

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

**Meeting of
May 26, 2021
7:30 p.m.**

Board of Appeals Members Present: Kenneth Evans, David Houlé, 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) STACEY AND SEAN JENNINGS, OWNERS

Requesting an 8.5' Side Yard Setback variance from Zoning Code Section 1252.29 (b) (1), which requires a 15' Side Yard Setback and where a 6.5' Side Yard Setback is proposed in order to install an 18' Above Ground Swimming Pool; property located at 14174 Oakland Park Dr., PPN 398-04-038, zoned R1-75.

Mr. Hayden stated that the back yard is tight and there is a fence. Mr. Houlé stated it won't be seen from the street. Mr. Baldin agreed.

2) ELAINE ALLEN AND ROBERT MICHELICH, OWNERS

Requesting a 12' Rear Yard Setback variance from Zoning Code Section 1252.16 (e), which requires a 36' Rear Yard Setback and where a 24' Rear Yard Setback is proposed in order to construct a 336 SF Deck; property located at 17432 Olde Surrey Ct, PPN 397-20-013, zoned R1-75.

Mr. Evans stated that he will abstain from voting because he is a trustee in High Point, which is the development this home is in. Mr. Houlé stated the home is on a cul-de-sac, giving the lot a strange shape and the proposed deck is small. Mr. Baldin stated the back yard is short and there's a lot of shrubbery. Mr. Hayden agreed.

3) NICHOLAS AND JESSICA TORRES, OWNERS

Requesting a 3.5' Side Yard Setback variance from Zoning Code Section 1252.29 (b) (1), which requires a 15' Side Yard Setback and where a 11.5' Side Yard Setback (South) is proposed in order to install a 21' Above Ground Swimming Pool; property located at 8804 Lincolnshire Blvd., PPN 391-04-029, zoned R1-75.

Mr. Hayden stated the lot is a large size but the wire over the property cuts the yard in half, which would cause the pool to be located elsewhere on the lot. Mr. Baldin stated moving the pool to another spot would be unnecessary.

4) **DAVID BLAHA, OWNER**

Requesting a 11' Setback variance from Zoning Code Section 1252.17 (c), which requires a 16' Setback from the right-of-way and where a 5' Setback from the right of way is proposed in order to construct a 6' high wood privacy fence; property located at 15555 Pomeroy Blvd., PPN 397-07-059, zoned R1-75.

Mr. Evans stated the home is not in an association. He stated that the fence in the back corner should be angled if approved depending on the variance numbers. Mr. Baldin said the fence wasn't staked out that he could see on his visit and wondered if CPTED needs to look at the request. The Board members discussed that there are other fences near sidewalks in the area but that the fence, if approved, is a sight line danger to children and others on the sidewalk.

5) **CVS 4200 OH LLC/Dan Bertke with Archer Sign, Representative**

Requesting a variance from Zoning Code Section 1272.12 (c), which permits two (2) Wall Signs and where one (1) 19.25 SF additional Wall Sign is proposed; property located at 13777 Pearl Road, PPN 396-17-023.

The Board discussed that the applicant changed their request to accommodate the Board and make the request meet the changed Code.

The minutes for the meeting March 24 were discussed and a small change was noted.

**STRONGSVILLE BOARD OF ZONING & BUILDING CODE APPEALS
MINUTES OF MEETING
May 26, 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

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 May 26, 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	ABSENT

Mr. Houlé – Mr. Chairman, I make a motion to excuse Mr. Rusnov for just cause.

Mr. Hayden – Second.

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

ROLL CALL:	ALL AYES:	MOTION GRANTED
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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 the March 24, 2021 meeting. There was a small change to the minutes that we discussed in caucus and they will now stand as approved. 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) STACEY AND SEAN JENNINGS, OWNERS

Requesting an 8.5' Side Yard Setback variance from Zoning Code Section 1252.29 (b) (1), which requires a 15' Side Yard Setback and where a 6.5' Side Yard Setback is proposed in order to install an 18' Above Ground Swimming Pool; property located at 14174 Oakland Park Dr., PPN 398-04-038, zoned R1-75.

