

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

**Meeting of
June 9, 2021**

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

Administration: Assistant Law Director Daniel J. Kolick

Assistant Building Commissioner: Brian Roenigk

Recording Secretary: Kathy Zamrzla

The Board members discussed the following:

1) JOHN AND KRISTINA ARCH, OWNERS, Garrett Funtik, Representative

Requesting a 267 SF Floor Area variance from Zoning Code Section 1252.15, which permits a 192 SF Floor Area and where a 459 SF Floor Area is proposed in order to construct an Accessory Structure Pavilion; property located at 20348 Kylemore Drive, PPN 394-27-064, zoned R1-100.

Mr. Rusnov stated that the HOA approval carries a lot of weight and you are improving the housing stock of the City. Mr. Hayden stated that the backyard is fairly private because of the foliage and trees. Mr. Houlié stated they are removing an existing deck. Mr. Rusnov stated that pavilions look better than decks and add more value. Mr. Roenigk stated that the height is okay. Mr. Baldin concurs.

2) GERALD AND COLLEEN CONROY, OWNERS/Kenneth Mills, Representative

- a) Requesting a variance from Zoning Code Section 1252.15, which permits one Accessory Structure and where a 192 SF Accessory Structure exists and a second 468 SF Accessory Structure is proposed;
- b) Requesting a 68 SF Floor Area variance from Zoning Code Section 1252.15, which permits a 400 SF Floor Area and where a 468 SF Floor Area is proposed in order to construct an Accessory Structure;
- c) Requesting a 24' Rear Yard Setback variance from Zoning Code Section 1252.16 (e), which requires a 36' Rear Yard Setback and where a 12' Rear Yard Setback is proposed in order to install a Patio; property located at 13676 Albion Road, PPN 398-12-013, zoned R1-75.

Mr. Evans stated that there is no HOA involved. Mr. Houlié stated that it abuts against the Pine Lakes common area and he doesn't see any issues with it. Mr. Rusnov stated that Albion Road is different than dealing with subdivisions. Mr. Baldin questioned if the homeowner will be keeping the existing accessory structure or move it. Mr. Roenigk stated that the children's playset stays in the same location.

Mr. Evans welcomed back Mr. Rusnov and informed Mr. Rusnov that Mr. Kolick would swear him in. Mr. Kolick proceeded to swear in Mr. Rusnov as a member of the Strongsville Board of Zoning & Building Code Appeals.

The minutes of April 14, 2021 and April 28, 2021 were discussed. The minutes of April 14, 2021 were approved. The caucus of the April 28, 2021 meeting was not recorded and the Assistant Law Director feels that we should have comments in the caucus because that is part of our public record meeting. What I need you to do between now and the end of this week is to go back and pull back up the April 28th minutes and I need you to see what you think you might have said. There are several references in the minutes themselves that were statements that during caucus I said this. But what we need to do is go back and reconstruct the caucus from that night. So John you get exempted from this, but for the other three of you, if you would be so kind as to look back at the minutes and think if you offered any comments on those during the caucus and if you could send that to Kathy so that they could be incorporated into the April 28th minutes. They don't need to be long and detailed, just simple thoughts about things you may have said. Obviously what is reflected in the minutes officially is a reference and those we already have. This would be anything in addition you might think of.

STRONGSVILLE BOARD OF ZONING & BUILDING CODE APPEALS
MINUTES OF MEETING
June 9, 2021

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

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

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 June 9, 2021 meeting of the Strongsville Board of Zoning and Building Code Appeals to order. May we have a roll call please?

ROLL CALL:	MR. EVANS	PRESENT
	MR. HOULÉ	PRESENT
	MR. HAYDEN	PRESENT
	MR. BALDIN	PRESENT
	MR. RUSNOV	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 were given minutes for the meeting of April 14, 2021 and we discussed those in caucus. If no one has any corrections or additions we will submit those as they were given to us for the record. If you are here this evening and you will be addressing the Board either for a public hearing or for presenting information about the variance request, I would that you now stand and be sworn in as well as our Secretary and Representative from the Building Department.

Mr. Kolick stated the oath to those standing.

1) JOHN AND KRISTINA ARCH, OWNERS, Garrett Funtik, Representative

Requesting a 267 SF Floor Area variance from Zoning Code Section 1252.15, which permits a 192 SF Floor Area and where a 459 SF Floor Area is proposed in order to construct an Accessory Structure Pavilion; property located at 20348 Kylemore Drive, PPN 394-27-064, zoned R1-100.

1) JOHN AND KRISTINA ARCH, OWNERS, Garrett Funtik, Representative, Cont'd

Mr. Evans – So our public hearing number one is John and Kristina Arch on Kylemore. If we could have the representative come up to the podium, and I will tell you while you are coming up that all the Board members have been out and visited your individual properties. We see them sometimes when people are home and sometimes they are not, but we're familiar with the situation. So if the representatives would be so kind, I need your name and address for the record.

