

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

**Meeting of  
February 26, 2020  
7:30 p.m.**

Board of Appeals Members Present: Kenneth Evans, Richard Baldin, David Houlié, John Rusnov, Thomas Smeader

Administration: Assistant Law Director Daniel J. Kolick

Building Department Representative: Brian Roenigk

Recording Secretaries: Kathy Zamrzla, Kristi Onofre

The Board members discussed the following:

**1) VICTOR SYSAK, OWNER**

Requesting a 147 SF Floor Area variance from Zoning Code Section 1252.22 (c), which permits a 1,000 SF Floor area and where a 1,147 SF Floor Area is proposed in order to construct an Attached Garage; property located at 14091 Niagara Drive, PPN 396-17-079, zoned R1-75.

**The Board discussed the location of this residence. They indicated that there is not a paved driveway, and then specified that the property owner will have to pave the driveway to adhere to the existing Code in order to allow for this update to the property. The Building Department mentioned that the applicant is aware of the driveway necessity, and that it is part of this project. The Board debated where this is going to be in relation to the house because they couldn't tell at the property. The Building Department noted that they have received drawings from the applicant, but they do not have a topo yet. The Building Department also mentioned that the applicant is planning to rebuild the home on the property, and it'll be a brand new structure. The Board then discussed whether they will be able to do all this with the swift drop off and creek in the backyard. The Building Department stated that the applicant owns adjoining properties.**

**2) ALESSIO PROPERTIES, OWNER**

- a) Requesting a 1'6" Sign Height variance from Zoning Code Section 1272.12 (h), which permits a 5' Sign Height and where a 6'6" Sign Height is proposed in order to replace a Ground Sign;
- b) Requesting a 9.02 SF Face Area variance from Zoning Code Section 1272.12 (h), which permits a 50 SF Face Area are where a 59.02 SF Face Area is proposed in order to replace a Ground Sign; property located at 17534 Royalton Road, PPN 396-12-004, zoned General Business.

**The Board indicated that the existing sign is obvious while driving down the road, and concluded that they want to ask the applicant why it believes it's necessary to go a foot and**

**a half higher than that. They debated if the existing sign is already over 5', and stated the sign is also sitting on a high landscape bed. The Board noted after looking at the plans that the existing sign all in all its 8 and a half feet tall. They noted that from the ground it should be 5' tall so they are not in compliance with the existing Code. The Building Department specified that the Commissioner had approved the sign from the top of the base instead of the grade because the base was already existing. The Board concluded that the existing sign is then already well above what is normal.**

## **PUBLIC HEARINGS**

### **3) MICHAEL G. BUNGE, OWNER**

Requesting a variance from Zoning Code Section 1252.18, which prohibits a fence to be installed on a lot without a main building and where the applicant is proposing a 6 foot tall solid white vinyl fence along the rear property line; property located at PPN 396-17-035, on Pearlview Drive, zoned R1-75.

**The Board indicated that this is to stop people from trespassing through the property. They mentioned that this addition to the fence is meant to fill an empty gap which is glaringly obvious from the road. The Board also stated that it makes sense to continue the existing fence the way that the applicant is proposing in order to fix existing problems. They concluded that it's an unusual circumstance, and the gap in the fence should be closed up being next to a commercial property. They concluded that they found no issues with this application request during the caucus.**

### **4) HEZLEY AND PAOLO TATANGELO, OWNERS**

Requesting an 11' Rear Yard Setback variance from Zoning Code Section 1252.16 (e), which requires a 36' Rear Yard Setback and where a 25' Rear Yard Setback is proposed in order to construct a 464 SF Concrete Patio; property located at 17048 Hunting Meadows Drive, PPN 397-04-039, zoned R1-75.