Mr. Evans – Item (1) on our agenda is Stacey and Sean Jennings. Our Board members have been out to each property to see the situation that the variance request is for. If the representative for Jennings would come forward and state your name and address for the record please.

Ms. Jennings – Good evening, I'm Stacey Jennings. My address is 14174 Oakland Park Drive.

Mr. Evans – Thank you, Ms. Jennings. Why don't you take us through a brief explanation as to why the variance request is needed as you heard us talking in caucus. We recognize that it's a small lot with a lot of trees. Why do you need an 18' diameter pool? Why do you think that's the best place for it?

Ms. Jennings – Like you said, it's a tight space. We did speak with both of our neighbors behind us and to the side. We have letters from them in case those were needed, that they were both comfortable with the request we have made. Like you said, we're willing to take down some shrubs but the landscape back there is beautiful. We want to preserve the trees. It is a pretty steep slope in our yard. Where we are proposing it to go is really the flattest, less invasive area to dig for a pool. That is really why we were asking for a variance.

Mr. Evans – I think our comments in caucus would back that up. Gentlemen, your thoughts on this?

Mr. Baldin – Like she said it's not a very big yard, there's not a lot of room. They have a lot of shrubs. I would think you would have to remove one of those shrubs if you have to. If we really pushed it you would have to remove a couple of more. I think you have enough room with the variance.

Ms. Jennings – Okay.

Mr. Evans – If you have the letters from the neighbors we will take those and enter them into the record. Other thoughts?

Mr. Houlé – Mr. Chairman, there are some very nice large trees in the back yard and I would hate to see those have to go. It sounds like you're going to remove some bushes on the side to make room. There is a large fence on that border there so I think it's a solid white fence. It would be pretty private from the street. I don't think they'll be able to see anything. It should be nice.

1) STACEY AND SEAN JENNINGS, OWNERS, Cont'd

Ms. Jennings – It's a nice slope down. Yes, from the street level with the bushes in the front you can't see any of that, which is nice.

Mr. Evans – The topographical slope does have something to do with our topographical issues so it guides that. All right, anything else? 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. Houlé – Mr. Chairman, I would like to make a motion to approve an 8.5' Side Yard Setback variance from Zoning Code Section 1252.29 (b) (1), which requires a 15' Side Yard Setback and where a 6.5' Side Yard Setback is proposed in order to install an 18' Above Ground Swimming Pool; property located at 14174 Oakland Park Dr., PPN 398-04-038, zoned R1-75.

Mr. Baldin – Second.

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

ROLL CALL: ALL AYES: MOTION GRANTED

Mr. Evans – All right, the variance has been granted subject to a twenty-day waiting period during which time City Council has the opportunity to review our decision. You'll be notified by the Building Department at the conclusion of the twenty days if City Council does not object and then you can move forward with the project. You're welcome to stay for the rest of the meeting, or you may leave if you wish. For now, you're all set.

Ms. Jennings – Is that twenty business days?

Mr. Evans – It's twenty calendar days.

Ms. Jennings – Thank you.

Mr. Evans – Thank you.

2) ELAINE ALLEN AND ROBERT MICHELICH, OWNERS

Requesting a 12' Rear Yard Setback variance from Zoning Code Section 1252.16 (e), which requires a 36' Rear Yard Setback and where a 24' Rear Yard Setback is proposed in order to construct a 336 SF Deck; property located at 17432 Olde Surrey Ct, PPN 397-20-013, zoned R1-75.

2) **ELAINE ALLEN AND ROBERT MICHELICH, OWNERS, Cont'd**

Mr. Evans – Item number (2) on our agenda is Michelich on Olde Surrey Court. If the representative is here, if you'll come forward to the microphone please and give us your name and address for the record.

Mr. Michelich – My name is Rob Michelich and I live at 17432 Olde Surrey Court and I'm here for a rear setback variance. I'd like to build a 12' x 28' deck. It's a simple small rectangular deck in a small back yard. We have talked to the neighbors on each side and they have no concerns. The HOA has approved it as well. The neighbors behind us, I don't know them, and there's a natural fence there that you can't see through period to know anybody. We have the two sliding doors in the back and not been able to utilize them and we wish to build the deck.

