

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

**Meeting of
April 24, 2019
7:30 p.m.**

Board of Appeals Members Present: Kenneth Evans, John Rusnov Tom Smeader, and Dave Houlé

Administration: Law Director Neal Jamison

Building Department Representative: Brian Roenigk

Recording Secretary: Kathy Zamrzla

The Board members discussed the following:

NEW APPLICATIONS

1) LINDA KAMINSKI, OWNER/Ken Mika with Great Day Improvements, Representative

Requesting an 8' Rear Yard Setback variance from Zoning Code Section 1252.05, which requires a 50' Rear Yard Setback and where a 42' Rear Yard Setback is proposed in order to construct a 192 SF Sunroom; property located at 13231 Tradewinds Drive, PPN 399-32-068, zoned R1-75.

The Board indicated that they have received an HOA approval letter from Spyglass Hill. They specified that the houseline is further back to where the addition is proposed. The Board mentioned that Spyglass Hill is an older development, and some regulations have changed since the house was built and now causes issues with adhering to the Code. They noted that there is a stamped patio which this sunroom will be a part of.

2) JANICE AND ANTHONY CARRUBBA, OWNERS

- a) Requesting an 957 SF Floor Area variance from Zoning Code Section 1252.15, which permits a 323 SF Floor Area and where a 1,280 SF Floor Area is proposed in order to construct an Accessory Structure;
- b) Requesting a 2' Height variance from Zoning Code Section 1252.04 (g), which permits a 15' Height and where a 17' Height is proposed in order to construct a 1,200 SF Accessory Structure; property located at 19646 Prospect Road, PPN 394-20-026, zoned R1-75.

The Board noted that the height is incorrect in the agenda. The applicants are proposing 17' where 15' is permitted, not the other way around. They stated that they will need to ask the applicant about running a business out of their pole barn since it is so large. The Board examined the size of the lot, and concluded that it's almost a full acre, but it's not large enough to adhere to the Code for this size of a structure without a variance. They also noted that they are meeting all the setback requirements, and they are also putting in a hard

surface driveway to the structure. They mentioned that it's remote in their backyard, with no neighbors nearby since they back up to the wooded Metroparks.

3) CHARLES AND RITA DRVENKAR, OWNERS

- a) Requesting a variance from Zoning Code Section 1252.15, which prohibits a second Accessory Structure and where an 80 SF Accessory Structure exists and a second 144 SF Accessory Structure is proposed;
- b) Requesting a 15' Setback variance from Zoning Code Section 1252.15 (a), which requires a 20' Setback from the main dwelling and where a 5' Setback from the main dwelling is proposed; property located at 13852 Cartwright Parkway, PPN 398-04-070, zoned R1-75.

The Board indicated that they have an approval letter from Cartwright Homeowners Association. They specified that this is their second accessory structure because they also have an existing shed, but the Board pointed out that a pergola is considered to be a stand-alone structure as well. The Board noted that they already have a 6' fence as well.

4) ROB AND KRISTY PIETRUSZKA, OWNERS

Requesting a 1,040 SF Floor Area variance from Zoning Code Section 1252.22 (c), which permits a 1,000 SF Floor Area and where a 2,040 SF Floor Area is proposed in order to construct an Attached Garage; property located at 12755 Arbor Creek Drive, PPN 398-27-060, zoned R1-100.

The Board indicated that this is a custom-built luxury-class home, those of which range from 5K-10K SF, and it is not unusual for them to have a 4 or 5 car garage. They specified that this is a 7 car garage. The Board mentioned that it is similar though to one they have already approved, and that it is a secluded area. They noted that the builder does excellent quality construction. The Board stated that this is the largest lot that they have examined so far, being a 6 acre lot. They indicated that this design fits the house, and that a typical 2-3 car garage would really be small for the size of it. They also mentioned that it's in the rear of the property as well.

PUBLIC HEARINGS

5) DEBRA POUCHER, OWNER

Requesting a 13' Setback variance from Zoning Code Section 1252.17 (c), which requires a 16' Setback from the right-of-way and where a 3' Setback from the right-of-way is proposed in order to construct a 6' high wood privacy fence; property located at 14960 Boston Road, PPN 399-24-022, zoned R1-75.