**The Board indicated that this is a deeper lot, and the patio will be outside of the swale. They specified that this is an unusual situation. The Board mentioned that it needs to be kept out of the easement. They noted that Hunting Meadows does not have a HOA. The Board stated that it's all fenced in and it's a vacant lot behind them. They concluded that they found no issues with this application request during the caucus.**

### **5) DENIS SLAWINSKI, OWNER**

a) Requesting a variance from Zoning Code Section 1252.15 (a) where one 112 SF Accessory Structure already exists and a second 252 SF Accessory Structure is proposed;

- b) Requesting a 20' Setback variance from Zoning Code Section 1252.15 (a), which requires a 20' Setback from the main building and where a 0' Setback from the main building is proposed in order to construct a 252 SF Accessory Structure;
- c) Requesting a variance from Zoning Code Section 1252.15, which prohibits an Accessory Structure in a side yard and where a 252 SF Accessory Structure in a side yard is proposed; property located at 15561 Sunset Drive, PPN 397-05-054, zoned R1-75.

**The Board indicated that they asked for a Fire Department review of this application request. The Building Department specified that they received a call from the Fire Department stating that they did not find any issues with this request. The Board mentioned that this accessory structure is to be used as a garage in addition to what they already have, and that it will be attached to the main structure. The noted that it will be a metal structure. The Board concluded that they found no issues with this application during the caucus.**

**The Board found no corrections to be made to the February 12, 2020 minutes.**

**STRONGSVILLE BOARD OF ZONING & BUILDING CODE APPEALS  
MINUTES OF MEETING  
February 26, 2020, 2019**

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

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

Also Present: Mr. Kolick, Assistant Law Director  
Mr. Roenigk, Building Department Representative  
Ms. Zamrzla and Kristi Onofre, Recording Secretaries

Mr. Evans – Good evening ladies and gentlemen. I would like to call this February 26, 2020 meeting of the Strongsville Board of Zoning and Building Code Appeals to order. May we have a roll call please?

ROLL CALL: ALL PRESENT

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 minutes from February 12<sup>th</sup> 2020, there are no corrections to be made so if there is nothing further we will submit those as they were given to us. If there is anyone in our audience that wishes to speak this evening 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 Assistant Law Director, along with our Recording Secretary, and our Representative from the Building Department.

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

Mr. Evans – Thank you. Our meetings are divided into two portions. We will begin with new applications and then move on to this evening's public hearings.

**NEW APPLICATIONS**

**1) VICTOR SYSAK, OWNER**

Requesting a 147 SF Floor Area variance from Zoning Code Section 1252.22 (c), which permits a 1,000 SF Floor area and where a 1,147 SF Floor Area is proposed in order to construct an Attached Garage; property located at 14091 Niagara Drive, PPN 396-17-079, zoned R1-75.

1) **VICTOR SYSAK, OWNER, cont'd**

Mr. Evans – First on the agenda this evening is Sysak on Niagara Drive. Please come up to the microphone and give us your name and address for the record.

Mr. Sysak – My name is Victor Sysak, and I live at 14091 Niagara Drive in Strongsville.

Mr. Evans – Thank you.

Mr. Jennings – I'm a builder and also a friend, Robert Scott Jennings.

Mr. Evans – Very good, thank you. What is your address sir?

Mr. Jennings – 13552 Drake Road, Strongsville.

Mr. Evans – Thank you. Alright. Mr. Sysak, tell us about your proposal. You heard us talking in caucus so there are a couple of questions that we'll have about it, but first give us the background of what you're planning to do.

Mr. Sysak – Yes, I'd like to knock down the old house and build a new one for my family. Then I was thinking about putting in a four car garage in case we decide to buy an electric car, plus one more for storage because my lot is narrow so I don't have room to put up a shed or anything. It'll be more comfortable to have a four car garage.

Mr. Evans – Okay, so the first question we have is whether you intend to run a business out of the garage. I ask because of the size of the garage, and it sometimes leads people to conclude that they can do that.

Mr. Sysak – No. No.

