

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

**Meeting of  
December 21, 2016  
7:30 p.m.**

Board of Appeals Members Present: Kenneth Evans, Richard Baldin, John Rusnov, David Houlié, Tom Smeader

Administration: Assistant Law Director Daniel J. Kolick

Building Department Representative: Mike Miller

Recording Secretary: Kathy Zamrzla

The Board members discussed the following:

**NEW APPLICATIONS**

**1) SKIN DEEP MEDI SPA, TENANT/ Direct Image Signs, Representative**

Requesting a Wall Sign variance from Zoning Code Section 1272.12 (c), which permits one (1) Wall Sign (West) and where one (1) additional 50.70 SF Wall Sign (East) is proposed; property located at 13461 Pearl Road, PPN 396-10-003, zoned General Business (GB).

**The Board noted that this front sign is 7 SF over what is allowed, but it was approved already by the Building Department so it does not require a variance. A second signage in the back would require a variance which is the reason for this request. The Board mentioned that the back of the building is all glass and that they will have something in the window that displays the company name. They also stated that a 52.5 SF sign is allowed if it is the only sign on the building. They also noted that the overall square footage is what they have been using for the criteria with other recent businesses. They noted that if no one showed up from Direct Image Signs it would still go to public hearing.**

**2) PIZZA FIRE, TENANT/ Jason Green with Adams Signs, Representative**

Requesting a 3.9 SF Face Area variance from Zoning Code Section 1272.12 (c), which permits a 45 SF Face Area and where a 48.9 Face Area is proposed in order to replace a 26.6 SF Wall Sign; property located at 15191 Pearl Road, PPN 397-01-082, zoned Restaurant/Recreational Service (R-RS).

**The Board noted that their current sign is 26.6 SF, and that they have decided that it is too small. The Board debated whether the company might put this smaller sign on the side of the building after placing a larger one on the front if this is approved. They also stated that although it may appear to be on a corner lot, it is not by code considered to be at a corner since it is in the middle of a parking lot and shopping plaza.**

**3) FRANK CELEBREEZE, OWNER/Diane Bija with New Creation Builders, Representative**

- a) Requesting a 208 SF Floor Area variance from Zoning Code Section 1252.15, which permits a 192 SF Floor Area and where a 400 SF Floor Area is proposed in order to construct an Accessory Structure;
- b) Requesting a 15' Setback variance from Zoning Code Section 1252.15 (a), which requires a 20' Setback from the main building and where a 5' Setback from the main building is proposed in order to construct an Accessory Structure; property located at 19654 Tanbark Lane, PPN 391-28-001, zoned R1-75.

**The Board stated that with the topography of the lot, they believe that this may be the only suitable placement for an accessory building. They also noted that it does cause an issue with the fire code being placed so close to the house.**

**4) SHARON COFFELT, OWNER**

Requesting a 6' Rear Yard Setback variance from Zoning Code Section 1259.29 (b) (1), which requires a 15' Rear Yard Setback and where a 9' Rear Yard Setback is proposed in order to install a 12' x 24' Above Ground Swimming Pool; property located at 20099 Westwood Drive, PPN 392-32-063, zoned R1-75.

**The Board noted that this pool would be placed on top of an existing concrete pad and that the lot is very shallow.**

**PUBLIC HEARINGS**

**5) STEVE AND NATALIE SHIRILLA, OWNERS**

Requesting a 5' Rear Yard Setback variance from Zoning Code Section 1252.05, which requires a 35' Rear Yard Setback and where a 30' Rear Yard Setback is proposed in order to construct a 500 SF (per floor) Two Story Addition; property located at 15949 Walnut Creek Drive, PPN 393-29-044, zoned PDA-2.

**The Board found no issues with this variance request.**

**6) JOSEPH KOREN, OWNER/Brian Stepp with Ashley Contractors, Representative**

Requesting a 13' Setback (South) variance from Zoning Code Section 1252.05 (a), which requires a 15' Setback from common property and where the applicant is proposing a 2' Setback from common property in order to construct an 80 SF Addition; property located at 17547 Sun Meadow Trail, PPN 393-35-135, zoned RT-C.

