

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

**Meeting of  
January 13, 2021  
7:30 p.m.**

Board of Appeals Members Present: Kenneth Evans, David Houlé, John Rusnov, Richard Baldin, Dustin Hayden

Administration: Assistant Law Director Daniel J. Kolick

Assistant Building Commissioner: Brian Roenigk

Recording Secretary: Kathy Zamrzla

The Board members discussed the following:

**1) STRONGSVILLE BOARD OF EDUCATION MIDDLE SCHOOL/Tyler Ratliff with Fastsigns, Representative**

- a) Requesting a variance from Zoning Code Section 1272.08 (b), where one (1) Ground Sign exists and one (1) additional 51.5 SF Ground Sign is proposed;
- b) Requesting a 16.5 SF Ground Sign Face Area variance from Zoning Code Section 1272.08 (b), which permits a 35 SF Ground Sign Face Area and where a 51.5 SF Ground Sign Face Area is proposed;
- c) Requesting a 5' Setback variance from Zoning Code Section 1272.08 (b), which requires a 15' Setback from the right-of-way and where a 10' Setback from the right-of-way is proposed in order to install a 51.5 SF Ground Sign; property located at 13200 Pearl Road, PPN 392-30-006, zoned Public Facility (PF).

Mr. Evans stated that the field on the grounds became an all-season field due to a donation from sponsors; therefore, signage directing residents and persons living outside of Strongsville is necessary. Mr. Evans stated he feels that item (b) is not necessary because the sign would be too large. Mr. Evans stated that the Strongsville City Schools benefits financially from sponsors whose names are on school property. Mr. Baldin stated he feels the sign is too large as well. Mr. Kolick stated that the CPTED Officer determined that the sign would not cause a line of sight obstruction for pedestrians or persons in vehicles. Mr. Houlé asked about the signage at the high school as well and suggested that perhaps someone may go to the high school field instead of the middle school field if this sign wasn't approved. Mr. Roenigk stated that the signs are not illuminated.

**2) RESTORE HYPER WELLNESS, TENANT/Jessica Ruff with Ruff Neon Sign, Representative**

- a) Requesting a 100 SF Wall Sign Face Area variance from Zoning Code Section 1272.12 (b) (5), which permits a 46.5 SF Wall Sign Face Area and where a 146.5 SF Wall Sign Face Area is proposed;
- b) Requesting a 1' Wall Sign Letter Height variance from Zoning Code Section 1272.12 (b) (5), which permits a 4' Wall Sign Letter Height and where a 5' Wall Sign Letter Height is proposed;
- c) Requesting a 1' Wall Sign Height variance from Zoning Code Section 1272.12 (b) (5), which permits a 5' Wall Sign Height and where a 6' Wall Sign Height is proposed; property located at 17830 Royalton Road, PPN 396-12-033, zoned General Business (GB).

**Mr. Rusnov stated that the sign would be too big and implied that the sign company doesn't know the sign Code or the Master Sign Plan for this retail plaza. Mr. Houlé stated that the Condado Taco sign stayed within the guidelines as well as many other stores within the plaza. Mr. Evans stated that approving this sign would set a precedent and also reminded the Board that they didn't allow Panera Bread all the signage that they wanted. Mr. Evans stated that this particular frontage doesn't have awnings. Mr. Houlé stated that the monument sign has the business name on both sides of the signs. Mr. Baldin stated the sign is too big.**

**3) CITY OF STRONGSVILLE, OWNER**

- a) Requesting a 3' Building Side Yard Setback variance from Zoning Code Section 1256.04 (b), which requires a 10' Building Side Yard Setback and where a 7' Building Side Yard Setback (West) on Parcel A is proposed in order to approve a Lot Split and Consolidation;
- b) Requesting a 20' Side Parking Setback variance from Zoning Code Section 1256.04 (c), which requires a 20' Side Parking Setback and where a 0' Side Parking Setback (East and West) is proposed on Parcel A in order to approve a Lot Split and Consolidation;
- c) Requesting a 20' Rear Parking Setback variance from Zoning Code Section 1256.04 (c), which requires a 20' Rear Parking Setback and where a 0' Rear Parking Setback (South) is proposed on Parcel A in order to approve a Lot Split and Consolidation; property located at 18875 Royalton Road, PPN 396-17-022, zoned Public Facility (PF).

**See the Board's comments under item (4).**

**4) CITY OF STRONGSVILLE, OWNER**



- a) Requesting a 3' Building Side Yard Setback variance from Zoning Code Section 1256.04 (b), which requires a 10' Building Side Yard Setback and where a 7' Building Side Yard Setback (East) on Parcel B is proposed in order to approve a Lot Split and Consolidation;
- b) Requesting a 20' Side Parking Setback variance from Zoning Code Section 1256.04 (c), which requires a 20' Side Parking Setback and where a 0' Side Parking Setback (East and West) is proposed on Parcel B in order to approve a Lot Split and Consolidation;
- c) Requesting a 20' Rear Parking Setback variance from Zoning Code Section 1256.04 (c), which requires a 20' Rear Parking Setback and where a 0' Rear Parking Setback (South) is proposed on Parcel B in order to approve a Lot Split and Consolidation; property located at 18825 Royalton Road, PPN 396-17-021, zoned Public Facility (PF).

**Mr. Kolick stated that Brian Roenigk will present items (3) and (4). This request is for the Chamber of Commerce property and Old Town Hall property parcel split to permit the sale of the Chamber of Commerce property. Mr. Kolick stated that on the agenda in their packets item (3) (a) should read (West) instead of (East) in the description and item (4) (a) should read (East) instead of (West) in the description. Mr. Kolick stated that cross easements will be required.**

**(H) Any Other Business to Come Before the Board**

**5) GARRY AND REBECCA MASTERSON, OWNERS**

An appeal to the Board of Zoning and Building Code Appeals regarding the decision of the Assistant Building Commissioner on December 3, 2020 related to fence permit number FNCE-20-1335 dated June 3, 2020; property located at 16430 Drake Road, PPN 397-16-064.

