

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

**Meeting of
February 9, 2022**

Board of Appeals Members Present: Ken Evans, Richard Baldin, John Rusnov, Dustin Hayden
Administration: Assistant Law Director Daniel J. Kolick
Assistant Building Commissioner: Brian Roenigk
Recording Secretary: Kathy Zamrzla

Mr. Evans – I'd like to call this caucus for the meeting of February 9, 2022 to order. This is a time for the Board Members to discuss the items that are on our agenda. We'll invite your participation at 8:00 when the actual meeting begins. You can stay and listen to the Board Members talk about the items on the agenda. We have minutes for January 12, 2022. No corrections or changes were noted so we'll approve those in the meeting. Item number one on our agenda is Boyd.

The Board members discussed the following:

1) **CLINTON AND BRITTNEY BOYD, OWNERS/Natalie Westover with Schumacher Homes of Akron/Cleveland, Representative**

- a) Requesting an 18' Setback variance from Zoning Code Section 1252.04 (d), which requires a 100' Setback to the centerline of Fairtree Drive and where an 82' Setback to the centerline of Fairtree Drive is proposed;
- b) Requesting a 43' Setback variance from 1252.04 (e), which requires a 100' Setback to the centerline of Wolzhaven Drive and where a 57' Setback from the centerline of Wolzhaven Drive is proposed in order to construct a Single-Family Dwelling, PPN 391-24-020, zoned R1-75.

Mr. Evans stated that they had some discussion about this the last time. Boyd resubmitted a second drawing. They did not tell us what the overall height is of the proposed structure. They changed the pitch on the roof and 24 feet in height was proposed the last time. The new drawing did not show any windows on the garage side which was also discussed the last time. Mr. Rusnov stated that the quality of the builder is not an issue.

2) **ANTONIO, JR. AND ANDREA VENTURA, OWNERS**

Requesting a 7' Side Yard Setback variance from Zoning Code Section 1252.29 (b) (1), which requires a 15' Side Yard Setback and where a 8' Side Yard Setback is proposed in order to install a 21' diameter Above Ground Swimming Pool; property located at 18045 Strongsville Blvd., PPN 395-06-058, zoned R1-75.

Mr. Rusnov stated that there is a topographical issue with this request. Mr. Baldin stated that the yard is fenced and that there is a slope.

3) **STAPLES PLAZA/Bob Kunzen with Brilliant Electric Sign Co, Representative**

- a) Requesting a 3.83' Sign Height variance from Zoning Code Section 1272.12 (h), which permits a 5' Sign Height and where an 8.83' Sign Height is proposed in order to install a Monument Sign;
- b) Requesting a 35' Setback variance from Zoning Code Section 1272.12 (h), which requires a 35' Setback from the right-of-way and where a 0' Setback from the right-of-way is proposed in order to install a Monument Sign;
- c) Requesting a 20.64 SF Face Area variance from Zoning Code Section 1272.12 (h), which permits a 50 SF Sign Face Area and where a 70.64 SF Sign Face Area is proposed in order to install a Monument Sign; property located at Staples Plaza, 12201-12465 Pearl Road, PPN 396-03-047, zoned General Business (GB).

Mr. Baldin stated that there is an existing sign. Mr. Rusnov stated that there are no nine foot signs in the city. Mr. Evans stated that the concern is about the size and height of the sign. This is an established plaza.

**STRONGSVILLE BOARD OF ZONING & BUILDING CODE APPEALS
MINUTES OF MEETING
February 9, 2022**

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

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

Also Present: Mr. Kolick, Assistant Law Director
Mr. Mike Miller, Building Commissioner
Mr. Roenigk, Assistant Building Commissioner
Ms. Zamrzla, Recording Secretary

Mr. Evans – I would like to call this February 9, 2022 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	ABSENT
	MR. HAYDEN	PRESENT
	MR. BALDIN	PRESENT
	MR. RUSNOV	PRESENT

Mr. Baldin – I'd like to excuse Mr. Houlé for just cause.

