

**STRONGSVILLE BOARD OF ZONING & BUILDING CODE APPEALS
MINUTES OF MEETING
May 27, 2020**

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

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

Also Present: Mr. Kolick, Assistant Law Director
 Mr. Roenigk, Building Department Representative
 Ms. Zamrzla, Recording Secretary

Mr. Evans – Good evening ladies and gentlemen. I would like to call this May 27, 2020 meeting of the Strongsville Board of Zoning and Building Code Appeals to order. May we have a roll call please?

ROLL CALL: ALL FIVE MEMBERS PRESENT

Mr. Evans - I hereby certify that this meeting has been posted in accordance with Chapter 208 of the Codified Ordinances of the City of Strongsville. We have before us minutes from April 8, 2020. I don't believe that there are any corrections so we will approve those and send them forward as submitted. So we have item number (E) on our agenda, which is a motion to change the rules and regulations regarding the procedure involving the number of hearings required. You have that in front of you and I will entertain a motion, Mr. Houlé.

Mr. Houlé – Mr. Chairman, I move that the Board of Zoning and Building Code Appeals pursuant to C.O. Sections 1248.03 and 1414.05, which hereby amends its Rules and Regulations to provide that commencing June 10, 2020 the procedure before this Board will no longer require two hearings but instead applicants will go directly to Public Hearing without a New Application Hearing required.

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. That is approved. We have filed that for the record.

1) **PAULA AND FREDRICK SPOKANE, OWNERS**

Requesting a 12' Rear Yard Setback variance from Zoning Code Section 1252.05, which requires a 50' Rear Yard Setback and where a 38' Rear Yard Setback is proposed in order to construct a 192 SF Sunroom; property located at 20487 White Bark Drive, PPN 393-29-002, zoned PDA-2.

Mr. Evans - Good evening, Ms. Spokane. First we need to swear you in, which Mr. Kolick, our Assistant Law Director will take care of.

Mr. Kolick stated the oath to Ms. Spokane.

Mr. Evans – Okay, Ms. Spokane, we will need your name and address for the record.

Ms. Spokane – Paula Spokane, 20487 White Bark Drive, Strongsville, Ohio.

Mr. Evans – Thank you. You are back here after attending previous meetings and we appreciate you coming back. You are here because you're adding a patio and a sunroom. The patio we approved and the sunroom required a little bit of extra so we are here tonight to do that. I don't think there was anything else that we needed to do with that. This is a Public Hearing so I will ask if there is anyone in the audience that wishes to speak for the granting of the variance. Is there anyone outside who wishes to speak against the variance?

Mr. Roenigk – No sir.

Mr. Evans – I have been informed that there is no one here so I will declare the Public Hearing closed and entertain a motion.

Mr. Rusnov – Mr. Chairman, requesting a 12' Rear Yard Setback variance from Zoning Code Section 1252.05, which requires a 50' Rear Yard Setback and where a 38' Rear Yard Setback is proposed in order to construct a 192 SF Sunroom; property located at 20487 White Bark Drive, PPN 393-29-002, zoned PDA-2 be approved.

Mr. Hayden – Second.

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

ROLL CALL:

ALL AYES:

MOTION GRANTED

Mr. Evans – Ms. Spokane, I apologize, that probably seems like a rubber stamp. It is a formality and now that that is taken care of, when you complete the sunroom and the patio you need to invite us over so we can see what the finished product will look like. You do need to wait the twenty

1) **PAULA AND FREDRICK SPOKANE, OWNERS, Cont'd**

Mr. Evans continues - days during which time City Council has the opportunity to review this part of the variance. Other than that you are all set.

Ms. Spokane – No problem. You could have come over tonight first, we had ribs on the grill.

Mr. Evans – Thank you very much.

2) **CHARLES RUSSO, OWNER**

Requesting a variance from Zoning Code Sections 1252.18 and 1252.22 (c), where one (1) 360 SF Detached Garage exists and the addition of a second 936 SF Attached Garage is proposed; property located at 12804 West 130 Street, PPN 398-27-008, zoned R1-75.

