

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

**Meeting of  
December 5, 2018  
7:30 p.m.**

Board of Appeals Members Present: Kenneth Evans, Richard Baldin, John Rusnov, David Houlé,  
Tom Smeader

Administration: Assistant Law Director Daniel J. Kolick

Building Department Representative: Brian Roenigk

Recording Secretary: Kathy Zamrzla

The Board members discussed the following:

**NEW APPLICATIONS**

1) **ROBERT HOUSER, OWNER/Derek Ross with D & D Contractors LLC,  
Representative**

- a) Requesting a 5' Side Yard Setback variance from Zoning Code Section 1252.05, which requires a 10' Side Yard Setback and where a 5' Side Yard Setback is proposed in order to construct a 240 SF Garage Extension;
- b) Requesting a 4.5' variance from Zoning Code Section 1252.04 (e), which prohibits less than 25' between detached One-Family Dwellings and where the applicant is proposing 20.5' between the proposed Garage Extension and the adjacent One-Family Dwelling; property located at 20639 Morar Circle, PPN 394-22-143, zoned R1-100.

**The Board noted that this is for a three car garage on a cul-de-sac, and that there are no other houses with that large of a garage. The also discussed that there is a large back yard with trees.**

2) **CARL AND SHANNON HENDRIX, OWNERS**

Requesting a 6' Rear Yard Setback variance from Zoning Code Section 1252.16 (e), which permits a 14' encroachment into the established Rear Yard Setback and where a 20' encroachment into the Rear Yard Setback is proposed in order to construct a 440 SF Deck; property located at 19327 Ridgeline Court, PPN 397-28-064, zoned R1-75.

**The Board noted that there was a deck or a patio that is now removed, and that they believe this is being built in the same place. They noted that it is on a corner lot, and they already have an HOA letter.**

3) **WESTWOOD PLACE/ Howard S. Chapman, Representative**

Requesting a 5' Setback variance from Zoning Code Section 1272.07 (b), which requires a 10' minimum Setback from the right-of-way and where a 5' Setback from the right-of-

way is proposed in order to construct a 24 SF, 5'6" high Ground Sign; property located at 18800 Westwood Drive, PPN 396-10-012, zoned Senior Residence (SR).

**The Board discussed whether it would be necessary to have the CPTED Officer review this application for possible visibility issues. They decided they will also have to check the height requirement for this application as well. The Board said that it'll be on the other side of the road because right now the sign is on the opposite side of the road from this property near a parking lot.**

## **PUBLIC HEARINGS**

### **4) JOSEPH KOVACH, OWNER**

- a) Requesting a variance from Zoning Code Section 1252.18, which permits one (1) Accessory Structure and where the applicant is proposing a 256 SF second Accessory Structure (Pavilion);
- b) Requesting a 64 SF Floor Area variance from Zoning Code Section 1252.15, which permits a 192 SF Floor area and where a 256 SF Floor area is proposed in order to construct an Accessory Structure (Pavilion);
- c) Requesting a 1' Height variance from Zoning Code Section 1252.04 (g), which permits a 12' Height and where a 13' Height is proposed in order to construct a 256 SF Accessory Structure (Pavilion); property located at 17115 Woodlawn Court, PPN 393-36-080, zoned R1-75.

**The Board noted that item (c) is no longer necessary; the contractor emailed that they are within Code for the height. The Board would like to hear if there are neighbors with any issues with the construction plans. There is also a neighbor who has a structure similar in size.**

### **5) DANIEL W. GAWNE, OWNER**

- a) Requesting a variance from Zoning Code Section 1252.18, where one (1) attached 441 SF Garage Structure exists and a second detached 720 SF Garage Structure is proposed;
- b) Requesting a 161 SF Floor Area variance from Zoning Code Section 1252.22 (c), which permits a maximum 1,000 SF Garage Structure and where a total of 1,161 SF Floor Area Garage Structures are proposed; property located at 15772 Boston Road, PPN 397-35-016, zoned R1-75.

**The Board considered what the garage was needed for like the lawnmower and vehicles. They also noted that there will be a hard paved driveway.**

**6) CHRISTOPHER AND ELIZABETH LENNON, OWNERS**

Requesting a 3' Setback variance from Zoning Code Section 1252.15 (a), which requires a 20' Setback from the main dwelling and where a 17' Setback from the main dwelling is proposed in order to construct a 100 SF Accessory Structure; property located at 12419 Sunridge Circle, PPN 396-04-007, zoned PDA - 2.