**They noted that they had not yet received a letter from the Homeowners Association, but otherwise the Board found no issues with this variance request.**

**STRONGSVILLE BOARD OF ZONING & BUILDING CODE APPEALS  
MINUTES OF MEETING**

**December 21, 2016**

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

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

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

Mr. Evans – Good evening ladies and gentlemen. I would like to call this December 21, 2016 meeting of the Strongsville Board of Zoning and Building Code Appeals to order. Kathy, if you would call the roll please?

ROLL CALL: ALL 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. Thank you, this evening we have minutes from our December 7<sup>th</sup> meeting. If there are no changes I will submit them as presented. Anyone in our audience this evening that wishes to speak whether it is to present to the Board or to speak at a public hearing, I ask that you stand now and be sworn in by our Assistant Law Director, along with our Recording Secretary, and our Representative from the Building Department.

Mr. Kolick then stated the oath to those standing.

Mr. Evans – Thank you, ladies and gentlemen our meetings divided into two portions. First will be new application presentations, and then we'll move onto tonight's public hearings. We will ask that each of those individuals come forward in order and give us their name and address for the record. Then we are going to ask them to describe their request for a variance.

## NEW APPLICATIONS

### 1) **SKIN DEEP MEDI SPA, TENANT/ Direct Image Signs, Representative**

Requesting a Wall Sign variance from Zoning Code Section 1272.12 (c), which permits one (1) Wall Sign (West) and where one (1) additional 50.70 SF Wall Sign (East) is proposed; property located at 13461 Pearl Road, PPN 396-10-003, zoned General Business (GB).

Mr. Evans – First on the agenda is Skin Deep Medi Spa with Direct Image Signs. Please come up to the microphone and give us your name and address for the record.

Mr. Smith – My name is Bret Smith, 7820 Maddock Road, North Ridgeville, Ohio.

Mr. Evans – Thank you Mr. Smith, and you are here representing Skin Deep Medi Spa. We talked in caucus this evening about the fact that the original sign in front of the building was approved by the Building Department. That sign should have been limited to 45 SF, and it was actually 52.65 SF so it is 7 SF over what the code permits. Since the Building Department approved that already we're not going to look back at that, but as we are considering the application for a second sign we will naturally take that into consideration. Please give us a description of what it is that Skin Deep needs to do and why they are requesting the variance.

Mr. Smith – The variance is to add a rear sign over the rear entrance. As far as the front sign goes, when I surveyed this job site I noted there are no dividing walls. I was apparently given the wrong info regarding it because tonight is the first time I heard that it was wrong. Basically they want to mirror the front sign, but slightly smaller.

Mr. Evans – We discussed this in caucus both the last time when there was no representative here and again tonight. The Westwood Commons presents an unusual situation because the building's front is on Pearl Road, and everyone wants signage on Pearl Road because it's the main thoroughfare. They also want signage in the back which is where the customers are entering the building for the most part. What we have done so far is allowed businesses who wanted a sign in the front and in the back we have allowed them to use the total square footage allowed to create a sign for the frontage on Pearl and a sign in the back. You are already over the square footage for the sign in the front, and that takes us well over then for any sign that would be in the back.

Mr. Smith – So basically dividing the total amount between the front and the back. OK.

Mr. Evans – Yes. Members of the Board does that explain things well enough?

Mr. Baldin – I think you gave a very good explanation.

Mr. Rusnov – I have nothing to add.

**1) SKIN DEEP MEDI SPA, TENANT/ Direct Image Signs, Representative, Cont'd**

Mr. Evans – OK. So again signage is something that everyone in town wants. The reason the code is there and the reason we're empowered as a Board is to interpret the code and make decisions where they are applicable. The code does specify reasons for us to grant variances. We have looked at Westwood Common and because of the parking and the entry into the buildings, and the desire to be shown on Pearl Road, we've followed this pattern so far for all those businesses. We will more than likely choose to follow this pattern going forward. Otherwise if we make an exception for you, then everyone else will be back wanting bigger signage as well.

Mr. Kolick – Would the tenant consider reducing the size of the sign in front so that they could have a second sign in the back?

