

The Board of Zoning Appeals of the City of North Royalton met on **October 27, 2008**, to hold a Public Hearing, in the Council Chambers at 13834 Ridge Road. The meeting was called to order by Chairman Neil Price at 8:00 pm

Present: Chairman Neil Price, Vice Chairman John Ranucci, Paula Recker,
Councilman Dan Kasaris,
Tony Caraballo, Prosecutor Donna Vozar,
Building Commissioner Rito Alvarez,
Secretary Julie Broestl

(BZ08-31) Sharin Grey requests a variance to Chapter 1270 “Residential Districts”, Section 1270.05 “Schedule Area, Yard and Height Regulations”, and Section 1270.12 “Yards for Accessory Buildings and Uses”, paragraph (b), of the City of North Royalton Codified Code for relief from the rear and side yard setback requirements for an accessory structure that she wishes to construct on her property located at 5177 Pincknea Drive, PPN: 489-23-001.

Sharin Grey approached the microphone.

Neil Price: Raise your right hand please. Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. Grey: I do.

Neil Price: Name and address please.

Mrs. Grey: Sharin Grey, 5177 Pincknea Drive.

Neil Price: What is it your requesting?

Mrs. Grey: I would like to put up a shed. I have a corner lot and its kind of shallow. We were going to take a tree down and put it in the one corner. You had asked for this because I didn't have how far away from the deck the shed would be. It is going to be 22-feet to the front of the shed.

Neil Price: To the deck?

Mrs. Grey: The yard is shallow.

Mrs. Grey approached the bench with a drawing to hand out.

Neil Price: Could you please mark this as exhibit A for BZ08-31. Okay.

Mrs. Grey: That's it.

Neil Price: That's it? Okay. Please stay for the second part of the meeting in case there are any questions.

Mrs. Grey: Can I do it.

Neil Price: That is why you have to stay for the second part. Can I have a motion to move BZ08-31 to the open meeting.

Moved by Paula Recker, seconded by Dan Kasaris to move BZ08-31 to the open meeting.

Neil Price: Call the roll.

John Ranucci: Yes.
Paula Recker: Yes.
Tony Caraballo: Yes.
Dan Kasaris: Yes.
Chairman Price: Yes.

Ayes – all. Nays – none.
Motion carried. (5-0)

(BZ08-32) Edward and Linda Steimle request a variance to Chapter 1270 “Residential Districts”, Section 1270.05 “Schedule of Area, Yard and Height Regulations”, of the City of North Royalton Codified Code, for relief from the 100-foot requirement to allow a new home to be constructed on this property which is located at 18801 State Road, PPN: 486-24-012.

Neil Price: Anybody? Want to come up and give your story.

Mr. Edward and Linda Steimle approached the microphone.

Neil Price: Raise your right hand please. Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. Steimle: Yes.

Neil Price: Name and address please.

Mr. Steimle: Ed Steimle, 4307 Bucyrus, Cleveland, Ohio.

Mrs. Steimle: Yes. Linda Steimle, 4307 Bucyrus, Cleveland, Ohio.

Neil Price: You are here because?

Mr. Steimle: We want to build a house on a piece that we acquired last year but we don't have the right amount of footage by the front of the street. I think your law requires 100-feet and we only have 30-feet of driveway that goes back 1500-feet and opens up to our 10-acres. Which I do think you have the plot in front of you. That's about it and we are just looking for a variance to build a house.

Neil Price: Thank you. Anyone else have anything? Mike?

Chief Michael Fabish approached the microphone.

Chief Fabish: I don't know if this is the appropriate time or not.

Paula Recker: You have to swear him in.

Chairman Price: He is a City Official. Okay. Raise your right hand please. Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Chief Fabish: I do.

Chairman Price: Name and address please.

