

**CAUCUS PRIOR TO STRONGSVILLE BOARD OF ZONING &
BUILDING CODE APPEALS
MEETING OF
October 4, 2023**

Board of Appeals Members Present: Dustin Hayden, Ken Evans, John Rusnov, Dave Houlé, 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 DZURNAK (OWNER), KERRY SHIMKO, AGENT

- a) Requesting a variance from Zoning Code Section 1274.06, which prohibits the extension of a nonconforming building or use to construct an unenclosed covered patio **and**
- b) Requesting a 193.75 SF floor area variance from Zoning Code Section 1252.15, which permits a 200 SF floor area and where a 393.75 SF floor area is proposed to construct an unenclosed covered patio, property located at 14274 Timber Lake Drive, PPN. 398-09-085, zoned R1-75

Mr. Hayden - Item number one is Mr. Dzurnak at 14274 Timber Lake Drive, this is a request for an unenclosed covered patio and is a SF floor area variance.

Mr. Baldin – I have no problem with this request and there is common area behind the property.

Mr. Hayden – We have received homeowners association approval for this request.

Mr. Rusnov – This is a large variance, but it is not out of line for variances we have approved in the past, this property is a pie shaped lot and is located on a cul-de-sac.

2) NEIL & DONNA ROZMAN (OWNER)

Requesting a 434 SF floor area variance from Zoning Code Section 1252.15, which permits a 200 SF floor area and where a 634 SF floor area is proposed to construct a pavilion over an existing patio, property located at 14065 Timber Lake Drive, PPN 398-09-097, zoned R1-75

Mr. Hayden - Item number two is Mr. Neil Rozman at 14065 Timber Lake Drive, this is a request for a SF floor area variance.

Mr. Rusnov – This is a larger request but they have made improvements to the property and would like to replace the existing awning with a regular roof.

Mr. Baldin – I have no problem with this request.

Mr. Evans – My question is whether or not they intend on having a fire pit, under the roof area?

Mr. Hayden – We can address that with the resident on the floor.

3) LOUIS RIPEPI (OWNER), ED LECHLER, AGENT

Requesting a 7' rear yard setback variance from Zoning Code Section 1252.29 (b)(1), which requires a 15' rear yard setback and where an 8' rear yard setback is proposed to install a swimming pool, property located at 14409 Castlereagh Lane, PPN 398-17-055, zoned R1-75

Mr. Hayden – The last item on the agenda is a request for a setback variance for the installation of a pool. We have a letter from the homeowners association, Avery Walden. Also, the Metroparks is located behind this property.

Mr. Evans – In a couple of our past meetings we have received a response from the Metroparks regarding variances that abut their property and they would have received notification regarding this variance; however, we did not receive a response from them regarding this request. So, I assume this is because they have no objection to the request.

Mr. Baldin – This contractor does a lot of work in the City and does a great job.

The Board members had no changes to the minutes of September 27, 2023.

**STRONGSVILLE BOARD OF ZONING & BUILDING CODE APPEALS
MINUTES OF MEETING
October 4, 2023
7:00 PM**

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

Present:

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

Also Present:

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

Mr. Hayden – I would like to call this October 4, 2023 meeting of the Strongsville Board of Zoning and Building Code Appeals to order. May we have a roll call please?

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| 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 September 27, 2023. We discussed this in caucus and there were no corrections or changes needed and we will file those accordingly.

Mr. Hayden – We also need a motion on the approval of Findings of Fact and Conclusions of Law, Re: Denial of Two Variances for Joan Wasdovitch; Owner, Great Day Improvements; Agent, for 14521 Baywood Lane, PPN. 398-19-174

Mr. Houlé – Mr. Chairman, motion to approved the Findings of Fact and Conclusions of Law, Re: Denial of Two Variances for Joan Wasdovitch; Owner, Great Day Improvements; Agent, for 14521 Baywood Lane, PPN. 398-19-174

Mr. Baldin – Second.

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

ROLL CALL:

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

MOTION APPROVED

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 Secretary and Building Department representative.

Mr. Kolick administered the oath to those standing.

1) MICHAEL DZURNAK (OWNER), KERRY SHIMKO, AGENT

- a) Requesting a variance from Zoning Code Section 1274.06, which prohibits the extension of a nonconforming building or use to construct an unenclosed covered patio **and**
- b) Requesting a 193.75 SF floor area variance from Zoning Code Section 1252.15, which permits a 200 SF floor area and where a 393.75 SF floor area is proposed to construct an unenclosed covered patio, property located at 14274 Timber Lake Drive, PPN. 398-09-085, zoned R1-75

Mr. Hayden - Item number one on the agenda is for 14274 Timber Lake Drive. If we can have the representatives step up to the microphone and give your names and addresses for the record.

Mr. Kerry Shimko, 20539 Westwood Drive, Strongsville, Ohio 44149

Mr. Michael & Nancy Dzurnak, 14274 Timber Lake Drive, Strongsville, Ohio 44136

Mr. Dzurnak – We are requesting a variance to build a larger covered patio than is permitted by the current zoning code. We currently have four adult children with spouses, and one grandchild who frequently visit us. As you can imagine, we need a large gathering area to sufficiently handle even our small gatherings. This backyard addition is essential because we love to have staycations in Strongsville by supporting our local establishments rather than going out of town for vacations. As many of you have seen from your visit to our back yard, we have a width of 130' on our back property line, there is a common area behind us and since we are located on a corner both of our side neighbors are significantly further from us due to the pie shape configuration of our lot. For these reasons we hope you consider approving our requested variances. Thank you, and please know that we appreciate your time spent serving on the Board of Zoning and Building Code Appeals.

Mr. Houlé – We have the homeowners association approval.

Mr. Hayden – Although this is a large request, it is not something that is uncommon or that we have not seen here over the last couple of years.