**Mr. Kolick stated that Brian Roenigk will be presenting the appeal to the Board. Mr. Kolick stated that the Building Department has determined that the fence was not installed according to the approved plans, it appears that it was installed over the property line and no inspections were performed prior to the installation of the fence. When the permit expired without inspections the Building Department was notified by the computer system and the Building Department visited the property to see if the fence was installed. The fence was installed by the contractor without the pin inspection and no final inspection was requested by the contractor. Mr. Roenigk sent a letter to the permit holder, who is the contractor, and the contractor replied stating that he would move the fence but the homeowner doesn't want to do that; therefore, the homeowner is appealing the violation notice.**

**The Board reviewed the minutes from the December 16, 2020 meeting and found no corrections.**

**Mr. Kolick stated that a revised sign Ordinance has been submitted to City Council for approval to allow sign drive-thru menu boards with restrictions. He also stated that the wall sign Ordinance has been revised regarding multiple wall signs.**



**STRONGSVILLE BOARD OF ZONING & BUILDING CODE APPEALS**  
**MINUTES OF MEETING**  
**January 13, 2021**

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

Present:

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

Also Present:

Mr. Kolick, Assistant Law Director  
Mr. Roenigk, Assistant Building Commissioner  
Ms. Zamrzla, Recording Secretary

Mr. Evans – Good evening ladies and gentlemen. I would like to call this January 13, 2021 meeting of the Strongsville Board of Zoning and Building Code Appeals to order. May we have a roll call please?

ROLL CALL:	MR. EVANS	PRESENT
	MR. HOULÉ	PRESENT
	MR. RUSNOV	PRESENT
	MR. HAYDEN	PRESENT
	MR. BALDIN	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. This is the first meeting of the year. We have the duty of electing officers of the Board. I will now open the floor for nominations for Chairman.

Mr. Rusnov – Mr. Chairman, I would like to nominate Ken Evans for Chairman for the Board of Building Code and Zoning Appeals for the year 2021 and request that the nomination for Chairman be closed at this time and that Ken Evans be unanimously approved.

Mr. Baldin – Second.

Mr. Evans – We have a motion by Mr. Rusnov and a second by Mr. Baldin. May we have a roll call please?

ROLL CALL:	ALL AYES:	MOTION GRANTED
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Mr. Evans – We also need to have a Vice-Chairman for the Board. I will now open the floor for nominations for Vice-Chairman.

Mr. Rusnov – Mr. Chairman, I would like to nominate Dave Houlé for Vice-Chairman for the Board of Building Code and Zoning Appeals for the year 2021 and request that the nomination for Vice-Chairman be closed at this time and that Dave Houlé unanimously approved.

Mr. Baldin – Second.

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

ROLL CALL:

ALL AYES:

MOTION GRANTED

Mr. Evans – We have minutes before us for the December 16, 2020 meeting. We discussed those in caucus. Unless there are changes or comments we will take those minutes as they were given to us and approve them for the record. If you are here this evening and wish to speak as a presenter or wish to comment during one of the Public Hearings, we now ask you to stand and the Assistant Law Director will swear you in as well as our representative from the Building Department and our Secretary.

Mr. Kolick stated the oath to those standing.

1) **STRONGSVILLE BOARD OF EDUCATION MIDDLE SCHOOL/Tyler Ratliff  
with Fastsigns, Representative**

- a) Requesting a variance from Zoning Code Section 1272.08 (b), where one (1) Ground Sign exists and one (1) additional 51.5 SF Ground Sign is proposed;
- b) Requesting a 16.5 SF Ground Sign Face Area variance from Zoning Code Section 1272.08 (b), which permits a 35 SF Ground Sign Face Area and where a 51.5 SF Ground Sign Face Area is proposed;
- c) Requesting a 5' Setback variance from Zoning Code Section 1272.08 (b), which requires a 15' Setback from the right-of-way and where a 10' Setback from the right-of-way is proposed in order to install a 51.5 SF Ground Sign; property located at 13200 Pearl Road, PPN 392-30-006, zoned Public Facility (PF).

Mr. Evans – Item number one (1) on our agenda is Strongsville Board of Education and Fastsigns is the representative for a variance request on Pearl Road. If the representative is here, if you would come to the microphone please and we'll start by asking for your name and address for the record.



1) **STRONGSVILLE BOARD OF EDUCATION MIDDLE SCHOOL/Tyler Ratliff  
with Fastsigns, Representative, Cont'd**

Mr. Gruber – My name is Joshua Gruber and I'm here representing Fastsigns of Strongsville at 12245 Pearl Road.

Mr. Evans – Take us through the request for the sign here. You don't have to go through the three items. Just tell us why the sign is needed and what has changed that is now making this sign necessary.

Mr. Gruber - The biggest thing is the location. We have the school as well as the stadium on the same lot. So right now, the school has the sign with the electronic message center and traffic generally defaults going to that entrance there where there is no sign at the entrance that is presumed for the field itself. So, we're really looking to move traffic into that driveway to help that flow as well as let everybody in Strongsville know that the field is at that location. On top of that if you're familiar with the high school they have the Pat Catan sign and, in this case, it would be Serpentine Field and we feel that it benefits bringing in the sponsor as well allowing people in the City know who sponsors the stadium.

Mr. Rusnov – It eliminates confusion.

Mr. Gruber – Absolutely.

Mr. Evans – In caucus I described that fact that the Strongsville Middle School was originally built behind Center Middle School and when it was done we didn't anticipate the field was going to be an in-use field. It was a practice area. We are fortunate enough to have sponsors like Serpentine come forward and make it an artificial field. That leads to a lot more use by the district which means we have a lot more people coming from the outside to utilize the field; hence, the need to recognize the location of the field. Mr. Roenigk, we talked in caucus about the observation of our Police Department. If you would be so kind to explain that on the record.

Mr. Roenigk – Mr. Drlik went out and investigated and said he had no issue with the line of sight at the location.

Mr. Evans – Thank you. We did miss in caucus and I believe that some of our other members may have alluded to the size of the sign is very, very large. I'm guessing that's a choice of someone but at this point our desire would probably be to see that sign be smaller so that the variance is only necessary for the multiple sign and the setback from the right-of-way as opposed to the size of the sign. I'm going to ask the question can the size, which is now 10' and a couple of inches, be made shorter and less tall so that you could make the 35 square foot requirement and not have to have a variance for item (b)?



1) **STRONGSVILLE BOARD OF EDUCATION MIDDLE SCHOOL/Tyler Ratliff  
with Fastsigns, Representative, Cont'd**

Mr. Gruber – We can redesign it. Serpentine is a long name so the more we have to shrink that up the less visible it's going to be from the road.

