

STRONGSVILLE BOARD OF ZONING & BUILDING CODE APPEALS
MINUTES OF MEETING
March 25, 2020

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

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

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 March 25, 2020 meeting of the Strongsville Board of Zoning and Building Code Appeals to order. May we have a roll call please?

ROLL CALL: ALL FIVE MEMBERS 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 March 11, 2020, there are no corrections to be made other than Kristi Onofre was not at the meeting. If there are no other changes we will approve as noted. I ask that Mr. Briola 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.

Mr. Evans – Thank you. Our meetings are divided into two portions. We will first call our new applications, Bank of America is item number one. Mr. Briola, please come to the podium.

1) **BANK OF AMERICA/Jim Briola with North Coast Sign and Lighting Services, Inc., Representative**

Requesting a variance from Zoning Code Section 1272.12 (c), which permits one (1) Wall Sign and where three (3) Wall Signs (North, South and West) are proposed; property located at 16013 Pearl Road, PPN 397-02-082, zoned General Business (GB).

Mr. Briola – Jim Briola, North Coast Sign and Lighting, 310 North Broadway Street, Medina. We are requesting more signage than is allowed

Mr. Evans – This evening you are requesting signage for the new building that is going up in front of the Market District. You can now tell us what you're proposing.

1) **BANK OF AMERICA/Jim Briola with North Coast Sign and Lighting Services, Inc., Representative, Cont'd**

Mr. Briola – We are requesting additional signage. The building is going to be in the front of the parking lot in front of the Market District there facing the drive that comes in to the south.

Mr. Evans – So, it's going to be facing Levin's then, right?

Mr. Briola – Yes, and we're requesting two signs on the front. The lettering is 6" tall and the logo is 12" tall. That's going to be on the south end of the building facing Pearl Road.

Mr. Evans – Probably what is going to be helpful Mr. Briola is that we have drawings that were submitted to us, which the drawing that I'm looking at right now which is 207161 which has red lines. So, I'm guessing it matches the one you're holding up.

Mr. Briola – This particular sign, which is sign p, is a very small sign. It says Bank of America and it is 6" tall. The logo is 12" tall.

Mr. Evans – All right, and that one is facing the handicap parking, is that correct?

Mr. Briola – Correct.

Mr. Evans – All right, so if we're looking at the drawing that they gave us that is 207161, it has some red lines and the sign faces Levin Furniture.

Mr. Houle – What sheet are you on?

Mr. Rusnov – That's the south side.

Mr. Briola – That is correct.

Mr. Evans – It is sheet 3 of 19. That's showing the lay out of the building on the property. The bottom shows the drive coming in from Pearl Road which is where the drive-throughs are going to face.

Mr. Kolick – Number four shows the south elevation.

Mr. Evans – It also shows that south and the west elevation. The south elevation on sheet four is that what you're referring to now?

Mr. Briola – Actually that is facing Pearl Road. That is p.

1) **BANK OF AMERICA/Jim Briola with North Coast Sign and Lighting Services, Inc., Representative, Cont'd**

Mr. Evans – The drawings that we have don't have a p. We have b which I'm guessing is the same one that you're looking at.

Mr. Briola – B faces south, faces Levin.

Mr. Evans – The west elevation is sign a.

Mr. Briola – Exactly. Sign b, the lettering is 10 ½" tall and the logo is 1' 9 1/8" tall and it's 30.31 square feet. That faces the drive between Levin and Bank of America.

Mr. Evans – So, I'm looking at the package that was given to us, which...

Mr. Kolick – So, Mr. Briola, you want Bank of America on the west side and the south side and the north side, correct?

Mr. Briola – Correct. And I think that because of the location and the big parking lot and it is going to be in the southwest corner. The drive to the north is quite some distance from the building itself. It's actually the north drive that goes into the property.

Mr. Evans – How we have done the buildings that are around there, if you look at the six other banks in close proximity to Bank of America you're going to notice that there are two signs on each of those buildings, which we granted variances for second signs but not a third sign. Every business along Pearl Road would like three signs. One on each side of the building. That isn't going to happen. The reason is that we've told those banks on Pearl Road that we would consider two sides. PNC, Fifth Third, Chase, everybody along there has two signs. We've told them that a variance for a second sign has to be within the total square footage allowed. So, if you're allowed 100 square foot, we would allow two signs for a total of 100 square feet. The reason that we've done that is that everybody would love more signage. I haven't seen in the drawings here, is there a monument sign proposed.

