

**Brunswick Hills Township
Board of Zoning Appeals Public Hearing Minutes
April 3, 2019**

Public Hearing Meeting: Chair Schigel called the BZA public hearing meeting to order at 7:04 pm. A roll call of the board was executed.

- **Board Members in Attendance:** Chris Schigel (Chair), Kimberley Hall (Vice Chair), John Bitto, Cliff Kersten, Jessica Murphy
- **Alternate Board Members in Attendance:** Daryl Lucien, Bob Murphy
- **Others in Attendance:** Trustee John Witthuhn, Zoning Liaison; Evelyn Czyz, Zoning Inspector; Mary Jean Milanko, Zoning Secretary

Chair Schigel stated a Quorum is present. This meeting has been properly advertised and is being recorded. The Brunswick Hills Township Board of Zoning Appeals acts within the authority of Sec. 519 of the Ohio Revised Code.

Approval of Minutes:

1. January 9, 2019 – Organizational Minutes

Motion: Mr. Kersten made a motion to approve the January 9, 2019 Organizational Meeting minutes as submitted by the Secretary. Ms. Hall seconds. **Roll Call:** Mr. Bitto-yes; Ms. Murphy-abstain, Mr. Kersten-yes; Ms. Hall-yes; Mr. Schigel-yes. Motion carries to approve minutes.

2. January 9, 2019 – Regular Meeting Minutes

Motion: Mr. Kersten made a motion to approve the January 9, 2019 Regular Meeting minutes as submitted by the Secretary. Mr. Bitto seconds. **Roll Call:** Ms. Hall-yes; Ms. Murphy-abstain; Mr. Kersten-yes; Mr. Bitto-yes; Mr. Schigel-yes. Motion carries to approve minutes.

New Business: Public Hearing

1. Conditional Zoning Certificate: Class II Home Occupation

Jaime Price, 4948 Chablis Circle, Brunswick Hills, Ohio 44212, PP# 00102A19122;
Zoning District R-1. Request to operate a dog grooming business in her garage per Sec. 303-8 Home Occupations, (B) Class II Zoning Regulations.

Chair Schigel swore in Evelyn Czyz, Zoning Inspector.

1. Ms. Jaime Price, 4948 Chablis Circle, Brunswick Hills Ohio was sworn in. Ms. Price stated she submitted a letter to get approval for a permit to do dog grooming on a small level from my garage, which is attached to my house. She said the dog grooming will take place in a 11 ft x 9 ft space in the garage. She said the dog grooming will take place with a closed garage with the following perimeters:

- Dog grooming shall be carried out in an 11x9 space in the left hand corner of the third car garage.
- The dog grooming will take place in the closed garage and no activity, materials, good, vehicles or equipment shall be visible from any public way or adjacent property.
- I will only be doing a maximum of four dogs per day, which would be less traffic than a normal family of 4 driving in and out during the day. No additional traffic or parking volume will be created.
- There will only be one sign on the property, which will not exceed 2 square ft. in area that is permitted.

- The location of my current business is 16541 Pearl Road in Strongsville Animal Hospital. The reason I am asking for this permit to do it on a smaller basis for the overflow and appointments that and the larger dogs that I cannot do at the animal hospital.

Ms. Price said some people work so they cannot come to me during their working hours, so they will probably come here on a Saturday morning. There won't be any evenings or anything like that. It will just be when the Vet clinic is closed because they can close sometimes for weeks at a time for different things like surgeries, etc. and I can't have dogs barking there. Ms. Price stated so I am just applying for a permit, not to rezone.

Questions by the Board

Mr. Kersten said you say you are only going to do four dogs, but when the Zoning Inspector inspected your property, you had four signs displayed. Mr. Kersten said that says to me that maybe there is going to be a business there. Ms. Price stated that was before I rented the other space. I did want to do this full time as a business until I found out what the regulations were. Ms. Price stated she contacted zoning when she got the letter and immediately closed and followed the cease and desist order. She found out what the perimeters were and took down all of the signs, which she did not know she was not allowed to have posted and rented another space. Ms. Price stated the space in the Vet clinic is so small if she blows out a husky or a sheltie there is just no room for the hair to go anywhere; so it is too small. Ms. Price stated she is only looking to do the larger dogs she can't do at the clinic.

Mr. Kersten asked if she is doing this business five, six or seven days a week. Ms. Price stated just overflow so maybe two to three days a week. She said it will only be whatever I can't fit in the clinic because I work Monday, Tuesday and Thursday full time there and then Friday I work a half a day. She said so maybe some on Friday or if the clinic closes during the week, I would redirect them to my house. Ms. Price stated she only does about four dogs a day at the clinic. Mr. Kersten said if this board should approve your application, I'll be up front with you and I will throw a stipulation in there that you can only do this two or three days a week and see if the board approves it. Ms. Hall asked Mr. Kersten what his reasoning is for that stipulation. Mr. Kersten said she said she is only going to do this two or three days a week, but if we gave her a permit she could do it seven days a week and then you are getting into over 150 dogs a month there. Mr. Kersten stated that is his opinion. Mr. Schigel asked if any of the dogs are left there? Ms. Price stated no. She said if I take a dog in at 9:00 a.m., they go home by 10:00 a.m. if they are a small dog. If it is a big dog, they go home by 11:00 a.m. Ms. Price said it all depends on how long it takes me to get them in and out. I do not keep dogs, I do not board dogs and the owners know they have to pick them up right away. Ms. Price stated I do not let them outside to go to the bathroom and I don't walk them on a leash. She said the owners walk them in and walk them back out to their car. She said they will not be loose in the yard, they will all be on leashes just because that is my liability if they get loose.