The Board indicated that they had asked for a police report on this matter, and had received one which recommended that they allow for no less than 11' off of the sidewalk for the fence setback. They noted that it will compromise the backyard area, which the applicant had wanted, it's a safety concern that they will need to adhere to. The Board specified that this is supposed to be a 6' high fence, and they would recommend that it be lowered for visibility sake since it is to be a solid fence. They mentioned that there is a HOA even though they are on Boston Road.

6) DAVE AND MICHELLE SHEA, OWNERS/Edward Kisiel with EKA Build Corp. Representative

Requesting an 8.5' Rear Yard Setback variance from Zoning Code Section 1252.05, which requires a 50' Rear Yard Setback and where a 41.5' Rear Yard Setback is proposed in order to construct an Addition; property located at 20158 Carlyle Drive, PPN 392-32-082, zoned R1-75.

The Board indicated that this is a deck that is replacing one of the same footprint. They specified that instead of an open deck, it will be essentially enclosed, and then they would like to build a new deck off of that enclosure. The Board mentioned topographical issues due to the shape of their lot as well as a drop-off in the rear.

**STRONGSVILLE BOARD OF ZONING & BUILDING CODE APPEALS
MINUTES OF MEETING
April 24, 2019**

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

Present: Mr. Evans
Mr. Rusnov
Mr. Smeader
Mr. Houlé

Also Present: Mr. Jamison, Law Director
Mr. Roenigk, Building Department Representative
Ms. Zamrzla, Recording Secretary

Mr. Evans – Good evening ladies and gentlemen. I would like to call this April 24, 2019 meeting of the Strongsville Board of Zoning and Building Code Appeals to order. May we have a roll call please?

ROLL CALL: ALL PRESENT EXCEPT FOR MR. BALDIN

Mr. Houlé – I'd like to make a motion to excuse Mr. Baldin for just cause.

Mr. Smeader – Second.

Mr. Evans – I have a motion and a second. May I have a roll call please?

ROLL CALL: ALL AYES MOTION PASSED

Mr. Evans - Thank you, I'd also like to point out that we welcome Mr. Jamison in replacement for Mr. Kolick this evening.

Mr. Jamison – Thank you.

Mr. Evans – 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 before us this evening minutes from the April 10th, 2019 meeting. We discussed them in caucus. If there are no corrections to be made we will submit these for the record as they were received. If there is anyone in our audience this evening that wishes to speak whether it is to present to the Board or to speak at a public hearing, I ask that you stand now and be sworn in by our Law Director, along with our Recording Secretary, and our Representative from the Building Department.

Mr. Jamison then stated the oath to those standing and anyone who wished to participate.

Mr. Evans – Thank you. Our meetings are divided into two portions. The first half are new applications, and then we'll move onto our public hearings.

NEW APPLICATIONS

1) **LINDA KAMINSKI, OWNER/Ken Mika with Great Day Improvements,
Representative**

Requesting an 8' Rear Yard Setback variance from Zoning Code Section 1252.05, which requires a 50' Rear Yard Setback and where a 42' Rear Yard Setback is proposed in order to construct a 192 SF Sunroom; property located at 13231 Tradewinds Drive, PPN 399-32-068, zoned R1-75.

Mr. Evans – First on the agenda is Linda Kaminski on Tradewinds Drive. Please have a representative come up and give us their name and address for the record.

Mr. Dempsey – My name is Damien Dempsey with Patio Enclosures. My work address is 700 E. Highland in Macedonia, Ohio.

Mr. Evans – Thank you, Damien. Please run us through what we're looking at here for this variance request.

Mr. Dempsey – Linda is looking to do an enclosure on the back of the house, which she planned a number of years ago. She already had the stamped patio poured, and it's rounded off from the reverse gable on the far side. Then it comes back to that square rectangle that is already footed and ready for an enclosure which we plan on doing for her. I'm under the impression that we're here because of a change in Code for the setbacks. I've provided some photos which show that the room is not going to go past what the houseline is. We're hoping that fact will be enough reason for Ms. Kaminski to be able to get this room approved by the Board.

