

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

**Meeting of
December 7, 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: Carol Oprea

The Board members discussed the following:

NEW APPLICATIONS

1) 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 noted that Walnut Creek has already sent an approval letter.

2) 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) 52.65 SF 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 would be over the total allowable square footage. The Board discussed setting a new precedent from what they have allowed thus far if they were to approve this. They also mentioned possible alternatives including the possible use of window decals. They also discussed a possible discrepancy with the presented measurements.

3) 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.

The Board discussed the location of this property on Drake Road, but noted that the request is a large one. They also mentioned that they haven't received a letter from the Homeowners Association. They also stated that the presented dimensions seem to be incorrect.

PUBLIC HEARINGS

4) LESLIE AND MICHAEL ASKEW, OWNERS

Requesting a 2' Height variance from Zoning Code Section 1252.04, which permits a 15' Height and where a 17' Height is proposed in order to construct a second 384 SF Accessory Structure; property located at 16447 Howe Road, PPN 399-12-004, zoned R1-75.

The Board found no issues with this variance request.

5) TRUE NORTH SHELL STATION/Richard Turner with Diamond Z. Engineering, Representative

Requesting a 6.75' Rear Yard Building Setback variance from Zoning Code Section 1258.11 (a), which requires a 25' Rear Yard Building Setback abutting a non-residential district and where an 18.25' Rear Yard Building Setback abutting a non-residential district is proposed in order to construct a Service Station; property located at 15635 Royalton Road, PPN 399-02-012, zoned Motorist Service (MS).

The Board found no issues with this variance request.

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

December 7, 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. Oprea, Recording Secretary

Mr. Evans – Good evening ladies and gentlemen. I would like to call this December 7, 2016 meeting of the Strongsville Board of Zoning and Building Code Appeals to order. Carol, 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 November 16th 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 are normally 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) 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 – 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.

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

Mr. Shirilla – Steve Shirilla.

Mr. Evans – Thank you. You are requesting a variance for a rear yard setback. Please tell us what you are planning and why you need a variance for the project.

Mr. Shirilla – I'm moving my father in because he's 81 years old, and incapable of taking care of himself anymore. The best bet was to put in with us rather than a home where he doesn't want to be. We don't want him to be in one either. I went in the backyard and I stepped off what I thought would be a nice size room for him to live in while he's with us.

Ms. Shirilla – All the toys are put away.

Mr. Baldin – He had plenty of them out there.

Mr. Shirilla – That's basically it so I have a room for him and also a little bit more space for us and our family.

Mr. Evans – Yes OK. That's a very noble thing to do. You've been residents of Strongsville for how long?

Ms. Shirilla – Since 2003.

Mr. Evans – OK. Good. Are there any observations from the Board?

Mr. Rusnov – No questions.

Mr. Baldin – No.

Mr. Smeader – No.

1) STEVE AND NATALIE SHIRILLA, OWNERS , Cont'd

Mr. Evans – The next step in the process is 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. It will state exactly the description that is written in the agenda tonight. So if you have curious neighbors that will want to ask questions, you should get together with them before the next meeting to explain simply what your plans are. That may save everyone some time and the trouble. The public hearing is on December 21st. We will invite you back at that time. Is this staked out for us to view it?

Mr. Baldin – No.

Mr. Evans – Does it need to be?

Mr. Baldin – Well yes, you should stake out how far you're going out in the yard.

Mr. Evans – So if you could do the two corners for the room where it's going to extend out that would be good and then that way we'll be able to see that.

Mr. Shirilla – OK, no problem.

Mr. Evans - It is not necessary that you stay for the rest of the meeting tonight. Thank you.

Mr. Shirilla – Thank you very much.

Ms. Shirilla – Thank you.

2) 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) 52.65 SF 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 – Item number two on our agenda is Skin Deep Medi Spa. Do we have a representative from them or the sign company? Hearing none and seeing none from Direct Image Signs we will table this then until our next meeting and advise them that we will consider their application at that time.

