

**CAUCUS PRIOR TO STRONGSVILLE BOARD OF ZONING &
BUILDING CODE APPEALS
Meeting of
October 9, 2024**

Board of Appeals Members Present: Dustin Hayden, Ken Evans, John Rusnov, Dave Houlé, Richard Baldin

Administration: Law Director, Neal Jamison

Assistant Building Commissioner: Steve Molnar

Recording Secretary: Mitzi Anderson

The Board Members discussed the following:

1) **KEVIN FARRELL, (OWNER)**

Requesting a 194 SF Floor Area variance from Zoning Code 1252.15, which permits a 400 SF Floor Area and where a 594 SF Floor Area is proposed, in order to construct an Unenclosed Structure over a patio, property located at 10514 Rosalee Lane, PPN 398-10-162, zoned R1-75

Mr. Hayden – Item number one on the agenda is for 10514 Rosalee Lane. This is for the installation of a 594 SF floor area, unenclosed structure over a patio. The current Zoning Code stated that the maximum square footage allowed is 400 SF. We have received Homeowners Association approval for this request. I visited the site and they have a very large spacious beautiful backyard. After speaking with the homeowner, it appears the structure requested is that size because of the blockage of windows in the kitchen and over the family, but they can clarify it on the floor. They would like to take the post outside of that and if they went any smaller the post would be right in front of the windows. This is the reason they are requesting this size variance and it does not appear to be a topographical issue that we are dealing with.

Mr. Evans – Mr. Chairman, the applicant may not be aware of the history of this but there is a reason this Board recommended the change to 400 SF from what it use to be. It is because we recognized that COVID was a problem and a lot of people were spending more time in their yards and Council heard the number that we proposed at 400 SF. I am reticent to do anything bigger than that because the type of parties that can be held under something that is any bigger become a real problem for the neighborhood. While this individual may not be a big party person the next one might be. In residential areas, these pavilions when it is over 400 SF are as big as a metro park pavilion. On Rosalee we have had a lot of concerns because of the way that it was developed. We have done some things for the developer in terms of allowing houses and their positioning and setback variances. I think that the structure is too big and we have been consistent on holding to that, since it was increased to 400 SF. I understand that the Homeowner Association approved it but that really has no bearing on what this Board does. We recently had a

request that we looked at for a reasonable accommodation under the American Disabilities Act (ADA), that is an entirely different circumstance than the criteria we have for granting a variance.

Mr. Houlé – I agree and the neighbor to the south has a pavilion also, which is approximately 16' x1 6' and is reasonable. The neighbor to the north has a structure that is smaller and it is attached to the house. I do not see any hardship and it should be limited to the 400 SF.

Mr. Rusnov – None of the four criteria's have been met.

2) PARK RIDGE INVESTMENTS, LCC, Rick Puzzitiello, Agent

- a) Requesting a variance from Zoning Code Section 1272.07 (b), which permits one ground sign and where two ground signs are proposed
- b) Requesting a 13.8 SF Ground Sign Face Area variance (per sign) from Zoning Code Section 1272.07 (b), which permits a 30 SF Ground Sign Face Area and where a 43.8 SF Ground Sign Face area is proposed to install (2) Ground Signs
- c) Requesting a 2'- 8.5" fence/wall height variance from Zoning Code Section 1272.07 (b), which permits a 6' fence/wall height and where an 8'- 8.5" fence/wall height is proposed to construct a fence/wall
- d) Requesting a 2' setback variance from sidewalk on a corner lot from Zoning Code Section 1252.17 (c), which requires a 16' setback variance from sidewalk on a corner lot and where a 14' setback from sidewalk on a corner lot is proposed to install a fence, property located at Prospect Road (South of Drake), PPN. 394-14-011, zoned RT-C & R1-75

Mr. Hayden – Item number two on the agenda is for Park Ridge Investments. Mr. Evans, I will give you the floor.