Mr. Evans – A 10' sign would be very, very, very visible. Our problem, an honest answer, is that we have to deal with everybody along Pearl Road putting multiple signs in. We have come to the conclusion we can do that using certain criteria, for instance a bigger sign. When we put a 10' one out in front of the Serpentine field a lot of people are going to be asking for a bigger sign along Pearl Road; hence, a reason for saying that putting it within 35 square feet makes it a whole lot easier to work with. That would be maybe taking it down to 8' by 4 1/2' or something like that, which still allows for plenty of room to be seen and the Strongsville City School District to be on there as well. That would be a thought that you might want to have in your mind as the other members of the Board speak with their comments. Gentlemen, any comments?

Mr. Rusnov – If he can cut that sign down it would eliminate part (b) and have two variances instead of three. I think that really you should listen to the Chairman.

Mr. Baldin – I concur with the comments that the Chairman has made and my colleague. The other thing is that it's very well known that Mr. Serpentine is very hospitable to our City and we appreciate that and we aren't try to take anything away from him. I just think that people are going to come here and see the sign and the color scheme. Right now, you're probably looking at 1' letters. You might have to cut it down to 8" letters. I don't know how you do that. I still think it would be very, very visible.

Mr. Rusnov – We're asking for your cooperation and make continuity ring here. We do create some precedent and most residents know where the school and the field are. If you cut the sign back to the Code it would be better. The sign Codes are in flux as far as being revised by the Building Department but this one wouldn't really apply to it. It's the size of the wall signs at some of the commercial buildings that we're revising. So, we're asking you to eliminate this and go with a smaller sign.

Mr. Baldin – Plus the fact that it's going to be setting closer to the road than what the Code actually permits. That is also going to help you.

Mr. Kolick – Can you agree to a 35 square foot sign?

Mr. Gruber – Yes, we can reduce the sign by 2' in length and the height.

Mr. Kolick – You will be eliminating (b) and change (a) to 35 square feet and you're going to change (c) to 35 square feet. Where it says 51.5 square feet you'll change it to 35 square feet.

1) **STRONGSVILLE BOARD OF EDUCATION MIDDLE SCHOOL/Tyler Ratliff  
with Fastsigns, Representative, Cont'd**

Mr. Evans – Are there any other comments? If none, this is a Public Hearing. Is there anyone in the audience who wishes to speak for the granting of the variance? Is there anyone in the audience who wishes to speak against the granting of the variance? Hearing none and seeing none I will declare the Public Hearing closed and entertain a motion with the amended items of (a) and (c).

Mr. Rusnov – Mr. Chairman, requesting a variance from Zoning Code Section 1272.08 (b), where one (1) Ground Sign exists and one (1) additional 35 SF Ground Sign is proposed and (b) requesting a 5' Setback variance from Zoning Code Section 1272.08 (b), which requires a 15' Setback from the right-of-way and where a 10' Setback from the right-of-way is proposed in order to install a 35 SF Ground Sign; property located at 13200 Pearl Road, PPN 392-30-006, zoned Public Facility (PF).

Mr. Houlé - Second.

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

ROLL CALL:

ALL AYES:

MOTION GRANTED

Mr. Evans – Thank you. We appreciate your accommodation. The variances have been approved. There is a twenty-day waiting period during which time City Council has the opportunity to review our decision. You'll be notified by the Building Department at the conclusion of the twenty days if City Council does not object. You will also need to visit our ARB.

Mr. Kolick – If you would contact Carol Brill at the City she can get you on the agenda for ARB to get that out of the way and you can do that during this twenty-day waiting period.

Mr. Gruber – Okay. Thank you for your time.

Mr. Evans – We appreciate you working on that with us.

2) **RESTORE HYPER WELLNESS, TENANT/Jessica Ruff with Ruff Neon Sign,  
Representative**

- a) Requesting a 100 SF Wall Sign Face Area variance from Zoning Code Section 1272.12 (b) (5), which permits a 46.5 SF Wall Sign Face Area and where a 146.5 SF Wall Sign Face Area is proposed;



2) **RESTORE HYPER WELLNESS, TENANT/Jessica Ruff with Ruff Neon Sign,  
Representative, Cont'd**

- b) Requesting a 1' Wall Sign Letter Height variance from Zoning Code Section 1272.12 (b) (5), which permits a 4' Wall Sign Letter Height and where a 5' Wall Sign Letter Height is proposed;
- c) Requesting a 1' Wall Sign Height variance from Zoning Code Section 1272.12 (b) (5), which permits a 5' Wall Sign Height and where a 6' Wall Sign Height is proposed; property located at 17830 Royalton Road, PPN 396-12-033, zoned General Business (GB).

Mr. Evans – Item number (2) on our agenda is Restore Hyper Wellness on Royalton Road. If we can have the representative come forward please and we will need your name and address for the record.

Ms. Ruff – Jessica Ruff, 295 Prospect, Painesville, 44077.

Mr. Evans – Thank you, Ms. Ruff. If you can take us through the discussion about the new store that is coming in and the signage. I think that you heard our discussion during the caucus time. You may want to try and address some of those concerns that we expressed.

Ms. Ruff – Yes. So, I did hear all of your comments and I did contact the customer and I have a revision. Can I approach you and show you that?

Mr. Evans – If you have them electronically, why don't you just tell us about the changes. We've all been out and looked at it so we know what the building frontage looks like. We have your original submission in front of us.

Mr. Ruff – Okay. So, the overall Restore letters right now are the 48" letters. With this revision they would be 36" overall size and then the logo is currently proposed 60 ¼" and it would be revised to 45". So, overall the square footage would be 82 ½" so we would be requesting the 36 square feet and then eliminating (b) and (c). We would only be requesting (a).

Mr. Evans - You're talking about a 36 square foot variance. If you've seen the other stores that are in that grouping, Red Wing and the new Mexican Restaurant and Condado Tacos and Sleep Number and those that are there, they all have either similar situations or they have awnings as some of them do. This particular store front doesn't so we recognize that there is more space there but as we indicated one of our problems is that when we let one have bigger letters the drum beat is there and everyone is in very quickly saying they want bigger letters too. They will work with you to put a bigger sign up. That is a problem for us, and in particular Panera Bread spent a lot of money with their sign company and they got beat up pretty bad by us, and they wanted four signs much bigger and we approved two. We conditioned them down to the square footage allowed. So,



2) **RESTORE HYPER WELLNESS, TENANT/Jessica Ruff with Ruff Neon Sign, Representative, Cont'd**

**Mr. Evans continues** - other members of the Board may talk about why it is that we try and contain those to the square footage allowed but that is sort of the gist of it. Once we allow anyone to do that kind of signage it becomes a problem for us to live with that. Twenty-four inch letters are pretty big and you're thinking of going to 36" letters down from 48". I want to make sure that the number one message that we send is that we want every business that is here in Strongsville to be successful but signage is something that, if you talk to people, signage can never be too big or too gawdy or too whatever. There are lots of reasons that people go Restore. You also have Restore out on the monument sign on Royalton. Some of that is going to be that once you get them in there they have to find it. I will not argue that the way that the retail is designed that Restore is on the second level. Outback and Panera can be seen, Red Wing and Sleep Number, they are all on the front. They are going to be in the back like Condado Taco is and it's not going to be as visible. The problem is that then everybody is going to want the bigger sign. Gentlemen, any comments?