Mr. Smith – I could ask them. I know that they're rear sign is going to be very important to them.

Mr. Kolick – That why I suggest it. I can't speak for the Board, but they have granted that type of variance in the past so you may want to talk to the tenant about doing that.

Mr. Smith – OK.

Mr. Evans – The other thing that we quite honestly talked about Mr. Smith in caucus is the fact that there is a lot of glass that faces the parking area to the east where people will be entering from. We recognize that windows are often used to place signage in. It may be that they would be content with putting signage up in the windows.

Mr. Smith – I can ask my customer about that, but window signage is not going to have the same impact as the other.

Mr. Evans – I understand that, and window signage is not even technically part of the code. We recognize that people do that nevertheless and the enforcement of that becomes a difficult thing. I can tell you that we have been very clear with the other variances that we have granted for Westwood Commons that we have used that formula that I identified earlier. That would be the way that the Board will be inclined to go in this case as well. Approach your client with this information and see what they think.

Mr. Smith – I would like to do that. At least I know that we have options now. When this first started I was told that we had consent for the front, and to request a variance in the back. No one let me know anything regarding other options at that point.

Mr. Evans – It's not necessarily an option, it's just a pattern that we have followed because others have come in before you.

Mr. Smith – I think the pattern started after we got the first sign in place.

**1) SKIN DEEP MEDI SPA, TENANT/ Direct Image Signs, Representative, Cont'd**

Mr. Evans – Right.

Mr. Rusnov – No.

Mr. Smith – No.

Mr. Rusnov – The pattern has been code adherence on Westwood Commons. Your neighbor in the restaurant was 8 SF under allowable. The burritos place was under. Tom & Chee, Master Pizza, and all of them have conformed to the code. Now you have a wall of glass at the rear of the property. You can't think up a sign that would go at the top of the glass on the interior which is not covered by the code that would suffice? You have the address above the door. I had no trouble finding it and I'm not the brightest bulb in the chandelier.

Mr. Smith – Right, but signage is very important as far as marketing. I just have to go over all this.

Mr. Rusnov – What about parking signs? Parking signs for the Spa? There are a ton of options.

Mr. Smith – I could suggest that as well.

Mr. Rusnov – What the Chairman is alluding to is that you would be the only one we would grant a variance to and it's not fair to the rest of the tenants who have complied with the code and the wishes of this Board. We're not trying to make your life miserable, but frankly everyone else has conformed. It's not our fault that the sign is oversized.

Mr. Smith – Right.

Mr. Rusnov – That's ancient history with us so you've got an extra 7 SF on the front sign. I'll tell you what, the average person driving by there they can see the sign out front and they can count one, two, suites over.

Mr. Evans – I think it comes down to whether or not the sign on the front is the most important or the sign on the back.

Mr. Smith – I'm sure it is. I'm sure it is.

Mr. Evans – That's what your mission is to speak with the client on that. In the meantime, there will be a notice that will go out to everyone within 500 feet of the property. It will state exactly the description that is written in the agenda tonight. I can guarantee that the other tenants are going to be very curious about what the results will be. The public hearing is on January 11<sup>th</sup>. We will

**1) SKIN DEEP MEDI SPA, TENANT/ Direct Image Signs, Representative, Cont'd**

**Mr. Evans continues** - invite you back at that time. It is not necessary that you stay for the rest of the meeting tonight. Thank you.

Mr. Smith – OK. Sounds good. Thank you.

Mr. Kolick – If your client agrees to lower the front one and have one on back then just give those revised drawings and dimensions to our Secretary before the next meeting. That would help.

Mr. Smith – So if he decides to do something in his windows and not put a sign up, then what?

Mr. Kolick – Just talk with our Building Department about anything else because you may not even need to get back here then, OK?

Mr. Smith – OK.

Mr. Evans – Thank you Mr. Smith.

Mr. Smith – Thank you.

**2) PIZZA FIRE, TENANT/ Jason Green with Adams Signs, Representative**

Requesting a 3.9 SF Face Area variance from Zoning Code Section 1272.12 (c), which permits a 45 SF Face Area and where a 48.9 Face Area is proposed in order to replace a 26.6 SF Wall Sign; property located at 15191 Pearl Road, PPN 397-01-082, zoned Restaurant/Recreational Service (R-RS).