Mr. Hayden – Second.

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

ROLL CALL:	ALL AYES:	MOTION PASSED
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Mr. Evans – I hereby certify that this meeting has been posted in accordance with Chapter 208 of the Strongsville Codified Ordinances. We have minutes from January 12, 2022. If there are no changes, we will submit those as they were given to us for the record. If you are here this evening and you plan on addressing the Board, I would ask that you stand and be sworn in by our Assistant Law Director, as well as our secretary and Building Department representative.

Mr. Kolick stated the oath to those standing.

1) **CLINTON AND BRITTNEY BOYD, OWNERS/Natalie Westover with Schumacher Homes of Akron/Cleveland, Representative**

- a) Requesting an 18' Setback variance from Zoning Code Section 1252.04 (d), which requires a 100' Setback to the centerline of Fairtree Drive and where an 82' Setback to the centerline of Fairtree Drive is proposed;
- b) Requesting a 43' Setback variance from 1252.04 (e), which requires a 100' Setback to the centerline of Wolzhaven Drive and where a 57' Setback from the centerline of Wolzhaven Drive is proposed in order to construct a Single-Family Dwelling, PPN 391-24-020, zoned R1-75.

Mr. Evans – Item number one on the agenda is a continuation. Mr. Gonzer, I assume you're going to be the one talking this evening? Why don't you both come up to the podium. The first thing that I want to say is please understand that we welcome you building the home. We are thrilled that the lot is going to be built and we appreciate that. We have a revised drawing that had the roof pitch changed to five twelve. We understand that it changes it to a twenty two feet overall height down from twenty four that was originally proposed. Is there anything else you want to tell us this evening?

Mr. Gonzer – I noticed that the draftsman failed to show the window on the garage side added to the plan. We do agree to add that window.

Mr. Evans – That would be wonderful. We thought that would be something that would be good and we appreciate that.

Mr. Gonzer – We feel the changes reflect this Board's concerns.

Mr. Evans – Gentlemen, thoughts, comments. We did do this as a continuation of the public hearing, so I would ask is there anybody in the audience who wishes to speak for the granting of the variance? There are two variances that are both setbacks. Anybody who needs to speak against the granting of the variances? Hearing none and seeing none, I will declare the public hearing closed, and I'll entertain a motion. The motion would need to condition it on the height being adjusted to the new revised drawing and moving a window from the back to the side.

Mr. Rusnov – Mr. Chairman, requesting an 18' Setback variance from Zoning Code Section 1252.04 (d), which requires a 100' Setback to the centerline of Fairtree Drive and where an 82' Setback to the centerline of Fairtree Drive is proposed; (b) requesting a 43' Setback variance from 1252.04 (e), which requires a 100' Setback to the centerline of Wolzhaven Drive and where a 57' Setback from the centerline of Wolzhaven Drive is proposed in order to construct a Single-Family Dwelling, PPN 391-24-020, zoned R1-75, conditioned upon moving the window on the one side of the house and going with a five twelve pitch which will lower the height to not more than twenty two feet, not twenty four.

1) **CLINTON AND BRITTNEY BOYD, OWNERS/Natalie Westover with Schumacher Homes of Akron/Cleveland, Representative, Cont'd**

Mr. Hayden – Second.

Mr. Evans – Thank you Mr. Rusnov for the motion. Mr. Hayden for the second. Mr. Kolick, are you okay with that?

Mr. Kolick – You're fine.

Mr. Evans – May we have a roll call please.

ROLL CALL:

ALL AYES:

MOTION PASSED

Mr. Evans – The variance has been granted by this Board. There is a twenty day waiting period during which time City Council has the opportunity to review our decision. If Council chooses not to act, you will be notified by the Building Department at the end of the twenty days and then you can move forward. We appreciate you working with us. Good luck with the project.

Mr. Roenigk – May I interrupt for a second to put something on the record. Just for the record, the Building Department has no jurisdiction to enforce a window being put in per the 2019 Residential Code of Ohio.

