

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

**Meeting of  
December 16, 2020  
7:30 p.m.**

Board of Appeals Members Present: Kenneth Evans, David Houlié, 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) DENNIS AND MARY LOU STEED, OWNERS/Elyria Fence, Representative**

Requesting a 15' variance from Zoning Code Section 1252.18 which prohibits a Fence encroachment and where a 6' Solid Vinyl Fence encroaching 15' onto PPN 392-29-085 is proposed; property located at 13315 Olympus Way, PPN 392-29-053, zoned Senior Residence (SR).

**Mr. Kolick stated that the applicant for number (1) and number (2) will need to provide an easement from the homeowner's association prior to the issuance of a permit permitting a fence on their property if the Board approves the variance. Mr. Kolick stated that a letter of intent has been submitted for both parcels. Mr. Kolick also stated that a certain percentage of common area is required in developments and the Board will need to be careful granting variances in the future that would require an easement on homeowner association properties that could reduce their green space percentage.**

**2) DENNIS AND MARY LOU STEED, OWNERS/Elyria Fence, Representative**

Requesting a 15' variance from Zoning Code Section 1252.18 which prohibits a Fence encroachment and where a 6' Solid Vinyl Fence encroaching 15' onto PPN 391-15-132 is proposed; property located at 21600 Oak Bark Trail, PPN 391-15-151, zoned R1-75 Cluster.

**See note above for number (1).**

**3) ROBERT RINDFLEISCH, OWNER**

- a) Requesting a variance from Zoning Code Section 1252.18 to permit a second Accessory Structure where a 100 SF Accessory Structure Storage Shed exists and a second 224 SF Accessory Structure Pavilion is proposed;
- b) Requesting a 32 SF Floor Area variance from Zoning Code Section 1252.15, which permits a 192 SF Floor Area and where a 224 SF Floor Area is proposed in order to construct a 224 SF Accessory Structure Pavilion; property located at 8675 Oxford Drive, PPN 395-02-020, zoned R1-75.

**Mr. Houlé stated that a person going past the property may not notice the pavilion in the back if approved. Mr. Baldin stated that the back yard is large enough to accommodate the structure.**

**4) RITE AID OF OHIO/Charity Sanchez and Brad Rhodes with SignArt, Inc., Rep.**

- a) Requesting a 2.6 SF Sign Face Area variance from Zoning Code Section 1272.10 (c), which permits an 84 SF Sign Face Area and where an 86.6 SF Sign Face Area (Sign R4) is proposed in order to replace a Wall Sign;
- b) Requesting a variance from Zoning Code Section 1272.12 (c), which permits two (2) Wall Signs and where one (1) 31.2 SF additional Wall Sign is proposed; property located at 14701 Pearl Road, PPN 396-18-018, zoned General Business (GB).

**Mr. Roenigk explained to the Board that the overall signage is under the allowable square footage. The Board also stated that the current signage is in need of light bulbs.**

**5) TRIVS RESTAURANT/Bob Kunzen with Brilliant Electric Sign Company, Rep.**

- a) Requesting an 8.5 SF Sign Face Area variance from Zoning Code Section 1272.12 (f), which permits a 9 SF Sign Face Area and where a 17.5 SF Sign Face Area is proposed in order to install a Projecting Sign;
- b) Requesting a 4' Sign Height variance from Zoning Code Section 1272.12 (f), which permits a 3' Sign Height and where a 7' Sign Height is proposed in order to install a Projecting Sign; property located at 17100 Royalton Road, PPN 396-14-007, zoned Shopping Center (SC).

**Several Board members stated that they think this signage is too big for that frontage and are concerned that if approved it would set a precedent. Mr. Houlé stated that there is already a wall sign on the business and that Trivs has the top billing on the monument sign out by the street. Mr. Houlé said that a smaller projecting sign would be attractive. Mr. Baldin stated that the restaurant is definitely hard to see way in the back.**

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

**6) JOHANNES AND DORINA ALBRECHT, OWNERS**

Requesting a 1,023 SF Floor Area variance from Zoning Code Section 1252.22 (c), which permits a 1,000 SF Floor Area and where a 2,023 SF Floor Area is proposed in order to

construct an Attached Garage on a New Single Family Dwelling; property located at SL 2 Howe Road, PPN 397-31-068, zoned R1-75.