Mr. Evans – We need to swear you in. Our Assistant Law Director will take care of that task.

Mr. Kolick stated the oath to Mr. Russo.

Mr. Evans – Thank you. Now we will ask for your name and address for the record.

Mr. Russo - My name is Chuck Russo. I reside at 12804 West 130 Street, Strongsville, Ohio.

Mr. Evans – This is an unusual procedure because we are social distancing and bringing applicants in one at a time so it is a different process. We appreciate you being here. Tell us what it is that you are applying for and why you need a separate garage and what is involved. We've all been to the property and looked at the plans. We met with you if you were home or not if you weren't home.

Mr. Russo– I'll back up to last fall and the last few years. There was a sewer tie in that took place on West 130 Street and I did complete that in October or November of 2019. I was basically either going to tear the house down and build one in the back if the market was good and we were all working and all this pandemic stuff didn't happen. But since I did that sewer tie in in November I decided that I'm going to stay in the house for another five or ten years. The garage that is currently there was built in 1935, I believe when the house was built. It's a very small garage. I think it is 16' x 20' or something like that. Barely big enough to fit a modern day car or SUV or truck and I have one of each and a riding lawn mower and smaller things.

Mr. Baldin – Motorcycles, et cetera.

Mr. Russo – Yes, you were there this evening. I decided to build a garage and attach it to the house so my vehicles will be out of the snow and weather. My stuff will be more cleaned up. The concrete driveway will finish it off to the street. They did the apron a few years ago when they came through

2) **CHARLES RUSSO, OWNER, Cont'd**

Mr. Russo continues - with the sanitary line. That will be nice to tie all that in. What I proposed was to build an attached garage to the back of the house. There's enough room there. It makes sense if you look at the plans. It fits in on the back of the house. The driveway comes in and turns left into what would be the new garage. It all makes sense and like I said, going back to doing the sewer tie in, that's a big project that I completed and that was a big expense and I decided I'm going to stay in the house and I would like to have this garage. I think I sent an email to Brian saying that the original building permit was denied and I said I don't mind attaching it to the existing garage if that would help or if that would make things better but he said that would be considered two garages also. I'm open to ideas or suggestions. The way I had this drawn it was very simple to attach it to the back of the house. There was minimal to remove it from the back of the house as far as the balcony and the sliding glass door.

Mr. Rusnov – Excuse me, do you have any plans on taking the old garage down or have you ever considered that or maybe make the attached garage a little bigger?

Mr. Russo - I did consider it but I just felt like it was useable space for my lawn mower and shovels, that kind of stuff. I burn firewood all winter, and I figured this is already a decent size for three cars. I didn't want to get too carried away, especially for a house I may not stay in or tear down someday. Ten years has already gotten behind me. I didn't think I would still be in this house in ten years.

Mr. Houlé – How tall is the garage proposed?

Mr. Russo – It will stay under the existing house gutter line. That was something else that I took into consideration. I didn't want it sticking way up.

Mr. Houlé – You probably won't be able to see it from the street.

Mr. Russo – You may see the side south wall but that's it.

Mr. Rusnov – The wall will be the only one visible from the street.

Mr. Russo – It's a nice three acre property with woods around three of the sides in the back.

Mr. Baldin – You have a very large lot there and your neighbors all have pretty good sized lots as well. I think your neighbor next door has a pretty good sized shed back there that's sort of hidden. Yours is going to be hidden and not going to go outside of the property line.

Mr. Russo – It's not going to be close to the property line.

Mr. Baldin – Someday you may think about taking down the house. Isn't there another shed there?

2) **CHARLES RUSSO, OWNER, Cont'd**

Mr. Russo – It's like an old out house. I do plan to take those things down. Right now I have some building supplies in there that I've been collecting for a project.

Mr. Baldin – You're in the trades, you told me. You're not going to be doing any work or conducting business from the building?