Mr. Briola – There is no monument sign.

Mr. Evan – It's just the wall signs. So, that would be a little bit different. Again, we've stayed with two signs on the building. I think the people with the Bank of America will be pleasantly surprised that everyone within fifteen miles knows where the Market District is. When they tell people that they have a branch in front of Market District, everyone will know where that is. So, for us, our problem is that if we give you the three signs that you're asking for everyone else will want one.

Mr. Briola – I understand that you don't want to set a precedent.

Mr. Evans – Absolutely.

1) **BANK OF AMERICA/Jim Briola with North Coast Sign and Lighting Services, Inc., Representative, Cont'd**

Mr. Briola – Everybody would think they're entitled to three signs too.

Mr. Evans – Correct. What I'm indicating to you is that we would be happy to move forward with three signs but that would mean that we would either turn it down in total, which I don't think you would want or you can adjust it after you talk to the people at Bank of America and explain to them what I've told you. You need to tell us which direction facing you would want the two signs on. The sign on the front may not be the most important one. Judging from the fact that facing Levin's is a drive-through and a relatively small sign, they may want to look at that and you may need to adjust that before we get to our meeting. I'm going to rely on the other Board members to make their comments about that as well.

Mr. Rusnov – We concur with the chairman.

Mr. Kolick – Mr. Chairman, maybe for Brian, what is the total square footage allowed?

Mr. Roenigk – The total square footage allowed is 83.7 square feet.

Mr. Kolick – One of the other things that the Board has done is limit the size of the two signs that they're granted. So, that you understand it has to be within the 83 square feet.

Mr. Briola – I understand.

Mr. Kolick – Correct.

Mr. Evans – Or close to it. We would prefer that it's right on the 83 square feet or less. If it comes out that 85 square feet is the way to get the logo to a certain proportion we might grant that. But working within that 83 square feet is what we would ask you to do.

Mr. Briola – The one that faces Levin's is 31.31 square feet and the sign that faces Pearl Road is going to exceed the total square footage. Okay, now c is 43.60 square feet so that would put it within the allowed square footage. Of course, I don't make the final decision. I'm just presenting. Your recommendation is that the sign that faces Pearl Road is probably the less desirable in terms of being able to find that bank.

Mr. Evans – It might be the least important. Again, Bank of America has people they pay a lot of money to decide which side of the building they want signs on. They obviously rely on your expertise as well. For our purposes, it can be whichever side of the building they feel is most important. Our inclination in the past and our practice has been no more than two signs on the building and as I say you can see that on the other banks around Pearl Road. That should come as no big surprise to them. We want to figure out the right way to do it and obviously we want every

1) **BANK OF AMERICA/Jim Briola with North Coast Sign and Lighting Services, Inc., Representative, Cont'd**

Mr. Evans continues - business including Bank of America to be successful. But we have to work within the constraints of knowing that up and down Pearl Road it could look like Las Vegas if we allowed that to happen.

Mr. Briola – I know. I attend a lot of meetings and do my best to represent my client.

Mr. Evans – We try to be reasonable. The code says one sign but we understand that there are reasons why businesses want to be recognized. Our Mayor wants businesses to be successful but we can't give away everything. What we do for you we have to do for others. What we've done in the past seems to be working. It seems to be making everyone in the banking world successful in town.

Mr. Briola – Okay. Understood.

Mr. Evans – Please take that message back to them. For right now the application stands as it is but over the course of the next two weeks, if you change their mind or are successful to reducing it to the two we ask that you get that information to the Building Department so that we have it in advance of the next meeting. That way we know what's coming or what the change is and it gives us the ability to not instantly react but have a game plan as to how we want to do it.

Mr. Briola – Okay, I'll go back to them and tell them they have a choice of where they put the two sign but the limit total square footage is 83.7 square feet.

Mr. Evans – We know that signs can be shrunk and there are standard sizes that they have because Bank of America is in a lot of different places and they have to deal with a lot of communities. We want to accommodate them as best as we can within our code. We'll have you back here on April 8. Any questions? A notice will go out to everyone within 500' of the property.