Mr. Evans – But this Board made it a condition and at this point that is something because of the variances that we're able to do, but again, we think that will improve and make it a better situation for you and your neighbors. Thank you for working with us.

2) **ANTONIO, JR. AND ANDREA VENTURA, OWNERS**

Requesting a 7' Side Yard Setback variance from Zoning Code Section 1252.29 (b) (1), which requires a 15' Side Yard Setback and where a 8' Side Yard Setback is proposed in order to install a 21' diameter Above Ground Swimming Pool; property located at 18045 Strongsville Blvd., PPN 395-06-058, zoned R1-75.

Mr. Evans – Item number two is Ventura on Strongsville Boulevard. This is a request for a side yard setback. If you will come forward to the microphone. Please state your name and address for the record.

Mr. Ventura – I an Antonio Ventura and my address is 18045 Strongsville Blvd.

Mr. Evans – Mr. Ventura, give us a quick idea. Most of us have been out to visit and the rest have done their homework on it. The snow made it a little bit challenging to get into the backyard to

2) **ANTONIO, JR. AND ANDREA VENTURA, OWNERS, Cont'd**

Mr. Evans continues - look at it. Give us an idea of what you want to do and a quick sketch of why the variance is necessary.

Mr. Ventura – I want to replace an earlier pool and due to the drop off on my lot this is the only practical place where I can install it.

Mr. Rusnov – In other words, this is the only place where it will fit and it's a topographical issue which is one of the four criteria that we judge on.

Mr. Evans – Anything else?

Mr. Baldin – It seems to be the only place to put it. You do have a nice fenced yard.

Mr. Evans – This is a public hearing. I will ask is there anybody in the audience who wishes to speak for the granting of the variance? Is there anybody who wishes to speak against the granting of the variance? Hearing none and seeing none, I will declare the public hearing closed and I will entertain a motion.

Mr. Baldin - Mr. Chairman, requesting 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 a 21' diameter Above Ground Swimming Pool; property located at 18045 Strongsville Blvd., PPN 395-06-058, zoned R1-75.

Mr. Hayden – Second.

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

ROLL CALL:

ALL AYES:

MOTION PASSED

Mr. Evans – The variance has been granted by this Board. There is a twenty day waiting period during which time City Council has the opportunity to review our decision. If Council chooses not to act, you will be notified by the Building Department at the end of the twenty days and then you can move forward with the plans.

3) STAPLES PLAZA/Bob Kunzen with Brilliant Electric Sign Co, Representative

- a) Requesting a 3.83' Sign Height variance from Zoning Code Section 1272.12 (h), which permits a 5' Sign Height and where an 8.83' Sign Height is proposed in order to install a Monument Sign;
- b) Requesting a 35' Setback variance from Zoning Code Section 1272.12 (h), which requires a 35' Setback from the right-of-way and where a 0' Setback from the right-of-way is proposed in order to install a Monument Sign;
- c) Requesting a 20.64 SF Face Area variance from Zoning Code Section 1272.12 (h), which permits a 50 SF Sign Face Area and where a 70.64 SF Sign Face Area is proposed in order to install a Monument Sign; property located at Staples Plaza, 12201-12465 Pearl Road, PPN 396-03-047, zoned General Business (GB).

Mr. Evans – Item number three on our agenda is Staples Plaza. Bob Kunzen is the representative from Brilliant Signs. If you would come forward and state your name for the record.

Mr. Kunzen – Bob Kunzen with Brilliant Electric Sign Company.

Mr. Evans – We do have the letter that you presented to the Board about the request. Give us a quick rundown of why it is that you need the new sign and the things that the sign will do for the property.

Mr. Kunzen – The property is setback from the road and the multiple tenants need signage. The size and height are necessary to put on all tenants' names. I don't believe the height variance is correct.

Mr. Rusnov – So in other words, it's wrong. It should be a six foot height.