Mr. Evans – Okay, now the next thing should probably be directed to your builder to ask if you could please stake out the four corners of the garage. We will all be out to see the property before the next meeting, and we would like to see where this structure will be on the lot. It's helpful to us to see the corners.

Mr. Sysak – It's going to be set back more than the existing house because of the new zoning.

Mr. Evans – So it may be that you can only do 3 corners, and that's fine.

Mr. Jennings – Brian, I believe on the topo it showed the existing house on it, and then where the front corners of the new garage. The corners of the new garage are almost on the rear of where the existing house is on the lot.

**1) VICTOR SYSAK, OWNER, cont'd**

Mr. Roenigk – Do you want to take a look at this?

Mr. Jennings – Yes. You can see the front corners of the new garage, and that's the new building line. That's where the house sits now. So the front of the new garage sits almost behind where the existing house does. We can stake it out, it's not going to be hard to stake out.

Mr. Evans – Yes, if you could just do the corners.

Mr. Jennings – Okay, we absolutely will do that.

Mr. Roenigk – Is this topo correct? I believe we had a conversation about the size being a little bit different on here. Was that the second topo we got?

Mr. Jennings – No, this is it.

Mr. Roenigk – That is it. Okay, I was just wondering.

Mr. Evans – Are there questions from the Board?

Mr. Baldin – I'm looking at this and it's going to be almost 48' long and 25' wide. That's what I'm looking at here.

Mr. Sysak – Yes.

Mr. Baldin – Do you really need that much room?

Mr. Sysak – Yes, I mean how can you fit in a car otherwise?

Mr. Baldin – I don't know, how many cars are you going to have?

Mr. Sysak – Well, I have 3 right now, and I was going to buy an electric car, but if I cannot build a garage, why should I buy another car?

Mr. Baldin – I was looking at the property when I was out there, and you have quite a drop-off behind there.

Mr. Sysak – Well, the house is going to drop with the land so I can have a walk-out basement. The garage is going to be in front of the house.

Mr. Baldin – Thank you.

**1) VICTOR SYSAK, OWNER, cont'd**

Mr. Rusnov – Its 147 SF above the 1000 SF that is allowable.

Mr. Sysak – Yes.

Mr. Rusnov – Is that really minimal?

Mr. Sysak – Well, I mean, is that a problem?

Mr. Rusnov – No.

Mr. Sysak – Okay, great.

Mr. Evans – Mr. Sysak, our job is to figure out when it's a good idea to grant variances and when it's not. As we've talked about in caucus, we've done a number of variances for larger garages. They are usually much larger houses, but at this point it's your right to ask for whatever you want. It's our job to figure out if it's justifiable. In this case, as Mr. Rusnov pointed out. It's not really a large variance. It's a small variance, but again it's our job to take a look at all these things and weigh them out and figure out what the right thing to do is. So the other thing is that you are aware that you need a paved driveway for the project to go through, I'm sure the Building Department has spoken to you about that. Is there anything else?

Mr. Houlé – Just the neighbors, the fact that they'll be seeing a garage this size.

Mr. Evans – 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 March 11<sup>th</sup>, and it's on that date that we will render a decision on your request. So 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. Jennings – One more question, when do you want it staked out by? Next week or...

Mr. Evans – I'd say by this weekend perhaps.

Mr. Jennings – Okay.

Mr. Evans – I think that given the weather forecast here I wouldn't think that any of us will be looking at it until next week when it's up in the 50s.

1) **VICTOR SYSAK, OWNER, cont'd**

Mr. Jennings – It'll be up there on Monday, okay?

Mr. Evans – That should be fine, thank you.