Mr. Briola – Thank you. No questions. The likelihood of getting the variance for three signs is not likely, is it?

Mr. Evans – I would say slim to perhaps slimmer.

Mr. Briola – I will convey that to them. And I will encourage them to decide on two signs that don't exceed 83.7 square feet. Okay. Thank you.

Mr. Evans – Thank you.

Mr. Baldin – Mr. Chairman, I think that you presented that very well.

1) **BANK OF AMERICA/Jim Briola with North Coast Sign and Lighting Services, Inc., Representative, Cont'd**

Mr. Kolick – Mr. Briola, would you stay here for a moment in case the other Board members have comments?

Mr. Baldin – The gentleman isn't familiar with our City I'm sure.

Mr. Briola – Actually, I've done a few signs here.

Mr. Baldin – So you have seen the signs that Mr. Evans has mentioned.

Mr. Briola – Yes, I stopped there before the meeting.

Mr. Baldin – It's very obvious what you see is there. It's very astute of you to understand the 83.7 square feet may be all that you receive.

Mr. Briola – I think the city is very reasonable. We've done quite a few signs here over the years and I'm sure people aren't going to have a hard time finding the Bank of America.

Mr. Baldin – I don't think so either. Thank you.

Mr. Evans – Anyone else? Mr. Briola, we are now set. Thank you again. We'll see you on April 8.

Mr. Briola – If they decide they just want to resubmit two signs then we submit it to the Building Department?

Mr. Evans – Correct. Before the next meeting.

Mr. Briola – So we would waive the request for a variance?

Mr. Evans – No, two signs would still need a variance because only one is permitted.

Mr. Briola – Okay, I'll be back.

2) **PATRICK AND ANNETTE KLANAC, OWNERS/Fred Haun with Deckcreator, Representative**

Requesting a 6' Rear Yard Setback variance from Zoning Code Section 1252.16 (e), which requires a 36' Rear Yard Setback and where a 30' Rear Yard Setback is proposed in order to construct a 201 SF Deck Expansion; property located at 19417 Misty Lake Drive, PPN 397-29-062, zoned R1-75.

2) **PATRICK AND ANNETTE KLANAC, OWNERS/Fred Haun with Deckcreator,
Representative, Cont'd**

Mr. Evans – Good evening. Mr. Kolick is going to swear you in.

Mr. Kolick swore in the applicant.

Mr. Evans – Thank you. Mr. Haun, please come forward and we'll need your name and business address for the record, please.

Mr. Haun – My name is Fred Haun and the business is Deckcreator and the address is 12235 York Road, North Royalton.

Mr. Evans – Thank you. You are here on behalf of Patrick and Annette Klanac. Would you explain to us what it is that you are proposing to do for them please?

Mr. Haun – Basically behind their house they are putting a little addition on their deck, second level, approximately 12' by 13' or 13' by 15'. There's a sliding patio door there that goes nowhere.

Mr. Evans – It will connect to the existing deck then?

Mr. Haun – Correct, right up against the house.

Mr. Evans – Questions? Everyone has perhaps not been out to see it yet. I have not.

Mr. Houlé – Mr. Chairman it's adjacent to and next to and behind him is common area for Deerfield Lake. I don't think it's going to be in anyone's vision at all.

Mr. Evans – Thank you, Mr. Houlé. Does anyone else have questions or comments?

Mr. Kolick – We will need a HOA letter. I don't see one.

Mr. Haun – Correct. They haven't got that secured yet. I understand you need that.

Mr. Baldin – Mr. Chairman?

Mr. Evans - Yes?

Mr. Baldin – I have been out to see it as well and as Mr. Houlé says it right next to the recreation area. Lots of room there, I see no problem.

Mr. Evans – All right. So, all of us will be out to see the property. Do we need to have it staked out?

2) **PATRICK AND ANNETTE KLANAC, OWNERS/Fred Haun with Deckcreator, Representative, Cont'd**

Mr. Baldin – Not really, because it's pretty obvious.

Mr. Evans – Okay. So what will happen is everybody within 500' will get a notice of the proposed variance, which means that if the Klanac's have neighbors that are inquisitive the letter will only state what's on the agenda tonight. It doesn't tell them a whole lot. The Klanac's may want to knock on doors as best as you can under the Covid19 circumstances and let them know what they are proposing to do. We invite you back here on April 8 and we will render a decision on the request.

