

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

**Meeting of
November 18, 2020
7:30 p.m.**

Board of Appeals Members Present: Kenneth Evans, David Houlé, John Rusnov, 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) JOHN AND SHARON BOSWELL, OWNERS

Requesting a 25' Rear Yard Setback variance from Zoning Code Section 1252.05, which requires a 50' Rear Yard Setback and where a 25' Rear Yard Setback is proposed in order to construct a 450 SF Addition; property located at 21307 Briar Bush Lane, PPN 392-10-063, zoned R1-75.

Mr. Houle stated that this has common ground behind the house, an irregular shaped lot and on a cul-de-sac. Mr. Rusnov stated that this has a topographical issue and that would qualify it for a variance. Mr. Rusnov stated that the young families are outgrowing their homes and need more space. He also stated that families are spending money on updating their homes.

2) JOHN AND PAM ZYLSTRA, OWNERS/Joe Lull, Representative with Joyce Factory Direct

- a) Requesting a 16' Rear Yard Setback variance from Zoning Code Section 1252.05, which requires a 50' Rear Yard Setback and where a 34' Rear Yard Setback is proposed in order to construct a 224 SF Sunroom Addition;
- b) Requesting a 2' Rear Yard Setback variance from Zoning Code Section 1252.16 (e), which requires a 36' Rear Yard Setback and where a 34' Rear Yard Setback is proposed in order to construct a 196 SF Deck; property located at 9775 Juniper Court, PPN 398-08-046, zoned R1-75.

Mr. Kolick stated that this property backs up to Rosalee Lane and he wants the Engineering Department to see if this will cause any further drainage issues since some of the residents near Rosalee Lane stated they have drainage issues. Mr. Roenigk stated that gutters are not required for an addition but if a downspout is attached it is required to connect to the storm line. Mr. Roenigk stated there is a large drainage swale on the property.

3) RICHARD AND MISTI SCHULZ, OWNERS

Requesting a 5' Side Yard Setback variance from Zoning Code Section 1252.29 (b) (1), which requires a 15' Side Yard Setback and where a 10' Side Yard Setback (West) is

proposed in order to install a 720 SF Inground Swimming Pool; property located at 20670 Donegal Lane, PPN 394-28-051, zoned R1-100.

The Board stated that it's a large yard but also a large pool. They commented that they will ask the applicant what kind of cover the pool will have. Mr. Houle stated that it's a deep lot and they need a variance due to the location of the pool.

4) JOHANNES AND DORINA ALBRECHT, OWNERS

- a) Requesting a variance from Zoning Code Section 1252.15 (a), which prohibits front yard Accessory Structures and where the applicant is proposing a 2,080 SF Accessory Structure in the front yard;
- b) Requesting a 1,504 SF Floor Area variance from Zoning Code Section 1252.15, which permits a 576 SF Floor Area and where a 2,080 SF Floor Area is proposed in order to construct an Accessory Structure; property located at SL 2 Howe Road, PPN 397-31-068, zoned R1-75.

The Board stated that the structure would be in the front and it's a flag lot. The proposed home would sit in the back. The Board agreed that the proposed building looks like a pole barn or industrial building. They also stated that they would ask the applicant if a business would be conducted in the proposed accessory structure. Mr. Rusnov stated that the accessory structure would be clearly visible. Mr. Kolick stated that a hard surface would need to go in if the building doors are over 6' x 7'.

5) CHIPOTLE RESTAURANT/C. Brent Artman, Representative

- a) Requesting a 120' Front Yard Building Setback variance from Zoning Code Section 1258.11 (a), which requires a 200' Front Yard Building Setback from the Royalton Road centerline and where an 80' Front Yard Building Setback from the Royalton Road centerline is proposed in order to construct a 2,325 SF New Restaurant Building;
- b) Requesting a 15' Front Parking Setback variance from Zoning Code Section 1258.11 (a), which requires a 40' Front Parking Setback from the right-of-way and where a 25' Front Parking Setback from the right-of-way is proposed in order to construct a 2,325 SF New Restaurant Building;
- c) Requesting a 10' Parking Setback variance from Zoning Code Section 1258.11 (a), which requires a 10' Parking Setback (West) and where a 0' Parking Setback (West) is proposed in order to construct a 2,325 SF New Restaurant Building;

- d) Requesting a 10' Rear Parking Setback variance from Zoning Code Section 1258.11 (a), which requires a 10' Rear Parking Setback and where a 0' Rear Parking Setback is proposed in order to construct a 2,325 SF New Restaurant Building; property located at 17100 Royalton Road, PPN 396-14-007, zoned Shopping Center (SC).