Mr. Baldin – I think we had some question marks in caucus about the size and dimensions that's something we should address with them as well.

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

Mr. Evans – That will give the Building Department a chance to check on what was approved for the font.

Mr. Rusnov – Mr. Baldin I will go out and measure it on Friday.

Mr. Evans – What a nice guy.

Mr. Baldin – Well you don't get paid for this job.

Mr. Rusnov – I know, but I'll do it because I want to feel comfortable.

Mr. Evans – Alright thank you Mr. Rusnov we appreciate that.

3) **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 – Item number three on our agenda is Joseph Koren. Please come up to the microphone and give us your name and address for the record.

Mr. Stepp – My name is Brian Stepp. I own Ashley Contractors and we're at 968 Remsen Road, Medina.

Mr. Evans – Alright, can you tell us what the applicant is planning on doing and why the variance is needed?

Mr. Stepp – He works out of his house, and he's looking to build a small office. It's an 8' by 10' office off of the side of it. That will give them more room in the house because they have a newborn coming. He wants to be able to separate it from the noise.

Mr. Evans – Brian is there anywhere that he could add it on the house that would not require the variance?

Mr. Stepp – No.

Mr. Evans – OK. 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 the neighbors within 500 feet of the property. It will state exactly the description that is written in the agenda tonight. So if they have curious

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

Mr. Evans continues - neighbors that will want to ask questions, they should get together with them before the next meeting to explain simply what their plans are. That may save everyone some time and the trouble. We ask that you do stake out the corners so we can see where it is. You said in caucus that the applicant has requested a letter from the Homeowners Association?

Mr. Stepp – Yes. We got verbal approval so we're just waiting for the letter.

Mr. Evans – Excellent so if you get that you can bring it to the next meeting or if you get it early enough you can drop it off at the Building Department.

Mr. Stepp – OK.

Mr. Evans – Are there any questions from the Board?

Mr. Baldin – If I recall right you won't have to move any of the trees because they're further back on the south side correct?

Mr. Stepp – We're not doing anything with the landscaping.

Mr. Baldin – You don't have to do anything with the landscaping.

Mr. Stepp – It'll actually be buried by the trees and the mound.

Mr. Baldin – Right because there's a mound of dirt and so forth, but you don't have to get into that because you're only going out 8 feet or so.

Mr. Stepp – Right. Yes 8 feet.

Mr. Baldin – Great thank you.

Mr. Evans – Very good. The public hearing is on December 21st. We will invite you back at that time. It is not necessary that you stay for the rest of the meeting tonight. Thank you.

Mr. Stepp – Thank you very much.

Mr. Evans – Thank you.

PUBLIC HEARINGS

4) LESLIE AND MICHAEL ASKEW, OWNERS

Requesting a 2' Height variance from Zoning Code Section 1252.04, which permits a 15' Height and where a 17' Height is proposed in order to construct a second 384 SF Accessory Structure; property located at 16447 Howe Road, PPN 399-12-004, zoned R1-75.

Mr. Evans - That would conclude the new applications and we'll move onto public hearings. First up we have Leslie and Michael Askew. Please come up to the microphone and give us your name and address for the record.

Ms. Askew – Leslie Askew, 16319 Howe Road. This is for the property at 16447 Howe Road.

Mr. Evans – Excellent. Thank you. You appeared at the last meeting and we discussed that you are taking down a structure and asking to put this one up. The request is for the height variance. We've all been out and looked at it. You have four other structures and we saw that they are all large as well.

Mr. Rusnov – None, you've knocked everything down so that takes care of it. No questions.

Mr. Smeader – No questions.

Mr. Baldin – None.

Mr. Evans – OK. 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 2' Height variance from Zoning Code Section 1252.04, which permits a 15' Height and where a 17' Height is proposed in order to construct a second 384 SF Accessory Structure; property located at 16447 Howe Road, PPN 399-12-004, zoned R1-75.