Mr. Evans – That's all we need. We do know that everyone within 500' of your property has been notified. We assume that if anyone has any issues with it they will appear this evening to ask questions or find out about it. Thoughts or comments?

Mr. Houlé – I got a letter too but I'm not close to your house. I was out to look at it. He is on the edge of a cul-de-sac and there's just no room with that topography. It's only a 12' wide deck and that's what the variance is requesting too. There's no way to build it without a variance being granted. I believe it's quite reasonable and I have no problems with it.

Mr. Baldin – I concur. You do have a nice back yard with shrubbery and trees and I can see why you don't know the neighbors in the back because you can't see them. I think that the deck is something that you needed for the yard and you'll enjoy it I'm sure. I don't have a problem with it.

Mr. Evans – Okay. As I indicated in caucus I am a trustee at High Point and will be abstaining on this. This is a Public Hearing. Is there anyone in the audience who wishes to speak for the granting of the variances? Is there anyone in the audience who wishes to speak against the granting of the variances? Hearing none and seeing none I will declare the Public Hearing closed and entertain a motion.

Mr. Baldin – Mr. Chairman, I would like to make a motion to approve a 12' Rear Yard Setback variance from Zoning Code Section 1252.16 (e), which requires a 36' Rear Yard Setback and where a 24' Rear Yard Setback is proposed in order to construct a 336 SF Deck; property located at 17432 Olde Surrey Ct, PPN 397-20-013, 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?

2) **ELAINE ALLEN AND ROBERT MICHELICH, OWNERS, Cont'd**

ROLL CALL:	MR. BALDIN	AYE
	MR. EVANS	ABSTAIN
	MR. HAYDEN	AYE
	MR. HOULÉ	AYE

MOTION GRANTED

Mr. Evans – All right, the variance has been granted subject to a twenty-day waiting period during which time City Council has the opportunity to review our decision. You'll be notified by the Building Department at the conclusion of the twenty days if City Council does not object and then you can move forward with the project. You're welcome to stay for the rest of the meeting, or you may leave if you wish. For now, you're all set.

3) **NICHOLAS AND JESSICA TORRES, OWNERS**

Requesting a 3.5' Side Yard Setback variance from Zoning Code Section 1252.29 (b) (1), which requires a 15' Side Yard Setback and where a 11.5' Side Yard Setback (South) is proposed in order to install a 21' Above Ground Swimming Pool; property located at 8804 Lincolnshire Blvd., PPN 391-04-029, zoned R1-75.

Mr. Evans – Item number (3) on the agenda is Torres in Lincolnshire Blvd. If you would come forward please to the podium and we will need your name and address for the record.

Ms. Torres – My name is Jessica Torres and my address is 8804 Lincolnshire Blvd. We're requesting a variance of 3 ½'. We have a 21' pool and we were unaware that it has to be 15' from our side yard. There is a wire in the middle of the yard so that's making it hard for us to find a place for the pool and where we're requesting to put it is the only place that will make it 15' from the wire.

Mr. Evans – We agree with you. Other thoughts gentlemen?

Mr. Hayden – Mr. Chairman, this is a sizeable back yard but due to the electrical wire running through the yard there is no other place to safely put the pool. There is a fenced in back yard and they're asking for a small amount. I see no issue with this.

Mr. Evans – Thank you, Mr. Hayden.

Mr. Baldin – I agree.

Mr. Evans – This is a Public Hearing. Is there anyone in the audience who wishes to speak for the granting of the variances? If you will come forward, sir. Ms. Torres, you can sit right in the front

3) NICHOLAS AND JESSICA TORRES, OWNERS

Mr. Evans continues - row there, if you would, and if you will come forward and state your name and address for the record.

Mr. Hess - My name is Leonard Hess and my wife Roseann and we live at 8812 Lincolnshire Blvd. It's a property just south of Jessica's house and the variance is going to be up against the fence line and we have no objection to this. We have asked Nick and Jessica to have the filter intake and the pump itself placed on the West side of the pool which will move it as far as possible from the bedroom, which is our side of the house there. By the way, we have a nice fine couple that just joined our City and they have already done a lot of investing in their property. It's the kind of people we want.

