

**CAUCUS PRIOR TO STRONGSVILLE BOARD OF ZONING &
BUILDING CODE APPEALS
Meeting of
March 6, 2024**

Board of Appeals Members Present: Dustin Hayden, Ken Evans, John Rusnov, Dave Houlé, Richard Baldin

Administration: Law Director Neal Jamison

Assistant Building Commissioner: Steve Molnar

Recording Secretary: Mitzi Anderson

The Board members discussed the following:

TAKE 5 OIL CHANGE, Arnold Consulting Engineering Services Inc., Agent

- a) Requesting a 12' Front Yard Building Setback variance from Zoning Code Section 1258.11(a), which requires a 125' Front Yard Building Setback from the Pearl Road center-line and where a 113' Front Yard Building Setback from the Pearl Road center-line is proposed in order to construct a 1,680 SF Take 5 Oil Change **and**
- b) Requesting a 9' Front Parking Setback variance from Zoning Code Section 1258.11(a), which requires a 30' Front Parking Setback from the street right-of-way and where a 21' Front Parking Setback from the street right-of-way is proposed in order to construct a 1,680 SF Take 5 Oil Change **and**
- c) Requesting a 7' Side Yard Parking Setback variance from Zoning Code Section 1258.11(b)(3), which requires a 20' Side Yard Parking Setback from the side street right of way and where a 13' Side Yard Parking Setback is proposed in order to construct a 1,680 SF Take 5 Oil Change, located on Pearl & Broxton Road, PPN 395-07-001, zoned MS- Motorist Service

Mr. Hayden – Item number one on the agenda is for Take 5 Oil Change, this property is located at Pearl and Broxton Road. They are requesting several variances for front yard building setback, front parking setback and side yard parking setback. This does have some limitations being on the corner lot.

Mr. Rusnov – The topography, lot size and location, we have also granted variances on this location before.

Mr. Jamison – Variances were granted on this location for Jiffy Lube in 2022.

Mr. Houlé – Two of these variances are shorter and smaller than what had been previously asked for. The one that had not been previously requested for the front parking setback, I would prefer to have that instead of pushing it back further into the yard, closer to the residential area.

Mr. Baldin – The numbers have changed a little but not a big deal. I have a question on the barrier in the back yard, is that a 4' chain link fence on the drawing? Don't you have to have more than that?

Mr. Jamison – When I talked to Dan Kolick about this, he said that the screening will be an issue that the Planning Commission will address, when it gets before them.

Mr. Rusnov – That is out of our control then.

Mr. Jamison - Correct.

Mr. Evans – The other thing I would like to mention because we will address these variances very quickly and easily most likely, I want to make sure that they understand that the variances for the signage would not necessarily be as easy, so that we prepare them for that. The drawings that we have do not include any signage but it is obvious where they are intending the signage to go and I want to make sure that we let them know, while we want them to be successful, that this is an easy one for us to let them get the lot developed but signage would be a different story.

Mr. Rusnov – It seems as if every new building wants the big signs.

Mr. Houlé – Will they get more signage because they are on a corner lot?

Mr. Evans – They are able to have more signage but when Jiffy Lube was going to do it, they had already requested additional signage and they didn't move forward so, they didn't require us to act on it.

Mr. Rusnov – That is what we have a code for.

Mr. Baldin – Other than that, I have no problem.

The Board members approved the minutes for January 24, 2024.

**STRONGSVILLE BOARD OF ZONING & BUILDING CODE APPEALS
MINUTES OF MEETING
March 6, 2024
7:00 PM**

The meeting was called to order at 7:00 PM by Mr. Hayden.

Present:

Mr. Baldin
Mr. Rusnov
Mr. Houlé
Mr. Evans
Mr. Hayden

Also Present:

Mr. Jamison, Law Director
Mr. Steve Molnar, Assistant Building Commissioner
Mrs. Anderson, Recording Secretary

Mr. Hayden – I would like to call this March 6, 2024 meeting of the Strongsville Board of Zoning and Building Code Appeals to order. May we have a roll call please?

ROLL CALL:	MR. BALDIN	PRESENT
	MR. RUSNOV	PRESENT
	MR. HOULÉ	PRESENT
	MR. EVANS	PRESENT
	MR. HAYDEN	PRESENT

Mr. Hayden – I hereby certify that this meeting has been posted in accordance with Chapter 208 of the Strongsville Codified Ordinances.

Mr. Hayden - Before us we also have minutes to approve from our meeting on January 24, 2024. We discussed this in caucus and there were no corrections or changes and we will file those accordingly.

Mr. Hayden - If you are here this evening and you plan on addressing the Board, I would ask that you stand and be sworn in by our Law Director, as well as our Secretary and Building Department representative.

Mr. Jamison administered the oath to those standing.