Mr. Rusnov – Ma'am, did you consult the Master Plan for the signs?

Ms. Ruff – Yes. Unfortunately, the client wants what they want.

Mr. Rusnov – You have no control over your client and the Building Code. We're between a rock and a hard place. Code revisions are coming in several weeks. My thoughts are if you can talk your client into going along with the program and go with the Code because you have the sign out front and the sign on the building. It's not like some of these other places where it's hit or miss and you can't find the place. So, my advice to you would be to conform with the Code or the Master Plan for signage in that area.

Ms. Ruff – Okay. I'll go back to them.

Mr. Rusnov – We have great reluctance. We've had nothing but issues with the sign companies pushing the envelope every time there's a new building. Every one and the Chairman addressed this a few meetings ago, and we all have the same feelings about it. So, you want to conform with the Code and the Master Sign Program for that area. Do that and you don't need any variances.

Ms. Ruff – Thank you.

Mr. Evans – We need to do a couple of things. Number one, does anyone else need to make a comment?

Mr. Baldin – I think you covered it all. Are they afraid that they can't be seen from Route 82?

Ms. Ruff – They just wanted it bigger so I entertained it and tried.

2) **RESTORE HYPER WELLNESS, TENANT/Jessica Ruff with Ruff Neon Sign,  
Representative, Cont'd**

Mr. Baldin – It's a wide-open plaza.

Mr. Rusnov – Our hands are tied. As the Chairman stated if we give it to you then everybody is going to want a 30' chicken in the front yard with the name of the people on it.

Mr. Evans – Before we go, we need to hold the Public Hearing. Is there anyone in the audience who wishes to speak for the granting of the variance? Is there anyone in the audience who wishes to speak against the granting of the variance? Hearing none and seeing none I will declare the Public Hearing closed. We can vote on it as it is submitted and turn it down, which is not what I would recommend. I would recommend that you request that we table it so that you can meet with your client and get that resolved. My hope would be that, because we're looking at the letters and the configurations, if you drop to 24" letters I think you're going to get pretty close to what you need to be to meet the square footage allowed. You can come in under the 48" and that makes all the variances go away and you don't need to come back to this Board. If you speak with your client and the client says they want to move forward with a bigger sign then at that point, by tabling it, that allows you to come back without doing the Public Hearing again, and we would be able to place you on the agenda and react to your new request. Again, we would hope that because of the way that we've dealt with the other businesses in the plaza that your client will agree that 46 square foot is big enough and hopefully they'll go with that. If their choice is to come back to us for a variance then you're already in position to be able to do that without doing anything else. If that is to your way of thinking then at that point we would ask you to table it for tonight. You can work with the Building Department. If you're within the numbers then you don't need to come back here. If you still need a variance then you're in position to come back.

Ms. Ruff – Okay, I'll table it.

Mr. Evans – All right. If you work with the folks in the Building Department to realign sizing or whatever to get it to work, they'll accommodate you and get that taken care of.

Ms. Ruff – Thank you.

Mr. Kolick – Ms. Ruff, you agree to table it for tonight, correct?

Mr. Ruff – Yes.

Mr. Kolick – Okay, and get revised plans to the Building Department if it gets revised so we know what to do with it.

Mr. Evans – We do want Restore to be successful and be good tenants and happy tenants but we need to be able to fit their signage into what works for the City.



2) **RESTORE HYPER WELLNESS, TENANT/Jessica Ruff with Ruff Neon Sign, Representative, Cont'd**

Ms. Ruff – Thank you.

Mr. Evans – Good night.

3) **CITY OF STRONGSVILLE, OWNER**

- a) Requesting a 3' Building Side Yard Setback variance from Zoning Code Section 1256.04 (b), which requires a 10' Building Side Yard Setback and where a 7' Building Side Yard Setback (West) on Parcel A is proposed in order to approve a Lot Split and Consolidation;
- b) Requesting a 20' Side Parking Setback variance from Zoning Code Section 1256.04 (c), which requires a 20' Side Parking Setback and where a 0' Side Parking Setback (East and West) is proposed on Parcel A in order to approve a Lot Split and Consolidation;
- c) Requesting a 20' Rear Parking Setback variance from Zoning Code Section 1256.04 (c), which requires a 20' Rear Parking Setback and where a 0' Rear Parking Setback (South) is proposed on Parcel A in order to approve a Lot Split and Consolidation; property located at 18875 Royalton Road, PPN 396-17-022, zoned Public Facility (PF).

4) **CITY OF STRONGSVILLE, OWNER**

- a) Requesting a 3' Building Side Yard Setback variance from Zoning Code Section 1256.04 (b), which requires a 10' Building Side Yard Setback and where a 7' Building Side Yard Setback (East) on Parcel B is proposed in order to approve a Lot Split and Consolidation;
- b) Requesting a 20' Side Parking Setback variance from Zoning Code Section 1256.04 (c), which requires a 20' Side Parking Setback and where a 0' Side Parking Setback (East and West) is proposed on Parcel B in order to approve a Lot Split and Consolidation;
- c) Requesting a 20' Rear Parking Setback variance from Zoning Code Section 1256.04 (c), which requires a 20' Rear Parking Setback and where a 0' Rear Parking Setback (South) is proposed on Parcel B in order to approve a Lot Split and Consolidation; property located at 18825 Royalton Road, PPN 396-17-021, zoned Public Facility (PF).



**3) CITY OF STRONGSVILLE, OWNER AND 4) CITY OF STRONGSVILLE,  
OWNER, Cont'd**

Mr. Evans – Next on our agenda are items number (3) and (4), which is the City of Strongsville. They are attached at the hip but we will address them separately. We will talk about them together. Our representative from the Building Department is going to be the individual who will present this.