Mr. Evans – Thank you, Mr. Hess. We appreciate your comments. Is there anyone else to speak for the granting of the variance? Is there anyone in the audience who wishes to speak against the granting of the variances? Hearing none and seeing none I will declare the Public Hearing closed and entertain a motion. Ms. Torres, if you could come back up to the podium.

Mr. Baldin – Mr. Chairman, I would like to make a motion to approve an 8.5' Side Yard Setback variance from Zoning Code Section 1252.29 (b) (1), which requires a 15' Side Yard Setback and where a 6.5' Side Yard Setback is proposed in order to install an 18' Above Ground Swimming Pool; property located at 14174 Oakland Park Dr., PPN 398-04-038, zoned R1-75.

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 – All right, the variance has been granted subject to a twenty-day waiting period during which time City Council has the opportunity to review our decision. You'll be notified by the Building Department at the conclusion of the twenty days if City Council does not object and then you can move forward with the project. We also thank your neighbor for coming in to address the Board. For now, you're all set.

4) DAVID BLAHA, OWNER

Requesting a 11' Setback variance from Zoning Code Section 1252.17 (c), which requires a 16' Setback from the right-of-way and where a 5' Setback from the right of way is proposed in order to construct a 6' high wood privacy fence; property located at 15555 Pomeroy Blvd., PPN 397-07-059, zoned R1-75.

4) DAVID BLAHA, OWNER, Cont'd

Mr. Evans - Item number (4) is Blaha. If the representative would come forward we need your name and address for the record.

Mr. Blaha - My name is Dave Blaha, 15555 Pomeroy Blvd. I'm requesting a variance for putting up a privacy fence along the property line. I understand that it should be 16' from the sidewalk and looking at my property I already have lost most of my argument that was constructed against no fear of oncoming traffic getting hit and I heard you mentioning that one of the concerns is kids on the sidewalk. So, I now understand that. If you have been to the property then you know that I have a wall of arborvitae trees along the back property line. They've been damaged from the heavy snows. Trunks and branches falling down. The neighbor is not happy with it and he's excited I'm putting a fence up. Reading the Code that I have to come in 16' that puts the fence almost up against my Florida room. There would be a large loss of back yard space. I have four children and two dogs so looking around the neighborhood there are four other houses that are corner lots that have fences up against the sidewalks and I'm imagining that they don't pose a problem with the light or oncoming traffic and I figured this was the right way to go and request the variance. If you grant it I won't be the unicorn in the neighborhood and if I do have to put the fence in 16' I will be the unicorn in the neighborhood because no one else has the fence that far in from the sidewalk. It would be a huge upgrade cutting down those trees. The property behind me is at a higher elevation. I will be able to see over the fence to oncoming traffic that they cannot have with the trees so I think it would be a big improvement with the neighborhood and everyone that I talked to in the neighborhood said that too. If I do have to come in then the question becomes should I move forward with the project losing that much space so I'm torn between not doing the project at all if I have to bring it in and I would have all those ugly trees to cut down anyway and I have zero privacy because I'm a corner lot. Every car going by can see everything we're doing in the back yard and the kids aren't safe and the dog can run away. I'm really hoping that I can move forward with the fence.

Mr. Evans – Mr. Blaha, you indicated appropriately that there are lots of different situations both in and around your neighborhood. Sometimes people do things without getting a variance and sometimes they do. The variances, it depends on what the individual requests. Our general propensity has not been to put fences up to sidewalks. There are a number of good reasons for that but turning into a Parma stockade area is not something that we think is the right thing to do here in Strongsville. We do understand that the way that the Code is written it requires that 16' setback. That does cut into the back yard so our job is to try to make appropriate accommodations as to what should and shouldn't be done. Again, looking at the topography and other issues. One of the concerns that we have is the driveway of the house behind you is going to be up against the fence.

Mr. Blaha – Correct, where the trees are now but the fence is much lower. He will be able to see over the fence most likely.

Mr. Evans – Not at a 6' height if you're in a car.

4) DAVID BLAHA, OWNER, Cont'd

Mr. Blaha – Currently there are those arborvitae and right now you can't see anything.