**The Board stated that the applicant did revise the plans as they asked him to and that now the previously proposed pole barn is an attached garage. Several Board members stated that the attached garage is a more attractive plan. Mr. Houlé stated that the house is hidden in the back of the three-acre property. Mr. Evans and Mr. Houlé stated that the trees on the lot are small to medium sized trees and that the building shouldn't impact neighbors at all. Mr. Baldin had missed the previous BZA meeting that the applicant attended so he asked questions about what was presented that the Board asked the applicant to change.**

**The Board reviewed the minutes from the November 18, 2020 and December 2, 2020 meetings and found one correction to be made.**

**The Board discussed that they saw no changes to make to the Findings of Fact and Conclusions of Law regarding the decision of the Board regarding Chipotle.**

**STRONGSVILLE BOARD OF ZONING & BUILDING CODE APPEALS  
MINUTES OF MEETING  
December 16, 2020**

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 December 16, 2020 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. We have on the agenda this evening the Findings of Facts and Conclusions of Law regarding the December 2, 2020 decision of this Board regarding Chipotle. We discussed these in caucus. Were there any changes that we needed to make?

Mr. Rusnov – No.

Mr. Evans – If there are none then I will stand for a motion.

Mr. Houlé – Mr. Chairman, I would like to make a motion to approve the Findings of Fact and Conclusions of Law regarding the December 2, 2020 decision of this Board regarding Chipotle.

Mr. Rusnov – Second.

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

ROLL CALL: ALL AYES: MOTION GRANTED

Mr. Evans – All right. We have before us minutes from the meetings of November 18, 2020 and December 2, 2020. We discussed these minutes in caucus and there was one minor correction for the December 2, 2020 minutes. If there is nothing else then we will submit those minutes for the official 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) **DENNIS AND MARY LOU STEED, OWNERS/Elyria Fence, Representative**

Requesting a 15’ variance from Zoning Code Section 1252.18 which prohibits a Fence encroachment and where a 6’ Solid Vinyl Fence encroaching 15’ onto PPN 392-29-085 is proposed; property located at 13315 Olympus Way, PPN 392-29-053, zoned Senior Residence (SR).

Mr. Evans – All right. Item number (1) on the agenda is Steed on Olympus Way. If the representative would come forward to the podium and we’ll ask you to state your name and address for the record, please.

Mr. Steed – I am Dennis Steed at 13315 Olympus Way.

Mr. Lewis – I’m Bob Lewis with Elyria Fence. I’m the contractor installing the fence, 420 Oberlin Drive in Elyria, Ohio.

Mr. Evans – Thank you. All right, Mr. Steed, why don’t you tell us about your request here and replacing the fences.

Mr. Steed – Yes, on Olympus Way, there is presently a partial fence on the front of the property that is about the same footprint as what we’re proposing and there is another partial fence in the back around the master bedroom area and what we’re proposing is to connect those two and have a complete privacy fenced area.

Mr. Evans – Okay, I should mention that all the Board members have been out to visit all of the properties on the agenda tonight. So, we have seen this one as well. This is replacing the sections that exist and adding to it. You are aware that the homeowner’s association has presented its approval for it. There is also a requirement that we would need an easement from the homeowner’s association to allow the owner to install this. They have indicated that that is the case. Were we to

1) **DENNIS AND MARY LOU STEED, OWNERS/Elyria Fence, Representative**

**Mr. Evans continues** - grant tonight it would be subject to receipt of the easement prior to the time that a building permit would be able to be issued. So, the easement has to be done by the homeowner's association granting you the ability to put the fence on the association land and we would need that recorded and in place prior to the time that we would issue a building permit if the variance is granted tonight. I just want to make sure that you're aware of that.

Mr. Steed – Yes, I understand and you do have the letter of intent for us and the easement agreement.

Mr. Evans – We would approve it tonight subject to and with the idea that the City would have to have the easement in place and recorded prior to the time that the building permit would be issued. Questions or comments from the Board?

Mr. Rusnov – Per Mr. Kolick's comments in caucus, should we ask the homeowner's association to make sure that they still comply with the regulations from the Code for common area?

Mr. Kolick – Mr. Rusnov, we don't need to do that. It's really a matter between the homeowner's association and the property owner. We would leave it at that unless it was a very large area or something that we know would bring it down under the percentage requirement.

Mr. Rusnov – I just wanted to clarify it.

Mr. Evans – Thank you, gentlemen. Anything else?

Mr. Rusnov – No.

Mr. Houlé – I have a question. The fence is partially in the front and partially in the back. What is the reason for connecting it all the way. Is it strictly for privacy?

Mr. Steed – Yes. To have an enclosed courtyard. The president of Olympia tells me that this may be one of the only units of almost 200 units that doesn't have an enclosed courtyard for privacy.

Mr. Evans – There aren't many, Mr. Houlé. I've driven through there a couple of times.

Mr. Houlé – You have a nice view of the house to the south and I can see why you want your privacy.

Mr. Steed – Thank you.

Mr. Evans – Anything else, gentlemen?

1) **DENNIS AND MARY LOU STEED, OWNERS/Elyria Fence, Representative,  
Cont'd**

Mr. Rusnov – No.

Mr. Baldin – No.