Mr. Evans – Let's make sure. I'd rather have Mr. Roenigk give us how the department measures the height.

Mr. Roenigk – We measure from grade. They are limited to five feet from grade. Otherwise you could put a six foot base on it.

Mr. Kunzen – You mean the whole sign can only be five feet?

Mr. Roenigk – The whole sign.

Mr. Kunzen – I thought it was only the actual signage.

3) **STAPLES PLAZA/Bob Kunzen with Brilliant Electric Sign Co, Representative,
Cont'd**

Mr. Baldin – Just a problem with our system. Just do the best you can.

Mr. Kunzen – As far as the sign's height, it's not interfering with the driveway safety site triangles which was a big issue. It is a good distance from either drive. So that wouldn't be one of the issues. As I said, the height variance is mainly so the tenant panels can be in there and be legible.

Mr. Evans – It is also the height and the square footage on the front which is a part of your requested variances.

Mr. Kunzen – We need the size for all the tenants.

Mr. Evans – Mr. Kunzen, I think you may have heard us in Caucus talking about our problem as a Board, really comes down to pretty much one thing. That is that we set precedent that encourages everybody else to follow precedent and when we expand the size of monument signs, every sign company in the world say hey, now we can do it bigger, bigger, bigger sign and it becomes a race. It's the same thing as putting signs on the front of buildings. All of those tenants that are on the back by Staples, all have signage on the top of their buildings. Some of them are bigger than others because the square footage on their frontage allows a bigger sign. Recognizing the smallest tenants in there may not have a lot of square footage that's available for a sign, but our problem is that along Pearl Road or along Royalton or along Prospect where we have major thoroughfares and are multi-lane, when we allow a bigger sign, everybody along that area that has a strip center is going to want one. So, we have been very reticent to grant it, simply because once we do it for one, we've now opened the door for others to do that. In the information that you furnished to us, you talked about the fact that it doesn't allow the tenant size to be large enough. The problem is that no sign is really going to be big enough to read from a five lane road with traffic going 35 miles an hour and going by. I would venture to say that most of those that are in that strip that are behind; and I know Goldfish does, because my granddaughter goes to the swim school, everybody says we're behind J. Bella, right next to Staples. Everybody says oh yeah, we know where Staples is. Some of our Board Members alluded to in Caucus, it's an established plaza, it's been there for a while. A lot of people know where Staples is. A lot of people know that there's been transition in there and when a new tenant comes in somebody says yeah, we're next to Staples, they immediately pretty much know where it is. Destination wise for people going there, the signage on the street may not make that big of a difference at 35 miles per hour. I would hesitate to say that people are looking for signs as much as they are driving down Pearl Road and you look for Staples because it's big and you look for J. Bella because it's big. Those are things that help stand out. Where we did Sgt. Clean Car Wash down a couple of hundred feet, we worked with them because they wanted big signs as well. We said if we allow you to do it, others are going to want to do it. So, they came down and met Code and stayed within that and in the end were reasonably happy with the product that they wound up with. We're not saying that you cannot do a monument

3) **STAPLES PLAZA/Bob Kunzen with Brilliant Electric Sign Co, Representative,
Cont'd**

Mr. Evans continues - sign, but at nine feet tall that's going to be four feet taller than anything else in the City. For us that becomes a problem to deal with down the road.

Mr. Kunzen – I understand your problem setting a precedent.

Mr. Rusnov – Simply put because we're not going to create a precedent.

Mr. Evans – I will say that the setback is a little bit different because we have allowed setback variances to come right up to the right-of-way as you're asking for here. That is because Pearl Road has been widened and because where the sidewalks are set and everything and the way that the right-of-way works. We do agree that the setback is something that we can work with but the overall size and square footage and the height, those are issues.

Mr. Rusnov – Can you go back to your client and renegotiate to see if there is any room with this or if it's a definite no then we vote on it tonight. If you can get them to conform to the Code for the most critical areas, then we can postpone this. It's your call.

Mr. Kunzen – I will table with the client. Where do I measure from?