Mr. Schigel asked about the clean-up process for the dogs and asked how do you dispose of anything? Mr. Schigel said I'm thinking of a raccoon knocking over a garbage can and the next thing you know you have dog hair throughout the yard. Ms. Price stated I understand and even at my business where I work full time there is just one bag of hair. She said I know it sounds like a ton but you don't take that much off a dog, it's like a handful per dog, so it goes in a plastic bag and it goes in the big blue dumpsters so it is completely contained. She stated the shampoo I use is all-natural, I do not do any de-fleaing or any kind of pesticide control. She said all of my animals that come in have to be up to date on shots and on flea prevention and heartworm so they will be completely up to date on everything.

Mr. Schigel asked, since all the signage is down, how are you doing your advertising? Ms. Price said I'm just talking to people and I do a little on Facebook here and there. She said basically the Vet has been doing most of it for me so she does all of the advertising. Ms. Price stated I am not going out soliciting for people to come to my house. She said if you call me and say you have a goldendoodle that is 70 lbs., I can't lift him at the clinic but I have a lowering and raising tub at my house. The tub at the other facility is built into the wall so I can't lift them by myself. Ms. Price stated she would not take anyone that she did not personally know to her home, so it will be current customers and customers from when she had the shop on Pearl Road.

Ms. Hall asked when did you start doing dogs in your garage? Ms. Price said about four days before she got the cease and desist because I actually had a shop up on Pearl Road and then I wanted to downsize and just do a few dogs at home. She said I found out I couldn't do that because I had to have a permit and I didn't know that so it was only about a week before I got shut down. Ms. Hall asked how long did you have the place before that? Ms. Hall asked if the equipment that is in your garage now, did that come from the original shop? Ms. Price said yes.

Chair Schigel said when I read your original letter it said family, friends and neighbors and then we kind of hit on Facebook and possible solicitation through the Vet clinic, so to clarify, what is going to your house is strictly overflow? Ms. Price said yes; I'm not going to say hey I'm grooming from home come to my house. Ms. Price said I don't want people coming to my house that I don't personally know. Ms. Price stated I have certain customers I do on Saturdays that I have been doing for four years and Saturdays at the Vet clinic doesn't not cut it. She said so I've been trying to move them – about 5-10 dogs that come once every 8 to 12 weeks for grooming; they don't come every week. Ms. Price stated she personally did not want to work every Saturday anyway. Ms. Hall asked what would be the latest during the week that you would have someone out? Ms. Price stated I am hoping 6:00- 6:30 p.m. Ms. Hall said so they would be in by 6 p.m. and out by 7 p.m.? Ms. Price said no, in by 5:00 – 5:30 p.m. out by 6:30 – 7:00 p.m. Ms. Price stated I do not groom at night. She said in the winter it gets too cold at night so I don't want them walking outside when it is cold and I keep the same schedule during the summer. Ms. Price said 7:30 p.m. would be the very latest time to get the dogs out. Ms. Price said so if it takes two hours, then 5:30 p.m. would be the latest they would come in.

Mr. Kersten asked if you are going to do an overflow from your shop, you would be in contact with the people to tell them and asked if she was bringing the dog to her house or the owners? Ms. Price said the owners bring the dog(s) to me. Mr. Kersten asked why would you need a sign posted in your yard if you are actually doing this out of your business in Strongsville? Ms. Price stated I wouldn't but it said in the rules and regulations that it would be feasible to have one small sign. Ms. Price stated I don't per say plan on having a sign but I put it in there because it is in the regulations. Ms. Price stated is says I am allowed to do that so if I ever wanted to I could. She said even if I just put a sign on my back door that says this is where you go. Ms. Price stated it doesn't have to be a public sign at the street or in the yard. Ms. Price said so if the sign is a problem, I really don't need a sign.

Chair Schigel asked if she keeps the garage cool in the summer and is it heated in the winter? Ms. Price said yes, I have a full air conditioning and heat in the garage. She said there will be no windows open or air blowing out the windows or doors or anything like that. She said in a grooming salon with dogs escaping you have to be really careful so all of my doors and windows are always locked. Mr. Schigel asked if there is insurance that you are required to have in case a dog did get loose? Ms. Price stated I'm certified to do the grooming, I'm certified in CPR and I have Traveler's Insurance that covers everything from if a dog gets hurt, if a dog falls, etc. so it is a separate policy just for grooming and it also covers the house. Ms. Price said I have it now for my other location and it will cover me wherever I am and it will cover the building that I'm in. Ms. Price said it is a special grooming policy and I can provide a copy if the board needs it.

Mr. Kersten stated it says in her application that she will only be grooming when the overflow appointments do not fall during the Veterinary clinic hours. Mr. Kersten asked what are your hours at the Vet clinic? Ms. Price said 9 a.m. to about 3 p.m. when the last dog has to be out. She said and that is where I run into the problem because even though it says the Vet clinic is open till 5 p.m., I have to have the last dog out of there by 3 p.m. She said so if you back up 3 p.m. by two hours, the last dog I can take is at 1 p.m. Ms. Price said a lot of people work from 9 a.m. – 5 p.m., so it would be all the people who don't fall in to being able to pick up the dog by the time the Vet clinic is closed. Ms. Price stated I do rent there and the Vet can change her hours. I do not have keys to the building due to the medications in that building so if she takes a day off then I can't groom that day. Ms. Price said I do try to keep most of the dogs at the clinic, but if I couldn't get one scheduled then I would have them bring the dog to my home. Mr. Kersten said so this could be after 3 p.m. Ms. Price said yes, it could be anywhere from 3 p.m. to 7 p.m.

Mr. Bitto stated if the board should allow her to do this she should provide a certificate of insurance to Evelyn every year for her file. Ms. Price stated that would not be a problem.

