

**CAUCUS PRIOR TO STRONGSVILLE BOARD OF ZONING &
BUILDING CODE APPEALS
Meeting of
June 25, 2025**

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

Administration: Assistant Law Director Daniel Kolick

Assistant Building Commissioner: Steve Molnar

Recording Secretary: Mitzi Anderson

The Board Members discussed the following:

1) **MICHAEL BLUBAUGH (OWNER)**

Requesting a variance from Zoning Code Section 1436.02, which requires a concrete driveway or interlocking paving stones and where an asphalt driveway is proposed, property located at 8396 Fair Rd., PPN. 391-11-003, zoned R1-75

Mr. Hayden – Item number one on the agenda is 8396 Fair Road and this request is for an approximately 600' long asphalt driveway.

Mr. Rusnov – That is an unusual lot and driveway and the house is one of the first houses built on Fair Road.

Mr. Kolick – The lot is landlocked and they have an easement through the neighbor's property, which is the only way we can approve this.

Mr. Houlié - Has half of the driveway been repaved?

Mr. Kolick – They started working on the driveway without a permit.

Mr. Molnar – That is correct.

Mr. Houlié - What is the hardship in this case?

Mr. Kolick – The only hardship would be the length of 600' and the cost between concrete and asphalt.

Mr. Houlé – The cost is not a hardship and is not one of the four reasons to grant a variance. Half of the driveway is already done and there is about 300' that is not done, I cannot see this being a hardship.

Mr. Evans – This may be grandfathered from the standpoint that this was originally done in 1977. When driveways have come before this Board, we have been very hard and fast but I think that the conditions here even though it is not a topographical issue, I would argue because it is a 600' long driveway and we do allow asphalt for parking lots and driveways on commercial properties. This was done in 1977 and was done far in advance of any of the Codes that we have. I think that because of the age and the situation it would meet our criteria for granting a variance.

Mr. Rusnov – We have granted other ones and have set a precedent.

Mr. Houlé - Not since I have been on the Board.

Mr. Hayden – There was one who had already done the driveway and we granted a variance.

Mr. Evans – I would question, whether they are going to do the asphalt the entire way? I think that if we are going to grant a variance, it should be done the right way and that would be for the entire driveway.

Mr. Hayden – Steve, do you know anything about this? I was under the impression that this was for the whole driveway.

Mr. Molnar – Yes, it is for the whole driveway.

Mr. Baldin – Will it be from Fair Road, all the way back?

Mr. Molnar - Yes, that is what I understand.

Mr. Houlé - We have said no to other requests and there is about 300' that has to be redone.

Mr. Evans – The original easement that was granted said repair or replacement of any asphalt, concrete or other type of driveway surfacing material that may be applied upon the said easement land. Back in 1977 that was something that was done at that time and our Code was certainly different at that time. I recognize that the Code is different now, but Mr. Kolick has said unless they are doing something that is an upgrade to the property we do not have to require that because we have now done that several times

Mr. Kolick – The easement gave them access but it is not something that we approve as a City and what the easement says should not dictate what the Board does here. The neighboring property owner was concerned that if the run-off from this driveway would affect her property; however, she was not objecting to the driveway. If this is approved, he will have to get with our Engineering Department to make sure they will not cause any run-off problems on to the neighbor's property.

Mr. Evans – If the Board approves this request, should it be conditioned on the Engineering Department's approval.

Mr. Kolick – No, because the Engineering Department will automatically look at it. He will need to be cautious in installing the driveway so that he does not cause any drainage problems on the neighboring properties.

Mr. Baldin – Has the lot been split off?

Mr. Kolick – It is a separate land locked parcel and if you look on the auditors map it shows a separate parcel number.

The Board Members approved the minutes for June 11, 2025.

**STRONGSVILLE BOARD OF ZONING & BUILDING CODE APPEALS
MINUTES OF MEETING
June 25, 2025
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. Kolick, Assistant Law Director
Mr. Molnar, Assistant Building Commissioner
Mrs. Anderson, Recording Secretary

Mr. Hayden – I would like to call this June 25, 2025 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 June 11, 2025. 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 Assistant Law Director, as well as our Building Department representative and Secretary.

Mr. Kolick administered the oath to those standing.

2) **MICHAEL BLUBAUGH (OWNER)**

Requesting a variance from Zoning Code Section 1436.02, which requires a concrete driveway or interlocking paving stones and where an asphalt driveway is proposed, property located at 8396 Fair Rd., PPN. 391-11-003, zoned R1-75

Mr. Hayden – Item number one on the agenda is for 8396 Fair Road. Please give us your name and address for the record.

Michael Blubaugh, 8396 Fair Road, Strongsville, Ohio

Mr. Hayden – You were here during the duration of Caucus and heard our comments regarding your project, please give us a description of the project, the need for the variance and if you would like to address some of the Board's comments.