Mr. Russo – I work for a company since 1994. I don't keep any of our stuff at my residence. We have an office in Ashland and another property in Mantua.

Mr. Baldin – And you already made the comment that you realize you have to put in a hard surface.

Mr. Russo – Yes, Brian explained that to me in an email, that a concrete drive would be required. I was happy about that.

Mr. Baldin – Thank you.

Mr. Evans – Any other questions? This is a Public Hearing so I will ask if there is anyone in the audience that wishes to speak for the granting of the variance. Is there anyone present who wishes to speak against the variance? Hearing none and seeing none I will declare the Public Hearing closed and entertain a motion.

Mr. Rusnov – Mr. Chairman, requesting a variance from Zoning Code Sections 1252.18 and 1252.22 (c), where one (1) 360 SF Detached Garage exists and the addition of a second 936 SF Attached Garage is proposed; property located at 12804 West 130 Street, PPN 398-27-008, zoned R1-75 be approved.

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 – Your variance has been granted. There is a twenty day waiting period during which time City Council has the opportunity to review our granting of the variance. You will be notified by the Building Department at the end of that twenty days. Other than that you are all set.

Mr. Russo – Thank you.

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

2) **CHARLES RUSSO, OWNER, Cont'd**

Mr. Russo – I appreciate it.

3) **KYLE AND STEPHANIE ROSEBROCK, OWNERS**

Requesting a 4' Rear Yard Setback variance from Zoning Code Section 1252.16 (e), which requires a 36' Rear Yard Setback and where a 32' Rear Yard Setback is proposed in order to install a 270 SF Paver Patio; property located at 14412 Oakland Park Drive, PPN 398-03-052, zoned R1-75.

Mr. Evans – Mr. Rosebrock, this is an unusual procedure because we are social distancing and bringing applicants in one at a time so it is a different process. We appreciate you being here. We need to swear both of you in. Our Assistant Law Director will take care of that task.

Mr. Kolick stated the oath to Mr. and Mrs. Rosebrock.

Mr. Evans – All right. We will start with your names and address for the record please.

Mr. Rosebrock – My name is Kyle Rosebrock. This is my wife Stephanie Rosebrock. Our address is 14412 Oakland Park Drive, Strongsville, 44136.

Mr. Evans – So far so good. You are asking for a rear yard setback. Please tell us about the project and what you're intending on doing and why in that particular location. We have all been out and met with you if you were home. Just give us a quick rundown on the project.

Mr. Rosebrock – It's a simple concrete patio. It's an extension to what we already had at the house when we purchased it and when it drew up that plans and submitted for the permit I was informed of the need for a variance. As I understand it it is for additional feet from what City Code allows currently. So the patio is to enjoy our back yard more through the summer and add more spaces to sit.

Mr. Evans – Okay. Questions from Board members?

Mr. Baldin – It's simple, cut and dry. I have no problem with it.

Mr. Evans - This is a Public Hearing so I will ask if there is anyone in the audience that wishes to speak for the granting of the variance. Is there anyone present who wishes to speak against the variance? Hearing none and seeing none I will declare the Public Hearing closed and entertain a motion.

Mr. Hayden - Requesting a 4' Rear Yard Setback variance from Zoning Code Section 1252.16 (e), which requires a 36' Rear Yard Setback and where a 32' Rear Yard Setback is proposed in order

3) KYLE AND STEPHANIE ROSEBROCK, OWNERS, Cont'd

Mr. Hayden continues - to install a 270 SF Paver Patio; property located at 14412 Oakland Park Drive, PPN 398-03-052, zoned R1-75 be approved.

Mr. Houlé – Second.

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

ROLL CALL:

ALL AYES:

MOTION GRANTED

Mr. Evans - Your variance has been granted. There is a twenty day waiting period during which time City Council has the opportunity to review our granting of the variance. You will be notified by the Building Department at the end of that twenty days and then can proceed with the plans if City Council does not object. You're all set. We wish you well on the project.