Mr. Kolick – Mr. Roenigk, we do need your name and address for the record here and you can use the City Hall address.

Mr. Roenigk – Brian Roenigk, 16099 Foltz Parkway. As we talked about in caucus this is a consolidation property split to benefit the city to break up the properties for development, selling, properties, it's going to benefit the City. This will allow it to go to Planning Commission. There's really not much more to it as Mr. Kolick said in caucus. No parking issues are changing. It's just to divide up the properties to benefit the City.

Mr. Evans – Mr. Kolick did state that there will be cross easements for the utilities, parking and everything else involved that has to be in place prior to that taking place.

Mr. Rusnov – This is to help the City get a sale of the one property to utilize for expansion necessary in the City. They are selling off an asset to put into another asset. Correct?

Mr. Roenigk – Yes.

Mr. Rusnov – Okay, that's it. You're done. Nice talking to you. Bye.

Mr. Evans – I think at this point it behooves us to say that Old Town Hall is a part of this and that whole situation existed long before any of us were here. I think we're dealing with a situation that is time honored and things do change over the course of time. Any other comments?

Mr. Baldin – No.

Mr. Rusnov – No.

Mr. Kolick – No.

Mr. Evans – All right. This is a Public Hearing for both items (3) and (4). Is there anyone in the audience who wishes to speak for the granting of the variances? Is there anyone in the audience who wishes to speak against the granting of the variances? Hearing none and seeing none I will declare the Public Hearings closed and entertain a motion for item (3).

3) CITY OF STRONGSVILLE, OWNER AND 4) CITY OF STRONGSVILLE,  
OWNER, Cont'd

Mr. Baldin – I'd like to make a motion for (a) requesting a 3' Building Side Yard Setback variance from Zoning Code Section 1256.04 (b), which requires a 10' Building Side Yard Setback and where a 7' Building Side Yard Setback (West) on Parcel A is proposed in order to approve a Lot Split and Consolidation and (b) requesting a 20' Side Parking Setback variance from Zoning Code Section 1256.04 (c), which requires a 20' Side Parking Setback and where a 0' Side Parking Setback (East and West) is proposed on Parcel A in order to approve a Lot Split and Consolidation and (c) requesting a 20' Rear Parking Setback variance from Zoning Code Section 1256.04 (c), which requires a 20' Rear Parking Setback and where a 0' Rear Parking Setback (South) is proposed on Parcel A in order to approve a Lot Split and Consolidation; property located at 18875 Royalton Road, PPN 396-17-022, zoned Public Facility (PF) be approved.

Mr. Kolick – We can add subject to the Law Department approving any required cross easements.

Mr. Baldin - Subject to the Law Department approving any required cross easements.

Mr. Houlé - Second.

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

ROLL CALL:

ALL AYES:

MOTION GRANTED

Mr. Evans – I will then entertain a motion for item number (4) on the agenda. Mr. Baldin, do you want to pass, you're getting a little winded there.

Mr. Baldin – I'll give it a shot. Mr. Chairman, (a) requesting a 3' Building Side Yard Setback variance from Zoning Code Section 1256.04 (b), which requires a 10' Building Side Yard Setback and where a 7' Building Side Yard Setback (East) on Parcel B is proposed in order to approve a Lot Split and Consolidation and (b) requesting a 20' Side Parking Setback variance from Zoning Code Section 1256.04 (c), which requires a 20' Side Parking Setback and where a 0' Side Parking Setback (East and West) is proposed on Parcel B in order to approve a Lot Split and Consolidation and (c) requesting a 20' Rear Parking Setback variance from Zoning Code Section 1256.04 (c), which requires a 20' Rear Parking Setback and where a 0' Rear Parking Setback (South) is proposed on Parcel B in order to approve a Lot Split and Consolidation; property located at 18825 Royalton Road, PPN 396-17-021, zoned Public Facility (PF).

Mr. Rusnov – Second.

Mr. Kolick – Excuse me, Mr. Chairman. Same thing. We can add subject to the Law Department approving any required cross easements.



3) **CITY OF STRONGSVILLE, OWNER AND** 4) **CITY OF STRONGSVILLE,**  
**OWNER, Cont'd**

Mr. Baldin - Subject to the Law Department approving any required cross easements.

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

ROLL CALL:

ALL AYES:

MOTION GRANTED

Mr. Evans – All right, the variances have been granted subject to a twenty-day waiting period during which time City Council has the opportunity to review our decision. You'll be notified by the Building Department at the conclusion of the twenty days if City Council does not object. Thank you, Mr. Roenigk.

**(H) Any Other Business to Come Before the Board**

5) **GARRY AND REBECCA MASTERSON, OWNERS**

An appeal to the Board of Zoning and Building Code Appeals regarding the decision of the Assistant Building Commissioner on December 3, 2020 related to fence permit number FNCE-20-1335 dated June 3, 2020; property located at 16430 Drake Road, PPN 397-16-064.

Mr. Evans – That takes us to item number (5) on the agenda. If you will come forward to the microphone please and give us your name and address for the record.

Mr. Masterson – Garry Masterson, 16430 Drake Road.

Ms. Masterson – Rebecca Masterson, 16430 Drake Road.

Mr. Evans – Thank you and good evening. We are here to consider an appeal to the Assistant Building Commissioner's decision so why don't you take us through what has happened.

Mr. Kolick – Mr. Chairman, procedurally the City should present so that the property owner's know exactly what issues the City is raising so they can address them since they are the appellant. The City should present first. Okay, please have a seat in front. You can sit together. Mr. Roenigk, if you would come to the microphone.

Mr. Roenigk – Brian Roenigk, 16099 Foltz Parkway, Strongsville, Ohio 44149. Thank you, Mr. Chairman. So, I did give you some paperwork. You should have found them. I'm going to take you quickly through the events that happened. I'm going to start with this packet that has a letter, an email, from me. My name is at the top left-hand corner. Contractor Northeast Ohio Fence



5) **GARRY AND REBECCA MASTERSON, OWNERS, Cont'd**

**Mr. Roenigk continues** - applied for a fence permit for 16430 Drake Road. That came on May 22, 2020. On May 29, 2020 before I approved the permit and there was a ten-day waiting period, I sent this top letter, email, to the contractor for this specific reason so we can avoid these issues. I stated that I noticed an issue with their measuring on their paperwork that they submitted to us just to give them a heads up so we don't have these issues that we're dealing with today. The permit was issued on June 1, 2020. I approved and it was paid for. On December 2, 2020 I sent an inspector out there.