Mr. Evans – If there are no other questions, 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.

Mr. Rusnov – Mr. Chairman, requesting a 15' variance from Zoning Code Section 1252.18 which prohibits a Fence encroachment and where a 6' Solid Vinyl Fence encroaching 15' onto PPN 392-29-085 is proposed; property located at 13315 Olympus Way, PPN 392-29-053, zoned Senior Residence (SR) be approved, predicated on a recorded easement by the homeowner's association prior to the building permit being issued.

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 – The variance has 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 want to work with the homeowner's association to get the easement in place and record it.

2) **DENNIS AND MARY LOU STEED, OWNERS/Elyria Fence, Representative**

Requesting a 15' variance from Zoning Code Section 1252.18 which prohibits a Fence encroachment and where a 6' Solid Vinyl Fence encroaching 15' onto PPN 391-15-132 is proposed; property located at 21600 Oak Bark Trail, PPN 391-15-151, zoned R1-75 Cluster.

Mr. Evans – Item number (2) on our agenda is Mr. Steed on Oak Bark Trail. Why don't you take us through this one?

Mr. Steed – This is a property that we own. My daughter lives at the address. This is an existing fence that is in pretty bad condition. It's an old wooden fence. We are looking to just replace the total footprint of that fence with a new nice vinyl fence.

2) **DENNIS AND MARY LOU STEED, OWNERS/Elyria Fence, Representative,**  
**Cont'd**

Mr. Evans – Gentlemen, questions?

Mr. Rusnov – You’re replacing an old beat up fence with a new fence. I could have summed this up in twenty seconds.

Mr. Baldin – I agree that it needs to be replaced.

Mr. Houlé – Mr. Chairman, we do have a letter from the homeowner’s association also.

Mr. Evans – Thank you, Mr. Houlé. If there are no other questions, 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.

Mr. Rusnov – Mr. Chairman, requesting a 15’ variance from Zoning Code Section 1252.18 which prohibits a Fence encroachment and where a 6’ Solid Vinyl Fence encroaching 15’ onto PPN 391-15-132 is proposed; property located at 21600 Oak Bark Trail, PPN 391-15-151, zoned R1-75 Cluster be approved, predicated on an easement by the homeowner’s association prior to the building permit being issued.

Mr. Hayden - Second.

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

ROLL CALL:

ALL AYES:

MOTION GRANTED

Mr. Evans – The variance has also 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. Again, you will also want to work with the homeowner’s association to get the easement in place and recorded. You’re all set.

Mr. Steed – Thank you, everyone, and have a Merry Christmas. Does the twenty days start from today and will we be informed?

Mr. Evans – Yes, and you’ll be informed by the Building Department at the end of the twenty days.

Mr. Steed – Thank you.



3) **ROBERT RINDFLEISCH, OWNER**

- a) Requesting a variance from Zoning Code Section 1252.18 to permit a second Accessory Structure where a 100 SF Accessory Structure Storage Shed exists and a second 224 SF Accessory Structure Pavilion is proposed;
- b) Requesting a 32 SF Floor Area variance from Zoning Code Section 1252.15, which permits a 192 SF Floor Area and where a 224 SF Floor Area is proposed in order to construct a 224 SF Accessory Structure Pavilion; property located at 8675 Oxford Drive, PPN 395-02-020, zoned R1-75.

Mr. Evans – Item number (3) on the agenda is Rindfleisch. If you'll come forward please and state your name and address for the record.

Mr. Rindfleisch – My name is Robert Rindfleisch. I live at 8675 Oxford Drive in Strongsville.

Mr. Evans – Thank you. Why don't you explain to us why you're looking for two variances to put up a pavilion? We've all been out to look at it.

Mr. Rindfleisch – We went to put a pavilion up on a portion of our patio, mostly to protect us from the sun and rain and it would give us a little shelter out there. We already have a shed in the yard so this would be our second accessory structure.

Mr. Evans – That is correct, and that really is the only place to put that to make that useful for you.

Mr. Rusnov – It's a topographical issue because you have no place else to put it and you have some of the work already done. You're just putting up a pavilion to protect yourself from the sun, rain and elements.

Mr. Rindfleisch – Correct. The patio has been there for about ten years now.

Mr. Baldin – The City says this is a structure but it's not an enclosed structure.

Mr. Rindfleisch – No.

Mr. Baldin – Thank you.

Mr. Evans – Anything else? If there are no other questions, 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.

**3) ROBERT RINDFLEISCH, OWNER, Cont'd**

Mr. Baldin – Mr. Chairman, I'd like to make a request for a variance from Zoning Code Section 1252.18 to permit a second Accessory Structure where a 100 SF Accessory Structure Storage Shed exists and a second 224 SF Accessory Structure Pavilion is proposed and b) a 32 SF Floor Area variance from Zoning Code Section 1252.15, which permits a 192 SF Floor Area and where a 224 SF Floor Area is proposed in order to construct a 224 SF Accessory Structure Pavilion; property located at 8675 Oxford Drive, PPN 395-02-020, zoned R1-75 be approved.