Mr. Evans – Second on our agenda is Pizza Fire with Jason Green from Adam Signs. You don't look like Jason, but come on forward. Please come up to the microphone and give us your name and address for the record.

Ms. Miller – I'm Michelle Miller. My address is 3105 Farmdale Road in Akron. I'm here representing the owner. I'm the Construction Manager for Pizza Fire.

Mr. Evans – OK. Michelle if you would, please tell us why you are asking for the variance. There's already a sign up so we recognize that fact. It seems to have done pretty well because there are cars in front of it all the time.

Ms. Miller – Yes, it's a little smaller than we wanted it to be. What we have been doing going forward in our current locations is just dropping the tag line that says fast and fresh to allow for larger lettering. It makes more presence from the street. That's really all we're asking for. It looks like we'd be 3.9 SF over the allowable.

2) **PIZZA FIRE, TENANT/ Jason Green with Adams Signs, Representative, Cont'd**

Mr. Evans – Yes. One of the things that we looked at in caucus is that the flame is part of the logo and that counts in the sizing of it. I would be lying if I said that we rubber stamp every sign request that comes before us. As we discussed in caucus it would seem that downsizing it to get within the requirement of the ordinances would be an easy thing to do because it would only be a couple inches off of each dimension. That would shrink it down 3 SF very easily. We would naturally encourage you to do that because we're not usually in the situation where we like larger signage and the 3 SF isn't that much to reduce. Since you're going from a smaller one to a bigger one and I don't know that these are necessarily customized. Many franchise situations have signs that only come in certain sizes. I don't know what the ability is to downsize that sign is, but I would look into it.

Ms. Miller – There's always an option to customize, it just costs more money to do that. We try to stay with the standard sign that we want to use going forward in all of our locations so we're looking for consistency. I'm not saying we couldn't reduce it. It would just be at a higher cost.

Mr. Evans – OK. Since they're already changing from one to the other, most of us know that the sign is really visible as it is. I understand that they may want to change the logo and do it a little bit differently, but I want you to understand too that it is not a corner building. They will not be able to put a sign on the side of it.

Mr. Miller – We had not planned to put any signage on the side of it. I don't think it would create anything more for us. We do know that it is not an option.

Mr. Evans – OK. Are there questions from other Board members?

Mr. Rusnov – No questions.

Mr. Houle – Michelle, I think that the sign is much cleaner without the fast and fresh on there. The color of the pizza would be a little bit different too and I think it'll be nice. I would recommend that you try to shrink it down just a touch.

Ms. Miller – OK.

Mr. Baldin – I know you have plans to add more Pizza Fires in the area. You're going to go with a larger sign?

Ms. Miller – We are always going to go with the largest sign we can get, and going forward there will be no fast and fresh.

Mr. Baldin – Is there any particular reason why the sign is the size it is now? Is that what you had been using?



**2) PIZZA FIRE, TENANT/ Jason Green with Adams Signs, Representative, Cont'd**

Ms. Miller – Prior, yes. Early on we used the sign in that size with fast and fresh. We are at currently 14 locations. I think some of the signage was ordered prior to me being on board so I'm not exactly sure why we ended up with that small of a sign. Especially being that the allowable is 45 SF. It's something that I would have to go back and research. We do want to make the change and going forward that is what our signage will look like.

Mr. Baldin – Fast and fresh, I know that is important to Shawn and everyone in the business is what it's all about. They grow their own basil and lettuce and so forth. I think it's a great idea, but you can't have everything. I think the larger sign would be sufficient for that size of building and where you're located at.

Ms. Miller – Pizza Fire is more important than the tag line because you really don't see that from afar when you're driving down the road. We could probably put a sign on the interior with fast and fresh.

Mr. Kolick – For the applicant, if you do reduce that sign 3.9 SF you will not even have to come back before this Board to get the permit, just so you understand that.

Ms. Miller – Yes. Is that your suggestion at this point?

Mr. Evans – That would certainly be our suggestion because we're not disposed to all the time granting variances. If you look for reasons in which we're allowed to grant variances, the desire to have a larger sign isn't in there. So we would be hard pressed to create a reason to grant this variance request.