Chief Fabish: Michael Fabish, 4422 Wiltshire, North Royalton. I just wanted to speak on this particular variance. I am the Fire Chief in our community and I have spoken on this subject before. I think it was almost ten years ago. We do have some concerns. Given not just the narrowness of the lot but also the extreme setback where this house would go. In order for you to actually build a house you would have to go back 1500 to 1600 feet. At that distance, and given the wooded nature of the property, it is extremely difficult to provide the kind of public safety protection that we normally provide for our residents. There are a number of issues from accessibility from even a rescue squad to a fire truck but the ability to get water back there and to have the kind of protection you need to protect this home and property. So, we do have concerns from the Fire Department. I think that there are some possible solutions that could include a residential sprinkler system in that home. But, you would certainly need an adequate water line. Someone suggested a possibility of a pond there, but that's not really protecting the occupants in the inside of the home, that is just going to provide some means of protecting the structure in the advent that it would catch on fire. I'm looking at life safety from a different perspective including the medical emergencies which are much more common and the ability to protect the people inside the house that we can't protect because of the setback distance there. I don't think that there is any home in North Royalton that's 1600 feet back from the roadway. In fact probably in Ohio there are very few houses that are that far back off from the roadway unless it is a cabin or a cottage or something maybe in a hunting area. That is only a speculation on my

part just in driving I observe things all the time from my public safety role. It is extremely hard for any department to lay fire suppression lines out or to get back in to try to rescue somebody, which would be the first priority for the Fire Department. Given these conditions that exist, and the ability to probably pave a road or a driveway that would allow any type of equipment to get back there, including just a rescue squad, I think it is an unsafe or very unsafe position to put residents in, and I am actually speaking on behalf of the residents. They may not understand that but that is my concern, to prevent something from happening that we can't help them with. Is there any questions, I would be happy to answer them?

Neil Price: We will get to them in the open meeting. Thank you. Anyone else?

Mr. Steimle: Can I add anything to that?

Neil Price: You can still add something, go ahead. State your name for the record.

Mr. Steimle: Ed Steimle. We are well aware of that variance about not having a fire hydrant within 1200-feet of the house, which North Royalton calls for. We were planning on putting one in there within 1200 feet limit there. Our driveway going back is not going to be a narrow driveway. It is going to be at least 12-feet wide and it would be graveled approved by the City of North Royalton also. If you look at the lay out of our house, it has a turn around drive so, I think any rescue squad or ambulance should be able to come back there and turn around safely. As far as a fire truck, I don't see a problem with it getting back there because it is a straight shot to go back there. 14-foot wide should be wide enough for a fire truck to go down also. That is it.

Neil Price: Thank you. Anyone else have anything? Could I have a motion to move BZ97-32 to the regular order of business.

Moved by Paula Recker, seconded by Dan Kasaris to move BZ08-32 to the regular order of business.

Neil Price: I have a motion and a second, call the roll.

Paula Recker:	Yes.
Tony Caraballo:	Yes.
John Ranucci:	Yes.
Dan Kasaris:	Yes.
Chairman Price:	Yes.

Ayes – all. Nays – none.

Motion carried. (5-0)

The Board of Zoning Appeals of the City of North Royalton met on **October 27, 2008**, to hold an Open Meeting, in the Council Chambers at 13834 Ridge Road. The meeting was called to order by Chairman Neil Price at 8:12 pm

Present: Chairman Neil Price, Vice Chairman John Ranucci, Paula Recker, Councilman Dan Kasaris, Tony Caraballo, Prosecutor Donna Vozar, Building Commissioner Rito Alvarez, Secretary Julie Broestl.

Neil Price: Nest in order of the approval of the minutes for September 22nd. Could I have a motion to excuse myself and Tony Caraballo from voting

Moved by Paula Recker, seconded by Dan Kasaris to excuse Neil Price and Tony Caraballo from voting on the September 22, 2008 minutes.

Neil Price: I have a motion and a second. Call the roll

John Ranucci: Yes.
Dan Kasaris: Yes.
Paula Recker: Yes.

Ayes – all. Nays – none.
Motion carried. (3-0)

Neil Price: Do I have motion to approve the minutes of September 22, 2008.

Moved by Dan Kasaris, second by Paula Recker, to approve the minutes of September 22, 2008.

Neil Price: I have a motion and a seconded. Call the roll.

Paula Recker: Yes.
John Ranucci: Yes.
Dan Kasaris: Yes.