Mr. Rosebrock – Thank you.

Mr. Evans – Thank you.

4) TODD LEHMER AND JESLYN ESTEP, OWNERS

Requesting a 15' Rear Yard Setback variance from Zoning Code Section 1252.16 (e), which requires a 36' Rear Yard Setback and where a 21' Rear Yard Setback is proposed in order to install a 550 SF Concrete Patio; property located at 18301 Heritage Trail, PPN 397-20-117, zoned R1-75.

Mr. Evans - This is an unusual procedure because we are social distancing and bringing applicants in one at a time so it is a different process. We appreciate you being here. We need to swear both of you in. Our Assistant Law Director will take care of that task.

Mr. Kolick stated the oath to Mr. Lehmer and Ms. Estep.

Mr. Evans – We will need your name and address for the record.

Mr. Lehmer – I'm Todd Lehmer, 18301 Heritage Trail.

Ms. Estep – Jeslyn Estep, 18301 Heritage Trail.

Mr. Evans – Brian, did you give them a copy of the letter I gave to you?

Mr. Roenigk – Yes, I did.

4) TODD LEHMER AND JESLYN ESTEP, OWNERS, Cont'd

Mr. Evans – You are asking for a variance on the rear yard setback and the homeowner's association did approve the project for the variance. There is a separate approval hence the letter that you got. I have to abstain because I'm a trustee in High Point, therefore I will not be voting but the other four members of the Board will be. I believe you put a sunroom on the back there and now the patio outside of the back of that backs up against common property. Tell us about what you're doing.

Mr. Lehmer – We actually didn't put the sunroom on. It was already there when we purchased the property. It's attached to the house. We actually just renovated that whole situation. The prior owner had a deck off to the left which is actually at the side of the house. When you're sitting there there is no access to the back yard and you're looking at the side of the neighbor's house. We took that down and removed the deck and on the other side of the sunroom was a 9' paver patio that we didn't use because it was wet and sinking. It wasn't enjoyable. We have been in the house for 3 ½ years. We've done a lot of projects to the exterior and interior but maybe for only thirty minutes enjoyed our back yard. Anyhow, we have a pretty decent slope in the front yard. My son likes to play ball and with the other siblings. Safety is an issue and we want to enjoy the back yard and the phenomenal setting but we want to improve it. We back up to common area with woods.

Mr. Rusnov – It sounds like you have greatly improved that property since you purchased it and what you're doing now adds to the aesthetics and being able to enjoy the aesthetics because you back up to common area.

Mr. Lehmer – One hundred percent. In addition, we just tore out the back wall of the finished basement because it was getting moisture in it. I dug trenches from the middle to the out well beyond where the patio would be. There will be a French drain and it's going to connect to the downspouts to the road.

Mr. Rusnov – Are you doing the work?

Mr. Lehmer – They're already there. They're done.

Mr. Rusnov – Who did the work?

Mr. Lehmer – I did. I dug the trenches. If this wasn't approved I would move them a little closer.

Mr. Rusnov – What you have is fine. It's good.

Ms. Estep – We have some letters from neighbors. Everything is spot on.

Mr. Rusnov – They should be happy that you moved in. I don't understand the side deck.

4) TODD LEHMER AND JESLYN ESTEP, OWNERS, Cont'd

Ms. Estep – We had dinner out there once and the sun beat on us. We really want to enjoy it.

Mr. Rusnov – I don't have any further questions for you.

Mr. Evans – Any other questions?

Mr. Baldin – No, I think it will be a nice addition.

Mr. Lehmer – Thank you.

Ms. Estep – Thank you.

Mr. Evans – Okay, this is a Public Hearing. Is there anyone outside, Brian, waiting to speak here?

Mr. Roenigk – No.