Mr. Evans – Mr. Chairman, I would like to take the lead on this one. This really does not fit the criteria that we have for granting variances; however, I am surprised that it came to us. I look at this more as a Homeowner Association Trustee then I do as a Member of the Board of Zoning Appeals. Parkview is building a new development and I recognized that we have not had a new development in this City for approximately 6-8 years but there has never been a request that came to this Board regarding entrance signs for a development. We have multiple big signs out there in

the developments and I recognize that these signs are important for the developer in selling properties. I look at it as a Homeowner Association person because I am a Trustee at High Point. We had original signs that were put in by the developer and they lasted a couple of years, and we upgraded the signs to new brick signs, which have a stone center. A number of Associations have done the same type of upgrades but none of us ever went to get approval from the City for the signs. Not new developers or existing associations, if you look at Breckenridge, Waterford Crossing and Westwood Farms, none of them have ever come before this Board. I think that the literal application of the Code may have driven this process, perhaps because we have a new Building Commissioner. I am not opposed to granting a variance because I think it is necessary for this development. All we need to do is look at Rout 82 with the Del Web development, that sign is bigger than the recreation center, I think. We want to make sure that developments are successful when they are being sold but more importantly down the road we want developments to have sign recognition so that when guest and people come into the development they are able to see the sign and it gives them the directions into the subdivision. Parkview has built a number of developments in Strongsville and this is the last one because this is the last available acreage. The sign that they have designed is very nice and the Chairman and I have had a discussion regarding the height variance. They are doing a pergola over the center sign, which is a feature that they have used at The Arbors and in Avon Lake, as well. It is not that the fence is 8' high, even though the Building Commissioner identified that but it is not really that, it is a pergola being built over the sign. This is something that they have done before and is a part of their design work, it is necessary that we allow that to be done for this new development. These are the reasons I would put before my other Board Members.

Mr. Baldin – I compliment the developers for doing such an excellent job and coming before us with these requests, I think it looks nice.

3) TALERIS CREDIT UNION, INC (OWNER), Iliana Kazandziev, Agent

Requesting a variance from Zoning Code Section 1272.12 (c) and 1272.10 (c), which permits two wall signs and where seven wall signs are proposed for Take 5 Oil Change, property located on Pearl Road (corner of Broxton), PPN. 395-07-001, zoned GB – General Business

Mr. Hayden – Item number three on the agenda is for Take 5 Oil Change, which is on Pearl Road at the corner of Broxton. We have already approved one of these and this is a similar request. They are remaining within the square footage but they are requesting a variance for the total number of signs, which I believe we approved that exact number on the other building, if I am not mistaken.

Mr. Houlé – I do not know what the total square footage is and I have no problem with two signs. I am questioning why there are so many different other signs that we didn't have to do with the Dunkin Donuts, next door or the Starbucks and Burger King that is right down the street.

Mr. Hayden – Do you have that number?

Mr. Evans – I don't know but I am sure it is within the square footage.

Mr. Hayden – It wasn't included as part of the variance request.

Mr. Evans – Mr. Houlé , I believe part of it is that they have a number of directional signs, which have been included in their request.

Mr. Rusnov – This is on a corner lot and you have two street sides and probably two entrances.

**STRONGSVILLE BOARD OF ZONING & BUILDING CODE APPEALS
MINUTES OF MEETING
October 9, 2024
7:00 PM**

The meeting was called to order at 7:00 PM by Mr. Hayden.

Present:

Mr. Baldin
Mr. Evans
Mr. Rusnov
Mr. Houlé
Mr. Hayden

Also Present:

Mr. Jamison, Law Director
Mr. Steve Molnar, Assistant Building Commissioner
Mrs. Anderson, Recording Secretary

Mr. Hayden – I would like to call this October 9, 2024 meeting of the Strongsville Board of Zoning and Building Code Appeals to order. May we have a roll call please?

ROLL CALL:

MR. HAYDEN	PRESENT
MR. EVANS	PRESENT
MR. HOULÉ	PRESENT
MR. RUSNOV	PRESENT
MR. BALDIN	PRESENT

Mr. Hayden – I hereby certify that this meeting has been posted in accordance with Chapter 208 of the Strongsville Codified Ordinances.

Mr. Hayden - Before us we also have minutes to approve from our meeting on September 25, 2024. We discussed this in Caucus and there were no corrections or changes and we will file those accordingly.

