

Note: These minutes were compiled by extracting certain facts the essence of testimony from an audiotape made of this meeting. Complete detail and verbatim statements can be heard and transcribed from the tape. The tape is available in the office of the Department of Planning and Zoning for a nominal fee.

STREETSBORO BOARD OF BUILDING AND ZONING APPEALS

**HEARING
February 16, 2021
7 PM**

Call to Order – Chairperson Bross called the hearing to order immediately following the organizational meeting.

Pledge of Allegiance and Invocation- a moment of silence was called in honor of Ron Stenglein

Roll Call: Anthony Madden, Doug Liebler, Scott McDole, Bill Uehlinger, Marvin Woods and Matt Bross were present.

Also present: John H. Cieszkowski, Jr. AICP Planning and Zoning Director; Sara J. Fagnilli, Assistant Law Director and Bridget Pavlick, Clerk.

Disposition of Minutes:	June 16, 2020	September 22, 2020
	July 21, 2020	October 20, 2020
	August 18, 2020	November 17, 2020

Old Business- none

Sign Review- Chapter 1159 - none

New Business –

10255 State Route 43-Slagle

Requesting a variance from Section 1151.22 to allow a swimming pool to be located in the side yard. Code permits pools in the rear yard only. Variance is to allow a pool to be placed in the side yard.

Applicant: David Slagle, 10255 State Route 43. Mr. Slagle would like to install an inground swimming pool in his side yard. This is due to the way the lot was split by previous owners. There is no rear yard due to the position of the house and proximity to the street. The side yard is 500+ feet back off State Route 43. The pool would be concealed by mature landscaping and fencing. Mr. Cieszkowski indicated that he had nothing more to add that the applicant had not already covered. He has worked closely with the applicant to achieve the best outcome.

Board members were pleased with the presentation and its clarity. This made the project easy to understand. Mr. Madden thanked the applicant for the presentation. Mr. Slagle

addressed the Board saying that John has been a pleasure to work with and has been very helpful in both of the processes of our requests for variances.

Motion: Mr. Madden: I hereby move on this 16th day of February 2021 the Streetsboro Board of Zoning and Building Appeals grant a variance for 10255 State Route 43-Slagle. Request a variance from Section 1151.22 to allow a swimming pool to be located in the side yard. Code permits swimming pools in the rear yard only. Per drawings received 1-11-2021. Subject to all Planning and Zoning ordinances and site plan review of the City of Streetsboro where applicable. Seconded by Mr. McDole.

Mr. Madden: I vote yes. As I stated earlier, thank you for working with the city to make sure we were put in a position where we could grant you this variance. You are doing everything you must do in order to have this wonderful accessory and I hope you enjoy it.

Mr. McDole: I vote yes also. With the lack of a back yard there, I can't see a better place to put it. It's far enough off the road. Again, thank you for working with the city on this.

Mr. Liebler: I vote yes as well. It's clear there are not a lot of options. It's far off the road and hidden by landscaping so I don't see a problem.

Mr. Uehlinger: Yes, the variance is reasonable due to the unique characteristics of your property. Granting this variance will allow the owner to enjoy the property so I vote yes.

Mr. Woods: I vote yes as well. You cooperated with the city and asked for a variance that was as small as you could and I feel it was necessary.

Mr. Bross: For all of the aforementioned reasons stated, I vote yes as well.

Roll Call: Yes-6, No-0.

10008 Bates Drive-Pobega

Requesting a variance from Section 1151.21(e)(3) to allow for an accessory building to be 15.75ft. in height. Code allows a maximum height of 12.91 feet. Variance is for 2.84 feet.

Applicant: Michael Pobega, 10008 Bates Drive, Streetsboro was sworn in. Seeking a variance of 2.84 feet (height) for detached accessory building. The variance is needed to meeting the manufacturer's recommendations for snow load and building stability. He states that he needs this building to house his machinery and larger vehicles that he owns. This will keep them out of the elements and maintain a cleaner appearance of his property.

Mr. Cieszkowski stated that he has worked very closely with this applicant prior to submission of the variance request. This is an I-1 property that is a residence. A great deal of thought was taken into account due to the uniqueness of the property.

Mr. Liebler thanked the applicant and Mr. Cieszkowski for the detail in and the amount of work that went in to providing this information. He indicated that he really did not have any questions, but by looking at the site plan, you would have the same difficulty if you would try to place the building anywhere else on this property.

Mr. Uehlinger: Based on the Google Earth satellite photo you provided you have multiple vehicles. So, this will allow you to clear those vehicles out of your driveway and into this storage facility. Mr. Pobega indicated that it would.

Mr. Woods had no questions. The application is very clear.

Mr. Madden asked about the placement of the building and if the applicant was going to put a driveway back to the building. Applicant stated that this was the long-term plan, to add the driveway to the backyard and to the building.

Mr. McDole had no questions.

Mr. Bross asked what color would the building be. Applicant added that it would be a tan color with dark brown trim.