Mr. Haun – I thought it was a 50' rear setback. This says 36'

Mr. Roenigk – You are allowed to go 14' into the rear yard setback.

Mr. Haun – Okay.

Mr. Evans – Thank you. We will see you on April 8.

Mr. Haun – Thank you.

3) **ERIC BODKIN, OWNER/Steve Bella with Bella Cement, Representative**

Requesting a 11' Side Yard Setback variance from Zoning Code Section 1252.16 (e), which requires a patio maintain the same Side Yard Setback as the main dwelling and where the applicant is proposing a 333 SF Patio and Walkway encroaching 11' beyond the main dwelling into the Side Yard Setback; property located at 12531 Cooper's Run, PPN 392-11-094, zoned R1-100.

Mr. Evans – Good evening, Mr. Bella. Mr. Kolick will be swearing you in.

Mr. Kolick stated the oath to Mr. Bella.

Mr. Evans – If you will come forward to the podium and we will need your name and business address for the record please.

Mr. Bella – Steve Bella, 12588 South Churchill Way representing Mr. Bodkin.

Mr. Evans – Would you tell us about the project that they're proposing which has led to the request for the variance?

3) ERIC BODKIN, OWNER/Steve Bella with Bella Cement, Representative, Cont'd

Mr. Bella – They have an existing deck there with a small paver patio you would call it. They are looking to extend it and a lead walk to the driveway which has a side load garage. We can't do it in the back because of the hill and the swale. It's too close to the deck. So, the logical only space for it is on the side of the deck.

Mr. Evans – So there are topographical issues involved.

Mr. Bella – It shows it further but it is way closer. It doesn't make sense to dig in the hill. Water is hard to divert.

Mr. Evans – Okay. And the patio is a concrete patio I'm guessing since you're a concrete company?

Mr. Bella – Yes sir.

Mr. Evans – I wasn't sure if it would be pavers. Questions for Board members?

Mr. Houlé – I was out there. There's quite a line of trees on both sides of the yard and in the back it does fall quite severely in the back. That would tie into the issues he was talking about.

Mr. Evans – Thank you, Mr. Houlé.

Mr. Baldin – Mr. Chairman?

Mr. Evans – Mr. Baldin?

Mr. Baldin – Isn't there some pavers outside of the wooden deck right now?

Mr. Bella – Yes, sir.

Mr. Baldin – And those pavers already exceed outside the line of the house.

Mr. Bella – Maybe by a paver or two.

Mr. Baldin – A couple of feet.

Mr. Bella – I didn't really pay too much attention.

Mr. Baldin – Do you know, Brian, were those pavers put in when the house was built or are those afterwards? They are already outside the line of the house.

3) ERIC BODKIN, OWNER/Steve Bella with Bella Cement, Representative, Cont'd

Mr. Roenigk – I don't have that information but I can get that.

Mr. Evans – Those are probably disconnected pavers. Does that constitute...

Mr. Roenigk – If it's part of a paver patio it would have needed a variance.

Mr. Baldin – The patio is wooden.

Mr. Roenigk – No permit would have been necessary if it's just a walkway of pavers.

Mr. Bella – There is no walkway of pavers. It's an existing pad.

Mr. Roenigk – They may have added that for decorative purposes. It wouldn't have needed a permit.

Mr. Bella – They didn't want a grill on their deck. We are pouring concrete.

Mr. Houlé – We do have the HOA approval.

Mr. Kolick – We need it staked.

Mr. Evans – What will happen is that a notice will go out to everyone within 500' of the Bodkins. It only says what in the agenda. So the Bodkins may want to knock on doors although today's environment is challenging. Let them know what they are proposing. We will invite you back here on April 8.

Mr. Houlé – It's already staked out.

Mr. Evans – We will all be out to visit between now and April 8 and we'll see you back here on April 8 for a decision.

Mr. Bella – Sounds good.

Mr. Baldin – I have a question for the applicant. Are you going to take the existing patio out and put a whole brand new one in?

Mr. Bella – Yes.

Mr. Baldin – Thank you.

Mr. Evans – Thank you, Mr. Bella.