Mr. Hayden - If you are here this evening and you plan on addressing the Board, I would ask that you stand and be sworn in by our Law Director, as well as our Building Department representative and Secretary.

Mr. Jamison administered the oath to those standing.

1) **KEVIN FARRELL, (OWNER)**

Requesting a 194 SF Floor Area variance from Zoning Code 1252.15, which permits a 400 SF Floor Area and where a 594 SF Floor Area is proposed, in order to construct an Unenclosed Structure over a patio, property located at 10514 Rosalee Lane, PPN 398-10-162, zoned R1-75

Mr. Hayden – Item number one is for 10514 Rosalee Lane. Please state your names and addresses for the record.

KEVIN FARRELL, 10514 ROSALEE LANE, STRONGSVILLE, OHIO

CHRISTINE FARRELL, 10514 ROSALEE LANE, STRONGSVILLE, OHIO

Mr. Hayden – You were here for the duration of Caucus and heard some of our comments regarding your project. Please take us through the request for the variance and if you would like to acknowledge and respond to those comments that were made during Caucus.

Mr. Farrell - My wife, Christine and I have been in our house for about 18 years. We built the house on Rosalee and we wanted to build a roof on our patio for some time. We receive full sun from 11:00 am until sundown and it is very difficult to sit on the back patio. I welcome any Board Member to come over to my house and have a drink and you can sit out there and enjoy the hot sun in the back. If you look at the back of our house, it is very long and straight, in our opinion it sets up for a nice roof on a patio. We have known our neighbors for years and we have been a great neighbor. We believe that the sun beats down in the back and as the sun moves the bigger patio roof would help to allow us the coverage that is necessary. In our opinion, a smaller patio roof would look awkward in the back and would not follow the design of our house and we believe this would have a detrimental effect on our property values. We believe the granting of a variance for the roof over our patio would not be materially detrimental to the public. I would like to comment a little more, if you look at our house there is no way we could have positioned this house any differently on the lot. Basically, the way our house is positioned, we are on a tight turn, which is different than our neighbors. There were a couple of comments

made regarding the patio roofs that were recently constructed over there. We believe that we get the most sun at the direction of our house and we think that it is an issue. There was a comment made about parties and there is a large common area in the back of our house and those houses all have pools and every year they all have parties and none of those houses have a covered patio. I would disagree that a covered patio entertains more parties and I don't believe that would have a materially detrimental effect on our neighborhoods or our neighbors, whether or not it is my wife and I living at the house or other people living at the house. I would like to ask the Board a question about variances that have been approved, while you all have been Members, I can look back at the meeting minutes. Mr. Hayden told me that there has not been a variance approved this year. I would like to know about previous years and what the stories were and why those variances were approved for those covered patios? We worked with our architect on a number of different plans and designs and this was the only way that we could get a patio of decent size and design, given where the windows are in our house. Also, in our opinion, what is aesthetically pleasing for the house to maintain property value. I am happy to answer any questions, that anyone may have.

Mr. Hayden - Thank you very much for that information. As Mr. Farrell and I were talking last Sunday, I explained that I did not have the exact date of when the Code changed earlier this year. The Code square footage used to be 175 SF, Council heard us and increased it to 400 SF because we were starting to get more request for the 300-400 SF range and 400 SF being approximately the size of a two-car garage, which is a sufficient amount of space.

Mr. Rusnov – It was our request for the change.

Mr. Hayden – Prior to that, this Board would not have approved a request over 400 SF and has not. Outside of another medical situation, I am unaware, and I have been on this Board for about four years, we wouldn't have had anything bigger than 400 SF. The other thing that we discussed, is our reticent to want to set a precedent within the City. We have already had an 800 SF request this year and they are just going to keep getting bigger and bigger and that is why this Board is reticent to approved anything over 400 SF, unless there is a potential medical situation.

Mr. Farrell – Not every situation is the same, I focused on the sun because certain back yards have a lot more shade or a different turn to where the sun sets. I don't believe that is a precedent but a unique situation that some houses in the City have that others do not. I would strongly urge you because I do not believe that is the case. Come on over to my house, I would be happy to have Mr. Hayden over in July and come out in sit in my backyard from 11:00am – 7:00 pm. We can not use the back yard and that is why we want larger coverage because of that.