2) **ALESSIO PROPERTIES, OWNER**

- a) Requesting a 1'6" Sign Height variance from Zoning Code Section 1272.12 (h), which permits a 5' Sign Height and where a 6'6" Sign Height is proposed in order to replace a Ground Sign;
- b) Requesting a 9.02 SF Face Area variance from Zoning Code Section 1272.12 (h), which permits a 50 SF Face Area where a 59.02 SF Face Area is proposed in order to replace a Ground Sign; property located at 17534 Royalton Road, PPN 396-12-004, zoned General Business.

Mr. Evans – Alright, item number two on the agenda is Alessio Properties on Royalton Road. Please have a representative come up and give us their name and address for the record.

Mr. Yankovich – My name is Tom Yankovich, I'm with Ellet Sign Company at 3041 E. Waterloo Rd in Akron, Ohio 44312

Mr. Evans – Thank you Mr. Yankovich, why don't you tell us about the project and what you are planning to do.

Mr. Yankovich – Thank you, what we are proposing tonight is that we have an existing sign over at Alessio on Royalton Road. We're asking to add to that existing sign. The extension is 16" high by 9' 1" wide, and it would be the same type of material that the existing sign is so it would be one cohesive unit. What we're trying to do is we're trying to add enough space for a third tenant. There's always been three tenants in that building but the top tenant never needed an identification signage over the years. What they are trying to do now is market that tenant spot and every prospective tenant that comes in is saying, what do I do for an ID or how do I get noticed from the road? Well the property is very unique in that it's narrow, there's very limited sight lines for 6 lanes of busy traffic. The building is set back further than the adjacent properties, so even with the new building that is not shown here now, the outback building is in front of Alessio's building. So street presence is hard because by the time you get by this property, you don't see they are back there. The importance of that is they need identification signage on the ground sign. So what we're trying to do is just create a cohesive unit of what they have, and we are minimizing our request because there is clearance here of about 13" or so. So we lowered the sign, and we wanted to give 4" for growth at the top. This brick area down here is a really nice, big planter area. We didn't want to lower that, but we wanted to keep it and have it high enough. We want to have nice landscaping in there as well. The landscaper is instructed to do something that involves low growth



2) **ALESSIO PROPERTIES, OWNER, Cont'd**

**Mr. Yankovich continues** - plants so we're not having the sign too high. So we were trying to minimize our request, and then we did want to keep a large enough panel because we don't know who the tenant is and how long their name will be. It is a steel structure, it's made of 1/4" steel, and it has a natural rusting deterioration to it. The copy is a stainless steel copy so it has a nice contrast with the background. I point this out because it's not easily altered. We can add to it, but once the copy goes on, we need it large enough to be seen, and we tried to keep it symmetrical with the existing sign. So we're here to ask a request to add that extension which automatically raises the height because we didn't want to lower the planter, and increase square footage because it's not easily replaceable.

Mr. Evans – Thank you for that explanation, Mr. Yankovich. You were not in caucus, right?

Mr. Yankovich – That is correct.

Mr. Evans – Okay, so in caucus we talked about a couple of things that you need to be aware of. The sign requirement in the City is 5' above grade. Your sign is already by your measurements 2' 4" higher than what it should be. So what you're asking for is to raise it another 1' 4", but then that takes it into the neighborhood of 9' above grade. The problem is that all along Royalton Road we've held to the 5' monument signage height. This was approved at some point back in the past. The Building Department approved it. Everybody along Pearl Road would love to have 10', 15', 25' signs to get everyone to notice their particular business. We have accommodated businesses in town by allowing monument signs to have additional tenants listed on them. In doing that, many of our buildings in town that have multiple businesses have done that kind of thing. Some have been more creative than others. I understand that this sign may be one that is a one of a kind, but our problem is that everybody along Royalton Road and Pearl Road is going to see your sign above the 7' that it is now will be upset that we allowed 9' for your particular businesses. I think many of the Board members here as we spoke in caucus are going to express a similar sentiment. Our ability to change and make variances is not predicated on economics or that someone wants their sign to be bigger than someone else's. The Code now would likely be able to accommodate the tenants, but not in the current sign and design that you have there. Since it is already higher than what the Code permits, it's grandfathered in. Once you start making changes on it, then it has to conform to the current Code. So the 5' above grade is where the allowances are now. That does not take into consideration stone planters, which if everyone could do that, they would all put in a 6' stone planter and put the sign on top of it. Then we'd have 15' high signs. So our problem is that while you may be very honest in presenting this, others might not be so honest and sign companies that have been in this town unfortunately have a reputation that isn't quite so stellar. That is not an indication of yours, but it is certainly for ones we've dealt with in the past. So I want to make sure that you understand that they already have a sign that is 2' higher than what is permitted. At least from the discussion in caucus that is probably not something that we will look favorably on as far as granting the variance to make it higher. We will continue this process, but at this point that is because we'd be forced to do the same for anyone else who came before us