This item has been removed from the agenda at the applicant's request.

The Board discussed the minutes of September 23, October 7, October 21 and October 23 and no questions or corrections were required.

**STRONGSVILLE BOARD OF ZONING & BUILDING CODE APPEALS
MINUTES OF MEETING
November 18, 2020**

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

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

Absent: Mr. Baldin

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 meeting of November 18, 2020 meeting of the Strongsville Board of Zoning and Building Code Appeals to order. May we have a roll call please?

ROLL CALL:	MR. EVANS	PRESENT
	MR. HOULÉ	PRESENT
	MR. RUSNOV	PRESENT
	MR. HAYDEN	PRESENT
	MR. BALDIN	ABSENT

Mr. Houle – I make a motion to excuse Mr. Baldin for just cause.

Mr. Rusnov – Second.

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

ROLL CALL: ALL AYES MOTION GRANTED

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 appreciate you wearing a mask since we are in the middle of a pandemic. We have before us minutes from the meetings of September 23, 2020; October 7, 2020; October 21, 2020 and October 23, 2020. We discussed these minutes in

caucus and unless there are corrections or additions they are approved as submitted. We thank the secretary for getting those caught up. 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) **JOHN AND SHARON BOSWELL, OWNERS**

Requesting a 25' Rear Yard Setback variance from Zoning Code Section 1252.05, which requires a 50' Rear Yard Setback and where a 25' Rear Yard Setback is proposed in order to construct a 450 SF Addition; property located at 21307 Briar Bush Lane, PPN 392-10-063, zoned R1-75.

Mr. Evans – Item number five (5) on our agenda is Chipotle Restaurant on Royalton Road. That has been delayed to December 2, 2020 by the applicant so if you're here for item number five (5) that has been moved to December 2, 2020 and we would be happy to excuse you, or you can stay and join us for the rest of the meeting. All of the Board members have been out to visit each of the applicants properties? We looked at those properties prior to this meeting. So, we're all familiar with the property and the request. Item number one on the agenda is Boswell on Briar Bush Lane. If we have a representative please come forward to the microphone and state your name and address for the record please.

Mr. Boswell – John Boswell, 21307 Briar Bush Lane.

Mr. Evans – Thank you, Mr. Boswell. You are here asking for a 25' Rear Yard Setback. Why don't you tell us about the need for the sunroom and why you feel that's the only way that you can build the addition.

Mr. Boswell – We just need the extra space at this point and we have a side yard that is quite large. Between us and the neighbor to the rear there is a wooded area, which has a common area and I really never realized that there was a 50' area back there that was not usable. When I found that out I stepped it off and we made sure that our neighbors had no issue with it.

Mr. Evans – And this is a cul-de-sac lot so it does have a little bit difference in terms of the layout to it. We talked about that during caucus. Any other comments that anybody has on it?

Mr. Rusnov – No.

Mr. Houle – No.

2) **JOHN AND PAM ZYLSTRA, OWNERS/Joe Lull, Representative with Joyce
Factory Direct, Cont'd**

Mr. Lull – Joe Lull with Joyce Factory Direct, 1125 Industrial Parkway in Berea.

Mr. Evans – Thank you, Mr. Lull. We are looking at two variances to construct a sunroom and deck. Tell us about the project and the work they are asking you to do.

Mr. Lull – They contracted with our company to build a sunroom for usable space off the house and also to still have some deck space outside of the house. Currently there is a deck there so really this is essentially a like for like as far as what is there now, knocking it all down and putting an enclosure on part and then a deck on another part.

Mr. Evans – I neglected to mention on the first item and this one that we did have a homeowner's association approving it. Guys, you should have backed me up and caught me on that. We do have that in place. They are not planning on running a business out of the sunroom or the deck or anything like that. Do you offhand know how long the Zylstra's have lived there?

Mr. Lull – I do not but I can tell you something that I heard during caucus, I am not aware of any drainage issues but our sunrooms do come with gutters and it would be tied into the existing drain tile at the home.

Mr. Evans – Excellent, that is the right answer. Any other questions or comments?

Mr. Rusnov – He has pretty much clarified everything, which is good.

Mr. Houlé – Mr. Chairman, when I was out I did get to speak with the owner and he said he'd been there twenty some years. They are hemmed in, they don't really have any room to do any kind of addition without a variance because of the shortness of the back lot.