Ayes – all. Nays – none.
Minutes approved. (3-0)

Old Business

(BZ08-29) Good Karma Broadcasting and OSWGI Limited Partnership request a variance to Chapter 1281 “Traditional Town Center Main Street District”, Section 1281.03 “Use Regulations”, paragraph (d) to allow two additional radio towers to be constructed in a TCD-4 district which is located off Ridge Road, PPN: 488-06-008.

Neil Price: Mrs. Vozar.

Donna Vozar: Mr. Chairman. This is currently tabled so I would make a recommendation to remove it from the table and once it is removed from the table I will be happy to advise the Board and the audience that this evening I received a letter from Good Karma’s council and he is requesting to withdraw their application for a variance at this time. Therefore, it will be moved from tonight’s agenda. However, they do intend on moving forward with their project but they needed additional time to come up with a proposal. Due to the North Royalton Board of Zoning Appeals having a sixty day time requirement, they withdrew their application rather than requesting an additional waiver of time. Based on that they have submitted this, so obviously, it is withdrawn before this Board. Never-the-less I am asking that the Board agree to waive the refilling fee which we have previously done in the past. We do have the waiver which I did submit to the secretary and to you Mr. Chairman.

Neil Price: Thank you. Do I have a motion to remove BZ08-29 from the table.

Moved by Paula Recker, seconded by Dan Kasaris to move BZ08-29 from the table.

Neil Price: Call the roll.

Dan Kasaris: Yes.
Paula Recker: Yes.
Chairman Price: Yes.
Tony Caraballo: Yes.
John Ranucci: Yes.

Ayes – all. Nays – none.
Motion carried.

Donna Vozar: Mr. Chairman. Now that it has been withdrawn and obviously I just indicated to you that it has been withdrawn from our agenda and I will ask at this time that the Board agree to waive the filing fee.

Moved by Paula Recker, seconded by John Ranucci, to waive the filing fee for Good Karma to come back before the BZA.

Neil Price: I have a motion and a second to accept the withdrawal and waive the filing fee. Call the roll.

John Ranucci: Yes.
Chairman Price: Yes.
Paula Recker: Yes.
Tony Caraballo: Yes.
Dan Kasaris: Yes.

Ayes – all. Nays – none.
Motion carried. (5-0)

Donna Vozar: Mr. Chairman. I would to make an announcement. Anyone here in the audience that is here tonight for the Good Karma Broadcasting, this matter is anticipated that they are going to re-file tomorrow and that at the next meeting they will actually present their proposal at that time to the City and the Board. Since it will be a new application you will receive new notification as to the hearing and the next hearing of the BZA is November 24th. We will not be taking any questions or evidence or testimony tonight regarding this. If you have anything to address to me you can do so after the meeting.

Mr. Bonus: I have one question.

Donna Vozar: It is not before the Board sir. This is not going to be heard tonight.

Mr. Bonus: The filing fee was voted on don't we have a say so on that?

Donna Vozar: That is an administrative thing and it has already been voted on. If you have any questions you can call me tomorrow at City Hall. Mr. Chairman.

Neil Price: After the meeting.

Mr. Bonus: When is the next meeting.

Donna Vozar: November 24th. Everyone will receive notice within the area.

(BZ08-31) Sharin Grey requests a variance to Chapter 1270 "Residential Districts", Section 1270.05 "Schedule Area, Yard and Height Regulations", and Section 1270.12 "Yards for Accessory Buildings and Uses", paragraph (b), for relief from the rear and side yard setback requirements for an accessory structure that she wishes to construct on her property located at 5177 Pincknea Drive, PPN: 489-23-001.

Moved by Paula Recker, seconded Dan Kasaris to approve a variance of 5-feet less than the minimum rear yard setback requirement as prescribed in Section 1270.12(b) of the Zoning Code with regards to this proposed accessory structure.

Neil Price: I have a motion and a second. Discussion?

Paula Recker: Mr. Chairman. I find that this applicant, and especially now that she has submitted her completed drawing, that I will be approving this based on that it will give them beneficial use of the lot. I agree that this is a shallow lot. I also perceived when I was there that it will not interfere with any drainage that is on this lot or the neighbors. It doesn't change the essential use of the neighborhood. I find it also meets with all the practical difficulty requirements.