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 – 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're all set for tonight. You are welcome to stay for the remainder of the meeting or you may depart. We won't hold it against you.

Mr. Rindfleisch – Thank you, and Merry Christmas.

Mr. Evans – Thank you and same to you.

**4) RITE AID OF OHIO/Charity Sanchez and Brad Rhodes with SignArt, Inc., Representative**

- a) Requesting a 2.6 SF Sign Face Area variance from Zoning Code Section 1272.10 (c), which permits an 84 SF Sign Face Area and where an 86.6 SF Sign Face Area (Sign R4) is proposed in order to replace a Wall Sign;
- b) Requesting a variance from Zoning Code Section 1272.12 (c), which permits two (2) Wall Signs and where one (1) 31.2 SF additional Wall Sign is proposed; property located at 14701 Pearl Road, PPN 396-18-018, zoned General Business (GB).

Mr. Evans – Number (4) on our agenda is Rite Aid. Sign Art, Inc. representative. If you'll come forward please to the microphone and we will need your name and address for the record please.

Ms. Sanchez – Good evening. My name is Charity Sanchez on behalf of Sign Art. Our address is 5757 East Cork Street, Kalamazoo, Michigan 49048.

4) **RITE AID OF OHIO/Charity Sanchez and Brad Rhodes with SignArt, Inc.,  
Representative, Cont'd**

Mr. Evans – All right. Give us a quick run down of why the sign change is necessary. We have all looked at it and we have the information that was given to us but for the record this evening if you could describe why the sign is being changed out.

Ms. Sanchez – Rite Aid has decided to rebrand all of their stores across the board, so they are wanting to streamline their look and make it tighter and cleaner overall for the health and well being of the community. That is what their focus is as well as having a lower carbon footprint so a lot of the signs currently have florescent light bulbs. We are fitting the new signage with a low voltage LED retrofit. It's going to be an environmentally lower carbon footprint sign with an overall cleaner and tighter look with the updated shield. It is going to be blue and white instead of red, white and blue.

Mr. Evans – Okay, gentlemen, questions and comments or observations?

Mr. Houlé – The signage is going to stay where it's at? You're updating the logos?

Ms. Sanchez – Yes. All of the signs that are currently there at that location are going to be removed and we're putting in new signage with the LED's and the overall look it going to be cleaner and simpler. The shield itself is changing, they are upgrading it to blue, white and green.

Mr. Houlé – Okay, thank you.

Mr. Evans – And we did mention in caucus that the total square footage of the signage that is allowed is 210 square foot. The signage that is being proposed here is under that required at 204 square foot, which is something that we've asked for. The variance is required because it is additional signage. We only permit one. There are two proposed. The pharmacy sign over the door requires a variance as well. Again, the total signage is under the overall square footage allowed, which is what we have driven others in the community who have asked for signage variances to follow. I don't know that you were here in caucus. Is Sign Art currently taking care of the maintenance of the existing signs?

Ms. Sanchez – Yes. I drove by this evening and noticed that there are some bulbs out on the shield and the signage.

Mr. Evans – The monument sign is out and most of the signage on the building except for the word Pharmacy, which I've gathered is probably a newer situation.

Ms. Sanchez – Yes, it is.

Mr. Baldin – They've been out for some time.

4) **RITE AID OF OHIO/Charity Sanchez and Brad Rhodes with SignArt, Inc.,  
Representative, Cont'd**

Ms. Sanchez – Yes, unfortunately, Rite Aid asked us to step back and stop some of that maintenance because they were coming up with the rebranding.

Mr. Evans – It's been at least three years.

Ms. Sanchez – Oh, I apologize. I didn't know it's been three years. I do apologize. I'm fairly new to Sign Art and this project. Yes, we will go forward and maintain the sign.

Mr. Evans – The fact that they have the big signs, they just look dismal there and it doesn't do a whole lot for Rite Aid's image.

Ms. Sanchez – We apologize for that.

Mr. Evans – Anything else, gentlemen?

Mr. Rusnov – You've covered it all.

Mr. Evans - If there are no other questions, 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.

Mr. Baldin - Mr. Chairman, requesting a 2.6 SF Sign Face Area variance from Zoning Code Section 1272.10 (c), which permits an 84 SF Sign Face Area and where an 86.6 SF Sign Face Area (Sign R4) is proposed in order to replace a Wall Sign and b) requesting a variance from Zoning Code Section 1272.12 (c), which permits two (2) Wall Signs and where one (1) 31.2 SF additional Wall Sign is proposed; property located at 14701 Pearl Road, PPN 396-18-018, zoned General Business (GB) be approved.