TAKE 5 OIL CHANGE, Arnold Consulting Engineering Services Inc., Agent

- a) Requesting a 12' Front Yard Building Setback variance from Zoning Code Section 1258.11(a), which requires a 125' Front Yard Building Setback from the Pearl Road center-line and where a 113' Front Yard Building Setback from the Pearl Road center-line is proposed in order to construct a 1,680 SF Take 5 Oil Change **and**
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Mr. Hayden – Item number one on our agenda this evening is for Take 5 Oil Change. If a representative could step up to the microphone and give us your name and address for the record.

Ben McDaniel, 1136 South Park Drive, Bowling Green, Kentucky, 42101

Mr. Hayden - You heard some of our comments during Caucus, please take us through the project and the need for the variances. We understand there is a topographical issue there with this being a corner lot.

Mr. McDaniel – You all really hit the points that I was going to discuss and there is not much to add on to that and we are kind of pigeonholed with that being a corner lot. The setbacks really take out of the lot, to really do anything that is useable, whether it is our development which is a very small building as is and it is hard to imagine anything else going there and that was part of our justification in seeking these variances.

Mr. Houlé – Mr. Chairman as I noted, we appreciate the setbacks not being as big as they could be. We had previously looked at another business going in there and they dropped out but your setbacks are less than what they asked for. Regarding the front parking setback, I would rather have the parking closer to the road than pushing the building back closer to the residential area back there.

Mr. Evans – Mr. Chairman and Mr. McDaniel, the only thing that I would want to observe is that a lot of time when we do variances like this for setbacks because that is an older area, it is very easy for us to see the need for doing that. When Jiffy Lube was in for the variances we also had a discussion with them about signage because they wanted signage on all four (4) sides of the building. Just so you understand, we are looking at these variances tonight and it will probably seem like they are being approved very quickly but signage is a different story for us. Please understand if you are representing Take 5 Oil Change, when they come in with a thousand signs on the building we probably will not be as hospitable as we are tonight looking at the variances on the setbacks.

Mr. Rusnov – We do not want to set precedents for the rest of the City and we understand that this is a unique situation. We have a code that we have to follow and until the code is revised we are powerless.

Mr. McDaniel – Our client is aware of signage restrictions and they are manipulating their prototype to fit your standards.

Mr. Hayden – Are there any other questions?

Mr. Baldin – I think everything has been covered and they have made some changes for the better.

Mr. McDaniel - Earlier in Caucus, you were discussing the 4' chain link fence and they are going to upgrade that, which I thought I reflected on the plan. They are planning to do a masonry wall or an 8' vinyl fence so, in addition to the landscape buffer they will be providing that wall and I believe that was a request from Mr. Smerigan.

Mr. Hayden – This is a public hearing, is there anyone in the audience that wishes to speak for the granting of the variance. Is there anyone in the audience that wishes to speak against the granting of the variance. Hearing none and seeing none, I will declare the public hearing closed and entertain a motion.

Mr. Rusnov – Mr. Chairman, I make a motion to approve request for a 12' Front Yard Building Setback variance from Zoning Code Section 1258.11(a), which requires a 125' Front Yard Building Setback from the Pearl Road center-line and where a 113' Front Yard Building Setback from the Pearl Road center-line is proposed in order to construct a 1,680 SF Take 5 Oil Change.

Mr. Houlé – Mr. Chairman, I make a motion to approve a request for a 9' Front Parking Setback variance from Zoning Code Section 1258.11(a), which requires a 30' Front Parking Setback from the street right-of-way and where a 21' Front Parking Setback from the street right-of-way is proposed in order to construct a 1,680 SF Take 5 Oil Change **and** a request for a 7' Side Yard Parking Setback variance from Zoning Code Section 1258.11(b)(3), which requires a 20' Side Yard Parking Setback from the side street right of way and where a 13' Side Yard Parking Setback is proposed in order to construct a 1,680 SF Take 5 Oil Change, located on Pearl & Broxton Road, PPN 395-07-001, zoned MS - Motorist Service

Mr. Evans – Second.

Mr. Hayden – Thank you, Mr. Rusnov and Mr. Houlé for the motions and Mr. Evans for the second. May we have a roll call please?

ROLL CALL:

MR. RUSNOV	YES
MR. HOULÉ	YES
MR. EVANS	YES
MR. HAYDEN	YES
MR. BALDIN	YES

MOTION APPROVED

Mr. Hayden – Mr. McDaniel, this variance has been granted by this Board and Council will have any opportunity to review our decision and they meet the first and third Monday of each month, I believe the next meeting is on March 18, 2024. You will need to wait for that meeting in order for them to review our decision, should they choose not to act you will be notified by the Building Department to move forward with your project.

Mr. Hayden – Is there any other business to come before this Board?

Mr. Houlé – Just as a reminder, I will be missing the next meeting in March.

Mrs. Anderson – The applicant on the March 20th agenda wanted to make the Board aware that there is a dog on the premises at 19293 Bowman Drive and you should beware and cautious also, please knock on the front door for entry onto the property.

Mr. Hayden – If there is no further business to come before this Board, this meeting is adjourned.

Dustin Hayden /s/

Mitzi Anderson /s/

3/20/24

Mr. Hayden, Chairman

Mrs. Anderson, Secretary

Approval Date