Dan Kasaris: Mr. Chairman. I concur with Board member Recker and I will be voting in favor of the variance.

Neil Price: I have one question. Could you please come to the microphone. This is not to embarrass you, the tree that you are talking about taking down, is that the little pine tree in the back left corner?

Mrs. Grey: Yes.

Neil Price: And are the row of pine trees yours or the neighbors?

Mrs. Grey: Mine.

Neil Price: Okay.

John Ranucci: I also have a question. Are you going to remove the one that is in the farthest corner?

Mrs. Grey: Yes, in the corner.

John Ranucci: If you were to move back the whole ten feet will it interfere with the second tree?

Mrs. Grey: Huh?

John Ranucci: There is a line of trees that go along the property line, if you would move down to get your ten foot, instead of the five foot that you are requesting, will it require you to move the second tree also?

Mrs. Grey: It might.

John Ranucci: Okay.

Neil Price: How far away from the property line are the row of pine trees?

Mrs. Grey: They were planted by the builder. We have lost two so there is a whole there.

Neil Price: How far away from the property line are they?

Mrs. Grey: They are almost on it. He made a bed along the property line.

Neil Price: Okay. Thank you.

Tony Caraballo: Mr. Chairman. I don't see any undo hardship with the neighbors, I believe they sent a letter with approval of the location of this shed. So, I will be in favor of this.

John Ranucci: Mr. Chairman. I have to agree with my associates here. With the shallow lot and the way the trees are on the back property line. They will be removing one of the trees already to get this in. I do see some hardship there. So, I will be in favor of this variance also.

Neil Price: I am in the same opinion of the Board. There is not going to be a change in the character of the neighborhood. The variance is not sufficient to be concerned. So, I will be voting in favor also. Anybody else? Consensus?

Donna Vozar: Mr. Chairman. If I could submit for the Board's determination the findings of fact as follows. The applicant was here and testified. There were no residents or neighbors that objected. Based on the testimony that was presented, the Board found that based on the special conditions, the shallow lot, and the trees are peculiar to that land and therefore justify practical difficulty being established in this case. In addition to that it will not have material change to the property and again, while there can be beneficial use of the property without the variance, the Board felt that it was out-weighted by the other criteria in which they found established practical difficulty. Based on that, Mr. Chairman, and if there are any additions to this, otherwise call for the vote.

Neil Price: Any additions? Call the roll.

Paula Recker: Yes.
John Ranucci: Yes.
Dan Kasaris: Yes.
Tony Caraballo: Yes.
Chairman Price: Yes.

Ayes – all. Nays – none.
Variance #1 granted. (5-0)

Moved by Paula Recker, seconded by Dan Kasaris to approve a variance of 5-feet less than the minimum side yard setback requirement as prescribed in Section 1270.05 of the Zoning Code with regards to this proposed accessory structure.

Neil Price: I have a motion and a second. Discussion?

Paula Recker: Mr. Chairman. I am going to be voting yes for the exact same reasons as I did on the first variance. Exactly the same reasons.

John Ranucci: Mr. Chairman. I agree with Paula. The same reasons, the same hardships, still pertain. The shallow yard and the row of trees and the approval from the neighbors. So, I will be approving this also.

Neil Price: Likewise. This is not going to affect adversely any government services, and the neighbors are not opposed to it, and for the reasons given for variance number one, I think it is completely applicable to two, so I will be for it.

Tony Caraballo: Mr. Chairman. I also concur. I believe that this will enhance the use of the property over there. No real undo hardship from the neighbors. I will be voting yes for this.

Dan Kasaris: Mr. Chairman. For the reasons everyone have already stated both in this variance request and the last, I will be voting in favor of the variance.

Neil Price: Mrs. Vozar?

Donna Vozar: Mr. Chairman. The Board has found that practical difficulty has been established both in the rear yard and the side yard setbacks. The criteria and evidence presented in variance number one has also been established and has met all criteria of the Code as required for practical difficulty have been established. For all those reasons, Mr. Chairman, I submit those findings of fact and conclusion of law to the Board for its vote unless there are any changes.

Neil Price: Call the roll.