Mr. Evans – Thank you, and we noted that we have the approval letter from Spy Glass in hand already. As you referred to, there has been a change in the Zoning Code sometime back in the 90's. Spy Glass is an older development, and the Zoning Code change forced the requirement here for the variance. We are aware of that.

Mr. Rusnov – It was originally 35'.

Mr. Dempsey – Okay.

Mr. Evans – Thank you, Mr. Rusnov.

Mr. Rusnov – That was my one brilliant move for today.

Mr. Evans – Alright, is there anything else from Board members? Okay, so Ms. Kaminski, I don't know if there is anything you want to add, but I think Damien has done a good job of representing it. It's a pretty simple request. We do not need for it to be staked out since we know where the patio is. The pictures were also very good that you provided tonight. All of the members of the Board will be out to visit the property to take a look at it. There will also be a notice that will go out to your neighbors within 500 feet of your property. It will state exactly the description that is written in the agenda tonight. So if you have curious neighbors that will want to ask questions, you should get together with them before the next meeting to explain simply what your plans are. That may save everyone some time and the trouble. The public hearing is on May 8th, 2019, and that is when we will render our decision. We will invite you back at that time. It is not necessary that you stay for the rest of the meeting tonight. Thank you.

Mr. Dempsey – Thank you Mr. Evans, and the rest of the Board.

2) **JANICE AND ANTHONY CARRUBBA, OWNERS**

- a) Requesting an 957 SF Floor Area variance from Zoning Code Section 1252.15, which permits a 323 SF Floor Area and where a 1,280 SF Floor Area is proposed in order to construct an Accessory Structure;
- b) Requesting a 2' Height variance from Zoning Code Section 1252.04 (g), which permits a 15' Height and where a 17' Height is proposed in order to construct a 1,200 SF Accessory Structure; property located at 19646 Prospect Road, PPN 394-20-026, zoned R1-75.

Mr. Evans – Item number two on our agenda is Carrubba on Prospect Road. Please come up to the microphone and give us your name and address for the record.

Mr. Carrubba – Anthony Carrubba, 19646 Prospect Road. We just moved in today.

Mr. Evans – Thank you, Mr. Carrubba. You are requesting a variance for a building. I will make a note that we discussed in caucus that item (b) on the agenda should read that we allow 15', and you're requesting 17'. Those numbers had been transposed in the agenda which we will correct for our next meeting and the notice that goes out to the neighbors. You listed on the application that you have a car collection. Tell us what it is that you would like to do, and why you are making this request.

Mr. Carrubba – I have several cars, a '57 Thunderbird, and a '70 Ranchero. I like building them. I'm a retired Ford Master Tech. I enjoy doing this during my retirement. I'm not opening up a business. I just want to build my cars, and since I'm of retirement age, I would like a lift so I don't need to kneel down. I'd like to do it comfortably in my own garage.

Mr. Evans – So part of the request for the height variance is so you can have a lift inside.

Mr. Carrubba – Yes. Everything is going to be done professionally.

Mr. Evans – You indicated as well that you were agreeable to putting in a concrete driveway back to the building which is a requirement.

Mr. Carrubba – Yes. He told me what I had to do, and I told the builder that this has to be done this way. I said that as soon as we meet the driveway that is there, we'll have to veer to the right, just like Brian told me. That's going to be included, yes.

Mr. Evans – Are there questions from the Board?

Mr. Rusnov – No questions.

Mr. Houlé – You seem to have a pretty private yard, so I don't anticipate any problems. It looks like there was a footprint back there at one point for a stand-alone barn or garage of some sort. I assumed it was similar to the location you are planning.

Mr. Carrubba – It's really similar, it really is.

Mr. Houlé – Okay.

Mr. Carrubba – I'm going to put a pole barn up, and that's why we moved here from Seven Hills, for that main reason so we can have some nice property that I could do this at my own leisure and relax.

Mr. Houlé – No neighbors in your backyard, so that's nice.

Mr. Carrubba – No, but the neighbors from either side came to our house the minute we pulled in.