Mr. Evans – Mr. Farrell, we have all been to the house, so we have seen the backyard; although, we may not have found you at home and discussed it with you. As Mr. Hayden indicated, we have already turned down a half dozen request this year that are large request like yours. The only one that we approved had an ADA specification under reasonable accommodations, where doctors indicated that they needed to have a space sufficient for children, this is not that situation. While you've indicated everyone is different and it is but, the Code gives us four parameters for approving a variance. As we indicated, your request does not meet any of those four conditions and you are supposed to meet all four in order to grant a variance. The reason that we got it expanded to 400 SF from the 175 SF was to accommodate a reasonable area for people to use. The 400 SF is a significantly larger area than what was allowed before and we did that because we heard people, like yourselves who said they needed shade to be able to accommodate their families. However, 600 SF is not a number we are approving nor have we done that in the past.

Mr. Farrell – I respect that Mr. Evans, but I am also saying there are larger houses and smaller houses and it is a little different. I disagree because I think that I do meet the criteria and that is why I am here and trying to argue my position.

Mr. Hayden – You do not truly have a hardship here. As an example, if someone was coming in and trying to install a shed, they have to be so far off of a property line if they want to install it. If they are on a pie shape lot, like you are on a cul-de-sac you are going to have limitations; however, the sun does not meet the definition of a hardship, or if there was a topography issue. Those things are just not present with this particular project.

Mr. Farrell – I would say that an unnecessary hardship is not self-created, I did not create the sun and where the sun sets. I could not move my house in a certain position because I had to go with the City of Strongsville's requirements.

Mr. Hayden – The risk that we run, as far as precedent, is that literally everyone could come here and say that. Every single person that stands in front of us could say, I have an issue with the sun and that is my hardship. It does not meet the definition of a hardship for us.

Mr. Rusnov – We are guided by the four criteria for a variance and we do not have the power or the ability to change the Code.

Mr. Farrell – I understand that, I have called Mr. Kaminski, my Councilmen and I have not received a call back. I think that given the size of our house and what I am trying to argue is that I think we do meet the criteria.

Mrs. Farrell - I am trying to understand how this is harmful to the City. If people wanted to build bigger open-air pavilions on the back of their homes, why is that so harmful to the City of Strongsville? This would be improving the property values and maintaining a nice-looking center because that is what we are trying to do. We are not interested in putting up a fabricated pavilion from Home Depot that will actually make our property value go down.

Mr. Rusnov – It is not harmful but it is the Code and we have worked on them for months and years to get a couple of the Code sections changed.

Mrs. Farrell – You have the power here, to help people by granting a variance.

Mr. Hayden – For a reasonable request and this would not meet the criteria of a reasonable request because it does not meet the four criteria's.

Mrs. Farrell – In terms of us paying for our land, building our home and not being able to actually use the property and the space that we have. In addition to, increased electric bills because the sun heats up our house so much on the back side. Our air conditioner runs non-stop to try and keep up with how hot the house gets so, you are reducing the life span of our air conditioning unit, which is a financial hardship. Also, you are increasing our electric bills, which is a financial hardship and we can't even use this beautiful and wonderful space that we have in our backyard and we paid more for this lot to have that space. I am trying to figure out why we can not build a nice covered patio, the patio we have in place is bigger than what we are requesting we even cover. Does it matter if it is enclosed?

Mr. Evans – Mrs. Farrell, the exact reason for that is that your husband already pointed out that he was going to go back and look at what variances were granted. We understand that when we grant a variance it is public and everyone knows about it. The reason that Mr. Hayden said that we granted variances before is because it was between 175 SF and 300 SF, that is why City Council increased it to 400 SF. The problem is that when we grant variances that are larger than that, we have to live with that as a precedent because someone like your husband is going to stand there and say, you gave Kevin Farrell a variance for 600 SF and it doesn't meet the criteria that you have, so you need to grant one for me and when we set precedents we have to live with them. The 400 SF allows you to do a lot; however, an additional 194 SF we are saying that is bigger than we would choose to allow because there is not a hardship that qualifies under the Code.