2) **ALESSIO PROPERTIES, OWNER, Cont'd**

**Mr. Yankovich continues** - with a similar proposal along Royalton Road or Pearl Road. Board members I look to you to reinforce that if you may wish.

Mr. Houlé – So you will be designing a brand new sign to replace the one that is existing, correct?

Mr. Yankovich – No. We're designing an extension if you will.

Mr. Houlé – Just adding onto the bottom then?

Mr. Yankovich – Yes. It's made out of the same material. Again the uniqueness of this parcel is what I think separates us from some other folks along Royalton Road. You have a multitenant building that is set back further and doesn't have a street presence like some of the others have. So wall signage really isn't a great option for us. We can try to substantially alter the planter base and lower it so the height is not an issue, but then you have a SF issue also. We really would like to add to this sign as best as possible. Again, we tried to minimize the request. We're at 13", and we're leaving 4" for the future growth of the plants. What that does is minimize the request and we're asking for 8" higher than what was there previously.

Mr. Evans – 8" total on the top?

Mr. Yankovich – Yes.

Mr. Evans – So it's moving up.

Mr. Yankovich – It is moving up, and I understand that you're trying to keep things consistent. We really do feel like this is pretty unique when you drive down the road with the situation that this building has because of the setback compared to the adjacent properties. That monument sign is very important.

Mr. Evans – As I indicated, if that was that important, then the applicant certainly has the ability to change the sign to accommodate 3 tenants in a way that would be acceptable to a new tenant. The fact is that you want to keep the existing tenants names the size that they are on the sign. That's what is predicating the problem here. Again, we want every business to be successful in this City. That's part of what we work with the mayor for the City's progress. The fact of the matter is that when we grant a variance, we set a precedent, and that precedent is something that we have to live with. Unfortunately we sometimes stupidly grant variances that we then have to live with the precedent. There are things that we are just not going to do because it sets a precedent that we can't live with. So again, this is not declaring a decision tonight, but I'm letting you know that our past history is that allowing height differences like this has not happened because we'd have to do it for everybody. We just can't have 8' monument signs all around the City. It just won't work that way. I understand that the building is set back, and it's been there a long time.

2) **ALESSIO PROPERTIES, OWNER, Cont'd**

**Mr. Evans continues** - Also that Outback is building out front and everything else, but businesses can say that they are right next door to Outback if that's what it takes. The business is going to have signage that is permitted under the City's code, and maybe it's that the person who's taking the space will have to tie their space to something else like that when telling people where they are located. Mr. Rusnov?

Mr. Rusnov – Mr. Smeader brought up a point that if they remove the “eye” or whatever that is.

Mr. Yankovich – The logo.

Mr. Rusnov – So removing the logo then gives you the space necessary for the other tenant.

Mr. Smeader – With the same size that you have now.

Mr. Yankovich – I understand.

Mr. Rusnov – It's a possibility that might help you. If not, the chairman has pretty much expressed our concerns.

Mr. Baldin – Mr. Yankovich, they brought up what I was going to bring up as well. The logo is the largest part of the sign. There's no doubt about it. Then you have the Retina Associates of Cleveland, and you are proposing to put another panel underneath that, correct?