Ms. Miller – OK. I appreciate your time.

Mr. Rusnov – In other words, conformance to the Code would be greatly appreciated.

Ms. Miller – OK.

Mr. Evans – You are always welcome to ask for what you want, and we're here to make a decision on that.

Ms. Miller – I appreciate your time, and we will get some new artwork together. OK?

Mr. Evans – Very good, thank you Ms. Miller.

3) **FRANK CELEBREEZE, OWNER/Diane Bija with New Creation Builders, Representative**

- a) Requesting a 208 SF Floor Area variance from Zoning Code Section 1252.15, which permits a 192 SF Floor Area and where a 400 SF Floor Area is proposed in order to construct an Accessory Structure;
- b) Requesting a 15' Setback variance from Zoning Code Section 1252.15 (a), which requires a 20' Setback from the main building and where a 5' Setback from the main building is proposed in order to construct an Accessory Structure; property located at 19654 Tanbark Lane, PPN 391-28-001, zoned R1-75.

Mr. Evans – Item number three on our agenda is Frank Celebreeze with Diane Bija with New Creation representing. Please come up to the microphone and give us your name and address for the record.

Ms. Bija – Diane Bija with New Creation Builders, 5309 Barkwill Avenue, Cleveland, OH 44127.

Mr. Evans – Thank you, and Diane you have heard us in caucus talking about a number of things. You're asking for the variance for the size and the setback from the main structure. One of the things that this Board deals with all the time is the placement of sheds and accessory buildings. The fact that a shed can have gasoline stored in it. Often requesting that it's 5 SF, 10 SF, or even 15 SF from the house, but 20 SF is what is supposed to be there. The reason is so fires don't jump and that sort of thing. We recognize from past experience that those are things that happen a lot. So because the Fire Department set the Code that way, this Board looks at variances for setbacks that impinge on it as something we're not very inclined to do for accessories. In caucus we discussed that maybe a better option is this should be attached to the building so then there's one fire wall that is attached to the building. It takes away this setback problem. So tell us the request for the variance, and tell us why it has to be that way.

Ms. Bija – For those of you who have been out to the property you know the drop-off in elevation. If I move it over any further and try to attach it to the back, I'm going to have to build up in block. It'll probably have to be 3-5 8" blocks. If I attach it I get to go to one fire wall. If I attach it I have to do a 42" footer, and I still have to do one fire wall. So the difference between attaching that garage, and detaching it to the homeowner is \$9,000. With the different construction work that I have to do to attach it, and the extra concrete I have to pour, and the block I have to build, Mr. Celebreeze's cost goes up \$9,000. For me to detach it and put up two firewalls will cost me \$550. We're all very familiar with the Code in Ohio, and we know that the setbacks for the X-Rated firewall and the gypsum board on a property line is 5'. Well actually it's 3' because it changed in January. We're putting up a 2 hour fire wall on two sides of this. We're also very aware of the fire hazards that exists here. We build over 300 garages a year. Two garages exist automatically on anything that I'm doing in Cleveland. We're very familiar with the fire laws and the Codes and the quality of the product we're using. We even go a step further on our firewalls and install a wall inside the two sides of the gypsum board and seal it with the seams when we do the gypsum

3) **FRANK CELEBREEZE, OWNER/Diane Bija with New Creation Builders,  
Representative, Cont'd**

**Ms. Bija continues** - board. As a matter of money, I think it's more practical. Even though attaching might be easier for us because then we can all walk away from it, for Mr. Celebreeze that's \$9,000. So I'm asking you to please consider this, even if we have to go extra steps on the fire walls. I can get higher rated X-caliber gypsum board and give you more protection and I'd still only be charging him \$1,100. We need to all consider that his backyard is such a hardship. There's an immediate drop there. The minute I move it 5' closer to the house and try to attach it, I'd be going corner to corner in order to not have to build up the block. He still needs to be able to get out of that little 5' door that he is limited to. I've come before you before. First we wanted it in the front, then we wanted it detached, or we wanted it in the back, next we wanted it attached. We've been to Mr. Celebreeze's house 6 times to walk around this property. We build 300 garages a year, if there was a way to do it we would have found it by now.