Mr. Rusnov – In other words they outgrew the existing space.

Mr. Houle – Yes.

Mr. Evans – M. Lull, the only other thing that I would add is I'm glad to hear it will have gutters that will connect to the drainage system. Should there be a problem I'm sure the Building Department would be happy to get in touch with you or the owner but I would not anticipate that this would create any additional drainage problems than what are there now. We appreciate that. Anything else, gentlemen?

Mr. Rusnov – No.

3) RICHARD AND MISTI SCHULZ, OWNERS, Cont'd

Mr. Evans – Thank you. You are asking for a 5’ side yard setback variance to install a pool. Tell us about the project and why it needs to be where you are proposing.

Mr. Schulz – We are putting in a pool and we are hoping that it will line up just visually with the existing patio so that a 5’ variance will make it more symmetrical so as you walk out it will look clean and have a better look to it overall because it will be lined up that way. It will have a hard top because our HOA doesn’t allow a fence.

Mr. Evans – All right. I’m trusting at this point it would have a hard cover that is mechanical that replaces the need for having a fence.

Mr. Schulz – We are, yes.

Mr. Evans – Questions or comments from the Board?

Mr. Rusnov – No.

Mr. Hayden – No.

Mr. Evans – We did note in caucus that while the lot is deep enough that you could set it back further, the topographical considerations and the fact that you want it to be a part of the main property and tie in with everything, we have to be able to consider granting a variance. This is a Public Hearing. Is there anyone in the audience who wishes to speak for the granting of the variance? Is there anyone in the audience who wishes to speak against the granting of the variance? Hearing none and seeing none I will declare the Public Hearing closed and entertain a motion.

Mr. Rusnov – Mr. Chairman, requesting a 5’ Side Yard Setback variance from Zoning Code Section 1252.29 (b) (1), which requires a 15’ Side Yard Setback and where a 10’ Side Yard Setback (West) is proposed in order to install a 720 SF Inground Swimming Pool; property located at 20670 Donegal Lane, PPN 394-28-051, zoned R1-100.

Mr. Houle - Second.

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

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. You’ll be notified by the Building Department at the conclusion of the twenty days if City Council does not object. You

3) **RICHARD AND MISTI SCHULZ, OWNERS, Cont'd**

Mr. Evans continues - are welcome to stay for the rest of the meeting or you may leave if you wish. We thank you for coming this evening and you are required to invite us to the first pool party when you open it up.

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

- a) Requesting a variance from Zoning Code Section 1252.15 (a), which prohibits front yard Accessory Structures and where the applicant is proposing a 2,080 SF Accessory Structure in the front yard;
- b) Requesting a 1,504 SF Floor Area variance from Zoning Code Section 1252.15, which permits a 576 SF Floor Area and where a 2,080 SF Floor Area is proposed in order to construct an Accessory Structure; property located at SL 2 Howe Road, PPN 397-31-068, zoned R1-75.

Mr. Evans – All right, item number four (4) on our agenda is Albrecht. If you would be so kind to come forward and give us your name and address for the record.

Mr. Dover – Sam Dover with Your House Construction representing Joe and Dorina Albrecht, 24549 Tricia Drive, Westlake, Ohio.

Mr. Evans – Thank you, Mr. Dover. Can you take us through the project, what it is that they're doing and why the accessory structure is this size?

Mr. Dover – Really unique for Strongsville, this is a three-acre parcel and it's really land locked on all four sides. If you look at the topographical map the accessory building is required because the owner's have a boat and a small tractor and it's needed for more storage to store the boat and cars and stuff. It's really enclosed if any of you went to the property. There is no frontage on Howe Road except for their driveway. There is foliage on all four sides of this property so that accessory building will never be visible from Howe Road or any of the neighboring properties. It is just a unique situation where something like this is applicable because of the uniqueness of the property.

Mr. Evans – A couple of observations. I'm sure that you heard us talk in caucus. It is a flag lot, which means it has exposure and while you said it would never be visible from the other houses that are around it, those trees are deciduous so now leaves are gone and you would very well be able to see it; and not only see it depending on what the owners do, hear it. Especially with the size of buildings like that. Do we have the owners here?

Mr. Dover – Yes.

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

Mr. Evans – I ask that because we ask the owners whether or not they are intending on running a business out of a building that is that size.

Mr. Albrecht – No.

Ms. Zamrzla – He's not sworn in.

Mr. Kolick – We can't pick you up on the recoding unless you come up and give us your name and address.