Mr. Yankovich – Correct.

Mr. Baldin – But at the same time you want to lift it up 8” or 9”?

Mr. Yankovich – Correct.

Mr. Baldin – But you also made a comment that in order to accommodate that you could knock the planter down which is one of my thoughts as well. You can just knock the planter down. I think at times they illuminate that sign at night, not always. Sometimes you see it lit, and sometimes you don't.

Mr. Yankovich – Yes, it's externally illuminated, but I don't know the times.

Mr. Baldin – It doesn't make sense, but it's been there a long time. I don't think anyone has gone down Royalton Road and not seen that sign. The thing of it is, that there are options for you to do in order to accommodate the Code. You can eliminate the large logo or you can knock down the planter two feet. Then you wouldn't have to do all this. I mean it's all costly whichever way you go, but again, trying to go 9.5' by adding another 8” or 9”, is just not what we want in our City.

2) **ALESSIO PROPERTIES, OWNER, Cont'd**

Mr. Yankovich – Thank you.

Mr. Evans – Anyone else?

Mr. Rusnov – No.

Mr. Evans – So it's the same process here for you 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. We will render our decision on March 11<sup>th</sup>, so we invite you back at that time. If the applicant has a change in mind for the plans, then you can communicate that to the Building Department. Anyone is able to ask for whatever they want, I'm just trying to prepare you so you understand what our criteria is for doing things. Also what our past experience has been because I don't think you have appeared before us before.

Mr. Yankovich – I did many years ago. What about the SF requirement? How does the Board look on SF?

Mr. Evans – I think the way to answer that is that there is a lot of new construction going on in this City. There are signs that are permitted based on the size of the building. Where applicants have come to us and said that they have three sides of the building that face public areas and we want to put three signs on the building, but we only permit one; at that point we have generally said that if they want to do additional signs that they have to fall within the square footage of what is allowed for that 1 allowable sign. So if they want one on the sides then they need to make them all smaller. Square footage is important, I think that we understand that what the sign is right now is what it is. So working within what is already there would be much more palatable to us. If the height overall doesn't change, but the square footage of the front does because of adding the additional area, that's probably less of a concern than the height going higher. So I think that the SF is the lesser of the problems.

Mr. Yankovich – I understand. Okay, thank you very much.

Mr. Evans – Okay, so we invite you back on March 11<sup>th</sup>, before then I encourage you to speak to your client and see if there are options there that they might wish to consider as an alternative. We're happy to vote on it whatever way it comes to us on the 11<sup>th</sup>. Okay?

Mr. Yankovich – Okay, I appreciate it, thank you so much.

Mr. Evans – Thank you.

## **PUBLIC HEARINGS**

### **3) MICHAEL G. BUNGE, OWNER**

Requesting a variance from Zoning Code Section 1252.18, which prohibits a fence to be installed on a lot without a main building and where the applicant is proposing a 6 foot tall solid white vinyl fence along the rear property line; property located at PPN 396-17-035, on Pearlview Drive, zoned R1-75.

Mr. Evans – Alright that moves us in to our public hearings then. First we have Bunge on Pearlview Drive. Please come up to the microphone and give us your name and address for the record.

Mr. Bunge – Michael G. Bunge, 5795 Robert Dr., Brook Park, Ohio 44142.

Mr. Evans – Thank you, Mr. Bunge. We have now all been out to the property, and you heard us in caucus talking about it. Is there anything different from the last time we spoke to you in terms of the fence is still 6' vinyl, and that it will tie together both ends of the property? You're not planning on building on it because it's part of the Trust and so it's still vacant land, but that you'll be building on the lot next to it. We know that there's a jog in the back fence and everything because we've talked about that. Are there anything questions or any comments that anyone needs to make before we proceed?

Mr. Rusnov – No.