Mr. Evans – Just so you are aware, financial consideration is not one of the criteria we have for granting variances.

Ms. Bija – The property is. The condition of the elevations on the property is a hardship for them. If I had more room in the back, I would move it back. I don't. You don't want it on the side or the in front, and I understand that. We agreed last time I was here, I pulled back from it. You and 48 other cities that I'm registered in wouldn't want it on the front or the side either. This is our best option for Mr. Celebreeze.

Mr. Evans – OK. I know that the other members have been back out there, I honestly don't remember because I don't think I looked at the back for that purpose when I was out there the first time. I'll go back and look at it before the next meeting. Certainly topographical is a reason we have to grant variances. Are there any other comments?

Mr. Rusnov – The original layout of this street when Fanin put it in was designed with the assumption that people would be using the Metroparks which is immediately adjacent to this. That's why this property is only 136' deep. You've got acres, acres, and acres of Metroparks. This is the design that the City allowed way back then with no consideration for outbuildings or anything along that line. Does Co-Moor Colony allow sheds?

Ms. Bija – Yes, the homeowners on either side have one as well as a shed at the property across the street. The one across the street actually put a little breezeway attachment to make it legal.

Mr. Rusnov – Do we have a letter from the Homeowner's Association?

Mr. Evans – No, but I think we did the first time. This Co-Moor is divided into two sections.

Mr. Rusnov – Right, this is the old original section and the new section doesn't allow for fences or sheds.

3) **FRANK CELEBREEZE, OWNER/Diane Bija with New Creation Builders,  
Representative, Cont'd**

Mr. Evans – I believe we determined this was part of the old section.

Mr. Rusnov – Yes we did. This is the first street that Fanin built.

Mr. Evans – So we will need a letter from the Homeowner's Association.

Mr. Rusnov – Yes.

Mr. Houlé – I thought they were excluded from it.

Ms. Bija – I think we have that.

Mr. Rusnov – If it's a deed restriction then you'd have to check.

Mr. Evans – I thought it was.

Mr. Houlé – It says here that it is not part of a Homeowner's Association.

Mr. Rusnov – I would still check.

Mr. Evans – I don't know.

Mr. Rusnov – Because it is written into the deed if it is. How do I know that? I lived there.

Mr. Evans – Very good, yes we'll double check that.

Mr. Rusnov – OK.

Mr. Evans – Is there anything else from Board members?

Mr. Smeader – I have a question for Mr. Miller. If this is built as proposed and we have a combustible item stored in this proposed shed, is there a minimum distance required between the house and the shed?

Mr. Miller – No. In accordance with the Building Codes? Yes, if it's within 3' of the dwelling it has to be fire-rated construction.

Mr. Evans – Oh actually there is a board requirement when we have in the past granted variances for proximity to a dwelling required as a part of the variance that a fire-rated dry wall be used.

3) **FRANK CELEBREEZE, OWNER/Diane Bija with New Creation Builders, Representative, Cont'd**

Mr. Smeader – OK.

Mr. Evans – Oh yes.

Mr. Smeader – Thanks.

Mr. Evans - All of the members of the Board will be out to visit the property to take a look at it. You don't need to mark the corners. There will again be a notice that will go out to your neighbors within 500 feet of your property. It will state exactly the description that is written in the agenda tonight. You may wish to check with the homeowner whether or not they have Homeowner Association approval. That may save everyone some time and the trouble. The public hearing is on January 11<sup>th</sup>.

Ms. Bija – Thank you very much. Merry Christmas.

Mr. Evans - We will see you back then. Thank you, Diane.

4) **SHARON COFFELT, OWNER**

Requesting a 6' Rear Yard Setback variance from Zoning Code Section 1259.29 (b) (1), which requires a 15' Rear Yard Setback and where a 9' Rear Yard Setback is proposed in order to install a 12' x 24' Above Ground Swimming Pool; property located at 20099 Westwood Drive, PPN 392-32-063, zoned R1-75.

Mr. Evans – Number four on our agenda is Sharon Coffelt. If you will come forward please, we will need your name and address for the record.