Mr. Funtik – My name is Garrett Funtik. My address is 23084 Stonybrooke Drive, North Olmsted.

Mr. Arch – John Arch, 20348 Kylemore Drive, Strongsville.

Mr. Evans – Thank you, gentlemen. If you want to go ahead and give us the quick rundown. I think you heard in caucus our thoughts on it. So if you could give us the background and reason for the variance request.

Mr. Funtik – Basically the variance request was because the City Building Department denied it because it's too big. It's going to be a very simple pavilion, no electrical, not a bunch of crazy stuff going on. We're going to put in, I believe its 918 square feet of pavers, so we're going to put that in. We're going to remove the old deck, completely beautify the whole backyard. The Archs do a lot with their community and their neighbors. Their kids play with all the kids next door. Mr. Arch's mother is going to move in and you know it's good with them so that way she can be under a covered pavilion instead of being out in the sun all day with her grandchild. So that's pretty much where we're at with that with the reasoning of why it's so large.

Mr. Arch – The size didn't seem that large to me because the requirement was very small compared to the size of the patio. We just wanted a part of a patio that we can have a reasonable table to have the full family under coverage. Both neighbors on either side signed off on knowing what we're doing and that it would improve and doesn't hinder the view of the woods or their yards in any way and they would participate in any gatherings that we would have. We have good relationships with all the neighbors. Since I moved from California to Strongsville I noticed that there were many improvements like that in the neighborhood and wanted to improve the house in the same manner.

Mr. Rusnov – In other words, your house is party central and this is necessary to accommodate your family and the neighbors. Nobody has any objections and it's a major capital improvement and you're going to be improving the property.

Mr. Houlé – And that's important.

Mr. Evans – Any other thoughts, questions, observations?

Mr. Baldin – I think it's all been covered.

1) JOHN AND KRISTINA ARCH, OWNERS, Garrett Funtik, Representative, Cont'd

Mr. Evans – This is a public hearing, so 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 and entertain a motion.

Mr. Baldin – Mr. Chairman, I would like to make a motion to approve a 267 SF Floor Area variance from Zoning Code Section 1252.15, which permits a 192 SF Floor Area and where a 459 SF Floor Area is proposed in order to construct an Accessory Structure Pavilion; property located at 20348 Kylemore Drive, PPN 394-27-064, zoned R1-100.

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 variance has been approved by this Board. There is a twenty day waiting period during which time City Council has the opportunity to review our decision since they are the ultimate authority. If they do not object or if they do not question our decision, you'll be notified by the Building Department at the end of the twenty days and can move forward with the project. So you are all set and we wish you well with the project and with having the addition to the house.

Mr. Funtik – Thank you.

Mr. Arch – Thank you.

2) GERALD AND COLLEEN CONROY, OWNERS/Kenneth Mills, Representative

- a) Requesting a variance from Zoning Code Section 1252.15, which permits one Accessory Structure and where a 192 SF Accessory Structure exists and a second 468 SF Accessory Structure is proposed;
- b) Requesting a 68 SF Floor Area variance from Zoning Code Section 1252.15, which permits a 400 SF Floor Area and where a 468 SF Floor Area is proposed in order to construct an Accessory Structure;
- c) Requesting a 24' Rear Yard Setback variance from Zoning Code Section 1252.16 (e), which requires a 36' Rear Yard Setback and where a 12' Rear Yard Setback is proposed in order to install a Patio; property located at 13676 Albion Road, PPN 398-12-013, zoned R1-75.

2) **GERALD AND COLLEEN CONROY, OWNERS/Kenneth Mills, Representative,**
Cont'd

Mr. Evans – Item number two on our agenda is Gerald and Colleen Conroy on Albion Road. If you would give us your name and address for the record please.

Mr. Conroy – My name is Gerald Conroy. The address is 13676 Albion Road.

Mr. Evans – Thank you Mr. Conroy. Why don't you tell us a little bit about where the project fits in with your need and your desire to improve the property.

Mr. Conroy. Sure. So maybe I'll start just by saying in 2016 we would drive past on the way to our family's house this tract of land and it never had a for sale sign, never thought about buying it, didn't look like something we were interested in at the time we were looking for a house. We looked into it a little bit more and it was unbuildable. So we learned about what that meant, we invested significant amount of money, we bought the property and invested money in it to make it a buildable lot. We put the sewers in and kind of found out through the project that we had to put in a sidewalk and we did that. In fact Mike Daymut told me at the time it was Strongsville's longest sidewalk, residential sidewalk. And it's a sidewalk to nowhere. And neighbors thank us still and everyone's walking their dogs there. But we have a lot of pride in ownership. Three small children and this is kind of the next thing for us. As Mr. Rusnov said, we want to make a capital investment in the property. We think it will certainly add value to the property and we'll get plenty of joy out of it along the way. We've got the approval on the pool which is just starting now so we're eager to get going. We want to do a small pool house with a small bathroom. Restating what was said in caucus, you look at our lot which is 1.43 acres and I think the edge of the patio that would be by the pool house is 70 feet from the property line to the West and those folks are very cooperative. The setback with the Pine Lakes residential greenspace give us at least 170 feet of additional space from our back property line. Where the edge of the property line is to where the final part of the concrete will be is 15 feet. I don't envision that we'll be infringing on anyone's joy or disturbing the peace or making too much noise. I guess I probably shouldn't say it but if it's a requirement, for sure, you guys can come over and have the first pool party.