Motion: Mr. Madden: I hereby move on this 16th day of February 2021 the Streetsboro Board of Zoning and Building Appeals grant a variance for 10008 Bates Drive – Michael Pobega. Request a variance from Section 1151.21(e)(3) to allow for a detached accessory building to be 15.75 feet in height. Code allows a maximum height of 12.91 feet. Variance is for 2.85 feet. Per drawings received 1-21-2021. Subject to all Planning and Zoning ordinances and site plan review of the City of Streetsboro where applicable. Seconded by Mr. McDole.

Mr. Madden: Yes. You have a very unique situation and I certainly understand what you are trying to do. It will better your land to get those vehicles out of the harm of our elements, but add a curb appeal, housing them under one roof will certainly clean up the yard and make it look nice. Again, thank you for working with our team.

Mr. McDole: I am going to echo everything Mr. Madden just said. Thank you for working wo closely with the city. It makes our life a lot easier. I vote yes.

Mr. Liebler: I vote yes as well. There is not much else you can do about it in a situation like this. This is a minimal and reasonable variance. Thank you for working with the city on this.

Mr. Uehlinger: In this situation I believe, 1) it will definitely help the aesthetics of the neighborhood and you can store your vehicles. It is unique in that you are in an I-1 but if you residential we would be looking at a variance of 9 inches. The variance is needed for the safety of the building and the manufacturer's recommendation. I vote yes.

Mr. Woods: I vote yes as well. I appreciate your cooperation with the city in asking for the variance and putting it all together. You did a swell job, so, I vote yes.

Mr. Bross: This variance provides the solution to the problem. It's not the first time we've had a request for a building to put vehicles away in. It is along I-480. It is not going to hurt anyone. I vote yes.

Roll Call: Yes-6, No-0.

9254 State Route 43 – Speedway

Requesting a variance from Section 1159.05(k) to allow for changeable copy in a planter identification sign. Code permits changeable copy for informational signs only. Variance is to allow changeable copy in a planter identification sign.

9254 State Route 43 – Speedway

A variance from Section 1159.14(c)(1) to allow for a planter sign to be 1.5 feet from a side lot line. Code requires 25 feet from a side lot line. Variance is for 23.5 feet.

Neil Jeakle, National Illumination. 6525 Angola Road, Holland, Ohio. Applicant thanked everyone for taking the time to help them with their issues. He stated that he wished that Streetsboro's team could train other cities on how to help people with their issues with their property.

Speedway has a very large sign on the property and they need to address changing this out to a more up-to-date sign and update the property as well. The property has some unique aspects to it. There is more parking lot than grassy areas that make putting in a new sign challenging. The neighboring property will not remove or trim down the line of shrubs that would obscure the Speedway sign when in full bloom. The applicant explained that the current structure could not be utilized due to its proximity to the south property line and the St. Rt. 43 setback and Speedway is required by federal law to post the price of gas on their sign. With the neighbor refusing to trim or remove the shrubs, the sign would be blocked a good deal of the year. The applicant indicated that they would like to move the sign to the north side of the property where there is a grassy area and no obstructions in the way of the sign. This could serve multiple purposes in that the sign would be out of the right-of-way and not blocking any views entering or leaving the site and could be clearly seen in both directions on St. Rt. 43.

Mr. Cieszkowski spoke on placement of the sign and what the thought process was to get to where Speedway would like to place their sign. The spot that is proposed is the best of the three options on the site. This placement would allow for visibility of the pricing information as well as the visibility of the motorist to move in and out of the site. Mr.

Cieszkowski said that the sign would need to be a smaller sign than would be effective to fit between the sidewalk and the eastern edge of the landscaped area. Mr. Cieszkowski indicated there was an issue to its location relative to the right-of-way, it is required to be ten feet from the right-of-way. It would have to be much closer than that to be in that area. The more he thought about it there were issues with sight visibility for folks turning left and right out of the site with a sign in that middle island, and it would be very close to on-site circulation aisles and therefore subject to being hit and damaged.

Mr. Madden had questions on the property line designation and wondered what the discussion was with the adjacent property owner regarding the shrubs. The shrubs seem to be more on the Speedway property than on the adjacent property. Further discussion was had on the placement on the north side of the property and what if the neighbors decided to erect a fence or plant trees on that property line. Mr. Cieszkowski cautioned that the Board should only consider the issues that are current on the site. Other factors would need to be taken into consideration if the adjacent property owner wanted a fence or trees on the front/side property lines.

Mr. Bross asked Mr. Cieszkowski for clarification on the informational signs and gas price signs. He asked if this was an informational planter sign. Mr. Cieszkowski confirmed.

Motion: Mr. Madden: I hereby move on this 16th day of February 2021 the Streetsboro Board of Zoning and Building Appeals grant a variance for 9254 State Route 43 – Speedway, a variance from Section 1159.05(k) to allow for changeable copy in a planter identification sign. Code permits changeable copy for informational signs only. Variance is to allow changeable copy in a planter identification sign. Per drawings received 1-19-2021. Subject to all Planning and Zoning ordinances and site plan review of the City of Streetsboro where applicable. Seconded by Mr. Liebler.