Mr. Evans - This is a Public Hearing so I will ask if there is anyone in the audience that wishes to speak for the granting of the variance. Is there anyone present who wishes to speak against 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 request a 15' Rear Yard Setback variance from Zoning Code Section 1252.16 (e), which requires a 36' Rear Yard Setback and where a 21' Rear Yard Setback is proposed in order to install a 550 SF Concrete Patio; property located at 18301 Heritage Trail, PPN 397-20-117, zoned R1-75 be approved.

Mr. Rusnov – Second.

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

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

MOTION GRANTED

Mr. Evans - Your variance has been granted. There is a twenty day waiting period during which time City Council has the opportunity to review our granting of the variance. You will be notified by the Building Department at the end of that twenty days and then can proceed with the plans if

4) TODD LEHMER AND JESLYN ESTEP, OWNERS, Cont'd

Mr. Evans continues - City Council does not object. You're all set. Thank you for the neighbor's letters but we don't really need them. This one doesn't require a lot of thinking to realize it's the right thing.

Mr. Lehmer – Thank you.

Ms. Estep – Thank you.

Mr. Baldin – Enjoy dinner out there.

Ms. Estep – We will.

5) GARY AND KAREN GROMIAK, OWNERS

Requesting a 12' Side Yard Setback variance from Zoning Code Section 1252.16 (e), which requires a Patio maintain the same Side Yard Setback as the main dwelling and a where the applicant is proposing a 460 SF Paver Patio encroaching 12' beyond the main dwelling into the Side Yard Setback; property located at 14572 Hartford Trail, PPN 399-27-102, zoned R1-75.

Mr. Evans – Good evening, this is an unusual procedure because we are social distancing and bringing applicants in one at a time so it is a different process. We appreciate you being here. We need to swear both of you in.

Mr. Kolick stated the oath to Mr. and Mrs. Gromiak.

Mr. Evans – So we start off with asking for both of your names addresses for the record please.

Mrs. Gromiak – Karen Gromiak, 14572 Hartford Trail.

Mr. Gromiak – Gary Gromiak, 14572 Hartford Trail.

Mr. Evans – That's a good way to start. Tell us about the project that you're anticipating here and the reason why you need a variance.

Mr. Gromiak – We planned to put in a paver patio on the side of the house and I didn't know at the time the restriction that it can't go beyond the wall of the house, which ends up being that garage. It's actually 9' past that mark. We wanted to put it there because our yard borders on the back of our house and the side of the house is common area. We have the side with the common area fenced in. So, we don't like being out in the back because we are completely exposed to everyone. It's not like we're doing anything. There is a walking trail that a lot of people go by walking their dogs and kids.

5) GARY AND KAREN GROMIAK, OWNERS, Cont'd

Mr. Evans – We have all been out to see it, some when you were home and some not but we have been there. We are familiar with that.

Mr. Gromiak – I had an engineer...do you have this (showing a letter)?

Mr. Evans – We do.

Mr. Gromiak – Supposedly the homeowner's association was concerned that the water coming off the patio would cause more water. It's a swale that goes out to whatever that is west and then east. He did the analysis and doesn't think there would be a water issue and doesn't understand why it was brought up. I did my due diligence and paid him to do this survey.

Mr. Evans – Questions from board members?

Mr. Kolick – Have we heard from the homeowner's association? I don't see a letter here from them. Normally we get a letter from them.

Mr. Evans – We understood that you got an approval from the homeowner's association.

Mr. Gromiak – I did not. I thought they would have sent it to you or to the City. This is what they requested and they have it. Their attorney has it.

Mr. Evans – So, as of this afternoon the City had not received it. I thought that maybe they had sent it to you. Typically, what we need to do is we need to have the letter from of the homeowner's association prior to us passing judgement because if the homeowner's association said no and we had already approved a variance then we would be in hot water with City Council or something. So, typically we wait until we have the homeowner's association letter. Given that you've done the engineering study that they requested I'm anticipating that they would grant approval but ordinarily we would wait for that. Our process of trying to move people through this on a one time process is going to be that we are going to hold the Public Hearing but we're going to ask you to table this until we have the homeowner's association letter. That would mean that you need to come back on June 10, the next meeting. There would not be a Public Hearing. It would mean that we could act on the request with a homeowner's association letter and act on the request for the variance.