Ms. Czyz commented about the sign and said you are allowed a 2 ft. square sign, however, it is not to go on the right-of-way, which it means it is not going to go on your tree lawn or by your mailbox as the other sign was; it has to be on your lawn, not on the tree lawn. Ms. Price stated not a problem.

Testimony & Evidence - Public Comment

1. Wally Thomas, 4936 Chablis Circle was sworn in. Mr. Thomas stated I feel sorry her business had to close early but I bought this house 21 years ago to live in a residential neighborhood, not to have the increased traffic flow come through and have all of these extra people come down the street. Mr. Thomas said I understand she is saying she will only do four or five dogs but it's out there and before in the past she would advertise in other places so what's to say that wouldn't continue to happen. He said if the dogs don't go outside to go to the bathroom then where are they going to the bathroom at? Mr. Thomas stated I don't want the resale of my house to go down by having a business next to my home and it will decrease the value of my home. Mr. Thomas said there are no other houses in Brunswick in a development that I know of that are even zoned like this. He said those places are on Pearl Road where there are businesses, so we don't zone like this around here and it will just open up more and more around the city and decrease the value of our homes. Ms. Hall asked if he lived right next door to the applicant. Mr. Thomas stated yes and there are already dogs there and she wants to put more on top of that and it just seems like there will be a lot of coming and going.

2. Tammy Rizert, 4947 Chablis Circle was sworn in. Mrs. Rizert stated i live across the street from Jaime and when she had the business open I did not notice any extra traffic and her driveway is right across from mine. She said and as far as the sign, the reason the sign would be helpful is because you don't want somebody to drive up to another house with a dog and walk them up to the door, so having the sign to help identify her house would be helpful. Mrs. Czyz stated she can have a sign on her property, but not on the tree lawn. Mrs. Rizert agreed and stated a sign for that reason would be helpful. Mrs. Rizert stated the way she does the dogs she does not have them go outside to go the bathroom because I know how she did it at her shop and that is they go to the bathroom there and she disposes of it there. Mrs. Rizert said her own dogs go outside to go to the bathroom, but the ones for grooming never leave that area because it's not safe. Mrs. Rizert said Jaime has a passion for animals and her first priority is their safety so they don't leave her residence for that reason. Mrs. Rizert said I just wanted you to know that I noticed that she's been conscientious of that all along and I believe that she would be respectful of her neighbors. Mrs. Rizert said she is not trying to get in anybody's way or have extra traffic because it is only her and her roommate that live there so there is not a lot of traffic. Mrs. Rizert said I don't believe four extra cars a day would be an inconvenience. Mrs. Rizert stated she has not pulled out of her driveway and had a hard time ever with her doing the business. Mrs. Rizert said I just wanted to state that this has never been a problem for me living across the street.

3. Mike Gallagher, 4928 Chablis Circle was sworn in. Mr. Gallagher said she wants a dog grooming business in a residential zoned area and as other residents have stated we are in a residential area to keep it a residential area. He said I do understand that the owner previously ran a dog grooming business up on Pearl Road where it was zoned a commercial district. So that being said, I can share with you that in the past there have been several internet postings that are somewhat confusing stating that they were working out of the Strongsville area, but changing to work out of their residential dwelling. Mr. Gallagher said I found some pictures that were available if I can present them to you for viewing. *[See Exhibit 1 – BZA Opponent Gallagher photo]*. Mr. Gallagher stated and if you notice in this photo where it is all set up it appears to be in more than a 11x9 area. Mr. Gallagher stated I did notice in the pictures it says additional charges if the dog is brought in and has fleas and if you look to the back of the garage it appears to be a flea dip type tank. He said so I am wondering where we are depositing all of the remains of the dog grooming business, including this flea dip tank. He asked if she is draining this into the storm sewer and sanitary? He said we talked about shampoo and dog hair, trimmings and dog waste. He said if you notice to the left of the picture there are several cages so are we boarding these dogs? Mr. Gallagher said things change and customers are going to drop off dogs but what happens if the client gets hung up and can't pick their dog up in time? Mr. Gallagher

said we talked about these fleas and ticks so are we introducing all of these fleas and ticks to our residential properties? He asked if these dogs are allowed on residential properties at one given time and said I know they have several dogs that are their pets. Mr. Gallagher said we asked about additional liabilities and there is an online posting that supports grooming large dogs including up to 85 pounds, so what type of liabilities are we subjecting ourselves to if one of these dogs does slip its leash and makes its way free and god forbid attacks a dog or a child playing in the neighborhood. Mr. Gallagher stated we also need to keep in mind that adjacent to the rear of the property is a large playground area that is the Homeowners Association in the subdivision behind us, so there are children playing there at all times and I feel that could be an added liability. *[See Exhibit 2- Opponent Gallagher photo]*.

Mr. Gallagher stated I know the zoning application reads that the garage can be used provided that the home occupation does not prohibit the storage of the number of vehicles for which the garage was designed, but you can clearly see in that picture that the business supports one of the two bays so how is that possible to be compliant with meeting that criteria. Mr. Gallagher said a Class II Home Occupation also states that no activity, materials, goods, vehicles or equipment shall be visible from any public way or adjacent property. He said so that means that at all times the garage doors would have to remain closed and I will ask this again, is there a ventilation system in place that would be sufficient for heating in the winter and cooling in the summer? Mr. Gallagher said and if so, has it been inspected to make sure it meets all of the codes? Mr. Gallagher asked has or does Medina County Animal Control need to be involved to make sure that the housing of these animals is acceptable? Mr. Gallagher asked if we are calling it a dog grooming business but there would be still additional dogs housed there? He asked if we are storing our dog grooming products and are any of these products hazardous? Mr. Gallagher asked has anybody asked or submitted MSDS sheets for proof of that? Mr. Gallagher stated my opinion and my wife's opinion overall is that it is not a good fit in a residential area. He said we are not talking about baking goods, we are talking about dogs; we are talking about noise control. He said personally, this is why we all chose to live in a residential zoned area to be removed from business districts for our home life; not to invite the business district into our homes.