Mr. Evans – He was under oath remember.

Mr. Conroy – And I said it anyway but I heard it in caucus, for the record. Anyway I would appreciate the consideration and I think it will go towards improving and being a good capital investment for us.

Mr. Evans – Some of us on the Board here would probably say that in that pool house that the bathroom is the most important, others would say the bar is the most important. Either way, we acknowledge the fact that it would be nice to have it back there. Thoughts and comments gentlemen?

2) **GERALD AND COLLEEN CONROY, OWNERS/Kenneth Mills, Representative,**
Cont'd

Mr. Hayden – It was one of the best presentations we've had in a while. There is nothing else to say. You said it all.

Mr. Kolick – Just a question for the applicant. Is there a walkway or something from your neighbor's drive to your shed back there? At least that's what is shown on the GIS survey.

Mr. Conroy – Yeah, so the history there is that it all used to be one piece of property with one owner. Then when she sold the home, my understanding is, which is my neighbor's home, she divided the lots and where she divided it there's about a 50 foot piece of driveway extension that's from my neighbor's backyard that they have an easement to go on and off which is 50 feet on my property. So that's why we have an accessory structure there today that's a shed. We've had to put it there to kind of block the look of the driveway and it just kind of exists. Luckily it's a very big lot so it sort of works out.

Mr. Kolick – There's a formal easement in place already for that?

Mr. Conroy – Yes. They're allowed to have ingress and egress on and off the driveway.

Mr. Baldin – The only thing I noticed with that structure that you have there, where it's located, without having a tape and so forth, it looked like to me that it was pretty close to the property line. Do you know if you're 5 feet off the line or not? With the shed?

Mr. Conroy – Oh, with the shed. So that shed is probably 55 feet off the property line.

Mr. Baldin – It's sort of odd the way the stakes are in the ground and the way I was looking at it.

Mr. Conroy – I have a picture if you need it. That driveway is 50 feet on our property. So when we put the shed there, there's plenty of space. The only reason we selected that area was that it kind of blocked the view. The previous owner of the home had the home that's there with that driveway, was putting an old truck there that never moved and we just didn't want to see the truck anymore so we built a nice shed. On our property there was a dilapidated three car brick garage and so another one of the things we did when we were moving in is tore that down and took all the concrete out. So my understanding is that it used to be some sort of a tree farm and so he used the garage and that's why he had all that concrete.

Mr. Baldin – Talk about dilapidated, isn't the shed at the house behind you pretty dilapidated?

Mr. Conroy – It's pretty dilapidated. I'll have to encourage the boys over there to do something about it.

2) **GERALD AND COLLEEN CONROY, OWNERS/Kenneth Mills, Representative,**
Cont'd

Mr. Baldin – I don't see any problem. Like you said, it would be a great improvement.

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

Mr. Houlé – Mr. Chairman, I would like to make a motion to approve a request for a variance from Zoning Code Section 1252.15, which permits one Accessory Structure and where a 192 SF Accessory Structure exists and a second 468 SF Accessory Structure is proposed and (b) requesting a 68 SF Floor Area variance from Zoning Code Section 1252.15, which permits a 400 SF Floor Area and where a 468 SF Floor Area is proposed in order to construct an Accessory Structure and (c) requesting a 24' Rear Yard Setback variance from Zoning Code Section 1252.16 (e), which requires a 36' Rear Yard Setback and where a 12' Rear Yard Setback is proposed in order to install a Patio; property located at 13676 Albion Road, PPN 398-12-013, zoned R1-75.

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

Mr. Evans – Same twenty day waiting period applies. We have approved the variance here tonight and unless Council would object or have any questions about it, you'll be notified by the Building Department and at the conclusion of the twenty days you can move forward with the project. Good luck and we hope you enjoy it and we appreciate you staying in Strongsville and your investment.

Mr. Conroy – Thank you.

Mr. Evans – Is there anything else to come before the Board this evening?

Mr. Baldin – Mr. Conroy, you can have the prints there if you want them.

Mr. Evans – Mr. Conroy, there's another set if you need them. They're great prints. It's good to have them.

Mr. Rusnov – Very thorough. Very nice.

Mr. Evans – Mr. Rusnov, welcome back. And then we will be adjourned.

<u>Signature on file</u>	<u>Signature on file</u>	<u>July 28, 2021</u>
Mr. Evans, Chairman	Kathy Zamrzla, Sec'y	Approval date