3) **ERIC BODKIN, OWNER/Steve Bella with Bella Cement, Representative, Cont'd**

Mr. Bella – Thank you.

PUBLIC HEARINGS

4) **ANTHONY LOSCHIAVO, OWNER/Frank Colabianchi with Colabianchi Construction, Representative**

Requesting a 694 SF Floor Area variance from Zoning Code Section 1252.22 (c), which permits a 1,000 SF Floor Area and where a 1,694 SF Floor Area is proposed in order to construct an Attached Garage; property located at 12510 Arbor Creek Drive, PPN 398-27-052, zoned R1-100.

Mr. Kolick stated the oath to Mr. Colabianchi.

Mr. Evans – Mr. Colabianchi, welcome and we need your name and address for the record please.

Mr. Colabianchi – Frank Colabianchi, Colabianchi Construction. 11005 Suite 2 Pearl Road here in Strongsville.

Mr. Evans – Thank you. You are here for a garage variance. If you'll just give us a little bit of information about the project and why it involves a larger garage.

Mr. Colabianchi – Okay, we're building in Arbor Creek subdivision and most of the house in there are estate houses and they have larger garages and as I mentioned before, my client has got more money in his garage than the whole house. They are not into the cars for a business. They just collect cars. He puts five or six cars in there. God bless them. They enjoy it. More power to them. So, we are asking the Board to please grant the variance.

Mr. Evans – Okay. We do have the HOA letter. Questions or observations?

Mr. Rusnov – Every house in there is custom built, architect designed, luxury class, upper tier of value, almost all of them have requested and received variances for larger garages because most of them are car collectors to some degree and this is the unique one of a kind house in an area of unique homes.

Mr. Evans – Thank you, Mr. Rusnov. So, how are we going to do the Public Hearing?

Mr. Kolick – Technically you need to announce that no one's here, that's all.

Mr. Colabianchi – If it matters, I was standing with the other two applicants and no one else.

4) **ANTHONY LOSCHIAVO, OWNER/Frank Colabianchi with Colabianchi Construction, Representative, Cont'd**

Mr. Evans – I will state that we did not have anyone in attendance that wanted to speak for or against the granting of the variance. With that being said I will declare the Public Hearing closed and will entertain a motion.

Mr. Rusnov – Requesting a 694 SF Floor Area variance from Zoning Code Section 1252.22 (c), which permits a 1,000 SF Floor Area and where a 1,694 SF Floor Area is proposed in order to construct an Attached Garage; property located at 12510 Arbor Creek Drive, PPN 398-27-052, zoned R1-100.

Mr. Houlé – Second.

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

ROLL CALL:

ALL AYES

MOTION GRANTED

Mr. Evans – It is approved Frank, and you know there is a 20 day waiting period during which City Council has the opportunity to review our decision. The Building Department will notify you at the conclusion. Please convey to Mr. Loschiavo welcome to Strongsville. You're all done.

Mr. Colabianchi – Thank you. I really appreciate you all holding the meeting here. We have to keep the wheels turning as much as we can in this crazy time. I really appreciate it. Thank you very much.

5) **MARIA GARDEN'S, TLT PROPERTIES II, LLC/Tom Kaminski, Representative**

- a) Requesting a variance from Zoning Code Section 1274.06, which prohibits enlargement or structural alteration of a non-conforming use and where the applicant is proposing the addition of a 4,096 SF unenclosed Accessory Structure;
- b) Requesting a 15' Side Yard Setback variance from Zoning Code Section 1252.05, which requires a 15' Side Yard Setback and where a 0' Side Yard Setback is proposed with an 4,096 SF Unenclosed Accessory Structure going over onto a contiguous lot; property located at 20465 Royalton Road, PPN's 393-15-011 and 393-16-001, zoned R1-75.

Mr. Evans – Mr. Kaminski, I'm going to ask our Assistant Law Director to swear you in.

Mr. Kolick stated the oath to Mr. Kaminski.

5) **MARIA GARDEN'S, TLT PROPERTIES II, LLC/Tom Kaminski, Representative,
Cont'd**

Mr. Evans – Thank you, Mr. Kolick. Mr. Kaminski, would you please come to the podium. You are here this evening on behalf of Maria Gardens. If you could please state your name and address.