Mr. Gallagher said part of this advertisement stated that "I love working out of my home on a safe dead-end street" is how it was worded, without traffic. He said and that is how we want to keep our residential street – quiet and without traffic. Mr. Gallagher said I fear by allowing this zoning to take place you may be taking that away from us. Mr. Gallagher said so here is what I would ask – if you knew that a neighbor was running a dog business from inside of their garage, they were advertising and clearly stated includes evenings and weekends and you are in the market to purchase a home in a residential zoned area, would you make this your first choice? He said and especially if the same home was available on an adjacent street for the same value. He said our concern is by granting this conditional zoning certificate it would substantially decrease the value of our homes and that is exactly a chance we are not willing to take.

Mr. Kersten and Mrs. Czyz asked Mr. Gallagher where his home is located at on the picture. Mr. Gallagher pointed out his home. Mr. Gallagher said I'm at 4928 Chablis Circle and approximately 150 feet to the east which is two doors down. Mrs. Czyz stated the reason I asked where the house is located on the google map is because I have no idea which house is his.

4. Syed Sultan, 4929 Chablis Circle was sworn in. Mr. Sultan said I bought this house two years ago and if I knew this was going to be a commercial business in a residential zone, I would not have bought the house. Mr. Sultan said as it is yes, four dogs a day – great, but what's to say that the business overflow could grow. Mr. Sultan said four cars a day – great, again, what's it to say there will be more cars. Mr. Sultan said and especially on the evenings and weekends, that is the time we come home to our families and have people visiting. He said as it is there are pets at that house and adding four more dogs, so what are we doing sitting outside listening to the barking continuously? He stated about chemicals, I come from a chemical industry so I know very well about the insecticides, cleaning and everything. He asked how is it going to be disposed and we were talking about going to the drains. He said I don't know much about what the Ohio laws are here because we recently moved from Texas where we had pretty strict laws on that. Mr. Sultan said I don't know what to say here about the value of our house now; it's going down just by the sign being out. He said people drive up and will say, oh, you have a business on your street and we live on a cul-de-sac. Mr. Sultan said the whole reason of buying a house on a cul-de-sac is to have a peaceful evening and a peaceful time.

Mr. Kersten stated to Mr. Sultan, this board is the power and the only thing that can overturn this board is through Medina Courts, so if we grant the permit and we say she can't do more than four dogs a day, you don't have to worry about the business growing. Mr. Kersten said if we set a stipulation that is has to be four dogs, period, it will be followed and the only way it can be overturned is if somebody doesn't like it and goes to the Medina Court. He said otherwise it becomes law. Mr. Sultan asked if you will continuously monitor or will you wait for somebody to complain? Mr. Kersten deferred to the Zoning Inspector to answer. Mrs. Czyz said I don't know how you would monitor that. Mr. Sultan said so you will wait for the complaint. Mrs. Czyz stated we are a complaint driven township.

Mr. Bitto asked if it is possible to do a conditional certificate that renews every year? Mrs. Czyz stated yes you can do a conditional that is renewable every year and we've done that for some others before. Mr. Kersten said she is asking for four dogs, we are not going to give her more. Mr. Bitto said we need to look at the number of dogs and vehicles at one given time. Mrs. Czyz stated that Mr. Sultan has a valuable question in how do you monitor that? Mr. Kersten agreed we couldn't monitor that so it would have to be by complaint. Mr. Sultan said so what you are saying is I better sell my house then. Mr. Kersten said no we are not saying that. Mr. Sultan said I am not going to live in a commercial zone and the houses up on Pearl Road are cheaper than this.

5. Al Fulkerson, 4954 Cabernet Drive was sworn in. Mr. Fulkerson said the business in question is directly across the street and said I can sit in my dining room and look right through my neighbor's yard and right straight into her garage so I have a complete view of what is going on. He said from what I've heard so far this evening its different than what I thought before I came here. He said when I first came here I was under the assumption it was something like a home occupation and it is not. He said this is a direct spin-off of her commercial work and the dogs that she is doing are the ones that are from her commercial business. He said it is not a friend that wants her to do the dog or somebody across town that wants her to take care of their dog. Mr. Fulkerson said this is not what it is turning out to be from what I'm hearing here. He said it is a spin-off and she is going to have dogs most of the time that she can't do at her business to carry over at home. He said I think this is definitely wrong and when I take my dog to a groomer it is at least two hours that the dog is in there getting groomed, clean, cut, etc. He said if she has two dogs that is four hours a day if she's working full time then she has all evening she's tied up with the same thing. Mr. Fulkerson said it sounds to me more like a commercial operation than it is a home occupation. Mr. Fulkerson said this is definitely something we don't want in the neighborhood. He said the posting of the sign makes it sound commercial and anybody going up and down that street can see that sign and make arrangements to bring their dogs in, so we don't know what will happen once that sign goes up. Mr. Fulkerson said if she is just going to bring a dog home on an occasion we don't know that so to post a sign out there saying "ABC Grooming" is definitely not a home occupation; it's gone commercial.