Mr. Blubaugh – Many of you probably drove by and saw the work done, so it does not give the full justification on why we started the project. The road was in terrible condition and we couldn't receive deliveries, Amazon would not come down the road, we had to wait three weeks for a refrigerator and we had to use coolers because no one from Home Depot would come down the driveway to do a delivery and it was causing problems in our life. We cost assessed replacing the driveway with gravel, asphalt and concrete, which was upwards of \$ 50,000 to get it done versus asphalt, which was \$13,000 and it seemed like a no brainer. My neighbor is here and she has an asphalt drive that is similar to mine, approximately 500' – 600' long. I assumed that there was not an issue with installing asphalt, so we got started and a gentleman from the City, I can't recall his name, told us that we had to stop and now we are starting this process here. The potholes were 6"- 8" inches deep and we tried to fill them and the rocks would splash out and it was becoming a hazard for us and anyone coming down the driveway. I would like to finish the driveway with asphalt and have gotten permission from all of the neighbors that are in direct contact with the driveway. I spoke with my contractor regarding the run-off problems and he wants to slant it the other way so that the run-off is in the other direction of the driveway and that is the current plan to address the run-off issue.

Mr. Baldin – Will you continue the driveway from Fair Road, all the way up to meet where you already have asphalt poured?

Mr. Blubaugh – Yes, there is a bridge in the middle and that is the City's property, so we will not touch that and it is already done in asphalt. We assumed that we would match what is there already. It will go from our driveway, to the bridge, skip the bridge and then all the way to the road.

Mr. Baldin – When you first come off of Fair Road and turn will it go to the house that sits there. Will that be asphalt too, or just this portion?

Mr. Blubaugh – I spoke with that neighbor and offered to include his driveway and he would get the cost savings, but their plan is to move within the next year or two and he did not want to invest any more money in their property. He actually just poured new rocks on his driveway and it is substantially cheaper, which cost him around \$300.00. We talked about it and he was fine with us going to the road.

Mr. Kolick – Steve, he is referring to a bridge, is there a culvert back there?

Mr. Molnar – Yes, Neal Jamison is aware of this because there was a project that went through here. They created this bridge because something happened when an ambulance went back there a few years ago and the ambulance got stuck or could not get over the bridge to get the person out of the house. It became a safety issue and the City got involved.

Mr. Kolick – If this is granted or not granted we should have the Engineering Department look at the bridge.

Mr. Molnar – The City Engineer, Ken Mikula has been involved with it and has been involved since the beginning.

Mr. Houlé - That is quite a difference in the price from what you quoted for the concrete versus black top. I have looked at some of the prices and I am surprised that it is that much of a difference.

Mr. Blubaugh – The quote for the asphalt that I received from this contractor was significantly cheaper than anyone else. The other asphalt quotes that I received were around \$20,000.

Mr. Houlé - I read that asphalt does not hold up very well.

Mr. Blubaugh – My neighbors asphalt driveway has been there for a long time and from what I understand the City put my neighbor's driveway in.

Mr. Hayden – This is a public hearing, is there anyone in the audience that wishes to speak for the granting of the variance.

Linda Rhea, 8400 Fair Road, Strongsville, Ohio

Ms. Rhea – Back in 2015 or 2016 the City and the County came out and tore out all the bridges on Prospect and Priem Road and our two were the only ones on the street that were affected. They came in and tore out the bridge that I had, which was concrete and made to ODOT specifications. When they came in, I had replaced my driveway in the back a while ago; however, the front one from the road to the bridge was deteriorating and they tore that out and put rocks down. I told them I did not want just rocks because you can not plow very well over rocks, so they put in asphalt. As far as the upkeep, you do need to reseal it every couple of years, repair the cracks and also do weed control along the sides.

Mr. Kolick - Steve, do we have requirements for the depth and underlayment of the asphalt? My concern is that he has half of it poured and we will have to look at that issue too.

Mr. Molnar – You would need to talk to Lori Daley, the Engineering Department has their own specifications on how they do commercial lay and they have specifications for that.

Mr. Kolick – They would have to meet the specifications because how would it hold up.

Mr. Blubaugh – You mentioned plowing and this could be considered a safety issue because in the winter we have had a lot of problems with getting stuck in the driveway. I have a little push plow that I use now and it just shoots rocks and having a paved asphalt driveway would eliminate that problem.

Mr. Baldin – You took it upon yourself to install the driveway without a permit?

Mr. Blubaugh – I did not think there would be any issues because I see asphalt driveways everywhere. The contractor said if we can get it started next week I will give you this price. He came in with all of the equipment, leveled it and pressed it down real tight, the

part that he has done so far looks great. They fixed the parts that were sunken in and I think they did a 3" minimum of asphalt and in some areas, it was 4" -5" because it was not exactly leveled. I do not know what the specifications are for driveways.

Mr. Houlé - I think you will have maintenance issues, if you have trucks going in and out for deliveries, it will not hold up like concrete.

Mr. Blubaugh – I would rather have maintenance issues for the \$13,000 cost and pay \$20,000 over the next 30 years than to take out a mortgage on my house, just to pay for it.