Mr. Hayden - Second.

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

ROLL CALL:

ALL AYES:

MOTION GRANTED

Mr. Evans – 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 and then you could get your permit. You're all set for tonight.

4) **RITE AID OF OHIO/Charity Sanchez and Brad Rhodes with SignArt, Inc.,  
Representative, Cont'd**

Mr. Kolick – Ms. Sanchez, you do need to get on our Architectural Review Board agenda so if you would contact Carol Brill, who is the secretary, she will get you on the agenda.

Ms. Sanchez – Thank you and have a good evening.

5) **TRIVS RESTAURANT/Bob Kunzen with Brilliant Electric Sign Company,  
Representative**

- a) Requesting an 8.5 SF Sign Face Area variance from Zoning Code Section 1272.12 (f), which permits a 9 SF Sign Face Area and where a 17.5 SF Sign Face Area is proposed in order to install a Projecting Sign;
- b) Requesting a 4' Sign Height variance from Zoning Code Section 1272.12 (f), which permits a 3' Sign Height and where a 7' Sign Height is proposed in order to install a Projecting Sign; property located at 17100 Royalton Road, PPN 396-14- 007, zoned Shopping Center (SC).

Mr. Evans – Item number (5) on the agenda is Trivs restaurant. If you would come forward please we will need your name and address for the record.

Mr. Kunzen – Hello, my name is Bob Kunzen with Brilliant Electric Sign Company. My address is 4811 Van Epps Road, in Brooklyn Heights.

Mr. Evans – Thank you, Mr. Kunzen. Why don't you tell us what the project entails and why they feel that it needs to be such a big sign.

Mr. Kunzen – The location of the restaurant in that shopping center plaza, as you know, I'm sure everybody is aware that it's far in the back, and he really has almost no exposure from the street.

Mr. Evans – Except there is a big monument sign out front and they're the leader on the sign.

Mr. Kunzen – Heading east on Route 82, now that Starbuck's is there, you can't see the location at all. Even the monument sign is blocked by a big electric box or something where the street lights have been put in. It's not right up against it but you get literally a second or two to find that monument sign. The owner, Mike Trivisonno, has expressed to us that he has actually had calls from customers saying that they couldn't find his restaurant and gave up finding the building even though they had reservations. I think this projecting sign will really help him as you can see it on the drive and to be any smaller than what we are requesting it certainly wouldn't do its job because it's still far back there. So, that is the reason for our request.

5) **TRIVS RESTAURANT/Bob Kunzen with Brilliant Electric Sign Company,  
Representative, Cont'd**

Mr. Rusnov – This has been an ongoing problem with the restaurants that have been there. Nobody knows they're there and you can't see the place from the street or anywhere in the parking lot. You have to know the location or you can't find it.

Mr. Kunzen – And the feeling is that a projecting sign, which we had gotten approved by....

Mr. Rusnov – Is there any way to contact the ownership to figure something out? They probably have a master sign program. That might help you out. I agree with you that it's been an ongoing problem. The other outfits that we've had in not similar situations but asking for variances for size differentials, is there any way that this thing can be effective by cutting down the sign a little bit?

Mr. Kunzen – I don't actually think so. At this size of this sign, I know that 7' tall seems like a lot but from that distance and the size of the copy that would go on it, your tallest letter on there is 1' 3" and from that distance it is legible.

Mr. Rusnov – If you cut the size of the lettering down the legibility decreases.

Mr. Kunzen – Absolutely. As you can understand being a restaurant there you want the name to be recognizable even if they do pull in that driveway. As you said, with only a wall sign not projecting someone could pull in the driveway and never drive back there.

Mr. Rusnov – I concur with you, sir, that is very easy to miss and I'm astounded that they have the business that they do.

Mr. Evans – I think that's part of the issue here is that we aren't objecting to it projecting out but the size becomes awful big and we have places like Square 22 where they have asked for projecting signs and we okayed a 3' by 3' for them and it has done the job there. When you're coming to Trivs you can't find it but you're coming to Trivs so it's a matter of looking for it. It's not that you need something visible from down on Howe Road or Drake Road. You need something once someone is in the parking lot looking for the building. Our issue with that, Mr. Kunzen, is that everybody in this City wants bigger, bigger and bigger signage and quite frankly our job is to try to determine what is appropriate. You heard Rite Aid's request and the existing signage, we've stayed with that within what's allowed for square footage. This one at 7' is huge and it's going to be really big on the side of that and everybody else is going to look at that and say, wow, wait a minute, they got a 100 percent variance on that. We want to go from 50 to 100 square foot or go from 100 to 200 square foot, that is where our problem is. So, we understand the need to get a sign in there and we understand projecting out but you're talking about people for the most part that are already looking for the location. This isn't a sign that you're going to be driving by and decide to stop in. They're going to be coming to Trivs so for our purposes we

5) **TRIVS RESTAURANT/Bob Kunzen with Brilliant Electric Sign Company,  
Representative, Cont'd**

**Mr. Evans continues** - look at it and yes, a sign is appropriate but the size of the sign is where some of us have an issue with.