6. Danielle Griffin, 1150 Terrington Drive was sworn in. Ms. Griffin stated I live in an adjacent development next to a Pulte development and I've been going to Jaime for a little over two years when she was at ABC Grooming up on Pearl Road. She said to give you some perspective, I used to have somebody coming to my house to do mobile grooming and they went out of business. She said when you think about grooming a lot of people think PetSmart where you have a lot of dogs going in and coming out so the thing I appreciated about Jaime is she only at the most had maybe two dogs there and she would have my dog in and out in little over an hour. Ms. Griffin said she actually had cribs and playpens she was putting the dogs into to have individual attention. She said she's never taken a dog outside to use the bathroom. Ms. Griffin said I went to her location once when it was at her house before she was shut down and I will say that everything was in the proper position. She said I did come down to visit after the zoning committee showed me pictures but when I went to visit it was a smaller combined area in her garage. Ms. Griffin said I also have concerns about pollutants and chemicals and I'm a chemist at NASA so I've been working in environmental for years and I know there are some concerns with that. She said but people should take into consideration that the household products they are using whether it's Pine-Sol or something else, when those pollutants go down the drain you have the same impact as what she is using – but she is saying it is environmentally friendly so I don't think there is an issue there. Ms. Griffin said I hear the perspectives of both sides but being in the community there are a lot places where people have different size dogs actively walking. Ms. Griffin

said my daughter has played in that park that they are talking about as well and I feel there are dogs everywhere so if she has two or three dogs there at her house I don't think it is making a big difference. Ms. Griffin said I wanted to give you that perspective and I don't think she is trying to do a bait and switch because she did not do that at her business by having a greater quantity coming in and out.

7. Leslea Logan Anderson, 4972 Orchard Drive was sworn in. Ms. Anderson said I came in late so she didn't hear everything that people said before I came up here, but I am basically just here to attest to Jaime's sense of responsibility and her sense of caring. Ms. Anderson said I've been to a lot of groomers and she is the first person that I felt comfortable and knew that my dog wasn't going to be let loose, not taken care of, ignored or anything like that. Ms. Anderson said I know that she is a responsible person and I know that by her not being able to work out of her home she told me that she lost a lot of clients because she doesn't have the ability where she is now to do every kind of dog that she would want to do because of their size. Ms. Anderson said I just want to attest to her integrity and her sense of responsibility and care.

8. Marty Nikolaus 1485 Muirwood Drive was sworn in. Ms. Nikolaus stated my dogs have also been going to Jaime and I can attest to the orderliness to her shop, the quietness and when I pick up my dog they are calm. Ms. Nikolaus said I know that she loves all of the dogs and when I'm sitting there and I'm listening and I hear the other residents talking about their residential property. She said but I am also hearing people coming up here and saying what about this or these chemicals, or five more cars, or all of this traffic. Ms. Nikolaus said she's already been up here and pleaded her case and the permit will be the permit. She said you're the board that will authorize the permit which will have the stipulations in the permit, so she will not be able to work more than three days out of this overflow spot; she won't be able to take more than four dogs three days a week; she will not have poisonous chemicals; she will get rid of things in an ethical manner. Ms. Nikolaus said so I just don't see that there is going to be an insane amount of traffic coming in and out of her house. She said when I've been there I've dropped off, picked up and it's been fine and orderly. Ms. Nikolaus said I just want to caution the board that you are in charge of this permit and you can annually inspect this permit or her premises she is using. Ms. Nikolaus said she just wants to be able to adjust her clientele to try to accommodate them during some evenings and a few days here and there; not five days a week; not seven days a week. She wants three days a week up to four dogs. Ms. Nikolaus encouraged the board to keep that in mind.

Additional Questions by the Board.

Ms. Hall asked the Zoning Inspector if the garage is a two-car garage. Ms. Czyz stated it is a three-car garage and three vehicles fit in the garage, which is shown in the picture in your packet [*See Exhibit 3- Price*]. Mr. Schigel asked if there is a stipulation about chemicals or any way we can monitor chemicals? Ms. Czyz stated there isn't one person in this room who doesn't have chemicals in their garage and referenced gasoline in vehicles. Ms. Czyz stated I cannot regulate that.

Jaime Price (applicant) returned to the podium. Ms. Price stated I just wanted to clarify some things so everybody knows because there are still some questions out there and I'd like to respond. Ms. Price stated the paperwork he gave you (Mike Gallagher, 4928 Chablis) was before I talked to the Zoning Inspector and I knew what I was supposed to do, so that paperwork was what I got in trouble for in the beginning because I had it set up incorrectly so that was all prior. Ms. Price said in the packets you received there are black and white pictures that will show you I still can pull my car in the garage at night [*Exhibit 3-Price*]. Ms. Price said it was reset and we measured to make sure it was in the right perimeter as I did not know the standards before. Ms. Price stated I screwed up because I didn't know and I made it into a little shop that I'm not allowed to have, which I was not aware of until I got the letter. She said so I really tried to fix it and make it better. She said anything I put online is to advertise for Strongsville; my goal is to grow Strongsville because I rent that place and it costs me a lot of money. She said whatever I cannot get into that business because of some reason, those are the people that I will have come to my house because I don't want to lose those customers. She said it will be those people that I know and care about and actually love those particular dogs that will come to my house.

Ms. Price stated there will be absolutely no boarding and the dogs are only there honestly for two hours because I don't want to pick up poop. She said and if they do poop in my garage it will go in a doggie bag

just like if they pooped on your lawn and it is going into a garbage can. Ms. Price said as for traffic, if you have friends over or there are kids driving up and down the street, that is all it's going to be is four customers and it won't be four customers packed in the driveway all at once. Ms. Price said regarding chemicals, I don't do flea dipping at all. She said I'm not sure what was in that picture he gave you, that I didn't see, that he said looked like a flea tank but I don't do flea dipping. She said first of all it is very dangerous and only Vets should do flea dipping. Ms. Price stated she requires all of her customers to be on a topical from their Vet once a month for fleas. Ms. Price said I have dogs and I don't want my dogs to get fleas so I am going to be very clear on who comes to my house. Ms. Price said the only thing she cleans with is bleach. She said I don't even use Lysol because it has different chemicals that produces a smell so I use bleach and water. Ms. Price stated I would be very surprised if there were people here who didn't clean their laundry with bleach. Ms. Price restated that she is not putting toxics down the drain at all.