**The Board discussed the swale in the backyard. It was noted that the City will come out, and make sure the swale is intact and keeps the water moving.**

**The Board also noted a correction that is needed in the agenda.**



1) **ROBERT HOUSER, OWNER/Derek Ross with D & D Contractors LLC,  
Representative, Cont'd**

Mr. Evans – First on the agenda this evening is Robert Houser. Please have a representative come up and give us their name and address for the record.

Mr. Ross – My name is Derek Ross, my address is 10170 Norwalk Road, Litchfield, Ohio.

Mr. Evans – Mr. Ross, you are representing Mr. Houser then?

Mr. Ross – Yes sir.

Mr. Evans – Excellent. Okay, you are asking for two variances, can you tell us about the project and why Mr. Houser needs to add on a garage area?

Mr. Ross – Mr. Houser is asking for a 12' by 20' garage addition. It seems that everyone needs some extra space. We're pushing the limits of what we're allowed to do. So we're here today to ask for 5 SF, 5' for the property lines, and 4.5' from the opposing dwelling.

Mr. Evans – It's actually not 4.5' from the other dwelling it's less than the 25', so it's 20.5' from the other dwelling.

Mr. Ross – Correct.

Mr. Evans – Alright. Are there questions from the Board?

Mr. Baldin – No, not really.

Mr. Evans – We do have approval from the HOA, and I'll note that for the record. Mr. Houser doesn't intend on running a business or anything out of the additional garage space that he's doing. I'm assuming that this is for personal use.

Mr. Ross – Yes Sir.

Mr. Evans – Okay. 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 Mr. Houser has curious neighbors that will want to ask questions, he 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 December 19<sup>th</sup>. 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. Ross – Okay.

1) **ROBERT HOUSER, OWNER/Derek Ross with D & D Contractors LLC,  
Representative, Cont'd**

Mr. Evans – Okay? You are all set.

Mr. Ross – Thank you.

2) **CARL AND SHANNON HENDRIX, OWNERS**

Requesting a 6' Rear Yard Setback variance from Zoning Code Section 1252.16 (e), which permits a 14' encroachment into the established Rear Yard Setback and where a 20' encroachment into the Rear Yard Setback is proposed in order to construct a 440 SF Deck; property located at 19327 Ridgeline Court, PPN 397-28-064, zoned R1-75.

Mr. Evans – Alright, item number two on our agenda is Carl and Shannon Hendrix. Please come up to the microphone and give us your name and address for the record.

Mr. Hendrix – Carl Hendrix, 19327 Ridgeline Court, Strongsville.

Mr. Evans – Thank you, and you are looking to put in a replacement deck in the backyard. Tell us about what you've done, and what you're doing, and why it has to be where it's at.

Mr. Hendrix – Yes, as one of you mentioned, there was a removal of an old concrete slab that was busted. I think at least one of you went out to see it. We're basically just replacing it. As far as the variance, the concrete slab that was there was over the variance already. So, we really just want to replace what was there. We went a little bit wider, but as far as depth it's pretty much what was there. The reason why we're asking for it, I drew a little diagram in case you're curious.

Mr. Evans – Hang on with your comments until you're back at the microphone. If you hand them to us, we can just pass them down. We're good at doing that.

Mr. Baldin – While you pass those out, I looked at the property and I think there's plenty of room back there for him to do this.

Mr. Evans – Mr. Hendrix, if you could repeat your comment now we'll have it for the record.

Mr. Hendrix – We're just looking for a seating area with two love seats and a little table in the middle with two chairs on the end. I did the math there, but when you add up all the dimensions it comes out to 19'. So without the variance we can't do that. Our house is the house for entertainment in our family so we have the holidays and birthdays there. We're just looking for a place where we can gather out there.

**2) CARL AND SHANNON HENDRIX, OWNERS, Cont'd**

Mr. Evans – 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. 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 December 19<sup>th</sup>. 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. Hendrix – There were stakes out, but they had to be moved for various reasons. The dirt pile that you see is basically the edges, just a little bit wider.

Mr. Houlé – This is going to be a deck though?

Mr. Hendrix – Yes, well what we wanted to do is a paver patio. You see, I've worked my way through college and I'm in construction as a bricklayer, so I'm well aware of swales and how water needs to flow. If we did the patio I think it would impede the flow of the water potentially. Eventually I think it would wash away part of the foundation of that. So we decided to do the deck up a little bit off the ground and that way the water can still set up as it's set up now. It would be a deck though, yes.

Mr. Baldin – Good.

Mr. Houlé – Thanks.

Mr. Evans – Thank you. We'll see you on December 19<sup>th</sup> then.

Mr. Hendrix – Okay, thanks.