Mr. Roenigk – Five feet from grade. Our ordinance has changed recently.

Mr. Kunzen – So we're just asking for a sign for tenants for the shopping center that are unable to have adequate representation along the street for people who are passing by.

Mr. Evans – Mr. Rini, again, part of our problem is that there are a lot of vacancies up and down Pearl Road in the strip centers. As a result of not only the pandemic but there were some vacancy problems before, but I think that it is at the end. They have managed to stay within the confines of the Code for signage, the five feet height, and you could be a little bit wider and work around those confines on the monument and they may not be as large but shorter than that. Again, by having tenants such as Staples, they are identifiable. Once we get there you will find the tenant. Part of our problem is that if we increase for you, every other landlord is going to do the same thing and then we're into a race to see who can build the highest, biggest, widest sign, and so forth.

Mr. Rini – That is certainly not our goal. Our goal is to help the tenants. I know you mentioned it's a 35 mile an hour section, I think it is on 25 mph. Not that it changes anything, but again, that is our only goal. We have to work a more appropriate size for tenant signage. But we would like to replace the sign with something more that looks better. We'd like to update the center to bring it up to a more modern look. The sign is the first thing most people see other than the building. We want to modernize the shopping center.

3) **STAPLES PLAZA/Bob Kunzen with Brilliant Electric Sign Co, Representative,
Cont'd**

Mr. Rusnov – You alluded to the fact about the Code. Well we didn't write the Code. The City Council can change it. We can't. All we do is interpret and grant the variances on our four criteria. If you could work with us to try to get things more palatable and get it closer to Code, that would work.

Mr. Rini – We will try to rework this sign.

Mr. Rusnov – We would appreciate that. We can table this or you can ask to have this tabled until the next meeting and I'm sure the Building Department would be happy to assist you.

Mr. Kunzen – I think we would like to table it for now and talk to the client.

Mr. Rusnov – We don't want this to go away. We want you to stay. Just about every resident in this town knows where Staples Plaza is and J. Bella's.

Mr. Rini – We've been thrilled to be a part of this community for so long.

Mr. Rusnov – We're not trying to impede your business.

Mr. Rini – I know. My family has had a long history with the City. We have had a great working relationship with the City.

Mr. Evans – Would you consider making adjustments to this sign?

Mr. Rini – We can make this adjustment to this sign.

Mr. Rusnov – I don't want this to go to a vote now without giving you the opportunity to change this to something more acceptable.

Mr. Kolick – We're happy that you're using the Pearl Road landscaping and adding that in to try and spruce it up. As far as the Board is concerned, the setback seems to be okay. Look at lowering the size particularly and maybe the overall size of it as well, so it will fit your needs but fit better with the community.

Mr. Kunzen – it appears the height variance needs to be lowered.

Mr. Evans – The square footage becomes an issue for us when we are looking at five feet tall and twenty feet wide. That would be the same problem. Adjusting the height and size would be the key.

3) **STAPLES PLAZA/Bob Kunzen with Brilliant Electric Sign Co, Representative,
Cont'd**

Mr. Kolick – You can ask to table it tonight. You could work on it and give us your revised drawings and come to the next meeting if you can get things in on time.

Mr. Evans – This is a public hearing. I'll ask is there anybody in the audience who wishes to speak for the granting of the variance. Anybody 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. Now that we've got that out of the way, do you wish to table it?

Mr. Kunzen – Correct.

Mr. Evans – You can come back at the next meeting. If it takes you longer let the City know. When you are ready, get it to the Building Department and probably before then meet with them. They can help you out with that and give you some ideas and what may be more acceptable.

Mr. Rini – Thank you, we will rework this sign.

Mr. Evans – We want every business to be successful including the Staple's plaza. Is there anything else to come before the Board? Then we are done. Meeting adjourned.

Signature on File
Mr. Evans, Chairman

Signature on File
Kathy Zamrzla, Secretary

February 23, 2022
Approval date