Mr. Allen, did one of our inspectors go out and catch this?

Mr. Allen – Yes, Mr. Chairman, when he went out to inspect the installation of the pool they found a deck.

Mr. Baldin – Okay. So, you just thought it would be all right to stick a deck in there and not have a problem with it?

Mr. Vranic – It was just a general oversight, sir. Honestly, there was a lot going on in my life at that time. Not to bug you, not to minor the details but bottom line is it's inside the pool and it's just an oversight.

Mr. Baldin – Do you have all the safety precautions up there, gates, etcetera and so forth?

Mr. Vranic – Yes, sir.

Mr. Harr - Mr. Chairman?

Mr. Baldin – Yes?

Mr. Harr – Was it permitted or not? Did you pull a permit at all?

Mr. Vranic – For the deck?

Mr. Harr – Yes.

Mr. Vranic – No.

Mr. Harr – So, the footers weren't inspected or anything like that?

Mr. Vranic – Correct.

Mr. Harr – Was it professionally installed or was it you and your buddies?

3) **WILLIAM VRANIC, OWNER, Cont'd**

Mr. Vranic – It was me and a close friend that does do decks and the like.

Mr. Harr – To your knowledge, the footers that you put in there meet Code?

Mr. Vranic – Yes.

Mr. Allen - Mr. Chairman?

Mr. Baldin – Yes?

Mr. Allen – What will happen is to the applicant, if they grant the variance, you will need to submit a complete set of drawings of how it was constructed. It will be reviewed and approved if it meets our current Code. Then it will be inspected by the Building Department. You will be required to expose anything that the inspector requires to make sure that it complies with the Code.

Mr. Baldin – Do you understand that, Bill?

Mr. Vranic – Yes.

Mr. Harr – You may have to dig down to expose the posts, one of the posts at least.

Mr. Vranic - Are you sure I wouldn't mess with the integrity of the structure though.

Mr. Allen - Mr. Chairman? You will have to do whatever is necessary that the inspector would be comfortable for the inspector to sign off on it.

Mr. Vranic – Okay.

Mr. Baldin – As long as you understand all of that.

Mr. Vranic – I understand, sir.

Mr. Baldin – Okay. Does anybody else have any questions then? If not, the 28th of July is your Public Hearing.

4) **LISA WOSNAK, OWNER**

Requesting an 11' Rear Yard Setback variance from Zoning Code Section 1252.05, which requires a 50' Rear Yard Setback and where a 39' Rear Yard Setback is proposed in order to construct an Addition; property located at 18471 Meadow Lane PPN 396-07-016 zoned R1-75.

4) **LISA WOSNAK, OWNER, Cont'd**

Mr. Baldin – Lisa Wosnak?

Ms. Wosnak – Lisa Wosnak, 18471 Meadow Lane, Strongsville. I just need an addition because I only have two bedrooms upstairs and I just had another baby and I have nowhere to put it.

Mr. Baldin – Okay, there was some discussion in caucus that you bought this property approximately nine years ago you said and didn't realize the shed was across the line, et cetera and so forth.

Ms. Wosnak – Which explains why I'm here.

Mr. Baldin – You sort of understood what went on. Mr. Harr gave you an idea of what you can and cannot do. Basically, you just need more room.

Ms. Wosnak – I do and on the back of the property there is an 8' City fence that the baseball diamonds back up to and right behind that, there is nothing – it's just my yard. I have a 6' fence around my house so it's all blocked in inside the fence.

Mr. Baldin – Okay.

Mr. Harr - Mr. Chairman, so in your opinion, pushing back towards the rear property line doesn't really impact any other residences. There is no one behind you.

Ms. Wosnak – Right.

Mr. Baldin – Sounds fine to me. Does anyone else have any questions? Your Public Hearing will be July 28th.

Mr. Harr – I'm sorry, I have one more question. I'm looking at the plan and I just want to make sure, the extension is only on the ground floor.

Ms. Wosnak – Yes, I have a ranch.

Mr. Harr – Is that just open space above it or is it attic?

Ms. Wosnak – No, it's a vaulted ceiling.

Mr. Harr – I understand what you're saying.

Mr. Baldin – I think we have clarified all the placements. July 28th will be the Public Hearing.

4) LISA WOSNAK, OWNER, Cont'd

Ms. Wosnak – Thank you.

Mr. Baldin – Thank you.

Mr. Evans - Mr. Chairman, do you want her to stake the corners since we will be out to look at it?

Mr. Baldin – Lisa, would you please mark the corners how far out you're going? Everybody is going to go out to take a look at the property.

Ms. Wosnak – Yes. There is a swing set in the way but we'll mark the corners.

Mr. Baldin – Put a stake in the ground or something.

Mr. Baldin – You don't have any dogs do you?

Ms. Wosnak – I do have two dogs.

Mr. Harr – You can spray the grass. You don't have to do the whole thing. Just the corners.

Ms. Wosnak – Do you know when you're coming?

Mr. Baldin – Is someone home during the day or not?

Ms. Wosnak – Yes, I'm usually there.

Mr. Baldin – It's hard to say. It might be the day before the meeting or a couple of days before we'll all get out and take a look.

Mr. Harr – It could be the day of the meeting.

Ms. Wosnak – I'll be there.

Mr. Baldin – Everybody comes separately. We don't come in a group.

Ms. Wosnak - You need to get in the back yard?

Mr. Baldin – Normally we would like to see everything.

Mr. Baldin – I'm sure the dogs will let you know that we're around.

(H) PUBLIC HEARINGS

5) **DAWN WIEMER, OWNER**

Requesting a 4' 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 6' high fence 4' beyond the setback of the main building; property located at 13504 Olde Orchard Road PPN 399-33-042 zoned R1-75.

Mr. Baldin – That concludes the first portion of the meetings here. We'll move on to Public Hearings and we only have one and this is Dawn Wiemer. Dawn, name and address and again, why you're here. I think we went over some of this in caucus but go ahead.

Ms. Wiemer – 13504 Olde Orchard Road in Strongsville and I'm here to replace the existing part of one side of the fence.

Mr. Baldin – Okay. I think some of the questions that we had were answered in caucus but we have all been there to look at your property and what you're showing here (indicating) is that there is no longer going to be a gate here (indicating). That is just going to be a solid panel. You have a gate on the other side and you just want to replace your fence.

Ms. Wiemer – That's it. I just want to make it look a little nicer.

Mr. Baldin – Any questions?

Mr. Harr - Mr. Chairman? Just to clarify, the fence is only going to come up although it's going to be towards Applebrook for the distance that the existing fence is there. It's not going to be any further –

Ms. Wiemer – No, it's just going to be right where it is.

Mr. Harr – We just may ask you at the conclusion to sign off of the plan so we have the right plan in our records there.

Ms. Wiemer – Okay.

Mr. Bohac – Not another plan, just sign on the one we have.

Mr. Harr – And I visited the site today. There really is no impact across the street. The fence that is there obviously needs repairing. You have a pool and everything there. I think anything lower would probably look funny.

Ms. Wiemer – You're right.

Mr. Baldin – Since this is a Public Hearing, is there anyone in the audience who would like to speak for this? Would anyone like to speak against this? If not, can I have a motion?