Mr. Farrell – How did you get to the size of the variance because most City's measure from post to post?

Mr. Molnar – We measure from roof line to roof line and that is our City policy.

Mr. Hayden – Steve, you may be able to answer this but that reduction would reduce the project by 60 SF and it would still be significantly over what our Code allows.

Mr. Farrell – Is there a number that we could agree to?

Mr. Hayden – Since this change is so recent and the size is significant we have not approved anything over 400 SF. I will not speak for the other Board Members but I personally would not approve anything over 400 SF, due to the recent increase and I think 20' x 20' is a sufficient size for a pavilion in the back yard.

Mr. Farrell – It is an inadequate size depending on the size and design of the house. We are trying to stay within the design of our house.

Mr. Baldin – Was the patio installed at the same time that you built the home?

Mrs. Farrell – Yes, it was.

Mr. Baldin - Is the square footage of the patio larger than the 594 SF you are asking for?

Mrs. Farrell – It is larger than that. The problem is that we have to build the structure wide enough so that we are not staring out our back windows looking at the post, which is a hardship for us. We have built this beautiful home with a nice lot, so that we could enjoy the wooded tree line behind us and space. We have to make it wide enough to avoid these windows and if we have to pull it in then it will be like a bowling alley. When the sun comes up and over it will shoot inside and I am not going to be able to sit down there anyway because it is not deep enough. We are trying to spend the money smartly to do a nice unenclosed roof over our patio. I am not interested in building it so that I am going to sit out there and $\frac{1}{2}$ to $\frac{3}{4}$ will be in the sun and then we are back to not having anything. I just don't understand the harm letting people do this on their property. We do not have any neighbors here disputing or not wanting this.

Mr. Hayden – I do think it worth noting that every City has a set of municipal codes that you have to operate within, when you go get a permit to improve your property. The other comments about the parties, we have knowledge of the parties for some of the pavilions we have approved and there have been plenty of situations where there have been noise violations, while you are right swimming pools can also cause those sorts of issues. This is something that we have experienced and received feedback on so we take that into account when making those decisions. When it comes to the four criteria's, you truly don't meet those definitions and with Council making the recent changes, we are reticent to setting a precedent. You are right that every situation is individual and we look at every one with eyes wide open and the impact to the neighbors around and the project itself. There are a couple of options that you have at this point, you can table this and if you want to work with your architect to see if there is an additional design. You would have to be the one on record to request this item to be tabled and it would be placed on the meeting agenda or the following meeting after that. The other option you have is that we can vote on what we have in front of us this evening. How would you like to proceed?

Mrs. Farrell – How do we proceed if you are not going to approve anything over 400 SF?

Mr. Hayden – At this point yes, because we did have the Code change and we have been very consistent with this throughout the entire year.

Mr. Jamison – I think he is telling you this to give you some guidance. If you think that 400 SF or less would be palatable, then the recommendation would be to table it and talk to your architect. If you would like to move forward, then we would vote tonight and it really is your decision at this point.

Mrs. Farrell – Out of curiosity, when the million-dollar homes want to construct an unenclosed structure, are they limited to 400 SF?

Mr. Molnar – The square footage is based on the land size.

Mrs. Farrell – Where is the hardship?

Mr. Rusnov – That is the Code.

Mr. Evans – There is no hardship, Mrs. Farrell. If the house has two-acres then they can build a bigger pavilion than 400 SF because it is based on the size of the lot.

Mr. Jamison – There are different residential zoning districts and there are different standards for each district. You asked before, why can't we do what we want with our land. The City through the course of time has developed standards to basically have consistency, in terms of how homes are developed in this City. This Board is here to make sure those are followed and there are occasions when people come in and request a variance for a hardship and sometimes they are granted and sometimes they are not, each case is taken on its own. At this point, your decision tonight is, do you want to go forward or would you like to table this to reconsider some modification. It is your decision.

Mr. Farrell - We would like to withdraw our request.