Mr. Rusnov – Would it be possible, sir, to cut the size of the sign down but leave the lettering the same and maybe have the lettering illuminated?

Mr. Kunzen – As it is now, the lettering is illuminated. It will appear black during the day time and what we use is black perforated vinyl. During the day time the letters appear black and at night time the light shines through and it appears to be white. The same thing with the faux marquis, lights are on the side. I understand but 7' is up in the air like that. I don't feel it is out of place for that and you mentioned the Square 22 sign, 3' by 3'. It might be because of the sign code, it's just that little block but all the wood around it doesn't count for sign area. So, that does give them visibility.

Mr. Evans – The sign is still 3' by 3'. That's the area of the sign face. If you reduce this size and then put the sign inside of it I don't think that's going to.....that's a bracket that is holding it and that's different than the sign face area but you're talking about the entire sign being 7' tall. That is where we're saying that 7' tall, maybe the sign needs to be horizontal rather than vertical and has the letters but is smaller. Again, our problem is that everybody wants signs as large as they can propose and our job is trying to define what is necessary and what makes sense and what is appropriate.

Mr. Rusnov – Mr. Chairman, is it possible to cut the width down and leave the length relatively similar to 6' or 7'?

Mr. Evans – Do you mean the height?

Mr. Rusnov – Yes, leave the height the same and cut the width down.

Mr. Baldin – That would shorten up the letters because the width is 2 ½ feet?

Mr. Kunzen – It is.

Mr. Baldin – It's going to stick out from the wall a foot and two inches? It's 3' by 8'.

Mr. Rusnov – The size of the letters are what, a foot tall?

Mr. Baldin – Over a foot.

5) **TRIVS RESTAURANT/Bob Kunzen with Brilliant Electric Sign Company,  
Representative, Cont'd**

Mr. Kunzen – The tallest letter, yes, which is the T. It's one foot three inches. I understand that it sounds like setting precedent but this gentlemen's restaurant is in a predicament in the back so the consideration for that to have as much visibility as possible and we're talking only about this case. It doesn't seem unreasonable.

Mr. Evans – It may not be unreasonable to you. Our Code identifies four reasons for granting variances and none of the reasons are what the person wants. That's not a reason for granting variances. There are topographical, we have issues with the way that things are situated and, in this case, Mr. Trivisonno put the restaurant back there. It's not that anything changed. He made the determination to put it there. It has been successful. We understand that he would like to have more identification but again the problem is that everybody in the City will say the same thing. We need a bigger sign because people driving down Route 82 need to see our sign from a quarter of a mile away. Well, we can't necessarily deal with that. We want every business to be successful but there's a measure that we have to apply to all of the businesses and we have to be judgmental about how we approve variances.

Mr. Rusnov – Would it be possible Mr. Chairman to table this and have him go back to the drawing board to see if he can get it closer to the allowed size?

Mr. Evans – That would be up to the applicant.

Mr. Rusnov – That's an option.

Mr. Kunzen – I had another thought. I'm not familiar with the exact sign code and how they determine sign size but we were talking about the Square 22 sign and they have all of the faux wood but the sign area is 3' by 3'. If we just blocked out the word Trivs, that is a lot less area.

Mr. Rusnov – That is the point that I was trying to get to.

Mr. Kunzen – Just change how were measuring it.

Mr. Rusnov – The gentleman behind you, Brian, can help you with that. He's with the Building Department. We're trying to give you some options.

Mr. Kunzen – I understand.

Mr. Kolick – For the applicant, they still take a box around the letters so you may eliminate the border but you're not going to eliminate the box around it. They don't just take the letters themselves and say that's the square footage. Just so you understand.



5) **TRIVS RESTAURANT/Bob Kunzen with Brilliant Electric Sign Company,  
Representative, Cont'd**

Mr. Evans – Capital letter at the top is going to set the top of the box and the five letters down are going to be the length of the box.

Mr. Kolick - They're still going to measure that rectangular length even if you removed the border. They still take the rectangle it's in for the square footage and they take it for the height. The only thing that you would be eliminating would be the area below the S and the area above the T. You can redraw it if you would like. We don't have to act on this tonight but that is up to you.

Mr. Baldin – Mr. Kunzen, do you have any idea, the Trivs that is up there now in the red, what is the size? From the top of the awning, how large is that area?

Mr. Kunzen – I believe that it is about forty inches from the top of the awning to the top of the brick.