Mr. Smeader – No.

Mr. Baldin – No.

Mr. Evans – 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. Kolick – Before you make a motion, Mr. Bunge, when will this fence be going in? Will it be at the same time that the house next door is going in?

Mr. Bunge – As soon we get the permit, the fence will go up immediately. This coming Monday will be 5 weeks since we submitted plans to Strongsville for the house. We just had our address assigned this past week. Our dig date for the house is March 17<sup>th</sup> as long as there's no changes that have to be made on the plans. So it'll almost be going up at the same time.

Mr. Kolick – I think that's what we're looking for because it's one thing if the variance is granted and no house winds up going there on the adjoining lot.

**3) MICHAEL G. BUNGE, OWNER, cont'd**

Mr. Bunge – No, no, no. Like I said, I have a contract from Strongsville Excavating, and we're ready to go.

Mr. Kolick – That's fine, and I don't care if it goes up 30 days before, we just do not want to see it sitting there for a year with no house on the lot, okay?

Mr. Bunge – Absolutely. Can I ask one question?

Mr. Evans – You may.

Mr. Bunge – So the fence that is going to go along our new house that will divide that property line, can I put a gate in there to get to that extra lot?

Mr. Evans – You can, you just can't come forward beyond the house there with the fence in between.

Mr. Bunge – Okay, perfect.

Mr. Evans – You can put a gate in there, so the gate would go between there and the connected property.

Mr. Bunge – Like if we had a cookout and wanted to go play horseshoes or something out there or something like that. They can go out there?

Mr. Kolick – There's no prohibition against you being able to connect to the other lot.

Mr. Bunge – I wasn't sure since it was considered vacant, that's why I was asking.

Mr. Kolick – You own it now. I don't know what happens if you ever sell that other lot though, someone might not want that connection there. We don't have any prohibition in the Code about it though.

Mr. Bunge – There is an address assigned to that parcel now so I don't know if you want to note that in the permit or if it's already noted.

Mr. Evans – Okay, alright.

Mr. Bunge – Thank you.

Mr. Evans – Hold on, stay put. Now I will entertain a motion.

**3) MICHAEL G. BUNGE, OWNER, cont'd**

Mr. Rusnov – I make a motion to approve a request for a variance from Zoning Code Section 1252.18, which prohibits a fence to be installed on a lot without a main building and where the applicant is proposing a 6 foot tall solid white vinyl fence along the rear property line; property located at PPN 396-17-035, on Pearlview Drive, 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

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. Then you can move forward, so that should fall together with what you're planning.

Mr. Bunge – Great. I really appreciate it, have a great evening.

Mr. Evans – Okay. Thank you.

**4) HEZLEY AND PAOLO TATANGELO, OWNERS**

Requesting an 11' Rear Yard Setback variance from Zoning Code Section 1252.16 (e), which requires a 36' Rear Yard Setback and where a 25' Rear Yard Setback is proposed in order to construct a 464 SF Concrete Patio; property located at 17048 Hunting Meadows Drive, PPN 397-04-039, zoned R1-75.

Mr. Evans – Item number four on our agenda is Tatangelo on Hunting Meadows Drive. Mr. Tatangelo, you did not stand when we had everyone else sworn in, so we get to pause while our Assistant Law Director swears you in.

Mr. Tatangelo – I apologize for that.

Mr. Kolick then stated the oath to Mr. Tatangelo.

Mr. Evans – Okay, now we need your name and address for the record.

Mr. Tatangelo – Paolo Tatangelo, 17048 Hunting Meadows Drive.

Mr. Evans – Okay, thank you, so you are asking for a rear yard setback variance, and that is because you are adding on to where the current patio is back there in order to put an above ground pool on

**4) HEZLEY AND PAOLO TATANGELO, OWNERS, cont'd**

Mr. Evans continues - top of that. We've all been out to look at it, and we know it's fenced in and everything. Do you have questions or comments from the Board? Okay. Nothing has changed about the project; it is still as you requested, correct?