**3) WESTWOOD PLACE/ Howard S. Chapman, Representative**

Requesting a 5' Setback variance from Zoning Code Section 1272.07 (b), which requires a 10' minimum Setback from the right-of-way and where a 5' Setback from the right-of-way is proposed in order to construct a 24 SF, 5'6" high Ground Sign; property located at 18800 Westwood Drive, PPN 396-10-012, zoned Senior Residence (SR).

Mr. Evans – Next on the agendas is Westwood Place with Howard Chapman representing them. Please come up to the microphone and give us your name and address for the record.

Mr. Breha – My name is Jeff Breha, and I work with the Transcon Builders Owners Management Company who manages the building. I'm also a Strongsville resident, I live at 19359 Saratoga Trail.

3) **WESTWOOD PLACE/ Howard S. Chapman, Representative, Cont'd**

Mr. Evans – Thank you. Do we need the last name spelled? Yes, if you could please.

Mr. Breha – B R E H A.

Mr. Evans – Alright, thank you. You may have heard us talking in caucus, one of the things we're going to do is we're going to ask for our Police Department to review the location of the sign simply because there's been a lot of development that has taken place in that area with Mitchell's and Westwood Commons. So we'll ask the Police to review the placement of that sign request. You may have also heard in caucus that we were talking about the fact that right now the sign is on one side of the driveway, and are we to be led to believe that you're proposing to move it to the other side of the driveway?

Mr. Breha – Correct, the other sign that is there now would come down.

Mr. Evans – Okay, so one of the questions that I'm going to ask is why do we need to move it to the other side of the driveway? In particular I'm going to ask that because where it's at right now doesn't impede the traffic flow of people coming across from other parking areas like the one under the water tower. If it's on the other side of the drive it may be a little dicier for the Police to approve.

Mr. Breha – That's a good analysis there. A few years back we got an easement from the Schaeffer Company who sold the land to Mitchell's and stuff. With that we had a deed restriction that we signed off on, and we were granted an easement from that so the project could go forward and they could sell the land. Our idea back then was to move the sign to the other side of the driveway, and we didn't want to do it with all the construction that was going on there. With the sign, what we're asking is to move it across the driveway which we've wanted to do for some time now, but instead of being 10' off the right-of-way, our existing sign is 5' off the right-of-way. If I think about being 10' back, we'd be blocking their window on their building at Mitchell's. So we want to move it forward; we feel there's much better visibility for coming off of Rt. 42. Most of our customers are tenants, and they can't see our sign to begin with where it's currently located. By moving it across we feel it would have better visibility from Rt. 42 to see where our entrance is to Westwood Place.

Mr. Kolick – On the other side of the road, I would think that your people are mainly coming from Pearl. They would be able to see that sign better where you have the current one. I agree the sign needs to be replaced, but you'd think you'd be able to see it better there than where all these high ornamental grasses are from Rt. 42.

Mr. Breha – I went by there, and I've seen that. I've looked at both scenarios, and with the sign in the easement area that we have with the 5' setback, I think it would be much easier to see where our entrance is.

**3) WESTWOOD PLACE/ Howard S. Chapman, Representative, Cont'd**

Mr. Kolick – One of the reasons though that they require it to be 10' off the right-of-way is so that cars coming out have a clear view of that sidewalk. Especially with an ice cream place where you get a lot of little kids going up and down that sidewalk. I'm just saying that you may want to consider moving it back if not at least to the window then just back far enough for a better sightline for cars coming out. You're also talking about senior residents coming out of there, and looking at the sidewalk. It's something to consider because we'll consider whatever you want, but it may make more sense from a practical standpoint or from a sightline standpoint. If you consider moving it back, maybe it's not 10', maybe it's 8'. I don't know, but something so they get a better sightline of little kids on the sidewalk or running across the street. I don't want to see anyone get hit.

Mr. Breha – Right, well we don't need to be 5' off of the curb. We can be closer to our curb as well too.

Mr. Kolick – I'm not talking about the curb, I'm talking from the right-of-way is where it has to be 10'. I'm talking about moving it further north. Maybe not to block that window where the building is, but at least more than the 5'.

Mr. Breha – So 6', 7'?

Mr. Kolick – I'd say look at this anyway. Our Police Department can meet you out there, that's one thing. The other thing is we have a height requirement of 5'. You appear to be slightly over that. Is there any problem just bringing it down 6" to the 5' height?

Mr. Breha – The 6" is not a problem.

Mr. Kolick – Okay, so we'll just change that to 5', and that will remove the second required variance. I think you should at least look at that for the safety of your residents moving out as well as the little kids walking on the sidewalk.