Mr. Kolick – When you approved the permit did you send an approval to the applicant indicating on the approval that they could only go 12' from the house?

Mr. Roenigk – Yes, sir. That would be the third page.

Mr. Kolick – The third page actually went to the contractor?

Mr. Roenigk – Yes, we either email it or they pick it up.

Mr. Kolick – It's part of the application and the approval of the application?

Mr. Roenigk – Yes. How they pick it up is up to them. I don't know how this one was.

Mr. Kolick – Did they also get the page in front of that that shows the inspections that are required on the left-hand side?

Mr. Roenigk – That is correct.

Mr. Kolick – Okay, then they got the paperwork that says a property pin inspection is required and a final fence inspection is required?

Mr. Roenigk – Yes.

Mr. Kolick – Now what happens then?

Mr. Roenigk – On December 2, 2020 I sent an inspector out because after six months of permit inactivity, which this was, the permit expires per City Ordinance 1418.07 and the permit becomes invalid after six months of issuance for inactivity, which this was. Six months had gone by and we had not been called out for an inspection. That's the first page that says the pin inspection had not been completed.

Mr. Kolick – What did that inspector find at that point?

**5) GARRY AND REBECCA MASTERSON, OWNERS, Cont'd**

Mr. Roenigk – That would be the page that says at the top “property pin inspection”. I had sent the inspector out with the notes highlighted that says “note to inspector, permit expired, no inspection, attempt inspection, contact owner”. He measured when he went out according to the approved topo that I had stamped that stated that the topo said 12’ max on the right side and he measured 13’ 7”. However, I want to amend that. I personally went out there and measured 13’ 4”. So, his measurement is off slightly but still we know that it exceeds what they were permitted to do under the permit.

Mr. Evans – Mr. Roenigk, on the inspection sheet under the owner information is shows different names. Is that correct or should that be Masterson?

Mr. Roenigk – You would have to ask them. Same first names and different last names. I’m not sure why that is. So, on December 3, 2020 the day after the inspector failed the inspection I sent the violation notice and the violation notice is in your packet, I believe. It says that this is from me and I communicated with the permit holder, which is Northeast Ohio Fence. That is who I communicated with. I sent the letter stating “the fence permit has expired without required inspections, fence not installed to approved drawings. It may be outside the property lines and this is their only notice you are going to receive.” After I sent that I did get a call from the owner. He said he had no problem moving the fence.

Mr. Kolick – When you say the owner are you referring to the contractor?

Mr. Roenigk – Yes, the owner of the fence company, the contractor. I talked to him personally.

Mr. Kolick – What did he tell you?

Mr. Roenigk – He said that he would move it per the approved topo.

Mr. Kolick – Okay, what happened after that then.

Mr. Roenigk – He told me that the homeowner did not want that to happen. I didn’t get a reason why. He just said the homeowner did not want to move the fence.

Mr. Kolick – Okay. Would you take us through what you did to determine where the property line is by the engineered signed drawing that you have attached here in the same packet.

Mr. Roenigk – Absolutely. That is the large page that is yellowed. This is to scale. I measured from the corner foundation wall of the dwelling to the property line and that is where I came up with the number that we came up with.



**5) GARRY AND REBECCA MASTERSON, OWNERS, Cont'd**

Mr. Kolick – So, the engineered drawing, the topographical survey which is signed by the engineer indicates that the house is 11.70' from the property line.

Mr. Roenigk – That's at the front corner. The back says the corner is 12' to the property line. The house is not exactly perpendicular to the property line. The back corner is 12'.

Mr. Kolick – The back corner is 12'. It's not 13'. That is the signed engineers survey plat.

Mr. Roenigk - And I verified this with the Engineering Department. The Building Commissioner and myself both went out to the site and took pictures, took measurements.

Mr. Kolick – Those pictures, are those the ones that you have attached in this packet?

Mr. Roenigk – That is this packet here. These were taken by the Building Commissioner and as you can see it measures 13.4' on the second picture.

Mr. Kolick – Tell us what that picture represents.

Mr. Roenigk – We try not to put a financial burden on the homeowners or contractors when they do fences or anything that borders a property line; however, we want to make sure that no one puts anything on someone else's property because we don't like these situations and law suits and such; hence, the reason I did that letter prior to even approving the permit to prevent this. So, we both paid a visit out there. I've spoken to our Engineering Department about the property pin in the northeast corner. It is sticking out of the ground over a foot. It's not a normal installation by a surveyor. We do not know and cannot verify if that's an accurate pin location. So, we don't even want to use that as a point because we have no idea if someone...we're not accusing the homeowner's we just don't know about that pin. That could have been done twenty years ago. Who knows. That's not a normal pin installation. We don't even look at that as a good point for measuring. We do allow people to measure off of the topo. Two points of the foundation wall and place stakes, straight line and measure from that. We would have no problem with that. I have not spoken to the homeowner's themselves and they have not contacted me. I have been dealing with the contractor and, like I said, the contractor is more than willing to move the fence.

Mr. Evans – Thank you.

Mr. Hayden – Mr. Roenigk, I have a question. The picture that was actually included in the packet, you have two other items circled there, it looks like maybe an old post.

Mr. Roenigk – The more I looked at this the more questions I came up with too. I've been told by the contractor that they removed an existing fence. I took a picture of the property pin from a distance. Is that the one you're talking about? The one with the square and the two circles?

**5) GARRY AND REBECCA MASTERSON, OWNERS, Cont'd**

Mr. Hayden – Yes.

Mr. Roenigk – The contractor told me they had removed a fence. I found several posts along the line with the new fence that were cut at grade. Those are what are circled and then I put a square around the property pin. I don't know if they cut that down because it's clearly not on their property. Not that I'm going to get involved in that or anything but I was noting everything that I saw on sight. I was questioning to myself if that fence was cut down it was clearly on someone else's property but that is not what we're here for tonight.

Mr. Kolick – Well, Mr. Roenigk, did you check the city's records to see if there was a prior permit for a fence down this side of the property that we're talking about.

Mr. Roenigk – I found a permit for this residence that we're talking about, a fence on the west side and along the back and it ended in the northeast corner.

Mr. Kolick – So, this prior property owner applied for a fence down the other side of the property and across the rear but not for this side.

Mr. Roenigk – Yes, and I couldn't find a permit for a fence for the neighboring house.