Mr. Kaminski – Tom Kaminski, 19319 Bradford Court, Strongsville.

Mr. Evans – Thank you. You are here this evening on behalf of Maria Garden's. You are asking for two variances. Give us the 30 second description of the project if you would be so kind.

Mr. Kaminski – It's a shade structure to provide shade for plants and shelving and so forth for storage of plants for sale.

Mr. Rusnov – This is a seasonal use building.

Mr. Kaminski – Yes.

Mr. Evans – Any questions from the Board members? It is a non-conforming use. They have been there a while. It is a well-known business in Strongsville. In order to be competitive this is certainly something that they think is necessary.

Mr. Rusnov – This new structure will be replacing the structure that is there?

Mr. Kaminski – Just a portion of it. Then the new one is in between the existing building and the rest of the shade structure that it there.

Mr. Kolick – So, it's more than just replacing, it's a much larger structure than what is there now.

Mr. Evans – We did send out the photograph or the drawing to everyone within 500'. Is there anyone else outside the building who may have wanted to come in to speak in favor or against this?

Ms. Onofre – I will go outside to check to see if anyone is there other than applicants.

Mr. Evans – Thank you. If you could ask if anyone is here for the Public Hearing for Maria Garden's. This is a Public Hearing and we're going to see if there might be anyone out there that that may have comments and if there are we will figure out what to do.

Mr. Kolick – Mr. Chairman, there's a second variance on here from the Building Commissioner. There are two lots there. They own them both. It crosses over one lot into the other lot. That's the reason for the second variance. Normally you would get an easement but they can't in this instance because they own both lots. The title would just merge anyway.

5) **MARIA GARDEN'S, TLT PROPERTIES II, LLC/Tom Kaminski, Representative,**
Cont'd

Mr. Evans – It's an unusual circumstance.

Mr. Kolick – It is.

Mr. Rusnov – This place pretty much mirrors the other Maria Garden's in North Royalton. They have multiple parcels that are owned by Maria Garden's with a house and gravel pit and things of that nature.

Mr. Evans – Thank you. This is a Public Hearing. There isn't anyone in the audience who wishes to speak for or against. We did not have anyone outside the building that indicated a preference to speak about this so I will therefor declare the Public Hearing closed and entertain a motion.

Mr. Baldin – Mr. Chairman, I would like to make a motion to request a variance from Zoning Code Section 1274.06, which prohibits enlargement or structural alteration of a non-conforming use and where the applicant is proposing the addition of a 4,096 SF unenclosed Accessory Structure and requesting a 15' Side Yard Setback variance from Zoning Code Section 1252.05, which requires a 15' Side Yard Setback and where a 0' Side Yard Setback is proposed with an 4,096 SF Unenclosed Accessory Structure going over onto a contiguous lot; property located at 20465 Royalton Road, PPN's 393-15-011 and 393-16-001, zoned R1-75 be approved.

Mr. Houlé – Second.

Mr. Evans – Thank you Mr. Baldin and Mr. Houlé. May I have a roll call please?

ROLL CALL:

ALL AYES:

MOTION GRANTED

Mr. Evans – Mr. Kaminski, your variance has been approved. There is a twenty day waiting period for City Council to review our decision. You'll be notified by the Building Department at the conclusion of the twenty days. We wish you success and luck with the addition and hopefully this virus will pass and people will once again visit retail and plant plants.

Mr. Kaminski – Thank you.

Mr. Evans – Thank you Tom for submitting those drawings that went out with the notice. That helped us.

Mr. Kaminski – You're welcome.

6) PHILLIP BADE, OWNER/Joyce Factory Direct, Representative

Requesting a 34' Rear Yard Setback variance from Zoning Code Section 1252.05, which requires a 50' Rear Yard Setback and where a 16' Rear Yard Setback is proposed in order to construct a 168 SF Sunroom on the existing deck; property located at 9820 Forestview Drive, PPN 398-08-030, zoned R1-75.

Mr. Evans – For the applicant, Mr. Kolick will need to swear you in.

Mr. Kolick stated the oath to the applicant.

Mr. Evans – Are you both here for Phillip Bade?

Mr. Sawicki - I'm the contractor.

Mr. Evans – Oh yes, the missing contractor from the last time. We will need your name and address for the record please.