Mr. Baldin – And then the façade that going around it the white façade how tall do you think that is?

Mr. Kunzen – Well, our sign would go over the top of that slightly.

Mr. Baldin – So, it's 7' to the top of the façade but not quite.

Mr. Kunzen – To the roof line would be....

Mr. Baldin – This would be over the roof line, this sign the way that you're proposing it now?

Mr. Kunzen – Yes, to scale, the best that we could do from the ground I think it would be about 8".

Mr. Baldin – When I first looked at this I felt it's an awful lot. Trivs has been there at least ten years already. People know where it's at. He is hidden and with Starbuck's being out in front, it is hidden. There's no doubt about it. The size of the sign people might be able to see that from Route 82. Maybe not but now I'm having some reservations if I'm really against that size even though that is going against our Code to be honest with you.

Mr. Houlé - Mr. Chairman, I would like to interject too. I think that the combination of the monument sign on Route 82 people are going to be directed to the business and see that Trivs is top billing and as soon as they pull down the drive towards Trivs. I like the projecting signage. I don't think you need 7'. As soon as they would get that sign everyone in the plaza is going to want it up and down Route 82 and the side street Trivs is on, they're all going to want that kind

5) **TRIVS RESTAURANT/Bob Kunzen with Brilliant Electric Sign Company,  
Representative, Cont'd**

**Mr. Houlé continued** - of projecting sign. If we grant it larger, which I'm against, we're opening up a box there that we don't want to go down. I think the customers are going to see it as soon as they pull down the drive by Starbucks or towards where Panera used to be, they're going to see the projecting sign and it's going to be the beacon that they need and it doesn't need to be 7' and it doesn't need to be 17 ½ square feet. I think that you can comply to the size and height and that's all that you're going to need.

Mr. Rusnov – We're just asking you to reconsider. You can hear the comments from us so far. We're giving you options.

Mr. Kunzen – I understand. Sure. No argument. They did have a sign plan for that and fortunately the landlord, the owner, agreed. He doesn't even allow projecting signs without special permission, which he granted because he understands. As far as in that area for you guys, there will be a lot of people who are going to want bigger signs, I hope they all call me.

Mr. Baldin – Let's ask the representative from the Building Department, the square footage is from the brick façade of the building or all the space that he takes in the shopping district that he is allowed? If we're looking at this thinking that's not a very big area because of the brick but if you go another 15' to the right....

Mr. Roenigk – Are you asking if it's based on the whole frontage of the building? It's not based on that. Projecting signs are under a different Code section. It has a maximum square footage.

Mr. Baldin – Thank you for clarifying that. He's got more façade.

Mr. Evans – Okay, so anything else from Board members?

Mr. Baldin – You may want to take this back to the owner and see if he's willing to make an adjustment.

Mr. Rusnov – We don't mean to tell you what to do but we can make suggestions.

Mr. Kunzen – To go to the size all the way down to what the Code allows at this time would be quite small.

Mr. Baldin – What would that size allowed be?

Mr. Kolick – Nine square feet is allowed and they are proposing 17 ½ square feet. The height proposed is 7'.

5) **TRIVS RESTAURANT/Bob Kunzen with Brilliant Electric Sign Company,  
Representative, Cont'd**

Mr. Kunzen - A 3' sign is a very small sign.

Mr. Baldin – I think that would be a waste of money.

Mr. Kunzen – Yes, it would.

Mr. Baldin – I can understand why you're asking for more but in don't know if you need as much as you're asking for. You can forget about a 3 square foot sign.

Mr. Evans - 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. So, if you wish to table this we can do that. We can vote on it as it is presented here. Tabling it might be to your advantage to go back and look at what we have discussed here tonight and you're welcome to come back on January 13 at our next meeting. We can take a look at what you resubmit. If you do make changes please get them to the Building Department by the first week in January so they can get it to us so we're not seeing it for the first time at the meeting. Is that your request to table it then?

Mr. Kunzen – Yes.

Mr. Evans – Okay, then we will table this to January 13 or a later date if you need that but January 13 would be the next time that we would put you on the agenda if you are ready, and then we'll take care of it then.

Mr. Kunzen – One question, please, it sounds like everyone agreed that the 3 square foot is pretty small and don't go as grandiose as we are. Something in between, is that what I'm hearing? I'm not asking you to approve that.

Mr. Evans – What we're suggesting is that the 17 ½ is twice as large as what is permitted. What you need to do is take a look at how the sign is laid out, whether vertical or horizontal, where the lights would go, the theatrical look or whatever is what you want to do because right now that is a part of the signage. So, you need to figure out if you can get that down into nine or twelve, we'll consider that. It's up to you to determine what the right thing is working with the owner and then coming back to us. You've heard our comments tonight so you know if you go from 17 square feet to 25 square feet, that's not going to work. Sign companies do that when the owner says it's too small. Ask for 25 square feet and they'll then give you the 17 square feet. That doesn't usually cut it around here.