Ms. Coffelt – Sharon Coffelt, 20099 Westwood Drive, Strongsville.

Mr. Evans – Alright you are looking for a setback for a swimming pool. In caucus we talked about the fact that the new home that was built directly behind you wasn't there when we had our aerial photographs done and everything like that. So that means they're a relatively new homeowner. Obviously you're going to want to take a plate of cookies over or something to them when you're explaining this to them. OK? Because they will get a notice like everyone else within 500 ft. We already know from those who have been there and talked about it in caucus that there isn't much backyard to the property. That means that you're going to have to locate it on the concrete pad that's back there. Is there anything else as of terms of description as to why?

**4) SHARON COFFELT, OWNER, Cont'd**

Ms. Coffelt – When I bought the house I actually thought our property went back further than it does. Then I found out last year that our property was cut way short and it isn't even straight. There's an angle to it. When I wanted to put the pool here, and I didn't realize it was 15' that puts it right where I walk out my door. I'd have a foot and the pool would be right there. So if I could put it on the center on the slab or toward the edge of the slab it would give me some room to come out the back of the door. I did also plant four pine trees back there so those will grow pretty tall for the privacy. When I'm on their deck, you can't see anything over there because of all the trees and everything. It's pretty good. Unless they were in the upstairs somewhere. The way their house is situated the upstairs is in the front of the house. There aren't even upstairs windows in the back of the house. That's basically it.

Mr. Evans – OK. Is there anything else from the Board?

Mr. Houle – So the pool is going to be about 5' away from the house and coming out that side?

Ms. Coffelt – Right.

Mr. Houle – That's pretty close.

Ms. Coffelt – Well yes, somewhere right in that area.

Mr. Evans – Right. All of the members of the Board will be out to visit the property to take a look at it. There will also be a notice that will go out to your neighbors within 500 feet of your property. We will invite you back on January 11<sup>th</sup>. We'll make a decision at that time. Thank you.

Ms. Coffelt – Thank you.

**PUBLIC HEARINGS**

**5) STEVE AND NATALIE SHIRILLA, OWNERS**

Requesting a 5' Rear Yard Setback variance from Zoning Code Section 1252.05, which requires a 35' Rear Yard Setback and where a 30' Rear Yard Setback is proposed in order to construct a 500 SF (per floor) Two Story Addition; property located at 15949 Walnut Creek Drive, PPN 393-29-044, zoned PDA-2.

Mr. Evans – Alright so we move from our new applications to our public hearings. First on our agenda is Steve and Natalie Shirilla. Please come up to the microphone and give us your name and address for the record.

Mr. Shirilla – Steven Shirilla 15949 Walnut Creek Drive, Strongsville.

**5) STEVE AND NATALIE SHIRILLA, OWNERS, Cont'd**

Ms. Shirilla – Natalie Shirilla, 15949 Walnut Creek Drive as well.

Mr. Evans – Alright so you're looking for a 5' rear yard setback variance in order to construct an addition of 250 SF on each level. We've all been out to look at it, and we've seen the situation where you back up to the common area there. We have the Homeowner's Association letter. What else gentlemen?

Mr. Rusnov – That's it.

Mr. Houlé – That's it I think.

Mr. Baldin – Nothing else.

Mr. Smeader – Fenced yard backed up to the lake. It shouldn't be a problem.

Mr. Evans – None of us saw any concerns with that.

Mr. Baldin – I think it's a nice addition that they need. I don't see any problems with it.

Mr. Evans – That being the case, this is a public hearing. I'll ask if there is anyone here this evening who would like to speak for the granting of this variance. Is there anyone here who would like to speak against the granting of the variance? Hearing none and seeing none, I will now entertain a motion.

Mr. Rusnov - I make a motion to approve a request for a 5' Rear Yard Setback variance from Zoning Code Section 1252.05, which requires a 35' Rear Yard Setback and where a 30' Rear Yard Setback is proposed in order to construct a 500 SF (per floor) Two Story Addition; property located at 15949 Walnut Creek Drive, PPN 393-29-044, zoned PDA-2.

Mr. Smeader – Second.