Mr. Tatangelo – Correct.

Mr. Evans – Okay, and we know that it does not go into the easement in the back or anything, so again just to make sure everyone understands that. 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. Smeader – I make a motion to approve a request for an 11' Rear Yard Setback variance from Zoning Code Section 1252.16 (e), which requires a 36' Rear Yard Setback and where a 25' Rear Yard Setback is proposed in order to construct a 464 SF Concrete Patio; property located at 17048 Hunting Meadows Drive, PPN 397-04-039, zoned R1-75.

Mr. Houlé – Second.

Mr. Evans – Thank you, we have a motion and a second, and may I 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. Then you can move forward with the project if Council does not object. So you are all set.

Mr. Tatangelo – Thank you, and have a good evening.

Mr. Evans – Okay. Thank you.

**5) DENIS SLAWINSKI, OWNER**

- a) Requesting a variance from Zoning Code Section 1252.15 (a) where one 112 SF Accessory Structure already exists and a second 252 SF Accessory Structure is proposed;
- b) Requesting a 20' Setback variance from Zoning Code Section 1252.15 (a), which requires a 20' Setback from the main building and where a 0' Setback from the main building is proposed in order to construct a 252 SF Accessory Structure;



5) **DENIS SLAWINSKI, OWNER, cont'd**

- c) Requesting a variance from Zoning Code Section 1252.15, which prohibits an Accessory Structure in a side yard and where a 252 SF Accessory Structure in a side yard is proposed; property located at 15561 Sunset Drive, PPN 397-05-054, zoned R1-75.

Mr. Evans – Item number five on our agenda is Slawinski on 15561 Sunset Drive. If you will give us your name and address for the record please.

Mr. Slawinski – Denis J. Slawinski, 15561 Sunset Drive, Strongsville, Ohio.

Mr. Evans – Okay, and Mr. Slawinski you are asking for a variance in order to accommodate a metal garage. Tell us in a couple of words what the reason for the accommodation of the garage is please.

Mr. Slawinski – It's for parking a third car.

Mr. Evans – Okay, so you heard us talking in caucus. We did ask for an opinion from the Fire Department since this is abutting your existing garage. They did not have a problem with that. So where we talked about insulating and putting up walls that were fire proof and everything, you don't need to worry about that. In that case, it would appear as though everything as you have requested it can be considered by the Board this evening. Are there any questions from the Board?

Mr. Baldin – It's going to be a metal free-standing building, and you aren't going to run any businesses out of it. It is just for parking an additional car.

Mr. Slawinski – Yes.

Mr. Baldin – Thank you.

Mr. Evans – 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 make a motion to approve a variance from Zoning Code Section 1252.15 (a) where one 112 SF Accessory Structure already exists and a second 252 SF Accessory Structure is proposed; and also a request for a 20' Setback variance from Zoning Code Section 1252.15 (a), which requires a 20' Setback from the main building and where a 0' Setback from the main building is proposed in order to construct a 252 SF Accessory Structure; and also a request for a variance from Zoning Code Section 1252.15, which prohibits an Accessory Structure in a side

5) **DENIS SLAWINSKI, OWNER, cont'd**

**Mr. Houle continues** - yard and where a 252 SF Accessory Structure in a side yard is proposed; property located at 15561 Sunset Drive, PPN 397-05-054, zoned R1-75.

Mr. Baldin – Second.

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

ROLL CALL: ALL AYES MOTION PASSED

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 move forward with the project. So you are all set.

Mr. Slawinski – Thank you ladies and gentlemen, have a good evening.

Mr. Evans – Thank you. Is there anything else to come before the Board tonight? Then we will stand adjourned.

Mr. Evans, Chairman

Kathy Zamrzla, Recording Sec'y

March 11, 2020

Approval Date