Mr. Madden: Yes, first of all, thank you to your client, Speedway, for being willing to remove the monstrosity of a sign that is currently there. You know, gas stations like yours are usually on end cap space. It is ironic that we have one that is already between two commercial structures. If you see, well, even though GetGo has vacant land on both sides it's really by itself. Sheetz is an end cap space. Sheetz at 44 in Ravenna is an end cap space. You're doing absolutely, in my opinion, everything you can being sandwiched in between two other properties. You went to your neighbor, they didn't want to work with you for whatever reason and that's disappointing, but you're really allowed with no other option. I don't believe what you're asking for is out of line and therefore I vote yes.

Mr. McDole: I will echo everything that Mr. Madden said. Definitely need to have the gas prices out there. I like the sign. It is definitely better than the sign that is currently there, so I say yes.

Mr. Liebler: Yes. To echo all of the things Mr. Madden said, all good reasons as well and I appreciate the sign choice. It is definitely useful for travelers to see the price of gas and I did not know that it was law, you are helping that as well so I vote yes.

Mr. Uehlinger: For this variance, it is a federal law, and you are required to be able to change that so based on this variance, the need and requirements as set forth by the Government, I vote yes.

Mr. Woods: I vote yes as well. You have been very cooperative in asking for your variance and knowledgeable in what you needed and what you wanted. I vote yes.

Mr. Bross: This part of the variance here regarding changeable copy, that is a necessity at this point for gas stations. That goes without saying. I don't know if in the future we can amend our code to that or not, this just goes without saying. I will vote yes on this particular part of the variance.

Roll Call: Yes-6, No-0.

Motion: Mr. Madden: I hereby move on this 16th day of February 2021 the Streetsboro Board of Zoning and Building Appeals grant a variance for 9254 State Route 43 – Speedway, a variance from Section 1159.14(c)(1) to allow for a planter sign to be 1.5 feet from a side lot line. Code requires 25 feet from a side lot line. Variance is for 23.5 feet. Per drawings received 1-19-2021. Subject to all Planning and Zoning ordinances and site plan review of the City of Streetsboro where applicable. Seconded by Mr. Woods

Mr. Madden: Yes, all of the reasons I used in my first vote I echo in my second. We have a 25-foot side lot line setback for a reason but, on your very unique situation, it would be impossible to adhere to that code. One and a half feet is so small but it's so necessary for your unique situation. Again, I vote yes.

Mr. Woods: I echo everything Mr. Madden has said. I vote yes as well.

Mr. Liebler: I vote yes. Thank you for walking us through the different options of where you could have tried to put the sign. It leads you to one location. It seems like a large variance on paper but when you look at the situation and the size of that lot it makes sense.

Mr. McDole: I vote yes also per everything I mentioned before and everything that's been said now. You are taking down that huge monstrous sign that is there currently. The sign that I see in the drawings looks fantastic and I look forward to seeing it so I vote yes.

Mr. Uehlinger: I feel like we are playing Let's Make A Deal-we had three options-and it sounds like our best choice was Door #3. Definitely making the best of a bad situation. I appreciate the much cleaner image of this sign and it definitely meets

with the aesthetics of other established gas stations within our city, so for those reasons I vote yes.

Mr. Bross: Given what others have said before, this sign is definitely an aesthetic improvement. It really makes no difference to me what lot line it is on, north or south, for safety reasons it's good that it's not in the middle. So as far as visibility exiting the Speedway on to 43 no matter what direction you go. Given all of that, I vote yes as well. Both parts of your variance have been unanimously approved. Thank you very much for all of your time and effort.

Roll Call: Yes-6, No-0.

Zoning Text Amendment – none

Reports, Communications and Correspondence

Citizens' Comments

Commission Member Comments

Mr. Madden: Mr. Chair I would like to thank you for the moment of silence for Mr. Stenglein. I knew Ron, his daughter Linda, his grandson Cory through Thrive Theatre. It is a remarkable family and he will be greatly missed.

Mr. Bross added that it is an honor to continue to serve as Chairman. Thank you for the vote of confidence.

Announcements: The next Regular Planning and Zoning Commission meeting will be held Tuesday, March 16, 2021 at 7PM at the Streetsboro Municipal Building (555 Frost Road).

Adjournment

There being no further business before this Commission a motion to adjourn was made by Mr. McDole and seconded by Mr. Uehlinger and the meeting was adjourned at 8:18pm.

Attest:



Bridget Pavlick, Clerk



Matt Bross, Chairperson

Bridget Pavlick

From: Dave Frum <davedjk@aim.com>
Sent: Wednesday, February 10, 2021 9:17 AM
To: Bridget Pavlick
Subject: Variance for 10008 Bates Dr.

Ms. Pavlick,
I have no objection to the request for variance for added height.

Dave Krumlauf
10029 Bates Dr.