Mr. Evans – And he's not sworn in.

Mr. Kolick stated the oath to Mr. Albrecht.

Mr. Evans – There's a reason that we do this, trust me.

Mr. Evans – We ask this because we have people build these and they're for collections like cars and all of a sudden a business is run out of it so we have to ask the question. You have to be under oath because we've learned the hard way that if we don't do everything exactly the way that we should be doing it then we run into trouble. Are you intending on running a business?

Mr. Albrecht – No.

Mr. Kolick – We need his name and address for the record.

Mr. Evans – Oh yes, I didn't mention that.

Mr. Albrecht – Johannes Albrecht, 17682 Drake Road, Strongsville, Ohio 44136.

Mr. Evans – Thank you. So, then back to Mr. Dover, in the building then one of the concerns that we also have is this is a building that looks, at least from the drawings submitted, much like a commercial building, not really residential so it looks like a big barn out there.

Mr. Dover – Without knowing the finishes on the exterior of the home, this building will be steel construction. It is a pole building, windows, wainscoting, stone veneer. It's going to match the house. Black metal roof, the house is very modern, has a lot of black metal roof on the house. So, this is a very high-end home. So, the picture that we actually sent you is not what we plan on building. With this build that accessory building has to fit the part. Otherwise it will be an incredible eyesore, not only to the owners but to everyone around.

4) JOHANNES AND DORINA ALBRECHT, OWNERS, Cont'd

Mr. Evans – Our past experience has taught us that even under oath we accept someone's depiction that it's going to look like the residential property, all of a sudden the owner has put more money into the building of the house and the owner has directed the builder to tone back the accessory structure. Because that has happened we are very sensitive to that because neighbors who may live by that don't deserve to have something that looks like that built in their back yard. This is going to be very, very close to the properties on Howe Road that may be in front of it there. Again, with deciduous trees, they are going to have to look at it during the seasons that it may be exposed. We also talked about hard surface driveways, with the size of the garage doors, our anticipation is that you could have vehicles in there. Any garage door that is bigger than 6' x 7' or larger requires a hard surface drive of concrete or paver stones. Is that part of the plan right now?

Mr. Dover – The apron to the home and accessory building will be hard surface as well as the floor in the accessory building.

Mr. Kolick – Mr. Chairman, for the applicant, I see your current address is Drake Road. Are you moving into this parcel or living on this parcel or renting it out?

Mr. Rusnov – It's a vacant lot to build a home on.

Mr. Kolick – Are you going to move into the home?

Mr. Albrecht – We have been residents since 2004 and we have relatives on Drake Road and we intend to move into this location when it's built.

Mr. Kolick – Okay, thank you.

Mr. Evans – Thank you.

Mr. Rusnov – Mr. Chairman, sir, you stated that this is going to be a high-end house. The way that the plans are submitted and the drawings of the out building the issues that we have is the location of the building is right on the front of the bottom of the flag. Can that be moved someplace else on that three-acre parcel that would be less obvious and can you cut the size down to something more palatable to match what the Code would be?

Mr. Dover – We have had that discussion. From an accessibility standpoint the location of that accessory building just works for Joe and Dorina with pulling into the driveway, having two garages here (indicating to a paper) and here and driving the boat in for me to move it to the rear of the property with the way it sits now would be different.

4) JOHANNES AND DORINA ALBRECHT, OWNERS, Cont'd

Mr. Rusnov – What is wrong with altering the plan to accommodate the size of this out building and talk to the city planners and have it attached to the house so that number one, it's contiguous and number two, it matches architecturally. Is that a possibility?

Mr. Dover – It's a possibility but that would have to be taken up with the owners.

Mr. Evans – We ask that because we're familiar with applicants who are building larger custom homes. We have a lot of them in Strongsville for some reason lately and everybody has car collections or boat collections or a combination of, and so oftentimes what they've done is they have connected those garages and asked for a variance for a larger garage because in almost every case they are a part of a smaller association, and they have said rather than building out buildings we want it attached to the house so it's part of the residence and looks the same as the rest of the house. Obviously you said it's going to be a modern design, we aren't concerned whether it's going to be modern or Tudor or English or whatever it may be but I think our propensity would probably be to have the out building combined with the house if possible to be a part of that so that it would match architecturally, and particularly when it's going to be sitting at the top of the flag where it's going to be visible by the neighbors.

Mr. Rusnov – What we are trying to get across to you if I'm understanding you correctly, this is a luxury class home.