Mr. Kolick – That may indicate that they were connecting to a neighbor's fence so if there was another fence there it was probably owned by another neighbor prior to this property owner.

Mr. Roenigk – And to box in your yard you would just do two sides if the neighbor had a fence there already.

Mr. Kolick – Thank you. Are there any other questions for Mr. Roenigk?

Mr. Evans – Thank you.

Mr. Kolick – And you did check the city's records for inspections for pins and there were no inspections of the pins themselves? You just found this out by going out afterwards?

Mr. Roenigk – Yes, our computer generates a six month notice to follow up on six month expiring permits.

Mr. Kolick – Thank you.

Mr. Evans – All right, Mr. and Mrs. Masterson. The first question is do we have the name right?



**5) GARRY AND REBECCA MASTERSON, OWNERS, Cont'd**

Mr. Masterson – Yes, our name was legally changed two years ago. Our property has not been deeded over.

Mr. Evans – Okay. That's fine. Just wanted to clear that up first. So, now if you can take us through what has happened in your estimation and why you're here tonight.

Mr. Masterson – I wanted to begin back with when we purchased the property in 2011. There was a prior fence that was up. When we purchased the property, the fence was the same construction on all sides. On the east side where it is referenced in the picture, the old posts we removed the fence ourselves, cut the posts down to the ground. In 2011 the original fence was in place when we purchased the property. The condition of the fence at that time was aged. We didn't know how long it had been there. There was a survey that was performed at the time we purchased the house that had stated in one section, due to bowing, there was an encroachment but if you went back to the northeast corner where the one picture is it did not mention an encroachment at that location. So, our belief when we purchased the house was at that corner the fence was within the property line. When we were disassembling the other fence back in May both of our neighbors on the east and the west confirmed that the original fence was built thirty-five or forty years prior. Between the time of when we purchased the home in approximately 2017 we have built two flower boxes, one in the northeast corner and one in the southeast corner that are within the confines of the old fence and the current fence, I don't know if it's a foot from the current fence but those were constructed with the understanding that they're in the correct location.

Ms. Masterson – They are less than a foot.

Mr. Masterson – When we were disassembling the fence the property neighbor on the east side had an issue and came over to us. They knew that we were going to be installing a new fence because we had sent certified letters to the neighboring properties stating that we were removing the old fence and installing a new fence within the property lines, and I did receive calls from both east and west neighbors that everything was fine and they appreciated it because the old fence was in terrible condition and we were upgrading the fence, and if we needed anything, let them know. When we were disassembling the old fence, the east neighbor did come over and asked where the fence was being constructed and we said in the same location but slightly in and they had mentioned that there was a variance....

Ms. Masterson – There was an agreement between her and the previous owner for where the fence was located. She didn't indicate how much. When I had that conversation, we told her we were moving the fence to compensate for the encroachment.

Mr. Masterson – Our belief at that time from when we purchased the home up until when the fence was disassembled and pending the new installation was that we were within our property line. After we disassembled the fence and the permit process played out, the fence was constructed and

**5) GARRY AND REBECCA MASTERSON, OWNERS, Cont'd**

**Mr. Masterson continues** - one month after the fence was installed we went ahead and spent the additional expense to waterproof the fence and we still had no understanding that anything was incorrect. At that point the agreed upon drawing was submitted because the drawing had 13' on the east side and was attached to our contract and it was built to that. We had no understanding.

Mr. Evans – The communication from the Building Department went to the fence contractor, not to you.

Mr. Masterson – We believed everything was okay. Since the fence was constructed we've received no...the only complaint we have received was the notice of violation. The neighbors on both sides have complimented us on the improvement. We've never received any complaints that we were over the property line or that the neighbor was upset. If we had known...I know you mentioned this in caucus...this wasn't taken up before the permit was issued, there won't be a variance...had we known at that time, we would have applied for a variance based on where the existing fence was and what the conversations were with the property owner because I can't speak for them but I would believe they would....

Mr. Evans – Let me explain that when a variance is issued, and this will answer part of that question, we can't grant a variance for you to build a fence on someone else's property. We can grant a variance to you for a fence on your property behind the house or next to the house but we can't grant a variance installed on someone else's property. The variance doesn't get you that. Now, I'm also going to pause and let Mr. Rusnov talk. He's an appraiser on our Board and he just happens to do that as an advocacy. I'm going to ask him to explain about pins and survey's that are done when someone buys a home.

Mr. Rusnov – When you purchase a property you have a title search and a commercial survey. I'm not saying you have 100% all the time but they give you where the sideline setback will be and the rear setback and the location of the pins. That should be the guideline for when you're building a fence or something along that line. I concur that is a beautiful fence but it's not your fault that the contractor did not install the fence to match the approved plan.

Mr. Masterson – I understand but at this point...

Mr. Rusnov – The chances of getting a variance to put something on someone else's property, that can't happen here.

Mr. Masterson – I was bringing up the variance because it was mentioned in caucus.

Mr. Rusnov – The easy fix is let the contractor correct it at no charge to you.



**5) GARRY AND REBECCA MASTERSON, OWNERS, Cont'd**

Mr. Masterson – With all due respect I would ask if that's the position that we're allowed to table this in order to obtain a survey at our cost because at this point I communicated with...

Mr. Rusnov – You're perfectly within your rights and what I would do is I would get a commercial survey that was supplied or should have been supplied from the title company when you got the loan. That might save you the money and that should suffice, or if you want to have a new one.

Mr. Masterson – This is what we thought when we purchased the house.

Ms. Masterson – Who is responsible for placing the pins?

Mr. Rusnov – The surveyor.

Mr. Evans – That is part of the problem because pins get moved and you may have not moved it but prior owners may say that they want the pin in a different location. They are anchored in the ground. They don't move easily and they move it and put it back in the ground half way where they want and then when the survey is done it says where the property is based on the legal description but it doesn't say the pins are here and should be here or anything like that. That is a difficult situation. When a builder builds the property the Engineering Department makes sure the pins are in the right spot and they should remain there. Every property owner should respect those. That doesn't always happen in the real world. To have a survey done, it's not just that piece of paper, it's taking that piece of paper and putting pins, and we would recommend all four corners because that's what will clear up the controversy. That is not an issue to have that done. It could have been done a while ago. Everybody who buys a home learns things the hard way from electrical, to surveys, you name it. So, we don't hold that against you but that's part of the process that needs to get clarified in order to be able to move forward. This is not the time of year when it's a sense of urgency but title companies have a responsibility in that, and you should go back to them to start with because there is an obligation on their part to know that that survey was in fact done improperly. That isn't going to change where the pins are. That gives you the opportunity to go back and negotiate a little bit with the surveyor.