Ms. Price said regarding ventilation I have heating and cooling. She said I am not going to be advertising with a big sign; there may be one little sign on the door indicating which door to go in. Ms. Price said the house has a three-car garage and with it set up I can pull in three cars. Ms. Price said it is not going to take down the value of anyone's house because no one is going to see it. She said people invite their friends over and their friends bring their dogs and they are not on leashes and they are running around in my front yard and those dogs could go to that park. She said my dogs will not be going to the park. Ms. Price said and if you take your dog to PetSmart you put it on a leash, you don't let it roam all over the store. Ms. Price stated my fence completely blocks off that park and these dogs will be highly contained. Ms. Price said I have a lot of customers in the neighborhood and I could have called them to say hey can you come to my house; I'm doing this zoning thing, but that is something I didn't do because this is going to be on a small level. She said the grooming out of my garage is not for everybody, it is strictly for people with a work schedule or the bigger dogs with a double coat. She said how my tub drains, it is black pieces of PVC pipe and I have a nylon on the end of it and none of the hair even goes down the drain, it goes into the nylon and at the end of the day put the nylon in the garbage. She said I don't want that hair down my drains and then I have to end up snaking them so I am very careful with the hair.

Ms. Murphy asked Ms. Price hypothetically, how many animals would you do in a month? Mr. Bitto said let's look at it in a different day and said in the week that you were there how many pets came through there? Ms. Price said that is when I didn't have my other business so everybody was coming there. She said I do four dogs a day, five days a week in Strongsville so that is 20 dogs. She said I put four dogs maximum on there but it will probably be two or three a day. Mr. Bitto asked how many vehicles could you possibly have in your driveway at one give time? Ms. Price said one; one dog will get dropped off at 9 a.m. and picked up at 10:30 a.m. and the next dog arrives at 11 a.m. and said but I can't guarantee that someone might show up 15 minutes early to drop off their dog or arrive early for pick up so there could be two vehicles once in a while.

Ms. Price stated there was a letter that was put in all the neighbor's mailboxes with their general mail yesterday that was not signed by anybody that listed a lot of information that said we were rezoning the property. Ms. Price provided the board with a copy of the letter [*Exhibit 4 – Price BZA*]. Ms. Price stated the letter is not signed and she doesn't know who wrote it but it states that we are rezoning to commercial and she wanted to make it very clear she is not rezoning commercially, she is just requesting a permit for a home occupation. Mr. Kersten asked if she had any idea who put the letter in the mailboxes. Ms. Hall stated it is irrelevant. Mr. Kersten said he wanted to say that is a federal law that you cannot put something in someone's mailbox. Ms. Price said it was upsetting that someone would put it in personal mailboxes with their other mail. Ms. Hall asked if the letter was in an envelope. Ms. Price said no.

Ms. Hall referenced the Facebook photo submitted by Mr. Gallagher [*Exhibit 1*] and asked how long she was operating in this environment. Ms. Price said a week. Ms. Hall stated this is dated January 4 and asked if this was her garage. Ms. Price said yes. Ms. Hall stated then you were operating in your garage in January. Ms. Price said yes and that's why I got closed down by zoning. Ms. Hall asked when she got the letter from zoning. Ms. Czyz stated the letter from her was dated January 22, 2019. Ms. Price stated she closed her business on Pearl Road on January 1st and she moved everything to her house and it took a while to get everything set up so she was only grooming at the house about a week when she received the letter.

Ms. Hall said so if somebody's animal came in with fleas and you added that extra charge then what did you do? Ms. Price said the only time I would add that charge is if I absolutely miss it when they come in because if I see a dog with fleas I send it home right away. She said if I miss it and it goes in the tub, I have a citrus based, all-natural shampoo to wash it with and it will kill the fleas and they will go down the drain, but I've been open for three years and that only happened twice. Ms. Price said the reason I put that sign up there that you are going to get hit with a \$25 fine is it makes people think twice about bringing their dog to me if they know it has fleas. She said it is just a fear thing so they know I don't mess around with fleas.

Chair Schigel said you mentioned maybe someone bringing in three dogs is that the use of the kennels in there to hold them while you wash the one dog or are you going to allow the other dogs to run around in your back yard? Ms. Price stated again, no, they never go outside. Ms. Price stated I do have a bank of cages on the left that has two big cages on the bottom and then it has four on top and storage on top of that. [*Exhibit 5-Price BZA*]. Ms. Hall said here is my issue with those cages, you are not fitting a 70 or 80 pound animal in one of those. Ms. Price stated the middle dividers come out to enlarge the cage and they all connect into one cage. Ms. Price stated I would not have more than one big dog there at a time because I can't get them dry. Chair Schigel said the other concern that was brought up is noise and so the only things the dogs are going to do is come from the car and go inside your garage and will never go outside at anytime. Ms. Price said correct and my garage is triple insulated.

Mr. Schigel said another concern that was brought up is having a business in the neighborhood and you said you were willing to negotiate on the sign. He said just from walking the neighborhood and looking at the picture, I see a berm on the one side of the driveway and when I see a berm, I instantly think business. Ms. Price said those are Styrofoam and are there so nobody drives into the neighbor's yard but if you want me to remove them I can and try to figure out something else to put there.