Mr. Dover – Yes.

Mr. Rusnov – Okay and the ball game changes a little but with a luxury class home, and it would be helpful to know that, and maybe for our sake and your sake you may want to consider attaching the out building to the house and just make a larger garage, and if a variance is necessary that sure might be a lot more palatable than a structure in the front, which is against our Code and is four times the size that we allow.

Mr. Dover – If the structure was smaller there's obviously the garage as it sits now. Are we concerned about the size of the building? Joe does own the property on Howe Road not in front but to the....

Mr. Rusnov – We're aware of that. What we're trying to do it minimize the number of variances needed, get this built so that the rest of the neighborhood doesn't have an eyesore created with something that looks like a commercial or industrial pole barn.

Mr. Dover – So, if the design of the out building was more in line with the architecture of the house...

4) JOHANNES AND DORINA ALBRECHT, OWNERS, Cont'd

Mr. Rusnov – That would make it more palatable and if you're dealing with a luxury class home it would make more sense to have it attached to the home. It could be used as garage space or storage space or loft space and you don't have to have a second driveway to go to it.

Mr. Dover – There's not really a second driveway.

Mr. Rusnov – Okay, the house is here and the driveway is here and the driveway comes up the flag and goes here. How does it get to the house?

Mr. Dover – The garages are directly across from each other. You have garage door, garage door. There are not two separate driveways.

Mr. Rusnov – So they're on top of one another except the accessory structure is in front of the other, which is against our Code.

Mr. Dover – That's why we're here.

Mr. Rusnov – I understand why you say it's a unique lot. It is a flag lot. I totally understand that but the issues we have are the size and the location as Mr. Chairman will probably state to you we have a lot of applicants who will try to build a garage in the front yard on a 75' lot. We have created a precedent by allowing you so work with us a little on this.

Mr. Dover – Sure, absolutely. From Joe and Dorina's perspective, this is what they wanted. This is the building that they wanted, this is the structure they wanted, they didn't want to attach it to the house, this was a separate building that could house things that were not attached to the house.

Mr. Evans – We understand that. Again, as Mr. Rusnov said, one of our problems is that when we grant things we allow precedent and precedent means that neighbors up and down Howe Road will ask for a huge building in the front yard too, and then they ask for a bigger one than the Albrecht's got and we go down a rabbit hole that City Council doesn't like. The size as it sits would yes, be an issue for us. The outside appearance of it would be an issue for us. So, as Mr. Rusnov said, if you attach it to the house that takes away from the size issue and it takes away from the look because it would be a part of the house. If it stays as a stand alone that is not unreasonable and it's certainly within your right to ask for whatever you want, wherever you want it. We have to make the decision based on the criteria given to us in the Code for making decisions and allowing the building that is four times what is permitted. That is a tough run for us, whether it's a 10, 15 or 20 acre parcel. So, again, the proximity to the neighbors is one of the factors that the Code says we should not be negatively impacting other residents and that has been always the interpretation of an individual, but since people now live on Howe Road and you would be changing the dynamic by coming in, we welcome you and want you to build the dream house but it has to fit in with other neighbors so they are not going to have a problem.

4) JOHANNES AND DORINA ALBRECHT, OWNERS, Cont'd

Mr. Albrecht – The idea that this whole project came about of this additional building was seeing various similar setups on Howe Road where Bella Cement is, if you are familiar with his property, which is exactly the arrangement just that because the house is to the street. Of course, his building is in the back but in our situation everything is in the back and to put this building behind would sacrifice even more for us. We want to preserve the trees and also not have to build a driveway all around the lot. I think if we could go smaller, would you be willing to consider the situation and the position of the building?

Mr. Rusnov – Or plan B would be to ask to have this tabled, go back to the Building Department to see what would be more conforming to the Code and not look like an industrial building in the front yard. That's an option that you have, or we can go through the process. Mr. Chairman will explain that to you and we would vote on it either a yes or a no.

Mr. Albrecht – I spoke to the Building Department and they asked me why I wanted this. It's for machinery and vehicles and the boat. That is the only purpose.