Mr. Evans – I understand that but here again, we're permitting a variance for a fence which we would know would obstruct the view. The arborvitae wasn't as big as they are now. So, they may have been shorter. The trees are not part of the Code that judges whether or not there is an obstruction. If you have kids going down that sidewalk and the neighbor behinds you backs out, they are not going to have much ability to see a child riding a bicycle on the sidewalk. We're not worried about cars on the street because they have another 15' before they're going to get there but the sidewalk where you're asking for right against the fence, that's a problem. There are a couple of different ways that we have mitigated that. One, is by doing an angled corner so at the back somebody has to angle the fence panels to add visualization of kids on a sidewalk. By setting it back off the sidewalk 5' or 4', it depends on what we've done to boundaries. We have tried to work with people in order to give them the maximum use of their back yard but understanding that we don't want the fences up against the sidewalk. So, I'm going to let my other Board members weigh in on where they think it should be. We have all been out to look at it but again, the concern with that driveway behind is that we're not going to add to a situation where someone backing out may injure a child on a bicycle.

Mr. Blaha – I was going to mention that I wanted to change the 5' to as close as I can and when I called they said that the letters already went out and to tell you. I understand that number one, my fence is not going to go up right against my driveway so my view of the sidewalk, I'll have 24' before that fence so I'll have plenty of view. To your point about the neighbor, perhaps when I cut those trees down I can angle that for the neighbor to have a view but I would still like to go as close to the sidewalk as you would allow to maximize the back yard and angle that for the neighbor. My view is not obstructed because I'm coming in 24' from the driveway.

Mr. Baldin – You want to put the fence right up against the sidewalk?

Mr. Blaha – I would like to have it close to the sidewalk and then that angle idea would be great for the neighbor behind me.

Mr. Baldin – From the sidewalk to your patio sunroom, what is the distance there? You didn't stake out the fence.

Mr. Blaha – It's about 21' or 22' so if I come in 16' you're talking 5' from the Florida room. There's a glass and screened wall there. The fence will be up against it.

Mr. Kolick – Mr. Chairman, just one comment about some of the other fences in the neighborhood. City Council, probably 10 years ago now, changed this because we were getting complaints about people not being able to see backing out of their driveway little kids on toys and bicycles. That type of thing. So, some of these other fences may have been installed predating the ordinance. This

4) **DAVID BLAHA, OWNER, Cont'd**

Mr. Kolick continues - is why City Council did this to look at obstructions on your own driveway if there are any and also on the driveway behind you. You have to be cognizant of both elements here when you're looking at it.

Mr. Blaha - Understood.

Mr. Houlé – Part of our other concern too is if kids that fell off a bike would have enough room to fall without hitting the fence. I like the idea of the angled fence by the neighbor's driveway and cutting down the arborvitae to the south there. That's a workable solution. Have you considered coming in a couple of feet instead of just the 5', maybe a few extra feet to alleviate the concerns that we have here?

Mr. Blaha – I was hoping to go the other way, like I said. But that's why we're here and that's up to you.

Mr. Baldin – I really don't think the 5' is a problem in looking at what we have here. It still gives you a lot of room. The yard is good sized over all and we just really need to get you away from the sidewalk.

Mr. Blaha – That's fine. Understood, sure.

Mr. Evans – Mr. Hayden?

Mr. Hayden – No, I feel the same.

Mr. Evans – One of the things that we do is we will act on whatever your request is so if your request is to be at the sidewalk, we will act on that. I think that you can see that there's a difference of opinion of where it should be but clearly whatever we would do we would want the back corner to be at a 45-degree angle and whether it's one or two panels there would be enough visibility for the driveway behind you to be able to see someone walking or a child. So, the question has to be where do you want it to be? What is your request and we'll do the Public Hearing.

Mr. Blaha – Could we say 3'? Four feet? Would that be enough room for a kid to fall on that strip of land?

Mr. Baldin – Four feet or 5' sounds pretty good.

Mr. Evans – I can tell you that for me being at least 5' off is my preference as a Board member because I understand that there are houses over there that fence may be closer to the sidewalk. It may have been from the past, like Mr. Kolick said, or if they were installed without permits but

4) DAVID BLAHA, OWNER, Cont'd

Mr. Evans continues - you're doing it the right way by coming in for a variance but at 4' it is still too close to the sidewalk for me. That's my personal opinion.