Mr. Bitto asked what is the latest hour of operation during the evenings. Ms. Price said everyone is gone by 7:30 p.m. Mr. Bitto asked what is the earliest on Saturday? Ms. Price said 9 a.m. would be the very earliest and the ideal time would be 10 a.m. and they would be gone by 4 p.m. Ms. Price stated in the winter I will not groom past when it gets dark because I do not want someone falling on ice on my property. Ms. Hall asked the location you are at now, can you just confirm days off or time off for vacation could vary, correct? Ms. Price said her goal was to work at Strongsville and not do this at all, but it is limited hours because it is a Vet clinic. Ms. Price said one time the Vet said she was going to a conference so the clinic will be closed and I already had dogs scheduled. Ms. Price stated we've worked it out so the Vet will give me a calendar a month in advance now. Mr. Bitto asked about the hours at her house and said during the weekdays the hours would be 9 a.m. to 7:30 p.m.? Ms. Price said but I would only be doing four dogs so it would only be four hours during the day and I would probably schedule one at 9 a.m., one at 11:00 a.m. and one at 12:00 p.m. She said I'm not going to do more than four dogs. Mr. Bitto said it is impossible for this board to monitor how many dogs you do each day. Mr. Schigel asked if customers typically park in the street or in her driveway. Ms. Price said the driveway – it's a three car driveway with a turn-around so there is no reason why anyone would have to park in the street.

Series of Events with Applicant and the Zoning Inspector

Mrs. Czyz stated she wanted to make sure the board is aware of the events as they happened and said I went out to do my inspection on January 21, 2019, on January 22, 2019 I wrote her a letter, on January 27th which is a Sunday I had already received an email from Jaime addressing many of the concerns I had. Mrs. Czyz stated on January 29th I received a call from Jaime stating what she was going to come in and file for a Board of Zoning Appeals Type II Home Occupation permit. Mrs. Czyz stated on February 6th she called me and said she had already rented the space in Strongsville, so in two weeks she had everything rectified and then decided with the Strongsville thing she was going to need more space. Mrs. Czyz stated so this isn't a case where I sent something out and it was ignored as many of the letters I send are; there is a sense of responsibility on her part.

Testimony & Evidence Continued

9. Barbara Thomas, 4936 Chablis Circle was sworn in. Mrs. Thomas stated she lives directly next door and she does not personally own a dog and we are not disputing her grooming skills. She said if she could have retail space for the last three years on Pearl Road with no hours of limitation then she can continue to do so and we won't have to have this rezoned back to a Residential 2. Mrs. Thomas said it is great that her customers are happy with her but again, they are not living on this street. Mrs. Thomas said my property value is going to go down and I am not happy about that. Mrs. Thomas said I really wish that the board would just deny the application.

10. Christy Willkom, 768 Helen Drive was sworn in. Mrs. Willkom said I live at the end of the street where all of this traffic is supposed to be coming in and out. Mrs. Willkom stated I'm home all day and the week she was doing her business there I didn't see anything. She said I take my dogs to her every three to four months so she's not going to have four dogs every day and there isn't going to be the abundance of customers like they are trying to make you believe. Mrs. Willkom said she has her full time job and she is not going to do this in the evenings. Mrs. Willkom said I personally want to know how this is going to bring down property value. Ms. Hall and Mr. Kersten stated that is something we can't comment on. Mrs. Willkom said you can't even tell this is going on in her garage, the garage door is never up and it's like a closed off building. I took my dog there and walked around to the door and she yelled at me to shut the door really fast because she didn't want the dogs to run out. Mrs. Willkom said there's no traffic so it isn't any different than her having a friend over every day or several days a week. Mrs. Willkom stated her opinion that the letter that was put in the mailboxes was a scare tactic and none of it was true.

11. Phil Beck, 4953 Chablis Circle was sworn in. Mr. Beck stated he just had a question for the board because he keeps hearing the word zoning variance and asked if this is a deed change that goes with the house? Mrs. Czyz stated this is not a variance. She said a variance would go with the home/property. Mrs. Czyz stated this is a Type II Home Occupation conditional use and they can only use it for this type of use and that is dog grooming. She said if the home sells, the new people would have to also apply if they wanted to use it for a dog grooming business; so it ends with ownership. Mr. Beck asked if the board could put restrictions on the business. Ms. Hall said yes we can. Mrs. Czyz agreed and stated they can make her come back and renew every year. Ms. Hall stated and to be crystal clear to everyone here, this has nothing to do with "rezoning".

Discussion by the Board

Ms. Hall stated she wanted to talk about the comment that was this is a spin-off of a commercial business. Mr. Bitto stated he did not view this as a commercial business. Ms. Hall stated she did not either. Mr. Bitto said a commercial business to me is five days a week, eight hours a day and we are not talking about anything like that here. Mr. Kersten stated he did believe it was a spin-off of a commercial business. Ms. Hall asked why. Mr. Kersten said because she is running a commercial business and she is bringing part of it into her home. Mr. Kersten said the contacts are being made in a commercial business and then she is bringing those contacts to her home. Mr. Bitto said she stated the big dogs she can't do there come to her home.

Discussion on Conditions

Ms. Hall stated a contingency for her would have to be no sign. Mrs. Czyz stated she is allowed by this resolution to have one sign. Ms. Hall said even if we put a stipulation on the permit that she can't have one? Mrs. Czyz stated again, she is allowed by resolution to have one sign and that is why I said earlier it cannot be in the right of way or on the tree lawn. Ms. Murphy asked if we can stipulate just the one sign's location, like put it in the door. Mr. Bitto said you are only going to be doing this when you don't have work at the Vet, so your vehicle with the big billboard in the back window will be in your driveway so there is no need for another sign. Ms. Hall said what if she puts it in the garage. Mrs. Czyz stated then she can have a sign outside because she can fit that car into the garage. Mr. Bitto asked if the sign in the back window of the car counted as a sign. Mrs. Czyz said she can have one or the other...sign in the yard or sign on the car.