Mr. Kolick – Mr. Chairman if I may, one of the other problems that we have with these is that when you have a separate building that is that size as opposed to it being attached to the house, these things over a period of time, and I'm not saying that you would do it, but another owner could use it for a landscaping business or rent it to people who want to store cars there and then we run into problems because the residential character changes. That is why we look at if it's attached to the house that is much less likely to ever occur and if it's a smaller structure that is much less likely to ever occur. Those are some of the things that we look at why they are suggesting that you attach it to the house, which would make more sense, and then the person in front isn't looking at a blank wall. That is why they were looking at the materials and what you would do with it. My suggestion is to go back and look at alternatives and bring them into the Building Department if you come up with another alternative, whether it's a smaller size or more a residential structure or attaching it. Ultimately, we will act on whatever you want us to act on but I think that you're hearing what the concerns of the Board are.

Mr. Dover – We will go back and talk with the architect and the engineer and see what we can come up with. There are grade issues with moving this further back.

Mr. Evans – We understand that. Again, having been out to look at it, I think that we all agree that in front is about the only place that you could put a building that size. Downsizing it makes it a little bit different but I think again, as Mr. Kolick stated, a landscaping business or someone that runs whatever, they look at those buildings and you may not think you're going to run a business out of the property but five years from now and opportunity comes up and you put the house up for sale and someone with a landscape business says this is perfect for a landscaping business.

4) JOHANNES AND DORINA ALBRECHT, OWNERS, Cont'd

Mr. Dover – Is there any concern in regards to his front yard facing the rear yard of the property in front of him?

Mr. Evans – I don't think so. It's a flag lot and we're familiar with those.

Mr. Dover – In terms of the location, I'm just asking for when we redesign this, if there's a way to create that u-shaped garage door to garage door, is there an issue with that structure being still in the front of the property?

Mr. Evans – I don't think so because it's going to be residential. Gentlemen, unless you disagree having the garage doors face the other property.

Mr. Rusnov – It doesn't matter. We're trying to eliminate a future adverse use. That lays heavy with us because we've been fibbed to in the past.

Mr. Dover – I'm just here for my client.

Mr. Rusnov – You have some very talented people in the Building and Engineering Departments that will be more that happy to help you so that you can build your dream house and have everything that you want. As Mr. Chairman has stated, we have granted multiple variances for luxury class homes that were in the three to ten thousand square foot category because they needed more garage space. That only makes sense that you have a bigger house you have more stuff. That is part of the logic and the topographical part, and maybe the Code will be rewritten someday.

Mr. Evans – For now, as we have said, we could vote on it as it is. Our recommendation is that you request to table it and that will give you some time to work with the contractor, architect, engineer and work with the Building Department to look at what the alternatives might be so that you can do what you want to do a little differently. For tonight I'd like to get the Public Hearing taken care of because people in the audience might wish to speak about this and then that may help give you some idea why we're saying the things that we're saying. So, if I can let you go and conduct the Public Hearing and get that out of the way. Mr. Dover, you can have a seat and then we'll do the Public Hearing part and then bring you back up to do the tabling if you want to. This is a Public Hearing. Is there anyone who wishes to speak for the granting of the variance? Is there anyone who wishes to speak against the granting of the variance? If you will come forward please to the microphone and understand that we've said the things that we've said tonight so I would ask first for your name and address for the record.

Ms. Kekelik – Nancy Kekelik, 16079 Falmouth Drive. You're saying you would rather that I not cover the same things that you covered?

Mr. Kolick – Whatever your concerns are we will listen to.

4) JOHANNES AND DORINA ALBRECHT, OWNERS, Cont'd

Ms. Kekelik – My concern is that it's four times larger than what the Code allows. I'm not familiar with how to read diagrams like these but to me it looks like the footprint of this structure is almost as big as the footprint of the house. So, it's a big building. The appearance in the item I got in the mail does look very industrial and a couple of weeks ago I dropped off some scrap metal in a place in Brunswick that looked just like this. I live on Falmouth Drive but as I look out my kitchen window I can see this property and I wouldn't want to be looking at that and my neighbors in either side agree but they couldn't be here. It looks like, again, referring to the diagram, that there's going to be a lot of cement. Not so much the driveway going back but the area around the outside of the attached garage of the house and the actual new structure that they want to put up. I'm afraid what will happen with the runoff and the water. Is it going to head down towards my yard, which is north of this particular building? Also, is there going to be lighting including spotlights and such like that that would give light pollution toward my yard, and I did have a concern as to whether future businesses might use that facility. As a side note, there are a lot of deer that live back there but I'm sure they'll find places to go to.

Mr. Evans – They'll be very happy to have the landscaping to eat if they do build the house.

Ms. Kekelik – Those were my concerns.