Mr. Houlé – But there's no one behind you.

Mr. Carrubba – No one behind us, no.

Mr. Evans – If you are going to ask a question, we'll need your name and address for the record.

Ms. Carrubba – Janice Carrubba, 19646 Prospect Road.

Mr. Evans – So the question is, what's going on behind it? That is industrial land. There is no current plan for it to be developed. We'd love to have someone come in and develop all that land, it would mean additional tax revenue for the City. For now though, there is nothing that has been talked about or planned for that area. We have an extension to Foltz Pkwy, and that would go in first prior to anything going in behind you there. So you're looking at a long time before anything

happens with that land. Are there any other questions? Mr. Houlé do we need to stake it out or is it pretty evident.

Mr. Houlé – No, you’ll see that there are footers from where it was, and it sounds like it’s going to be almost in that exact same spot.

Mr. Carrubba – Its 100’ from the house.

Mr. Houlé – That’s what I thought when I was out there with Tom so.

Mr. Carrubba – Brian said I had to be like 10’ from the property next to me.

Mr. Roenigk – You’ll be good where you are.

Mr. Carrubba – I’ll be talking with him quite a bit throughout the build to make sure everything is right.

Mr. Evans – Alright. The same thing applies here that all of the members of the Board will be out to visit the property to take a look at it, and that there will also be a notice that will go out to your neighbors within 500 feet of your property. In your case, that probably won’t be that many people because those are all big lots on that side. It will state exactly the description that is written in the agenda tonight. So you may want to inform your new neighbors what it is that you are planning on doing. As Mr. Houlé said, they probably won’t have a problem with it because there are a lot of people in that area that have big buildings like that on their properties. We’ve done variances before for many of those things. The public hearing is on May 8th. We will invite you back at that time. It is not necessary that you stay for the rest of the meeting tonight. Thank you.

Mr. Carrubba – Thank you.

3) CHARLES AND RITA DRVENKAR, OWNERS

- a) Requesting a variance from Zoning Code Section 1252.15, which prohibits a second Accessory Structure and where an 80 SF Accessory Structure exists and a second 144 SF Accessory Structure is proposed;
- b) Requesting a 15’ Setback variance from Zoning Code Section 1252.15 (a), which requires a 20’ Setback from the main dwelling and where a 5’ Setback from the main dwelling is proposed; property located at 13852 Cartwright Parkway, PPN 398-04-070, zoned R1-75.

Mr. Evans – Item number three on our agenda is Drvenkar on Cartwright Pkwy. Please have a representative come up and give us their name and address for the record.

Mr. Drvenkar – Charles Drvenkar, 13852 Cartwright Pkwy.

Mr. Evans – Thank you. You are looking for two variances here because you have a shed in the yard, and you're talking about putting up a pergola?

Mr. Drvenkar – Yes sir. I also wanted to say, since Brian mentioned my shed. I have pictures of where the shed is over in the corner. It's a 9' by 6' shed. It's tucked in the left hand corner. I put in a fence a few years ago, then two years ago I put in a 25' by 25' concrete patio. We've been fighting with the sun since the house faces south, and the sun hits that patio all day long. I've put up pop-up gazebos, which the wind blows away, and it's just a hassle. We went down to the Amish community in Middlefield, and we found a 12' by 12' structure that will fit on the middle of my patio. It will be about 5' from the house. It'll give us the enclosure we need from the sun.

Mr. Evans – So it will be a sun screened area, not an actual building. Since it is a structure, it is considered the second one in addition to the shed. We also have the setback because it's close to the house. Normally a shed or something we'd require it to be further from the house. It's an unusual circumstance, and we recognize that. Are there questions from the Board?

Mr. Smeader – Is it a portable structure? Or is fixed?

Mr. Drvenkar – It's permanent. It'll have a floor on it, and be secured to the concrete.

Mr. Smeader – Okay. I ask because they have some sheds, etc., that are portably moved around.

Mr. Drvenkar – No, once it's there, it's permanent. It's just going to be poles, railing around it, and an opening.

Mr. Houlé – I noticed that your backyard is rather narrow. You don't have a lot of depth going back in order to get it further from the house.