Mr. Bitto suggested a conditional permit for a year and then having to renew it thinking that if there are problems it would be solved at that point. Mr. Schigel stated he thought that is a great stipulation.

Mr. Bitto stated he would like her to provide a certificate of insurance to the Zoning Inspector to ensure you are covered.

Ms. Hall said let's talk about the hours of operation. Ms. Hall stated she was thinking no Friday nights. Ms. Hall stated the time she has off from the other location is a moving target. Mr. Bitto said the worst it would be according to what Jaime said is weekday's possible scenario is 9 a.m. to 7:30 p.m. Ms. Hall said yes but she thinks Friday nights should remain off limits. Mr. Bitto said so then on Friday it would be 9 a.m. to 4 p.m. maximum. Mr. Bitto said I don't know why Friday would be a big deal. Ms. Hall said because it is the start of the weekend. Mr. Bitto asked the Zoning Inspector if the board can include hours of operation in the renewable permit. Mrs. Czyz stated yes. Mrs. Czyz asked the applicant if she will have any Sunday hours. Ms. Price said no because there are no Vets open on Sundays. Ms. Price also stated she will not be grooming Friday or Saturday nights.

Mr. Schigel asked if we give a one year renewal and complaints start rolling in three or four months, are we allowed to visit it sooner? Mrs. Czyz said yes and if she gets a lot of complaints then she would be called back in. Mr. Schigel asked Ms. Price what is the average that it would be 3 p.m. – 6 p.m. type thing at your house since you work at the facility in Strongsville. Ms. Price said it can be and say I schedule dogs from 9 a.m. to 11 a.m. at the Vet clinic and I have a big dog but they want Monday at 1 p.m. the I would do it from 1 p.m. to 3 p.m. and then I would be done for the day. Ms. Price said she wouldn't always be doing evening hours as there may be larger dogs she would do at her home during the day. Ms. Price asked if she would have to pay the \$250 every year if she has to renew her permit. Mrs. Czyz stated you would have to pay half of that fee. End of testimony and discussion.

Motion to Grant a One Year Conditional Permit for a Class II Home Occupation

Mr. Bitto made a motion to grant a one-year for a conditional permit based on the hours of operation four days a week, Monday through Thursday 9 a.m. to 7:30 p.m.; Friday 9 a.m. to 5 p.m. and Saturday 9 a.m. to 4 p.m. The applicant will have to reapply next year for another one year temporary permit. A certificate of insurance has to be provided to the Zoning Inspector for the record. Keeping in mind that the car does have a sign in the window and there will never be more than one car in the driveway at a time.

Discussion on the motion: Mrs. Czyz stated you cannot limit the number of cars in the driveway. Mr. Bitto said he wanted to assure the neighbors there is not going to be business conducted with more than one car in the driveway at one time. Ms. Hall stated you can't do that because she could have someone running late for an appointment or coming early for pick up or drop off there will be more than one car there. Mr. Bitto stated he would strike the limit of cars from the motion.

Revised Motion to Grant a One Year Conditional Permit for a Class II Home Occupation

Mr. Bitto made a motion to grant a one-year Class II Home Occupation conditional permit based on the hours of operation four days a week, Monday through Thursday 9 a.m. to 7:30 p.m.; Friday 9 a.m. to 5 p.m. and Saturday 9 a.m. to 4 p.m. The applicant will have to reapply next year for another one-year temporary permit. A certificate of insurance has to be provided to the Zoning Inspector for the record. Property address 4948 Chablis Circle, Brunswick Hills, Ohio. Ms. Hall seconds the motion. **Roll Call:** Mr. Kersten-no; Mr. Bitto-yes; Ms. Murphy-yes; Ms. Hall-yes; Mr. Schigel-yes. Motion carries four yes votes to one no vote to grant a one-year conditional permit.

Chair Schigel read to the audience: Any person who is adversely affected by a decision of the Board of Zoning Appeals may appeal to the Court of Common Pleas of Medina County on the grounds that such decision was unreasonable or unlawful. They have 30 days from the date the decision letter is signed to appeal. Mr. Schigel stated the board will meet on May 1, 2019 to approve the minutes and sign the decision letter, so that is the date the decision becomes effective.

Public Input

Wally Thomas 4936 Chablis Circle returned to the podium and stated he was confused on whether we are talking about rezoning or a home occupation. Ms. Hall stated we made it very clear earlier this is not a request to rezone; it is for a home occupation business. Mr. Thomas said the rules in the zoning say the cars have to be in the garage. Mrs. Czyz stated no, and read Sec. 303-8, B. Class II Home Occupation, *1. Such home occupations shall be carried on entirely within the dwelling and not in an accessory building; however, the garage may be used providing that the home occupation does not preclude the storage of the number of vehicles for which the garage was designed.* Mrs. Czyz stated they can put a car in that third garage and still have room to carry out that business. Mrs. Czyz said if the occupation that they are having would take up the whole entire garage, then they could not have it. Mr. Thomas said I thought they had to be able to put three cars in there. Mrs. Czyz said yes, and they can. Mr. Thomas said not with a business there. Mrs. Czyz stated yes they can fit the car in there.

Additional Public Input: None

Additional Business: None

New Business: Secretary Milanko distributed two application requests for the May 1, 2019 meeting.

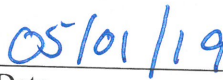
Announcement of Next Meeting Date: Wednesday, May 1, 2019 @ 7 p.m.

Motion Adjourn: Ms. Hall made a motion to adjourn. Ms. Murphy seconds the motion. **Roll Call:** All in favor to adjourn. Meeting officially adjourned at 8:45 p.m.

Respectfully Submitted,

Mary Jean Milanko, Secretary


Chris Schigel, Chair


Date