Mr. Rusnov – Ma'am, all of the points that you brought up are things that concern us. That is why we have made suggestions. We do have a Building Department that would look after this property as it's constructed and an integral part of the Engineering Department that looks for items that you're concerned about with runoff and light pollution. All that stuff Brian Roenigk will look at. It's all stuff that we're concerned about. That is why I brought this up.

Ms. Kekelik – Someone mentioned trees, to me it looks like this structure is very close to the north boundary property line. I don't know how many trees would be left.

Mr. Evans – There would still be trees there. There is a setback required and they are meeting that.

Ms. Kekelik – Thank you.

Mr. Rusnov – I hope we answered your questions.

Mr. Evans – Is there anyone else who wishes to speak against? If you would come forward to the mic please? We will again need your name and address for the record.

Mr. Zarko – My name is David Zarko. I live at 19200 Howe Road and originally I came more interested in where this building would be going because when I read the information that came in the mail I saw that it was going on an empty lot and it talked about a building or a structure that is

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Mr. Zarko continues - going to be built in the front yard and I couldn't wrap my head around what front yard, there's nothing there yet. So, there's a home being built?

Mr. Evans – Just to answer that, it's flag lot, which means there's a drive that comes in an it goes to a broad parcel in the back.

Mr. Zarko – So, the driveway is between the old farmhouse on the hill and the house just south of that. There's a small entranceway on Howe Road. Is that the driveway?

Mr. Rusnov – That's the post of the flag, yes.

Mr. Evans – That is where the driveway would come in and the bigger part of the flag, the building that is proposed would sit first backing up to the properties on Howe Road and then the home would be behind it.

Mr. Rusnov – In other words that is the front of the yard. That's why that is one of the concerns that we have is that the building is being put in the front yard, which is against Code.

Mr. Zarko – So, the building that they're proposing will be just north of my property. I own the five acres that is just south of the lot line and the only concerns that I had initially were actually some of the same ones that Ms. Kekelik had. The water run off is a huge one for me because the land slopes down toward my land so any water runoff that comes off that land eventually seeps into mine. I have photographs...

Mr. Rusnov – But that existing old farm house was owned by a Sargent named Frank Piscur. I am very familiar with that area. I appraised that property and the brick ranches next to it.

Mr. Zarko – The house we're talking about is the one at the top of the hill.

Mr. Rusnov – As I've said before you have the Building Department and the Engineering Department, which is one of the best in the State of Ohio, looking out for the interest of the City and the citizens of Strongsville. And Mr. Kolick, the Assistant Law Director, we have all these safety nets but we still have concerns, that is why we brought this stuff up. The drainage is also something that you can address with the Engineering Department by walking in and asking them a question saying that you live here, what do you think and you would get an answer.

Mr. Zarko – So, what you're saying is that I should go to the Engineering Department?

Mr. Rusnov – If you have a concern, utilize the tools that are available.

Mr. Zarko – Regarding this build? I thought that is why we are here today.

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Mr. Evans – It is but the Engineering Department when reviewing the plans will look at the runoff on the topographical surveys. There's a lot of work done to prevent it from becoming a problem with neighbors.

Mr. Zarko – So, that is addressed by the City so if it looks like it's going to be a concern for the neighbors like myself...

Mr. Evans – The last thing that we want to do is have someone build something that is a problem for neighbors. They are going to be requiring their engineer and architect to mitigate any runoff being a problem running your way. That is part of why we want the applicant to be successful as well because there's nothing that makes bad neighbors at the onset rather than having something that impacts unfavorably with a neighbor.

Mr. Zarko – And normally I wouldn't have a problem with anyone building anything. It's their land and they can do what they want to do. One of my only concerns is that the slope of the land causes water to run my direction and it's already pretty swampy back there and more cement will cause that to be worse but it sounds like the City is aware of that.

Mr. Evans – Yes.

Mr. Zarko – My other question is there are some flags back there, at least one of which is on my property and I'm a little confused about that. There's a red ribbon of sorts that is on a weed and if they were surveying I'm not quite sure why this ribbon is on my property.

Mr. Rusnov – It's a utility line marker.

Mr. Zarko – This is orange or red. They're all over the place but at least one is on my land.

Mr. Evans – Mr. Dover will be back up in a second and we'll have him answer that question. Anything else?

Mr. Zarko – No, that's it.

Mr. Evans – Mr. Zarko, we appreciate your visit. What we've said and the way that we're going about this will address your concerns as well as Ms. Kekelik and everyone will be satisfied with what we have done.