Mr. Evans – I would recommend that you actually meet with the Police Officer who is going to look at that because I think that will give you a better chance of having him approve it. I looked at it tonight when I came in. From my preference, I'd rather see it on the side that it is now because your residents come out and take a right hand turn probably 90% of the time, and if that sign is on the west side of the driveway, regardless of how high or setback it is I think it'll be a visibility impediment. The people walk along that sidewalk, and I'm reasonably certain that the Police Officer may go that direction too. That's why I'm suggesting that you set it up so that you meet with them. I think that will help you through that.

Mr. Breha – Who can I set that up with? Kathy?

**3) WESTWOOD PLACE/ Howard S. Chapman, Representative, Cont'd**

Mr. Evans – Yes, Kathy our Building Secretary will take care of setting that up. She'll contact them, and they'll contact you. Yes, so if you want to give us your phone number before you leave, or give Kathy your card that would be great. Then we can make that arrangement. Okay, in the meantime, we'll still have the public hearing on December 19<sup>th</sup>, and we'll get the information from him. The advertisement will be as we've listed it here in the agenda. Maybe it would be to your advantage to contact Mitchell's because even though they signed off on it because of the deal, you may want to remind them so they know when they get this what you're asking for.

Mr. Breha – We've spoken to them a few months ago already about this matter.

Mr. Evans – Are there any other questions about this? Mr. Baldin?

Mr. Baldin – I just have to concur that I don't understand why they want to move it to the other side so I think your people really need to take a look at it.

Mr. Breha – Okay.

Mr. Evans – Anything else? Okay. So December 19<sup>th</sup> is the public hearing, and work with the Police, then we'll go from there. You're all set. Thank you.

Mr. Breha – Okay, thank you.

**PUBLIC HEARINGS**

**4) JOSEPH KOVACH, OWNER**

- a) Requesting a variance from Zoning Code Section 1252.18, which permits one (1) Accessory Structure and where the applicant is proposing a 256 SF second Accessory Structure (Pavilion);
- b) Requesting a 64 SF Floor Area variance from Zoning Code Section 1252.15, which permits a 192 SF Floor area and where a 256 SF Floor area is proposed in order to construct an Accessory Structure (Pavilion);
- c) Requesting a 1' Height variance from Zoning Code Section 1252.04 (g), which permits a 12' Height and where a 13' Height is proposed in order to construct a 256 SF Accessory Structure (Pavilion); property located at 17115 Woodlawn Court, PPN 393-36-080, zoned R1-75.

**4) JOSEPH KOVACH, OWNER, Cont'd**

Mr. Evans – Item number four on our agenda takes us into public hearings. First is Kovach on Woodlawn Court. Please come up to the microphone and give us your name and address for the record.

Ms. Kovach – Hi, I'm Jane Kovach.

Mr. Kovach – Joe Kovach.

Ms. Kovach – We're at 17115 Woodlawn Court.

Mr. Evans – Thank you. So we have eliminated the 1' height variance because that was a communication error with the Building Department. That leaves us with only (a) and (b) which is the second accessory structure and then the square footage on it. We've all been out to look at it. Are there any other questions or comments that you guys have?

Mr. Smeader – No questions.

Mr. Houlé – We have the HOA approval letter too.

Mr. Evans – That's correct. Anything else that's changed with you guys?

Ms. Kovach – No.

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. Rusnov – I make a motion to approve a variance from Zoning Code Section 1252.18, which permits one (1) Accessory Structure and where the applicant is proposing a 256 SF second Accessory Structure (Pavilion); and also approve a request for a 64 SF Floor Area variance from Zoning Code Section 1252.15, which permits a 192 SF Floor area and where a 256 SF Floor area is proposed in order to construct an Accessory Structure (Pavilion); property located at 17115 Woodlawn Court, PPN 393-36-080, zoned R1-75.

Mr. Smeader – Second.

Mr. Evans – We have a motion and a second, may I have a roll call please?

ROLL CALL:

ALL AYES

MOTION PASSED

**4) JOSEPH KOVACH, OWNER, Cont'd**

Mr. Evans – The variances have 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. Then you can begin your project.

Ms. Kovach – Thank you.

Mr. Evans – You are all set. Thank you. Good luck with the project.

Ms. Kovach – Have a merry Christmas, thank you.

**5) DANIEL W. GAWNE, OWNER**

- a) Requesting a variance from Zoning Code Section 1252.18, where one (1) attached 441 SF Garage Structure exists and a second detached 720 SF Garage Structure is proposed;
- b) Requesting a 161 SF Floor Area variance from Zoning Code Section 1252.22 (c), which permits a maximum 1,000 SF Garage Structure and where a total of 1,161 SF Floor Area Garage Structures are proposed; property located at 15772 Boston Road, PPN 397-35-016, zoned R1-75.