2) PARK RIDGE INVESTMENTS, LCC, Rick Puzzitiello, Agent

- a) Requesting a variance from Zoning Code Section 1272.07 (b), which permits one ground sign and where two ground signs are proposed
- b) Requesting a 13.8 SF Ground Sign Face Area variance (per sign) from Zoning Code Section 1272.07 (b), which permits a 30 SF Ground Sign Face Area and where a 43.8 SF Ground Sign Face area is proposed to install (2) Ground Signs
- c) Requesting a 2'- 8.5" fence/wall height variance from Zoning Code Section 1272.07 (b), which permits a 6' fence/wall height and where an 8'- 8.5" fence/wall height is proposed to construct a fence/wall
- d) Requesting a 2' setback variance from sidewalk on a corner lot from Zoning Code Section 1252.17 (c), which requires a 16' setback variance from sidewalk on a corner lot and where a 14' setback from sidewalk on a corner lot is proposed to install a fence, property located at Prospect Road (South of Drake), PPN. 394-14-011, zoned RT-C & R1-75

Mr. Hayden – Item number two is for Park Ridge Investments. Please state your names and addresses for the record.

Roger Puzzitiello, 22342 Pinnacle Point, Strongsville, Ohio

Ryan Puzzitiello, 22517 Valleybrook Lane, Strongsville, Ohio

Mr. Hayden – You were both here for Caucus and heard Mr. Evans comments regarding the project. If you could take us through the project.

Roger Puzzitiello – We were a little perplexed ourselves when we applied for a building permit application and were told we needed a variance. Based on the 30 years that we have been in the City developing and building we have never had to come before this Board to get a variance for an entryway sign. We have had the precedent for building entryway signs for both sides of the entrance, with the sides being higher than the six foot. Also, the signage itself is inside the sign and if you look at our sign, the wall is there but the sign is inside the wall and we are also requesting a variance for the setback requirement on the sidewalk. As Mr. Evans spoke before, we do not understand why we have to do that but we are here tonight. We need variances that will allow us to construct two entryway signs. We think that the subdivision that we are planning to put here in the City and the value of the homes going into the City, warrant that type of sign. We will light

up both sides of the intersection with our signs and landscaping. The sign itself is in proportion to what is there and we have created a barrier. If you have been in our subdivisions, we try to protect the views of the residents inside the subdivision so that lights are not hitting those houses as cars are coming in and going out. We have created a mounding along Prospect on both sides and down as you come into the development. We don't want that sign sitting up high, which means we would have to move it back further on the mound. As Mr. Evans talked about earlier, the height of the sign itself is not over the 6', it is the pergola up top and the pergola is not 15' deep but 2' deep from front to back so, it is more aesthetic and appealing and we feel that the design requires it.

Mr. Rusnov – This is more of a trademark for Parkview, correct?

Roger Puzzitiello – We have tried to take that and incorporate it with our logo, as well.

Mr. Rusnov – It is really not the height of the fence but the pergola.

Roger Puzzitiello – The area that the sign is actually in is part of the entryway wall and not the sign itself.

Mr. Houlé – Are there two different entrances on Prospect, or will it be an in and out?

Roger Puzzitiello – It is an in and out. As you pull in there will be a median in the center. The sign is set on a 45-degree angle and does not block the view coming in and coming out.

Ryan Puzzitiello - At the bottom of the drawing, you can see how the signs sit on Prospect Road.

Mr. Hayden – Mr. Evans, you spoke in caucus so I would like to capture your comments on this.

Mr. Evans – For the record, I would like to indicate that my look at this is from a Homeowners Association Trustee of 36 years, at High Point. The entranceway signs are very important to developments, not just to the developer selling but also to the resident. There are certainly a number of signs that are like this throughout the City and they have never required BZA approval before. The fact that they are here, we should be looking at it as we would have with other developments. Having the two signs and certainly the pergola on top is an ornamental design, which they have used before. I do not see any

reason why we would not approve this as they are bringing it to us. This will be the last development going into Strongsville and it has been a long time since we have had an additional residential development. These are beautiful signs and they will certainly last the test of time, they are also not as big as what Del Web is doing in our neighboring community in Columbia Station.

Mr. Hayden – Are there any additional comments?

Mr. Baldin – How many homes are you developing?