Mr. Drvenkar – No, it's 25' concrete patio, and then another 37' to the fence, but you can see in the pictures that from left to right, it's secluded from neighbors. When the trees fill with leaves like they are now, you don't see hardly anything from the backyard either.

Mr. Evans – Alright. Again all of the members of the Board will be out to visit the property to take a look at it. There will also be a notice that will go out to your neighbors within 500 feet of your property. It will state exactly the description that is written in the agenda tonight. So if you have curious neighbors that will want to ask questions, you should get together with them before the next meeting to explain simply what your plans are. That may save everyone some time and the trouble. The public hearing is on May 8th. We will invite you back at that time, we will render our decision then. In the meantime, it is not necessary that you stay for the rest of the meeting tonight. Thank you.

Mr. Drvenkar – Okay, thank you sir, and thank you Board.

4) **ROB AND KRISTY PIETRUSZKA, OWNERS**

Requesting a 1,040 SF Floor Area variance from Zoning Code Section 1252.22 (c), which permits a 1,000 SF Floor Area and where a 2,040 SF Floor Area is proposed in order to construct an Attached Garage; property located at 12755 Arbor Creek Drive, PPN 398-27-060, zoned R1-100.

Mr. Evans – Item number four on our agenda is Pietruszka on Arbor Creek. Please have a representative come up and give us their name and address for the record.

Mr. Pietruszka – I'm Richard Pietruszka, I live at 21634 Westwood Drive, Strongsville. I'm standing in for the homeowners on Arbor Creek. They are out of town right now. I'm his father.

Mr. Evans – Alright, excellent. They are requesting a size variance for the garage. These are rather large houses that are going in on Arbor Creek. We've already had three, I believe that we've done variances for. So this is not an unusual circumstance that these houses have a lot of garage space being built. They are not planning to use this for a business. I assume they have vehicles that they need to store, or for when there are many people in that rather large house. So I think that's pretty much the norm. We've all seen the plans. Are there questions or comments?

Mr. Houlé – None from me.

Mr. Smeader – No.

Mr. Rusnov – No questions whatsoever.

Mr. Evans – Mr. Rusnov, you don't have anything from your prepared comments?

Mr. Rusnov – Oh, yes. It's an area of custom-built, luxury-class homes. They range anywhere in price from a half million on up. You're on a 6 acre lot. This is not unusual to have a 5-7 to maybe even a 10 car garage on this type of property. Plus you have a conservation easement next to you with two retention basins. This will not be visible from the street.

Mr. Evans – Thank you, Mr. Rusnov. Excellent job. We appreciate that. So, Mr. Pietruszka, the same thing applies that everyone within 500' will receive a notice about this variance request. We do need to get a letter from the HOA.

Mr. Houlé – We have it. It's dated April 16th.

Mr. Evans – So we do have the letter from the HOA, everyone within 500’ will be notified, and then we invite you or your son back here on May 8th for the public hearing when we will make our decision.

Mr. Pietruszka – Very good, thank you.

Mr. Evans – Thank you.

PUBLIC HEARINGS

5) DEBRA POUCHER, OWNER

Requesting a 13’ Setback variance from Zoning Code Section 1252.17 (c), which requires a 16’ Setback from the right-of-way and where a 3’ Setback from the right-of-way is proposed in order to construct a 6’ high wood privacy fence; property located at 14960 Boston Road, PPN 399-24-022, zoned R1-75.

Mr. Evans – That takes us to public hearings, which is item number five. This is Poucher on Boston Road. Please come up to the microphone and give us your name and address for the record.

Ms. Poucher – Debra Poucher, 14960 Boston Road.

Mr. Evans – Thank you, Ms. Poucher, before you get into your declarative statement about the project, we asked for the Police Department to do a review after the last meeting. They did come back to us with a report, which I’m sure you heard us talk about in caucus, that they concluded because of sidewalk traffic and everything that their recommendation is to go 11’ off of the sidewalk. I’ve been informed by our Building Department representative that it has caused you to have a change of heart about your request.

Ms. Poucher – And a few other things.

Mr. Evans – Now you may address the Board.