Mr. Evans – Item number five on our agenda is Daniel Gawne on Boston Road. Please come up to the microphone and give us your name and address for the record.

Mr. Gawne – My name is Dan Gawne, and I live at 15772 Boston Road.

Mr. Evans – I read it phonetically and I still got it wrong.

Mr. Gawne – It's easy, it's like Gone with the Wind. I've heard 100 variations.

Mr. Evans – Alright, so we have two things here. We have the size of the garage and the second attached piece here. So is there anything that has changed about it? You're still not planning to run a business out of anything right?

Mr. Gawne – No, but I did bring some paperwork along with some picture because I know it sounds like it's a pretty big structure...

Mr. Evans – Well we know that you have living space on the back of the existing garage.

5) **DANIEL W. GAWNE, OWNER, Cont'd**

Mr. Gawne – No, I mean on the new building, the new accessory building. So what I did was I took some pictures of my driveway with 2' by 4's set up at the size and the height to show the hip roof that I have because I want it to look like this. I took pictures and super imposed in front of that what I intend the garage to look at so you can see it actually looks pretty small on the property. I also took a picture of the neighbor's garage, which someone had mentioned, because it's about the same square footage but its 17.5' high. On Boston Road it's not unusual to see extra buildings. I don't want it to look like a commercial space or a farm since my existing garage looks like part of my home, like a dining room or something, I think it's just going to look like there's a garage on the property. It is important to me that my property and my neighbor's property is improved by it and not the other way around. Unfortunately I only brought 6 copies.

Mr. Rusnov – You're going to put up a hard surface driveway too.

Mr. Gawne – That's correct.

Mr. Houlé – I saw it already yesterday.

Mr. Evans – Let's give one to Kathy for the record. Mr. Kolick and I can share one. That's alright, these guys need them.

Mr. Baldin – Yes, we old guys need one for ourselves. Those young guys they don't need it. I'm the one that mentioned about the neighbor's garage height.

Mr. Evans – Your artistic rendering is very nicely done.

Mr. Gawne – I possibly want to do a brick veneer on the front to match it, if I can find the right color. If not it'll be white like that with a dark door to try and match the house.

Mr. Evans – Are there any questions or comments?

Mr. Baldin – I was a little apprehensive at first, but I think it'll look good. When I saw the way it was laid out I thought it looked rather large, but I think it'll fit in. I was surprised at the height of your neighbor's accessory structure though.

Mr. Evans – We're still wondering about that one. Are there no other comments? 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 declare the public hearing closed and will now entertain a motion.



6) **CHRISTOPHER AND ELIZABETH LENNON, OWNERS, Cont'd**

Mr. Evans – Yes, if you're looking at the agenda from tonight, that was done incorrectly. We talked about that in caucus and the posting that went out was actually correct, but in the agenda tonight it's wrong so thank you for pointing that out. We took care of that and everyone has the right information now so when we read it it'll be done correctly so you get what you are asking for. In the meantime, are there questions or comments from anybody?

Mr. Rusnov – No.

Mr. Evans – We have an HOA letter. Brian, could you tell us about this swale in the back?

Mr. Roenigk – If the zoning variance is granted for this it would be 3' into the swale, and we will set up a second inspection even though we usually only do one. We'll set up the second inspection with the Engineering Department. It won't cost you anything more. After the shed is put in, they'll come out and check your swale. They'll see if anything needs to be changed or altered due to this, but that would be at your cost.

Mr. Lennon – To make any corrections.

Mr. Roenigk – To make any corrections to the grade would be your financial responsibility. Then we'll be done.

Mr. Lennon – Okay.

Mr. Evans – We just wanted to make sure that you knew that because we did ask for Engineering to review it and they did that. Alright, are there any other comments or questions? Alright, 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 declare the public hearing closed and will now entertain a motion.

Mr. Houlé – I make a motion to approve a 3' Setback variance from Zoning Code Section 1252.15 (a), which requires a 20' Setback from the main dwelling and where a 17' Setback from the main dwelling is proposed in order to construct a 100 SF Accessory Structure; property located at 12419 Sunridge Circle, PPN 396-04-007, zoned PDA - 2.

Mr. Evans – Before we second, do you need to correct that the setback is from the rear yard line?

Mr. Kolick – Right, and not from a structure.

Mr. Evans – It is not 1252.15 (a) because we struck (a) because there is no (a). Okay, then I will entertain a second.