Mr. Smeader – Second.

Mr. Rusnov – But the gazebo is coming down so that means that this will not truly be a 2nd axillary structure.

Mr. Kolick – The second should be left out of the motion. I think that was left in there when they still had two buildings.

Mr. Rusnov – The second should be left out of the motion. We're legal now.

4) **LESLIE AND MICHAEL ASKEW, OWNERS, Cont'd**

Mr. Smeader – Second the revised motion.

Mr. Evans – Thank you Mr. Rusnov, thank you Mr. Smeader. Carol may we have a roll call please?

ROLL CALL:

ALL AYES

MOTION PASSED

Mr. Evans – The variance has 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.

Ms. Askew – Thank you.

Mr. Evans – You are all set, thank you very much.

5) **TRUE NORTH SHELL STATION/Richard Turner with Diamond Z. Engineering, Representative**

Requesting a 6.75' Rear Yard Building Setback variance from Zoning Code Section 1258.11 (a), which requires a 25' Rear Yard Building Setback abutting a non-residential district and where an 18.25' Rear Yard Building Setback abutting a non-residential district is proposed in order to construct a Service Station; property located at 15635 Royalton Road, PPN 399-02-012, zoned Motorist Service (MS).

Mr. Evans – Item number five on our agenda is True North Shell Station with Diamond Z. Engineering. Please come up to the microphone and give us your name and address for the record.

Mr. Turner – Yes, good evening. My name is Rick Turner. I'm with Diamond Z. Engineering. 5670 State Road, Cleveland, Ohio is the address.

Mr. Evans – Mr. Turner we can make this really short. Basically we're replacing the building.

Mr. Turner – Correct.

Mr. Evans – We talked about it at the last meeting and in caucus. We all agreed that it's a wonderful thing putting in better and more pumps as well as changing the layout around. Is there anything from Board members?

Mr. Smeader – It's also going to be set back further from the road as well.

5) **TRUE NORTH SHELL STATION/Richard Turner with Diamond Z. Engineering,
Representative, Cont'd**

Mr. Rusnov – The parking ingress and egress will be easier.

Mr. Kolick – Have you talked to Holiday Inn about the easement through there?

Mr. Turner – Yes, I met with the manager of Holiday Inn and discussed it. He didn't have much information so I think I need to go above him and get to their corporate people to try and find someone with the property group that knows more about that.

Mr. Kolick – Just be aware that before you get to Planning Commission you'll need to have that issue worked out. You're OK here today, but that will need to be resolved before then.

Mr. Turner – OK.

Mr. Rusnov – That is most probably a franchise so you probably will have to go with corporate on that without a doubt.

Mr. Evans – Is there anything else? Ok, 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 6.75' Rear Yard Building Setback variance from Zoning Code Section 1258.11 (a), which requires a 25' Rear Yard Building Setback abutting a non-residential district and where an 18.25' Rear Yard Building Setback abutting a non-residential district is proposed in order to construct a Service Station; property located at 15635 Royalton Road, PPN 399-02-012, zoned Motorist Service (MS).

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. As we said you'll have to get the easement issue settled before you get to Planning. Is there anything else Mr. Kolick?

Mr. Kolick – You can get back on the ARB agenda, but you need to wait the 20 days before you get back on the Planning Commission agenda.

5) **TRUE NORTH SHELL STATION/Richard Turner with Diamond Z. Engineering,
Representative, Cont'd**

Mr. Turner – OK. Thank you.

Mr. Evans – You're all set Mr. Turner. Thank you very much, we look forward to the new station. We think it'll be a great addition to the City.

Mr. Turner – Good, thank you.

Mr. Evans – Is there anything else to come before the Board? Then we will stand adjourned.

Signature on File

Mr. Evans, Chairman

Signature on File

Kathryn A. Zamrzla, Sec'y

December 21, 2016

Approval Date