Mr. Houlé – Five feet would be my minimum that I would accept. Five feet or six feet.

Mr. Evans – Again, it's up to you as to where you want to draw that line at because we'll act on whatever you choose.

Mr. Blaha – Let's keep it at the 5' and then in addition I'll angle it for the better view.

Mr. Baldin – Sounds like a winner to me.

Mr. Evans – Thank you. All right, anything else? This is a Public Hearing. Is there anyone in the audience who wishes to speak for the granting of the variances? Is there anyone in the audience who wishes to speak against the granting of the variances? Hearing none and seeing none I will declare the Public Hearing closed and entertain a motion.

Mr. Houlé – Mr. Chairman, I would like to make a motion to approve a request for a 11' Setback variance from Zoning Code Section 1252.17 (c), which requires a 16' Setback from the right-of-way and where a 5' Setback from the right of way is proposed in order to construct a 6' high wood privacy fence with an angled fence in the south corner; property located at 15555 Pomeroy Blvd., PPN 397-07-059, zoned R1-75.

Mr. Roenigk – I would like more clarification on the angled corner. Is it one or two panels?

Mr. Kolick – Mr. Chairman, we can make it subject to the Building Department determining where there isn't a sight line of obstruction. You would go out to see if he needs one or two panels for the corner.

Mr. Evans – We typically ask them to do two panels. With it being a 45-degree angle that's an area that usually allows some view of the sidewalk. Just so you're aware of that.

Mr. Baldin – Second to the amended motion.

Mr. Kolick – The amendment is subject to the Building Department determining the two panels angled in the south corner.

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

ROLL CALL:

ALL AYES:

MOTION GRANTED

4) DAVID BLAHA, OWNER, Cont'd

Mr. Evans – All right, the variance has been granted subject to a twenty-day waiting period during which time City Council has the opportunity to review our decision. You'll be notified by the Building Department at the conclusion of the twenty days if City Council does not object and then you can move forward with the project. For now, you're all set.

Mr. Blaha – Thank you, very much.

Mr. Evans – Thank you.

5) CVS 4200 OH LLC/Dan Bertke with Archer Sign, Representative

Requesting a variance from Zoning Code Section 1272.12 (c), which permits two (2) Wall Signs and where one (1) 19.25 SF additional Wall Sign is proposed; property located at 13777 Pearl Road, PPN 396-17-023.

Mr. Evans – Item number (5) on the agenda is CVS. If the representative would come forward please and state your name and address for the record.

Ms. Nichols – Linda Nichols, 1917 Henry Avenue, Canton.

Mr. Evans – Ms. Nichols, you are here because we asked you from the last meeting there to make some changes and modifications to the plan that you were presenting. We appreciate you doing that. Tonight, you're here for an additional wall sign where two are permitted. Gentlemen, questions or anything? We've already had the Public Hearing.

Mr. Baldin – We appreciate that she came back and CVS was willing to go along with the square footage.

Mr. Evans – Anything else? There is no Public Hearing so I will entertain a motion.

Mr. Hayden – Mr. Chairman, I would like to make a motion to approve a request for a variance from Zoning Code Section 1272.12 (c), which permits two (2) Wall Signs and where one (1) 19.25 SF additional Wall Sign is proposed; property located at 13777 Pearl Road, PPN 396-17-023.

Mr. Baldin – Second.

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

ROLL CALL:

ALL AYES:

MOTION GRANTED

5) CVS 4200 OH LLC/Dan Bertke with Archer Sign, Representative, Cont'd

Mr. Evans – All right, the variance has been granted subject to a twenty-day waiting period during which time City Council has the opportunity to review our decision. You'll be notified by the Building Department at the conclusion of the twenty days if City Council does not object and then you can move forward with the project. For now, you're all set.

Mr. Kolick – If you haven't already you need to go before the Architectural Review Board. Contact Carol Brill at the City to get on the agenda.

Mr. Evans – That can be done during the twenty-day waiting period.

Ms. Nichols– Thank you.

Mr. Evans – Thank you. We appreciate you working with us. Is there anything else to come before the Board tonight? If not, we will stand 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