Mr. Kunzen – Thank you.

5) **TRIVS RESTAURANT/Bob Kunzen with Brilliant Electric Sign Company,  
Representative, Cont'd**

Mr. Evans – We'll see you back here, hopefully on January 13. All right, thank you.

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

6) **JOHANNES AND DORINA ALBRECHT, OWNERS**

Requesting a 1,023 SF Floor Area variance from Zoning Code Section 1252.22 (c), which permits a 1,000 SF Floor Area and where a 2,023 SF Floor Area is proposed in order to construct an Attached Garage on a New Single Family Dwelling; property located at SL 2 Howe Road, PPN 397- 31-068, zoned R1-75.

Mr. Evans – Item number six on our agenda is Albrecht on Howe Road. Would the representative come forward and give us your name and address please?

Mr. Dover – Sam Dover with Your House Construction Services, 24941 Tricia Drive, Westlake, Ohio representing Jo and Dorina Albrecht.

Mr. Evans – Welcome back, Mr. Dover. We appreciate the fact that you heard what we said. You've done a design here. We talked about this a little bit in caucus. These are not unfamiliar to us because of the other larger homes that people are building in the community and we appreciate the fact that you've attached the building to the structure instead of the detached pole building. Gentlemen, questions or comments?

Mr. Houlé – Mr. Chairman, I had the opportunity to walk the premises and look at the property. As you noted too, it's way back off the road into the rear of Howe Road. When I was back there I could barely see part of Howe Road when I looked to the south. There are a lot of trees. There aren't too many of what I would call large trees. They are mostly small to medium trees. I don't know how many of those would remain after the excavation takes place. It's pretty large back there, over three acres and we did ask you to eliminate the pole barn and you complied with that. Although the house isn't huge it is a ranch so it has a large footprint. I think the garage and storage areas are commensurate with the footprint of the house and will be pretty well hidden back there and architecturally look pretty nice. So, I don't see any problems with it myself.

Mr. Evans – Mr. Houlé, it's not a ranch. You mentioned that earlier and I meant to correct that. It does have a second story.

Mr. Houlé – I couldn't tell that.

Mr. Evans – I just wanted to make sure for the record that we have that. Anything else from anyone? We already did the Public Hearing at the last meeting so Mr. Kolick, I believe that we are

**6) JOHANNES AND DORINA ALBRECHT, OWNERS, Cont'd**

**Mr. Evans continued** - in a position where if there are no other comments from Board members then we can move forward to a motion.

Mr. Baldin – Did you have many people here at the Public Hearing with objections?

Mr. Evans – We did have people expressing their opinions.

Mr. Baldin – Was anyone in favor of it?

Mr. Evans – Was anyone in the audience in favor?

Mr. Kolick – We had one person in the audience against and one person had more questions about drainage and wasn't necessarily against it. That's when it was a separate structure. It was a pole barn not attached to the house.

Mr. Dover – As far as the drainage, we have worked hard with the Engineering Department to resolve that.

Ms. Zamrzla – Mr. Baldin, I did have a phone call today that inquired to make sure it was on the agenda tonight and I emailed them the new plan and what was on the agenda as well.

Mr. Evans – Thank you.

Mr. Kolick – I think we did establish that no business was going to be run out of the garage.

Mr. Dover – No business will be run out of the garage.

Mr. Evans – Thank you. Then I will entertain a motion.

Mr. Houlé – Mr. Chairman, I'd like to make a request that a 1,023 SF Floor Area variance from Zoning Code Section 1252.22 (c), which permits a 1,000 SF Floor Area and where a 2,023 SF Floor Area is proposed in order to construct an Attached Garage on a New Single Family Dwelling; property located at SL 2 Howe Road, PPN 397-31-068, zoned R1-75 be approved.

Mr. Rusnov – Second.

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

6) **JOHANNES AND DORINA ALBRECHT, OWNERS, Cont'd**

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 decision. You'll be notified by the Building Department at the conclusion of the twenty days if City Council does not object. You're all set for tonight. We appreciate you working on the plans to make it what we thought was appropriate.

Mr. Dover – We appreciate the help. Thank you.

Mr. Evans – All right, is there anything else to come before the Board?

Mr. Kolick – Mr. Chairman, this is the last meeting of the year. We should wish everyone a Merry Christmas and a Happy New Year and we'll see you next year.

Mr. Evans – Can't wait for 2020 to end. Thank you. We will stand adjourned.

Signature on File

Mr. Evans, Chairman

Signature on File

Kathy Zamrzla, Sec'y

January 13, 2021

Approval date