Mr. Gromiak – If you have the approval would we still have to go through that process?

Mr. Evan – Yes, unfortunately.

Mrs. Gromiak – Are we supposed to wait until we get that or should we request that from them?

5) GARY AND KAREN GROMIAK, OWNERS, Cont'd

Mr. Evans – You might want to keep bothering them for the letter because we all have lives and families. Sometime things get in the way. Some have pools that are causing issues so you might want to gently remind them that you're looking for the approval letter and it's holding up your variance.

Mrs. Gromiak – We assumed that he would have been here at the meeting or had sent the letter. We weren't aware, otherwise we would had contacted them.

Mr. Evans – That's okay. It will slow you down a bit but it will not stop you or anything like that. We will do the Public Hearing tonight so that's out of the way. That's means it's streamlined to act on it at the June 10 meeting. It's going to hold you up a little bit but not too bad. Any other questions?

Mr. Rusnov – Just one. They said in the engineering report that there would be a minor increase in the water runoff and the way it looked to me is it would go to the swale. If you're looking at the garage with the patio behind it, it would go into the swale to the left. Am I correct?

Mr. Gromiak – There is a fence along there and there is what they call a verge. Our patio is not going to go all the way to the fence. It's going to stop short eight inches and that eight inch space is going to be filled with stone. It will be like a French drain where water will collect. It's not going to be much more that what would normally be there.

Mr. Rusnov – Very minor then.

Mr. Gromiak – He said it's negligible as far as whatever runoff there would be.

Mr. Evans – Brian, is there anyone outside that you're aware of?

Mr. Roenigk – There is no one out there.

Mr. Evans - Okay, so his is a Public Hearing so I will ask if there is anyone in the audience that wishes to speak for the granting of the variance. Is there anyone present who wishes to speak against the variance? Hearing none and seeing none I will declare the Public Hearing closed and I will ask that you table this to the June 10 meeting and we would invite you back for that meeting. There will be no additional Public Hearing but we would have the letter and act on this and then move it forward from there.

Mrs. Gromiak – We would have to be present again?

Mr. Evans – Yes, you get to delight us with your presence.

5) GARY AND KAREN GROMIAK, OWNERS, Cont'd

Ms. Zamrzla – Mr. Chairman, for the applicant, I believe that your contractor was fully aware of the need for a homeowner's association approval letter. I think that was Summit Plumbing.

Mr. Gromiak – That is my company. We hired a landscaper and I assumed that he was going to take care of all that.

Mr. Evans – It's not a problem. We don't charge you any more money. You just have to come back.

Mr. Gromiak – You say that we're responsible for getting that letter.

Mr. Evans - The Homeowner's Association is responsible for responding to us but at this point your encouragement will help the process along. The Board members for hoa's are not paid so for them it's a matter of how many other things are going on. If you encourage them I'm sure that they'll move it along. You have the engineering study so I'm sure it should not be an issue.

Ms. Gromiak - If they oppose it do they have to have a reason or can they just say we don't want you to do it?

Mr. Evans – They can oppose it and they could have reason. If they didn't have reasons then we would ask them what the reasons are and we do not have to go along with the homeowner's association. We do that out of a courtesy but there isn't a legal obligation for us to do that. So, we will invite you back on June 10 and hopefully that letter will come in before that. If you get it please get the letter over to the Building Department. If we get it then we'll get it over to you.

Mr. Baldin – Excuse me, are you folks the original owners? Did you put up that fence?

Mrs. Gromiak – That was there.

Mr. Baldin – So, the fence and everything was there when you guys moved in. You have privacy. I don't see what everyone is complaining about but that's the way that homeowner's association sometimes act to get their two cents in.