Mr. Sawicki – Yes, I had an emergency last time. Chris Sawicki and my address is 360 Forest Meadows Drive in Medina.

Mr. Evans – Thank you, Mr. Sawicki. You are here this evening and we welcome you. You are here for a sunroom addition, which is going onto the existing deck. Give a thumbnail sketch about the improvement and why this is the right location for this to happen.

Mr. Sawicki – It's pretty much the only location. That's where the door is on the back of the house. The exit onto the existing deck. They are looking for useful space for recreational purposes. Obviously enclosing the existing deck is the logical most economical way to do that. We offer a product that fits that application.

Mr. Rusnov – You're putting this enclosed porch on an existing deck?

Mr. Sawicki – Correct. I believe there will be some structural modifications to the existing deck. Most of the time there is because decks are usually not built with this load in mind.

Mr. Evans – Did we get the HOA approval?

Mr. Kolick – Yes, it's in my packet. Signed by Bob Miller, dated March 18, 2020.

Mr. Evans – Okay. So, any questions or comments from Board members?

Mr. Rusnov – No.

6) PHILLIP BADE, OWNER/Joyce Factory Direct, Representative, Cont'd

Mr. Baldin – Sir, is that sunroom going to encompass the whole deck?

Mr. Sawicki – I believe the deck that is there now is two-tiered, if I'm not mistaken. I have photos here. It's only going to cover the portion where the patio door exits out onto it.

Mr. Baldin – So, it's not going to encompass the whole deck.

Mr. Sawicki - It's not two-tiered but where the deck jogs over it's the section off the patio door.

Mr. Baldin – Thank you.

Mr. Evans – Anyone else? Mr. Bade, did you wish to speak?

Mr. Bade – No, I'm good.

Mr. Evans – Okay, you filled in well at the last meeting. We appreciate that. Kristi, do you know if there is anyone else out there for this one?

Ms. Onofre – There is no one else.

Mr. Evans – Okay, so that being the case, this is a Public Hearing. Is there anyone in the audience who wishes to speak for the granting of the variance or wishes to speak against the granting of the variance? The Building Department representative was outside the door and said there is no one who is in line to speak for this Public Hearing. I declare the Public Hearing closed and entertain a motion.

Mr. Houlé – Mr. Chairman, I make a motion to approve a request for a 34' Rear Yard Setback variance from Zoning Code Section 1252.05, which requires a 50' Rear Yard Setback and where a 16' Rear Yard Setback is proposed in order to construct a 168 SF Sunroom on the existing deck; property located at 9820 Forestview Drive, PPN 398-08-030, zoned R1-75.

Mr. Rusnov – Second.

Mr. Evans – We have a motion and a second. Would you call the roll call please?

ROLL CALL:

ALL AYES:

MOTION GRANTED

Mr. Evans – All right, so you have an approval. There is a twenty day waiting period during which time City Council has the opportunity to review our decision. You will be notified by the Building Department at the conclusion of the twenty days. We thank you for coming in. I know it may seem like it was an awful short process but we are trying to move things along here and keep everyone in construction. We appreciate you coming in and coming back, and you guys are set.

6) PHILLIP BADE, OWNER/Joyce Factory Direct, Representative, Cont'd

Mr. Sawicki – I have been to these things in Cleveland Heights and I appreciate your short process.

Mr. Evans – Thank you. Good luck with the project.

7) PATRICK WALSH, OWNER/Jim Petkewitz, Representative

Requesting a 4' 11" Side Yard Setback variance from Zoning Code Section 1252.29 (b) (1), which requires a 15' Side Yard Setback and where a 10' 1" Side Yard Setback is proposed in order to install an Inground Swimming Pool; property located at 18607 Meadow Lane, PPN 396-07-013, zoned R1-75.

Mr. Kolick stated the oath to the only applicant left.

Mr. Evans – Mr. Petkewitz, welcome and please state your name and address.

Mr. Petkewitz – James Petkewitz, 6003 Velma Avenue, Parma, Ohio 44129.

Mr. Evans – Thank you, Mr. Petkewitz. You are here on behalf of the Walsh's. Why don't you tell us a little bit about the project? And then we'll go through the numbers after that.