Mr. Hayden – Are there any questions from the Members?

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, motion to approve request for a variance from Zoning Code Section 1274.06, which prohibits the extension of a nonconforming building or use to construct an unenclosed covered patio and a request for a 193.75 SF floor area variance from Zoning Code Section 1252.15, which permits a 200 SF floor area and where a 393.75 SF floor area is proposed to construct an unenclosed covered patio, property located at 14274 Timber Lake Drive, PPN. 398-09-085, zoned R1-75

Mr. Evans – Second.

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

ROLL CALL:

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

MOTION APPROVED

Mr. Hayden – Mr. Dzurnak, the variances have been granted by the Board. There is a twenty-day waiting period during which City Council has an opportunity to review our decision. If Council chooses not to act you will be notified by the Building Department at the end of the twenty days.

2) NEIL & DONNA ROZMAN (OWNER)

Requesting a 434 SF floor area variance from Zoning Code Section 1252.15, which permits a 200 SF floor area and where a 634 SF floor area is proposed to construct a pavilion over an existing patio, property located at 14065 Timber Lake Drive, PPN 398-09-097, zoned R1-75

Mr. Hayden - Item number two is for Mr. and Mrs. Rozman. May the representative come forward and state your names and addresses for the record.

Mr. Neil Rozman, 14065 Timber Lake Drive, Strongsville, Ohio 44136

Mr. Hayden – Please briefly take us through the project and the need for the variance.

Mr. Rozman – As you can see from the topo, topography has always been the problem in my backyard. We are the second owner of the property and the original owner had a deck that was not well maintained, we considered expanding the deck but decided to do a raised stoned patio. The patio was covered with a canopy that was taken down every fall and put back up every spring, we have been through several canopies now and it is getting harder to find companies that repair canopies. If we were to get another one, it would be way over the cost of a solid roof so we decided our best option for a solid roof is going to be a pavilion on top of the patio. The pavilion over the patio is the same size as the canopy but the area where we used to have our fire ring, although we will not have a fire ring anymore, that area we decided to convert into a small sitting area. The roof was extended out into a small L-shape portico type of extension.

Mr. Hayden – We do have the homeowners association approval on this. Mr. Evans had his questioned answered from caucus regarding the fire pit.

Mr. Evans – There was a fire pit there originally and I am assuming that Mr. Rozman is not going to construct a fire pit underneath the new pavilion.

Mr. Rozman - It is always a bad idea, having a fire pit underneath a roof.

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. Evans – Mr. Chairman, motion to approve request for a variance for a 434 SF floor area variance from Zoning Code Section 1252.15, which permits a 200 SF floor area and where a 634 SF floor area is proposed to construct a pavilion over an existing patio, property located at 14065 Timber Lake Drive, PPN 398-09-097, zoned R1-75

Mr. Rusnov – Second.

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

ROLL CALL:

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

MOTION APPROVED

Mr. Hayden – Mr. Rozman, this variance has been granted by this Board. There is a twenty-day waiting period during which City Council has an opportunity to review our decision. If Council chooses not to act you will be notified by the Building Department at the end of the twenty days.

3) LOUIS RIPEPI (OWNER), ED LECHLER, AGENT

Requesting a 7' rear yard setback variance from Zoning Code Section 1252.29 (b)(1), which requires a 15' rear yard setback and where an 8' rear yard setback is proposed to install a swimming pool, property located at 14409 Castlereagh Lane, PPN 398-17-055, zoned R1-75

Mr. Hayden - Item number three is a request for 14409 Castlereagh Lane. Mr. Lechler, please come forward and state your name and address for the record.

Mr. Ed Lechler, 12565 Prospect Road, Strongsville, Ohio 44149

Mr. Hayden – Please briefly take us through the project and the need for the variance.

Mr. Lechler – The client called us and requested an inground swimming pool and patio, we ended up shrinking the pool from what he originally wanted and made it fit the backyard better. The problem is that the setback rule puts the pool really close to the house, so I explained to him that he may not be the only person who lives there one day. There is a covered back porch and if we don't move it away one day a kid may decide to run and jump into the pool so, we want it moved back to where it is safer and better for the future.

Mr. Hayden – We do have a letter from the homeowners association's design review committee approving the project. Mr. Rusnov, as you noted in caucus this is probably one of the last remaining lots in the subdivision.

Mr. Rusnov – They may not have the pick of what they might have wanted and they are making the topo work for them. We have granted other variances for similar projects, I have no problem with this request.

Mr. Evans - Mr. Chairman, just two questions for Mr. Lechler. Will this have one of the automatic covers over it?

Mr. Lechler - Yes.

Mr. Evans – The second question is not really a question but an observation. As we talked in caucus the Metroparks would have been notified of this and the past couple of times that they were notified they have chosen not to respond. Usually, their response has been if the project does not compromise their property they did not have a problem with the variance. I am assuming at this point that the Metroparks would not have any objection to this, this time.

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. Baldin – Mr. Chairman, motion to approve a request for a 7’ rear yard setback variance from Zoning Code Section 1252.29 (b)(1), which requires a 15’ rear yard setback and where an 8’ rear yard setback is proposed to install a swimming pool, property located at 14409 Castlereagh Lane, PPN 398-17-055, zoned R1-75

Mr. Houlé – Second.

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

ROLL CALL:

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

MOTION APPROVED

Mr. Hayden – Mr. Lechler, this variance has been granted by this Board. There is a twenty-day waiting period during which City Council has an opportunity to review our decision. If Council chooses not to act you will be notified by the Building Department at the end of the twenty days.

Mr. Hayden – If there is no further business this meeting is adjourned.

Mr. Hayden, Chairman

Mrs. Anderson, Secretary

Approval Date