Ms. Poucher – I’ve had a change of heart. We can make some changes. My daughter is now a flight attendant, starting today she’s in training, and I may not be home that much. So I might not need that privacy after all. So since things have changed, he’s going to address the pool and what I’ll need to have for that.

Mr. Evans – Okay, so at this point, my understanding is that you are withdrawing the request for the variance then?

Ms. Poucher – Right.

Mr. Evans – Well, we're sad to see you go, but we hope everything works out for you. We appreciate you coming in tonight and letting us know. We'll mark this as being withdrawn then. If you choose to go forward with this in the future, then you can always come back and entertain this again. For tonight, we'll withdraw this then. Thank you.

Ms. Poucher – Right, okay, thank you for your time.

6) **DAVE AND MICHELLE SHEA, OWNERS/Edward Kisiel with EKA Build Corp.**
Representative

Requesting an 8.5' Rear Yard Setback variance from Zoning Code Section 1252.05, which requires a 50' Rear Yard Setback and where a 41.5' Rear Yard Setback is proposed in order to construct an Addition; property located at 20158 Carlyle Drive, PPN 392-32-082, zoned R1-75.

Mr. Evans – That takes us to item number six on our agenda. This is Shea on Carlyle Dr. Please have a representative come up and give us their name and address for the record.

Mr. Kisiel – My name is Edward Kisiel with EKA Build Corp. My address is 20186 Carlyle Drive. I'm representing the homeowner.

Mr. Evans – Alright. We're looking at a rear yard setback for an addition to the property. Tell us a little bit about the why, where, and that kind of thing for this project.

Mr. Kisiel – Yes, so Dave and Michelle want more space for the inside of their house. Right now there is an existing deck which is approximately 16' by 16', which they basically want to take down and put in an enclosure there instead which will basically be a part of the house at that point. Then they would like to build another deck next to it so they can have more indoor space.

Mr. Evans – Okay. I believe we talked a little bit in caucus about the shape of the lot. Mr. Smeader would you like to mention that?

Mr. Smeader – It's an irregularly shaped lot. There is an underground retention section at the rear of the site. There are also topographical considerations for this project. I think that's what you're referring to.

Mr. Evans – That was I was pointing at. Okay. Is there anything else you need to tell us about it, Mr. Kisiel? I think it's pretty cut and dry. I don't see anyone in the audience which is going to object to this.

Mr. Kisiel – Yes, it's pretty much going back into the same spot. It's just going to be an addition instead of a deck.

Mr. Evans – Okay. This is a public hearing. I'll ask if there is anyone here this evening who would like to speak for the granting of this variance. Is there anyone here who would like to speak against the granting of the variance? Hearing none and seeing none, I will now entertain a motion.

Mr. Houlé – I would like to make a motion to approve a request for an 8.5' Rear Yard Setback variance from Zoning Code Section 1252.05, which requires a 50' Rear Yard Setback and where a 41.5' Rear Yard Setback is proposed in order to construct an Addition; property located at 20158 Carlyle Drive, PPN 392-32-082, zoned R1-75.

Mr. Smeader – Second.

Mr. Evans – Thank you. May we have a roll call please?

ROLL CALL: ALL AYES MOTION PASSED

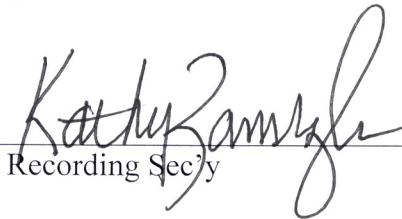
Mr. Evans – The variance has been granted again pending a 20 day waiting period during which time Council may review our decision. You will get a notice from the Building Department when that time has passed.

Mr. Kisiel – Okay, thank you.

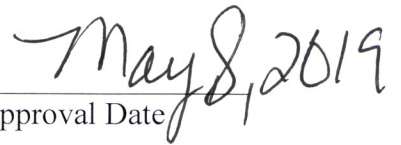
Mr. Evans – Thank you very much. Is there any further business to come before the Board this evening? If not, then we will stand adjourned.



Mr. Evans, Chairman



Recording Sec'y



Approval Date