

**BOARD OF ZONING APPEALS
CITY OF NORTH OLMSTED
MINUTES OF OCTOBER 6, 2011**

ROLL CALL

Ms. Sergi called the meeting to order at 7:30 p.m. in Council Chambers.

Present: Nancy Sergi, Maureen Diver, Laura Bellido, Alfredo Lopez, Jennifer Rudolph

Staff: Law Director Michael Gareau Jr., Building Commissioner Dale Mitchell, Clerk of Commissions Donna Rote

REVIEW AND CORRECTION OF MINUTES

Ms. Rudolph moved, seconded by Ms. Diver, to approve the minutes of September 1, 2011 which passed 5-0.

RESIDENTIAL APPEALS AND REQUESTS

Janice R. Weitzel; 29210 Lorain Road

Proposal consists of a shed. The following variance is requested:

1. A 276 square foot variance for an accessory structure larger than code allows; code permits 300 sq ft, applicant shows 576 sq ft, Section 1135.02(d)(1).

Andrew Kowalewski, the owner's nephew, and Ms. Weitzel were sworn in. Mr. Kowalewski said the existing shed is dilapidating and needs to be replaced. The new shed would be slightly larger than the existing shed. Mr. Mitchell said the existing shed needs to be removed and the new shed will meet side and rear yard setbacks. Ms. Diver asked if the neighbors were aware of the request. Mr. Kowalewski said the neighbors were made aware and no one had objections. The existing shed is 14' x 16' and the new shed will be 24' x 24'. A brief discussion took place about removal of the existing shed being required and Mr. Gareau said the owner stated the shed would be removed and if it wasn't the owner would be violated; it did not warrant being in the motion. Board members said the lot is large enough to handle the proposed shed, it would not be visible from the front of the lot and governmental services would not be affected.

Ms. Rudolph moved, seconded by Mr. Lopez, to grant Janice R. Weitzel of 29210 Lorain Road a 276 square foot variance for an accessory structure (shed) larger than code allows; code permits 300 sq ft, applicant shows 576 sq ft, Section 1135.02(d)(1), which passed 5-0.

Thomas Lyons; 6672 Cypress Drive

Proposal consists of a home addition encroaching into the rear yard. The following variance is requested:

1. A 15 foot variance for rear yard setback; code requires 50 feet, applicant shows 35 feet, Section 1135.08(a).

Ms. Scebbie, New Century Builders, and Mr. Lyons were sworn in. Mr. Lyons said the addition is to accommodate his elderly mother who can no longer live independently in her current home.

Her condition restricts her from maneuvering stairs which is also in his home so a room and bathroom is being added. Ms. Scebbie said the addition would not be any wider than the home. Mr. Mitchell noted that the pool was installed without a permit and said if it was being relocated a permit is required as are inspections. Mr. Lyons said they may or may not reinstall the pool once it is moved and said permits would be pulled if it was. The pool was in place when he purchased the home. Mr. Gareau advised that once the pool is removed the owner may not erect it again unless proper permits and inspections are completed regardless of the size or prior history. Ms. Rudolph asked if the existing deck and pool would be reinstated. Mr. Lyons said after the addition is completed they would consider it and said permits would be pulled for any work done.

Ms. Rudolph moved, seconded by Ms. Bellido, to grant Thomas Lyons of 6672 Cypress Drive a 15 foot variance for rear yard setback for a home addition; code requires 50 feet, applicant shows 35 feet, Section 1135.08(a), which passed 5-0.

Benjamin T. Wollenburg; 4343 Root Road

Proposal consists of an addition to a detached garage. The following variance is requested:

1. A 630 square foot variance for detached garage larger than code allows; code permits 750 sq ft, applicant shows 1,380 sq ft, Section 1135.02(c)(1).

Mr. Wollenburg and Ms. Arebalo were sworn in. Mr. Wollenburg said he built a boat which he would like to store in his garage. The addition will be to the back of the existing garage and would allow full use of their garage. Photos of the site were submitted showing the size of the lot and layout of existing garage. Mr. Mitchell said that the lot was quite large and could accommodate the addition requested. It would not be visible from the front and would not change the character of the neighborhood. Mr. Wollenburg said the addition would be 22' x 26' and meet all setback requirements. Ms. Diver asked if there would be a driveway included with the addition and Mr. Wollenburg said there would be no driveway to the addition. Due to the size of the lot and the addition not being visible from the street the board had no objections.