Mr. Houlé - That is not a hardship for the Board in granting zoning variances.

Mr. Blubaugh – I understand but it is a hardship for your citizens.

Mr. Kolick – Steve, is the contractor registered in the City?

Mr. Molnar – This is why we stopped the job because the contractor was not registered and did not obtain any permits.

Mr. Hayden – Who is your contractor?

Mr. Blubaugh – His name is Chance Riley and I don't know his business name.

Mr. Kolick - Even if this variance was granted your contractor will have to register with the City and normally that is where this is picked up. If the contractor was registered he probably would have known that he needed a permit before he began the work.

Mr. Blubaugh – He works in Akron and all the other counties he has worked in they do not require permits for asphalt driveways.

Mr. Baldin – That is what he told you.

Mr. Blubaugh – I do not know but that is what he told me. He told me that we have never pulled a permit for a driveway. This is the situation, I paid him for the percentage of the job that he did and told him that I would go through this process to see what happens.

Mr. Baldin – We had this same situation 2-3 years ago on Drake Road.

Mr. Blubaugh – I told him that he still needs to get registered and obtain a permit.

Mr. Hayden – Obviously, one part of the driveway is already done, up by the house. Is there anything that says you can't run concrete from the road back to the bridge?

Mr. Houlé - Of course not, no.

Mr. Evans – Mr. Blubaugh, how long have you lived in Strongsville?

Mr. Blubaugh – I have lived here 2.5 – 3 years. The driveway was in okay shape when we purchased it but it deteriorated quickly. Our plan is to be in that house the next 50 years, we are not going anywhere.

Mr. Evans – Mr. Houlé is right, an economic hardship is not one of the reasons for a variance that allows us to make the distinction here. The easement was done in 1977, while the City is not obligated to follow the easement it certainly sets the criteria that this has been in place for a long period of time, prior to any of the current zoning or building requirements. That is one of the reasons that we have so many asphalt driveways around the City, because they all predated anything that Council did to change the building requirements. That is something that we can consider when we are considering variances.

Mr. Blubaugh – What are the four reasons to grant a variance?

Mr. Kolick – A topographical issue is usually the main reason we run into.

Mr. Blubaugh – Is there any reason they approved my neighbors asphalt driveway?

Mr. Hayden – This Board probably never approved it.

Mr. Blubaugh – Did the City install the driveway?

Ms. Rhea – This went through the City's legal department beforehand, because they sent out information. At the time, I did not realize that the bridge was going to be torn out and I had to give permission for them to do the work. During that time my mother was totally

incapacitated and we had to make provisions for them to be able to get an ambulance back there. The deal was the City tore out the driveway and wanted to leave rocks and I did not agree so they installed asphalt. If you are going to make him put in concrete, why was my driveway not installed that way?

Mr. Houlé - Your situation sounds like a different case because they had to tear it out to get to the bridge that they were replacing.

Mr. Blubaugh – If that is the case, why didn't the City pay for the concrete driveway?

Mr. Houlé - I don't know who replaced it.

Ms. Rhea – That is what the zoning required back then. I am curious as to why there is a difference.

Mr. Blubaugh – Sounds like it was an economic hardship for the City.

Mr. Hayden – What year was that?

Ms. Rhea – Around 2015 or 2016. The City received a grant or something, because of the flooding of the stream.

Mr. Hayden - 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. Evans - Mr. Chairman, I would like to make a motion to approve a request for a variance from Zoning Code Section 1436.02, which requires a concrete driveway or interlocking paving stones and where an asphalt driveway is proposed, property located at 8396 Fair Rd., PPN. 391-11-003, zoned R1-75

Mr. Houlé - Second.

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

ROLL CALL:

MR. RUSNOV	YES
MR. HOULÉ	NO
MR. EVANS	YES
MR. HAYDEN	NO
MR. BALDIN	YES

MOTION APPROVED

Mr. Hayden – Your variance has been approved by this Board and you are all set, contact the Building Department to continue with your project.

Mr. Kolick – Go to the Building Department to get everything you need regarding the engineering and the installation of this project. They may need to know what happened with the existing asphalt that has already been installed and the depth of the asphalt. Make sure that your contractor comes in and gets registered and obtain permits, they will guide you with what they need between engineering and building to review what was already done and to complete the project.

Mr. Molnar – You can contact me at the Building Department.

Mr. Blubaugh – Do I have to reapply for a permit?

Mr. Kolick – You will need to apply for a permit because none was ever applied for and you do need to submit information for engineering and the building department. They will need to review the drawings and topographical plans for the project to see where the water is going from the site. Contact the Building Department and they will tell you what they need.

Mr. Blubaugh – Okay.

Mr. Baldin – Is there any type of a fine for starting the project without a permit?

Mr. Molnar – There is a triple fee on the project.

Mr. Hayden – If there is nothing else to come before the Board, this meeting is adjourned.

Dustin Hayden /s/

Mitzi Anderson /s/

7-09-25

Mr. Hayden, Chairman

Mrs. Anderson, Secretary

Approval Date