Mr. Petkewitz – I left you some paperwork with some drawings. We're going to ask for 7' instead of the 4' because we know the fence is on their property and the concrete to the fence is at least 8'. There is some property beyond the fence but until we have the topo we can't verify that 100 percent. I would rather ask for more than take less than be right on the border or have to come back later. The project is already contained down to the smallest pool I could possibly give them. They aren't sparing any expenses. The project is \$50,000 and above, and after it goes in it's going to make that resale amount increased.

Mr. Evans – Brian, you said there's a change in the numbers. That's the 7'?

Mr. Roenigk – Yes, I verified that the fence is on the owner's property. We believe the pins are on the outside but without spending the money for a survey we know that these are good numbers.

Mr. Evans – Okay. It moves from 4' 11" to 7'.

Mr. Roenigk – Yes, there was a question about where he was measuring from the pool deck to the pool itself. We straightened that out.

Mr. Kolick – The other number should be 8'.

Mr. Roenigk – Yes, correct.

7) PATRICK WALSH, OWNER/Jim Petkewitz, Representative, Cont'd

Mr. Evans – Okay. We did get a letter from a resident at 18561 Meadow Lane that expressed no objection to the project for the record. Gentlemen, questions or comments?

Mr. Houlé – Could I have those numbers again?

Mr. Kolick – Seven feet where the 4' 11" is and 8' where the 10' one is. Fifteen feet remains the same.

Mr. Evans – Anyone else?

Mr. Baldin – So, this will be closer to the fence line than what you had assumed?

Mr. Petkewitz – There was only one pin in the yard and it was in the very far side yard and there's no pin the front yard. I was trying to go off of that back pin. Without the topo it's not 100 percent accurate where all the property lines come. There's no pin in the front yard.

Mr. Baldin – You thought the fence was not on the line or over the line?

Mr. Petkewitz – The fence is on their property and what I was getting off of it was that we were a foot and a half past it but without having that front yard pin it's too hard to say where that line is going to draw at until we get a topo. It's going to be hard to say. That's why we changed the numbers. We'll be past that fence.

Mr. Baldin – Okay, this document is exactly what the pool is going to be looking like?

Mr. Petkewitz – Yes, but I don't know how far into that wall they're going to get. They might just do 1' sandstone. But it's pretty much what that pools going to look like.

Mr. Baldin – Your construction is going to be tight to get in there.

Mr. Petkewitz – No, we have 10' from where the house is to where the fence is and the neighbor who signed off said we could remove the fence in that area and then put it back up. We have been talking with the neighbors next door.

Mr. Baldin – If I recall you were going to remove a few feet from the existing patio?

Mr. Petkewitz – Yes, we're taking out roughly 5' or 6' of the patio they have now by twenty some feet. I have a drawing here. I don't want to misquote. It's 23' by 6' is the area that we're taking out of there right now and that leaves them still enough to have a walkthrough past the entertain center now and where the pool is going to be. There will be no obstruction in the way.

7) PATRICK WALSH, OWNER/Jim Petkewitz, Representative, Cont'd

Mr. Baldin – Thank you.

Mr. Evans – Any other questions? This is a Public Hearing. Kristi, our Building Department representative, said no one else is outside. So, I will ask if there is anyone in the audience who wishes to speak for or against the granting of the variance. Hearing none and seeing none I will close the Public Hearing and entertain a motion.

Mr. Houlé – Mr. Chairman, I make a motion to approve a request for a 7' Side Yard Setback variance from Zoning Code Section 1252.29 (b) (1), which requires a 15' Side Yard Setback and where an 8' Side Yard Setback is proposed in order to install an Inground Swimming Pool; property located at 18607 Meadow Lane, PPN 396-07-013, zoned R1-75.

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

ROLL CALL:

ALL AYES:

MOTION GRANTED

Mr. Evans – The variance has been approved. There is a twenty day waiting period during which time City Council has the opportunity to review our granting of the variance. You will be notified by the Building Department after the twenty days and then you can move forward with the project.

Mr. Petkewitz – Okay, thank you so much.

Mr. Evans – Alright, thank you. Is there anything else to come before the Board this evening? Then we will stand adjourned.

Mr. Kolick – Be safe.

Mr. Evans, Chairman

Kathy Zamrzla, Sec'y

Approval date