Mr. Gromiak – Well, this is not pertinent or anything but there was a time that they said they did a survey on the fence and it encroached six inches on the association property. I had to move the fence six inches in.

Mr. Baldin – You have a very nice yard so I hope everything goes well.

Mr. Gromiak – Thank you.

5) **GARY AND KAREN GROMIAK, OWNERS, Cont'd**

Mrs. Gromiak – Thank you.

Mr. Kolick – If you get the letter get it up to Kathy at City Hall so we have it before the meeting.

Mr. Gromiak – Okay.

6) **BRIAN BURKE AND BROOKE KEREKES, OWNERS**

Requesting a 10' Side Yard Setback variance from Zoning Code Section 1252.16 (e), which requires a Deck maintain the same Side Yard Setback as the main dwelling and a where the applicant is proposing a 167 SF Deck encroaching 10' beyond the main dwelling into the Side Yard Setback; property located at 8941 Webster Road, PPN 398-03-003, zoned R1-75.

Mr. Evans - Good evening, this is an unusual procedure because we are social distancing and bringing applicants in one at a time so it is a different process. We appreciate you being here. We need to swear you in.

Mr. Kolick stated the oath to Mr. Burke.

Mr. Evans – First thing that we need is your name and address.

Mr. Burke – Brian Burke, 8941 Webster Road, Strongsville, Ohio.

Mr. Evans – Excellent. You passed the first test. Tell us about the project that you're proposing here and why the need for the variance and the particulars about it. We have all been out to visit it, some of us when you were home and some of us may have been there when you weren't home. We've all seen the property but if you could give us a quick description of why and how you arrived at the decision.

Mr. Burke – Sure. This house is a relatively old house built in 1890. It had a garage structure located halfway back in the back yard. It's a deep lot, approximately 350 feet. The garage structure when we bought it was converted into a makeshift gazebo, with screen, and it was torn down and it's now a patio. Behind that patio is a hill that goes down and about ten feet from there is an above ground pool. We want to have everything lined up properly so that we can have the patio and a deck on the same level so that we don't have to walk down the stairs and back up to get to the pool and the pool filter needs to be over directly behind the patio structure because otherwise we have the filter system right in the middle of the deck. It would be an eyesore. So, it's a small deck and again, it's downhill from the street levels so you won't see it at all because it's a deep lot surrounded by trees in the back yard. It would make it flow nicely and avoid having to go up and down so it aligns with the pool filter and the kids can enjoy the back yard.

6) BRIAN BURKE AND BROOKE KEREKES, OWNERS, Cont'd

Mr. Evans – Questions from Board members or observations?

Mr. Baldin – No question, I think he explained it very well. He has a nice big back yard and it would be a nice addition. He would really enjoy that.

Mr. Burke – You would all be invited over after too.

Mr. Evans – Anything else?

Mr. Rusnov – No.

Mr. Evans – Do we have anyone outdoors for the Public Hearing?

Mr. Roenigk – There is no one outside. This is a Public Hearing so I will ask if there is anyone in the audience that wishes to speak for the granting of the variance. Is there anyone present who wishes to speak against 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 request for a 10' Side Yard Setback variance from Zoning Code Section 1252.16 (e), which requires a Deck maintain the same Side Yard Setback as the main dwelling and a where the applicant is proposing a 167 SF Deck encroaching 10' beyond the main dwelling into the Side Yard Setback; property located at 8941 Webster Road, PPN 398-03-003, 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

Mr. Evans - Your variance has been granted. There is a twenty day waiting period during which time City Council has the opportunity to review our granting of the variance. You will be notified by the Building Department at the end of that twenty days and then can proceed with the project if City Council does not object. So, you are all set.

Mr. Burke – Thank you very much.

Mr. Evans – Thank you. Is there any other business to come before the Board? If not, we are adjourned.

Signature on File
Mr. Evans, Chairman

Signature on File
Kathy Zamrzla, Sec'y

June 24, 2020
Approval date