Mr. Evans – We have a motion and a second, may I have a roll call please?

ROLL CALL:

ALL AYES

MOTION PASSED

Mr. Evans – The variances have been granted again pending a 20 day waiting period during which time Council may review our decision. You will get a notice from the Building Department when that time has passed.

Mr. Shirilla – I have a question for you really quickly while I'm here. Once that is approved, when the architect finalizes whatever we're going to build, do I still need to apply again for a building permit?

**5) STEVE AND NATALIE SHIRILLA, OWNERS, Cont'd**

Mr. Miller – You can submit your plans now.

Mr. Evans – During the 20 day waiting period.

Mr. Miller – You can get to work on those, but the permit will not be issued until the 11<sup>th</sup> of January. That is unless Council changes this decision.

Mr. Shirilla – Thank you very much.

Ms. Shirilla – Thank you.

Mr. Evans – Thank you.

**6) JOSEPH KOREN, OWNER/Brian Stepp with Ashley Contractors, Representative**

Requesting a 13' Setback (South) variance from Zoning Code Section 1252.05 (a), which requires a 15' Setback from common property and where the applicant is proposing a 2' Setback from common property in order to construct an 80 SF Addition; property located at 17547 Sun Meadow Trail, PPN 393-35-135, zoned RT-C.

Mr. Evans – Alright sixth on our agenda is Joseph Koren. Please come up to the microphone and give us your name and address for the record.

Mr. Stepp – I'm Brian Stepp with Ashley Contractors. I'm representing Joseph Koren.

Mr. Evans – Thank you Brian.

Mr. Stepp – 968 Remsen Road, Medina.

Mr. Evans – Thank you very much.

Mr. Stepp – We were hoping to have the letter from the Board by now which we don't. One of the board members are here and they said they're not going to be meeting until the middle of January. So I have to ask that we wait until the middle of January and we'll submit and we'll have to come back for review after that.

Mr. Evans – We do have the public hearing scheduled for tonight, and I can go ahead and do the public hearing. Then we can hold off until we get the Homeowners Association letter. Mr. Kolick, I believe I'm OK doing that.

Mr. Kolick – Yes.



6) **JOSEPH KOREN, OWNER/Brian Stepp with Ashley Contractors, Representative,**  
**Cont'd**

Mr. Evans – Is there anything that Board members would like to express or say?

Mr. Rusnov – No.

Mr. Smeader – No.

Mr. Evans – This is a public hearing. I'll ask if there is anyone here this evening who would like to speak for the granting of this variance. Is there anyone here who would like to speak against the granting of the variance? Hearing none and seeing none, I will ask Mr. Stepp that you request a tabling of the variance request until January 11<sup>th</sup>. At that time we would then review it. Hopefully we will have the letter by then. I do need you to request the tabling.

Mr. Stepp – Just say it now? I request a tabling.

Mr. Evans – That will do it.

Mr. Stepp – I don't think their meeting is until the 15<sup>th</sup> of January so we'd probably have to do it after that.

Mr. Rusnov – Unless you can get it from them first.

Mr. Evans – Again that plate of cookies usually does a lot of good usually to accomplish those things. If you don't have it by then, all you have to do is notify the Building Department that you didn't get it and we can postpone it until the letter is available. At this point, if they want to give you an indication that would probably be an acceptable situation. We'd want it in writing somehow, but the Board has looked at it officially something to that order and we could probably move forward. Again this isn't construction season so it's not the biggest challenge. We want to at least make that opportunity. OK?

Mr. Stepp – OK. Thank you.

Mr. Evans – Alright so we'll see you back here at whatever point. Talk to the Building Department as we move forward. We can get you on the schedule or we can move it to the next time as we need to.

Mr. Stepp – Alright sounds good gentlemen. Thank you.

Mr. Evans – Thank you very much. Is there anything else to come before the Board?

Mr. Kolick – Merry Christmas.

Mr. Evans – Yes OK. Then we will stand adjourned.

<u>Signature on File</u>	<u>Signature on File</u>	<u>January 11, 2017</u>
Mr. Evans, Chairman	Kathryn A. Zamrzla, Sec'y	Approval Date