Roger Puzzitiello – Currently, there are 33 single family homes in the first phase and 18 cluster lots. There are other phases approved by City Council and as we go south there is other property to be developed. The plan is for a total of 170 – 200 homes in the subdivision.

Mr. Hayden – This is a public hearing, is there anyone in the audience that wishes to speak for the granting of the variance. Is there anyone in the audience that 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. Evans– Mr. Chairman, I would like to move for approval for a request for a variance from Zoning Code Section 1272.07 (b), which permits one ground sign and where two ground signs are proposed; and **(b)** requesting a 13.8 SF Ground Sign Face Area variance (per sign) from Zoning Code Section 1272.07 (b), which permits a 30 SF Ground Sign Face Area and where a 43.8 SF Ground Sign Face area is proposed to install (2) Ground Signs and; **(c)** requesting a 2'- 8.5" fence/wall height variance from Zoning Code Section 1272.07 (b), which permits a 6' fence/wall height and where an 8'- 8.5" fence/wall height is proposed to construct a fence/wall and; **(d)** requesting a 2' setback variance from sidewalk on a corner lot from Zoning Code Section 1252.17 (c), which requires a 16' setback variance from sidewalk on a corner lot and where a 14' setback from sidewalk on a corner lot is proposed to install a fence, property located at Prospect Road (South of Drake), PPN. 394-14-011, zoned RT-C & R1-75

Mr. Rusnov– Second.

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

ROLL CALL:

MR. HOULÉ	YES
MR. BALDIN	YES
MR. EVANS	YES
MR. HAYDEN	YES
MR. RUSNOV	YES

MOTION APPROVED

Mr. Hayden – Gentlemen this Board has approved your variance.

3) TALERIS CREDIT UNION, INC (OWNER), Iliana Kazandziev, Agent

Requesting a variance from Zoning Code Section 1272.12 (c) and 1272.10 (c), which permits two wall signs and where seven wall signs are proposed for Take 5 Oil Change, property located on Pearl Road (corner of Broxton), PPN. 395-07-001, zoned GB – General Business

Iliana Kazandziev, 5614 Ford Road, Madison, Ohio

Mr. Hayden – Item number three on the agenda is for Take 5 Oil Change. Please state your name and address for the record.

Mr. Hayden – Please take us through your project and the need for the variance.

Ms. Kazandziev – I am proposing signage for Take 5 Oil Change. There are several directional signs, two building signs with the logo and two sub copies that say 'Stay In Your Car' and 'Oil Change'. All four of the signs are LED illuminated letters, soft flush mount to the fascia, with address numbers. There are checkered aluminum panels that are not illuminated and have light fixtures on them for show, to show how fast they are to get your car done.

Mr. Hayden – In Caucus, we discussed that this is a corner lot and the need for directional signs is very important. Also, we already have a Take 5 Oil Change on Royalton Road and we have had this similar request approved in the past, as well. This variance is for the number of wall signs and they are within the square footage requirement.

Mr. Houlé – We had a similar situation with Strickland Oil located on Pearl Road. They requested basically the same options, as well as Dunkin. It is a corner lot and a necessity for two different signs, when you are on a corner.

Mr. Hayden – This is a public hearing, is there anyone in the audience that wishes to speak for the granting of the variance. Is there anyone in the audience that 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 variance from Zoning Code Section 1272.12 (c) and 1272.10 (c), which permits two wall signs and where seven wall signs are proposed for Take 5 Oil Change, property located on Pearl Road (corner of Broxton), PPN. 395-07-001, zoned GB – General Business

Mr. Evans – Second.

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

ROLL CALL:

MR. EVANS	YES
MR. HAYDEN	YES
MR. BALDIN	YES
MR. RUSNOV	YES
MR. HOULÉ	YES

MOTION APPROVED

Mr. Hayden – Your variance has been approved by this Board. You will need to wait to move forward, until the next Council Meeting, because they have an opportunity review our decision.

Mr. Hayden – If there is no further business to come before this Board, this meeting is adjourned.

Dustin Hayden /s/

Mitzi Anderson /s/

10-23-24

Mr. Hayden, Chairman

Mrs. Anderson, Secretary

Approval Date