Tony Caraballo: Yes.
Dan Kasaris: Yes.
John Ranucci: Yes.
Paula Recker: Yes.
Chairman Price: Yes.

Ayes – all. Nays – none.
Variance #2 granted. (5-0)

(BZ08-32) Edward and Linda Steimle request a variance to Chapter 1270 “Residential Districts”, Section 1270.05 “Schedule of Area, Yard and Height Regulations”, for relief from the 100-foot requirement to allow a new home to be constructed on this property which is located at 18801 State Road, PPN: 486-24-012.

Moved by Paula Recker, seconded by Dan Kasaris to approve a variance of 78-feet less than the required frontage as prescribed in Section 1270.05 of the Zoning Code to allow the construction of a new home on this lot on State Road.

Neil Price: Discussion?

Dan Kasaris: Mr. Chairman.

Neil Price: Yes.

Dan Kasaris: I would like to ask the Fire Chief a couple questions.

Chief Fabish: Yes sir.

Dan Kasaris: Chief, what can be done, assuming this home was built, what can be done so that the people that live in the home are safe, not only from a fire, but also so that we could provide good services to them in the event of an injury at the house and an emergency vehicle would need to get back to the house?

Chief Fabish: I could make a recommendation that the house have a residential sprinkler system. I don't have Code authority. The state of Ohio doesn't have the Code of authority, but in many states they do have that as a safety protective device. I think that it would make good sense. I'm just trying to bring out that the distance, the setback and the isolation at that point makes it extremely difficult for us to get back there, I think that we have established that. But, you could put a residential sprinkler system in the home which would protect not only the property but most importantly the occupants of that house.

Dan Kasaris: What can be done about the roadway so that the vehicles could get back to the house if need be?

Chief Fabish: I think the owner of the property said that they were going to have a 14-foot wide driveway. That's a terrific driveway if they are able to maintain that all the way back there is 1700-feet. That's a lot of gravel and a lot of maintenance. I don't know how that would hold up over time. But that's the problem of having it so far back. It is just going to be hard to access that. Especially in the winter time here. I always try to look at things in the most adverse conditions to get back there. That will be a problem in my opinion.

Dan Kasaris: The resident mentioned something about a fire hydrant. How would that affect services?

Chief Fabish: If I could ask you a question. You talked about going back 1200-feet?

Mr. Steimle: Every 1200-feet of a household needs to be a fire hydrant, I do believe.

Chief Fabish: I'm not sure that is correct. And if we do require a fire line on a property, or a commercial location, if it is beyond 300-feet we will have them put in a yard hydrant or a main going back to that home. So, I suggest if you are going all the way back with the main to provide the water protection for fire fighting process, but I think that is a long way to go back. As the Chief, I would say that any time we are isolated that far back that that is a problem for us.

Neil Price: Could we have this discussion up at the microphone.

Mr. Steimle approached the microphone.

Dan Kasaris: But Chief that Building Commissioner is here. Mr. Alvarez, do you know what distance is required to have a fire hydrant?

Mr. Alvarez: Typically that is in a subdivision type of situation. When you are dealing with an existing home or a proposed home. I don't believe that anything is addressed in the Code.

Chief Fabish: That is why I said commercial also. This is kind of a different animal here by putting a residential home that far back. We have Codes to deal work with when we are talking about commercial developments or commercial buildings or occupancy. The part that concerns me is that in a commercial environment you may not have occupants but you will have occupants in the house all the time. From our perspectives we have to assume that someone could occupy that house 24-hours a day. So, we want to make sure that it is as safe as we could possibly make it before we can allow the occupancy.

Linda Steimle approached the microphone.

Neil Price: State your name please.

Mrs. Steimle: I just want to add something. There was a house there already. It's no longer there.

Neil Price: Yes, it burnt down. Am I correct chief? There has been several fires there.

Chief Fabish: The reasons they burnt down is because you can't get to them. About 50-years ago there were probably lots of homes that were isolated. But, we have proven that they need to be closer or less isolated in order to have effective protection.

Mr. Steimle: If I have the fire hydrant 1500-feet and just strictly for my residence though, would that be sufficient for you?

Chief Fabish: Yes. That is a long way back for you to run a fire line.