Mr. Zarko – Perfect, I don't want to get into a bad situation with new neighbors.

Mr. Evans – Thank you. Mr. Dover, if you would be so kind to come back up. If you happen to know what the one flag is can you address that?

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

Mr. Dover – That foliage there is so thick especially further back, my engineers almost had to cut past through to see so they were orange flagging just to make sure they knew where they were so there are probably orange flags everywhere that don't mean anything. The only ones that I'm concerned about are the ones that are in the ground and have markers on them.

Mr. Evans – So, that answers that. So, gentlemen on the Board, anything else that we need to ask?

Mr. Rusnov – No, I think we've covered all the bases.

Mr. Evans – Okay, I'm going to declare the Public Hearing closed and at this point you have heard the discussion from us. You have heard the neighbors concerns so now would be the appropriate time for you to request this to be tabled on behalf of the applicant and we would move it to the December 2 meeting or it can go beyond that but I'm sure that you want to move the project forward. So, hopefully you can get things in order and then we can schedule you for December 2.

Mr. Dover – Yes, we will table it for now. Just on a side note, I've been building for twenty years so any concerns that the neighbors have we try to accommodate. Our job is to build a great home for our client and at the same time, make sure that everyone around them is happy. My civil engineers and my architects are fantastic so I'm sure that we can come up with something.

Mr. Evans – I'm glad that the Albrecht's have decided to stay in Strongsville. That is wonderful that they have decided to build their dream here. Our job is to try to make it all work, and so we will table it and we'll ask you to come back on December 2. Kathy, we would want information from them as soon as it's available because we would like to give that to the Board members ahead of time so that we don't see it that night, if it's available. So, if the discussions take place and then you have an alternative plan, if you would get it to us so that we have it before December 2.

Mr. Dover – We will be meeting Tom tomorrow. So, I'm good.

Ms. Zamrzla – Mr. Chairman, the packets for the December 2 meeting will go out a week from today so if you have something a week from today that would be helpful.

Mr. Dover – I will move as fast as humanly possible.

Mr. Kolick – Including the building plan. If it doesn't look like the building that you've given to us, give us something that does.

Mr. Evans – So, we will see you back here December 2. Mr. Zarko and Ms. Kekelik, you're invited to come back December 2 as well. As that information is available, if you want to contact the Building Department they may be able to provide you with that information ahead of time, but

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Mr. Evans continues - again, we have heard your concerns as have Mr. Albrecht and Mr. Dover and hopefully we can get it all to work together.

Mr. Dover – Thank you.

Mr. Evans – Okay, is there anything else to come before the Board tonight?

Mr. Roenigk – Mr. Evans, if he attaches this to the house then we would not need this meeting again because it would be part of the new home construction.

Mr. Evans – Excellent observation. We stated that at the beginning but we need to state that here at the end. That is correct except the size of it may be required though.

Mr. Roenigk – Yes, for the new house. If it was going to be an accessory structure but if they attach it, this meeting would not have to take place. We would not have to vote on it.

Mr. Evans – Mr. Kolick, we would still need a variance?

Mr. Kolick – We will have to see what he wants to use it for, Brian. If it's over 1,000 square feet it would still need a variance.

Mr. Roenigk – Well, this is a separate permit for an accessory structure. The revised plan if attached to the house would fall under the new house permit, which is still in review.

Mr. Kolick – He may or may not need to come back here depending on setback and size and all that. So, you may not need to come back at all if you work with the Building Department and fit it into the Code provision.

Mr. Roenigk – I'm sorry to interrupt you, Mr. Evans.

Mr. Evans – That is fine. I appreciate that. That would be the answer. If they don't require any variances then at that point it would be built within the appropriate Code and they wouldn't have to come back here on December 2 then just so we're clear about that.

Mr. Dover – If there is going to be another meeting on December 2 then would we receive another notice?

Mr. Evans – No, unless there were a change in the applicant's structure with a variance and then we would have to repost it but that's the reason why we had the Public Hearing tonight. So, if you would be so kind as to call the Building Department some time like a week or ten days from now before December 2, they would be able to tell you whether or not it will be on the agenda.

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Mr. Kolick – Additionally, understand if you go on the City’s website, they will tell you everything that is on the meeting. We also publicly post it so you could also keep an eye on that too to see if they are going to be back on.

Mr. Evans – All right, then we will stand adjourned. Thank you.

Signature on File
Mr. Evans, Chairman

Signature on File
Kathy Zamrzla, Sec’y

December 16, 2020
Approval date