Ms. Rudolph moved, seconded by Ms. Diver, to grant Benjamin T. Wollenburg of 4343 Root Road a 630 square foot variance for detached garage larger than code allows; code permits 750 sq ft, applicant shows 1,380 sq ft, Section 1135.02(c)(1), which passed 5-0.

COMMERCIAL APPEALS AND REQUESTS

Key Bank; 26380 Great Northern Shopping Center

Proposal consists of signage. The following variance is requested:

1. A variance for one (1) additional ground sign on a lot; code permits two (2), applicant shows four (4), Section 1163.27(a). Note: A variance was previously granted for one additional ground sign on a lot. A variance for three (3) walls signs was granted on 8/7/07. A square foot request was denied. Wall signs must not exceed 96 square feet for building.

Mr. Harrison with Brilliant Electric Sign Company was sworn in. Ms. Sergi questioned the owner's absence and asked if owner permission was received for the applicant to represent them. Mr. Gareau advised that it was at the discretion of the board if they wished to allow the applicant

to proceed without an owner. Mr. Harrison provided a letter from the property owner approving the request. After discussion Ms. Sergi advised they would allow the applicant to proceed.

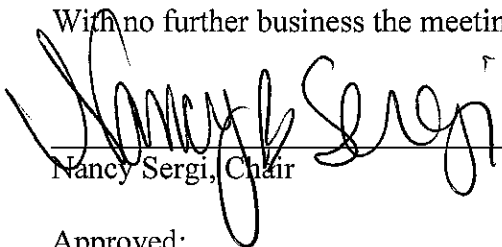
Mr. Harrison said the branch is being rebranded which includes new signage. They worked hard within the previously approved variances to minimize their request. The variance is for a monument sign along Brookpark Road and meets size requirements. Due to the uniqueness of the location within the plaza they believe concessions should be granted. The nearest egress point to the bank is between 400 to 600 feet away. Granting the monument sign would give the bank visibility to vehicles traveling east and west along Brookpark Road. The request is not substantial as the size meets code and free standing businesses are allowed a monument sign. He reviewed the seven factors which he believed would not adversely affect neighboring sites or governmental services. He noted other ground signs along Brookpark as examples. He believed granting the ground sign promoted safety by decreasing traffic confusion as to where they are located. Mr. Mitchell said maintaining the 96 square foot for total building must be observed. Placing the monument sign along Brookpark would set precedence for other tenants. He does not object to what has been granted to date but is concerned a monument sign along Brookpark would trigger other tenants to want them as well. Ms. Rudolph noted that the 2007 BZA minutes said there is a sign on the north wall and asked if one was scheduled for the north wall again. She asked why the bank didn't seek being added to the existing monument signs at the two access points mentioned. Mr. Harrison said the landlord would not allow additional monument signs at the two egress points and there would be a wall sign on the north façade. Mr. Lopez said he did not believe that a monument sign was warranted as the north wall sign is visible to both east and west bound traffic. Ms. Diver said the board previously granted the variance to have three wall signs based upon there being no monument sign. Board members felt that the monument sign was not warranted along Brookpark, the location is not a point of egress. Three wall signs provided the visibility needed for the north, south and west elevation. Previous variances were granted based upon there being no monument sign. The north wall sign is clearly visible from Brookpark there is no vegetation which impedes its visibility.

Ms. Rudolph moved, seconded by Mr. Lopez, to grant Key Bank of 26380 Great Northern Shopping Center a variance for one (1) additional ground sign on a lot; code permits two (2), applicant shows four (4), Section 1163.27(a), which was denied 5-0.

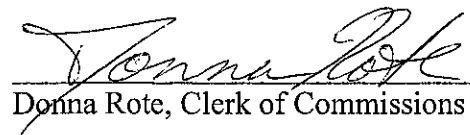
Ms Sergi asked the Law Department to draft findings for the board which Mr. Gareau agreed.

ADJOURNMENT

With no further business the meeting was adjourned at 8:35 p.m.



Nancy Sergi, Chair



Donna Rote, Clerk of Commissions

Approved:

11/03/2011