Mr. Steimle: It would have to be strictly for my residence. It wouldn't be for any other residence that would pop up along there. I know that there is vacant land to the left of me.

Chief Fabish: I'm not sure even if Cleveland would approve the fire line back there. We have to go with Cleveland Water standards. I'm not sure if they would allow a line that far back.

Mr. Steimle: I think after that it would become my personal line.

Donna Vozar: Mr. Chairman. Can I make a suggestion?

Neil Price: Sure.

Donna Vozar: One of the problems, and the applicant knows, that this actually came before the Board of Zoning Appeals and there were various conditions placed on the applicant. And for what ever reasons they didn't do it and obviously the variance lapsed according to our Code. Obviously these are huge endeavurers. The residential sprinkler. I would caution the Board in imposing these conditions and actually approving a variance until we are sure that one, the applicant is fully advised of it is possible and the cost factor and for them to bring that evidence back to the Board fully advised as to what the conditions and financial impact will have on them, and even if it is possible. You will need to check, as the Chief suggested, with Cleveland Water. I would strongly recommend that this be tabled until the applicant is fully advised on his options. This way the Board will know what they can impose on the applicant just as they did ten years ago that never commenced.

Neil Price: I will agree. There seems to be some issues here that need to be hammered out or maybe finer detail as to whose going to be having the authority to monitor, or check on, or decide on the sizes of water lines, and pressure, and distances, and things like that. I think because of some considerable costs that this would be better to have this understood up front and if there is an agreement and we know the particulars that somebody might be agreeing to at a time rather than rush into something tonight.

Paula Recker: Mr. Chairman.

Neil Price: Yes.

Paula Recker: I'm sure that Chief Fabish would be more than willing to meet with you and direct you in the right direction since you are regarding the possibility of a house sprinkler system. Maybe even possible contractors, if we are allowed to do that.

Neil Price: I would just like to see an agreement ironed out between the Building Department, Fire Department, and the perspective home builder, to have an understanding up front as to what the problems are, the concerns, and whose going to address them and to what degree.

Mr. Steimle: What requirements do I have to go by?

Mr. Alvarez: Mr. Chairman. If I may. Currently, we are using the Residential Code of Ohio. It is a state residential code. In there it doesn't require residential sprinkler systems for new homes. However, it does have a reference standard NFPA-13D, which is the residential sprinkler code for one, two and three family residents. That's a guideline. I would recommend a sprinkler designer that knows that text very well. And then based on the water pressures that you have on State Road, then they can adequately determine what actual size of water line you need. For example, for residential sprinklers, we are not talking about commercial that you would need sprinkler heads in attics. You don't require that in residential homes. But there are certain areas in the house that you would need them. Ultimately, it is your responsibility to maintain that. It's not the City's or anyone else's.

Mr. Steimle: That's understandable. But if I had a fire hydrant that is in the proper spacing within the house, I should not need the sprinkler system. Am I correct?

Mr. Alvarez: I am not going to address the fire hydrant. I will leave that up to the Fire Chief. But for the sprinkler systems, there are standards in place that the state of Ohio does refer to. We have a standard in our office. I would suggest a sprinkler designer. We have several on a list at the office. If we don't have them we can recommend a few for you.

Mr. Steimle: I really don't want to put a sprinkler system in my house though. Is that the ultimatum, to get a sprinkler system?

Neil Price: They are not like commercial systems.

Mr. Alvarez: Yes. they are not the same. What we are saying is at least look at what the cost would be before you would come back again. It might not be feasible, I don't know.

Mrs. Steimle: If I may. When we went to the City and found out that there was already a variance on this and that it had lapsed, why didn't anyone at the City tell us that we should sit down with the Fire Chief before we came here? They just pretty much said go before the Board and it shouldn't be a problem, and here we are, we have this vacant land that we paid a lot of money for and it is just sitting there idle. We have our plans and we are ready to do it and now we can't go forward.

John Ranucci: Mr. Chairman. I just want to bring this up. I assuming this didn't happen when you bought the property, but did you ever get a copy of these minutes when that variance was granted?

Mrs. Steimle: No. We had no idea that this would be such a problem because we probably wouldn't have bought it. We probably would have bought somewhere else where we could have just started building already. This was not disclosed at the time.