Mr. Masterson – When we were looking both at the topo and at our survey the measurements just were not adding up on a width prospective. The property is 80' wide and when we were adding up where we knew the fence extended 8' on the west side and then we were adding up east side and then the width of the house and the numbers just weren't adding up.

Mr. Rusnov – You could probably save yourself some money. You get your title search information and then ask the surveyor to do a pin check. If you could accurately locate three pins then number four should be pretty easy. It's 80' from the previous pin. That might help expedite this for you and the I'm not speaking for the Building Department but I'm sure they would help you.

**5) GARRY AND REBECCA MASTERSON, OWNERS, Cont'd**

Mr. Kolick – Mr. Chairman, Mr. Masterson, did your contract with your fence contractor require them to obtain the permit or were you supposed to obtain the permit?

Mr. Masterson – The contractor.

Mr. Kolick – Okay, so they were required to obtain the permit. Did they tell you that the fence could only be 12' off the house?

Mr. Masterson – No, we never received that.

Mr. Kolick – Okay, so your problem is with your general contractor because they were the ones who were aware that they could only go 12' off the house. As you heard, they were given the plan that showed the fence had to be 12' off the house.

Mr. Masterson – I agree that had we known, which is not the City's fault, we would have been at this survey back before any construction started.

Mr. Rusnov – It's not your fault. It's not the City's fault. This lays with the contractor and we'll try to rectify this and whatever you deem necessary. If you want to table this and get a survey, fine. That's your right.

Mr. Masterson – I would think so.

Mr. Rusnov – It will make you feel better. You'll never have the problem again.

Mr. Masterson – Yes, and that would clear up our questions about the difference in the measurements.

Mr. Rusnov – Then we'll table it and we'll see you.

Mr. Kolick – Mr. Chairman, the applicant should take the topographical plan that we received tonight to the contractor or surveyor or whatever so they have the information that we have currently at the City for their disposal. We can table it but I don't know where that is going to take us because they would almost have to start the whole permit process over again to ask for a variance even if they're on their property they don't meet the setback requirement. So, we can table it and they can locate their pins but even if they're on the property they're still going to need to connect the permit to go beyond the period of time for a building permit.

Ms. Masterson – What is the setback Ordinance?

Mr. Kolick – The 12' took you to the property line so you could take it to the property line.



**5) GARRY AND REBECCA MASTERSON, OWNERS, Cont'd**

Mr. Roenigk – The entire fence has to be on your property.

Mr. Kolick – If you were going to do something other than the 12' from the house then you would have had to apply at that time for the request on the permit application to say you wanted to be 13' from the house. If you would have done that back then, then the Building Department could have checked to see if you were on the property so there's going to be a problem here regardless even if you're on the property but the resolution may be a little different.

Mr. Masterson – If we have a survey done and we're completely on our property...

Mr. Evans – Then there's not a problem.

Mr. Kolick – There's still this problem, Mr. Chairman. We're still going to have a problem from the City's standpoint. You have a contractor who didn't follow the permit number one and number two you have a contractor who never called for any inspections as required. Were you aware that the City never came out to inspect it?

Mr. Masterson – No.

Mr. Kolick – Did you ever ask the contractor about inspections?

Mr. Masterson – No. We didn't know anything until we had a notice stuck to our front door.

Mr. Rusnov – The contractor dropped the ball.

Mr. Kolick – We can table this, you can have your survey done and see, as the Chairman stated, you can't go beyond the property but there will still be an issue regardless even if you're within your property between us and your contractor. That's not going to go away just so you understand that.

Ms. Masterson – Is it something that we need to deal with or the contractor?

Mr. Evans – The contractor will have to deal with it. The contractor did not follow the protocol.

Ms. Masterson - I do have a question for the record. This will be brief. I scoured the Codified Ordinances trying to figure out what if I built this myself? How would I know what steps to take? It was not directive. I did not find anything about the inspection process or who to call and when.

Mr. Evans – It's not part of the Codified Ordinances. It's part of the building permit application process. To put that in the Codified Ordinances would be a mistake because that process could

5) **GARRY AND REBECCA MASTERSON, OWNERS, Cont'd**

**Mr. Masterson continues** - change. The Building Department does all that. As a part of the process for the building permit application, all of that is documented and that is what becomes the official requirement.

Mr. Masterson – I ask to table this and if we obtain a survey we will correct this fence and not cause any further issues.

Mr. Baldin – So, if they get this taken care of with the contractor they don't need to come back to us.

Mr. Evans – The Building Department will have an issue with the contractor and they'll figure that out. For variance purposes and for the request to overturn the decision, we'll table that for now, you'll get the pins set and then we'll go from there with the Building Department, and whether you need to come back to us or not, I don't think you will. I think that will be handled otherwise but if you do then we'll continue the process.

Mr. Rusnov – We need to do the Public Hearing.

Mr. Evans – No, there is no Public Hearing.

Mr. Kolick – Mr. Chairman, for Mr. Masterson, just let Brian at the Building Department know when they come out and stake the new survey so that he can see where it's at as well.

Mr. Masterson – Okay.

Mr. Kolick – Thank you.

Mr. Evans – Communication will hopefully make this all go away. We appreciate you coming in and taking care of it.

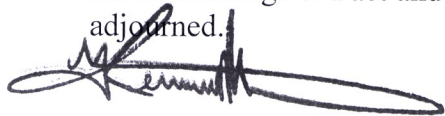
Ms. Masterson – Will we be required to pay for inspections?

Mr. Evans –

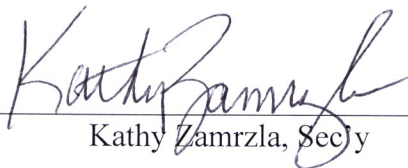
Ms. Masterson – Thank you.



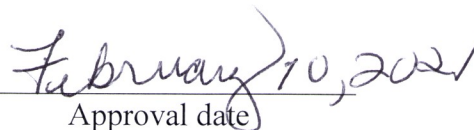
Mr. Evans – Is there any other business to come before the Board this evening? Mr. Kolick, there are no Findings of Fact and Conclusions of Law because we didn't deny anything. We will stand adjourned.



Mr. Evans, Chairman



Kathy Zamrzla, Sec'y



Approval date