Donna Vozar: Mr. Chairman.

Neil Price: Go ahead Donna.

Donna Vozar: If I could. Obviously, it is a lot of record but it is a lot that doesn't conform with our Code. When you purchase that property your due diligence requires you to determine whether or not it meets all the Codes which it doesn't. Had you gone to the Building Department and requested it they would have been happy to give you the minutes and they clearly would

have directed you after they would have given you the minutes to the Law Department and I would have advised you to at that time that the variance had lapsed and that you would need to go through the process of obtaining the variance. Clearly having those minutes would indicate that previously a sprinkler system was required. As far as the City directing you to the Fire Chief to determine what it is that you need to have on your property, the Fire Chief doesn't give advise as to private homes should install. He certainly is going to advise the Board that it is a problem, a safety concern. One of the variables that this Board will decide. If it is a safety violation or the government services can not get back to that property, which in fact he testified, is a concern for this Board. That is one of the reasons the Board would deny it. The only reason that the Chief indicated regarding the residential sprinkler system to you was that it is an option that could perhaps alleviate some of this safety concerns that this Board will hear. If you have another option, if you have another suggestion, that is why I suggest it being tabled. You seem to want to the fire hydrant in. I suggest you bring documentation to the Board indicating that you have gone through the entire process and done your homework so that you could show us that you actually can get that fire hydrant there and then you could contact the Chief once you have done all that and verify in fact that it would work and address his safety concerns. Then you can come back before this Board at the next meeting and you would submit that evidence at that time. The Chief would be questioned whether or not he believes that it would satisfy his concerns. And at that time the Board would proceed to take what ever evidence you want to bring them. But it is you bringing evidence to the Board. Okay? That is why I recommend it to be tabled to give the opportunity to address those concerns rather than the Board just imposing a sprinkler system because that is what is recommended at this point. That is why I request that you look into the cost before you would accept that condition. Because before the Board would go we would ask you do you agree to the condition that you would have to put a sprinkler system in. If you say no the Board would vote, more likely if not taking the safety concern, they would probably vote it down. This gives you the opportunity to go out and find out what ever avenues are out there to make sure that you are addressing the concerns that the City has. Especially when you hearing that the house previously burnt down. Mr. Chairman, I do again recommend that this be table to allow the applicant to review all the safety options that are out there to address the concerns that were raised both in the previous variance and by the Chief tonight.

Neil Price: I would ask the applicants what are their opinions on tabling this.

Mr. Steimle: I will get a price on what the sprinkler system would cost. I will go both avenues and see if the fire hydrant would be feasible to put outside by the corner by the corner of my drive, not out by the street but within 150-feet of the house. Or I will go with the option of sizing up the water line to let water go back all the way up to the house with a residential sprinkler system. I have two avenues to go.

Neil Price: I just don't want you to get blind sided with something with some cost that is going to be prohibited.

Mr. Steimle: No. I understand. I had plans of putting a fire hydrant in but not a sprinkler system throughout the house. I didn't want that in my house. I just wanted a couple of different avenues to go with. A sprinkler system or a fire hydrant.

Neil Price: Explore the options.

Moved by Paula Recker, seconded by Dan Kasaris to table BZ08-32 until the next BZA meeting in November.

Neil Price: I have a motion and a second to table. Call the roll.

John Ranucci: Yes.
Chairman Price: Yes.
Tony Caraballo: Yes.
Paula Recker: Yes.
Dan Kasaris: Yes.

Ayes – all. Nays – none.
Motion carried. (5-0)

Continued

Neil Price: Anything under miscellaneous? I will entertain the motion to adjourn.

Moved by Paula Recker, seconded by Dan Kasaris to adjourn the North Royalton Board of Zoning Appeals.

John Ranucci: Yes.
Chairman Price: Yes.
Paula Recker: Yes.
Dan Kasaris: Yes.
Tony Caraballo: Yes.

Ayes – all. Nays – none.
Motion carried. (5-0)

Meeting adjourned at 9:06 pm/

Approved: _____
Chairman Price

Date: _____

Attest: _____
Julie Broestl, Secretary