



Henry A. Ross and the sign he hated to but had to erect. Ross, a bachelor, has spent more than 21 years building his Gardenview, alone.

## 16 acres of freedom from the rat race

Horticulturist toils 21 years and fights city hall for garden park in Strongsville . . .

By Tom Kaib

● Henry A. Ross tells people to drop dead a lot.

This would seem strange for a mild-mannered horticulturist, but then your usual mild-mannered horticulturist isn't run into court every time he turns over a spade.

Henry Ross is . . . or was. Eight times he's had to battle the City of Strongsville and/or the State of Ohio. Eight times he's won—preparing his own cases.

In the meantime, he's taken 16 acres of blue and yellow clay, which once supported only black-berry brambles and weeds, and turned it into a magnificent botanical garden—by himself, dawn to midnight, seven days a week, over 21 years.

He thinks the troubles with Strongsville officials are over now,

what with a \$10-million lawsuit he has threatened them with if they ever again bother him or Gardenview Horticultural Park, Inc.

When Henry A. Ross was growing up on Cleveland's East Side, he was too busy to realize he was "what we'd call poor today." He was a reader and a grower and beholder of things natural and beautiful.

At 8 he read of the magnificent public gardens of Europe and dreamed a dream. He read on and on, so much so that when he landed at Ohio State University on the GI Bill, he stayed only 2½ years to pick up his degree in horticulture. "I had already read all the books. It was so easy."

Then the tall, lean horticulturist came back to Cleveland looking for a place to build his dream. He found it in Strongsville and went to work. It was 1949.

"I envisioned 16 acres of beautiful gardens, filled with peafowl, ornamental pheasants, exotic birds of all sorts, perhaps deer and raccoons. It was my intention to transform this barren wilderness into a magnificent public botanical garden park.

"I envisioned this paradise as being open free to anyone who wished to spend a few minutes, an hour or a day away from the rat race of so-called civilization."

He borrowed the money to buy the land and worked it alone. He built a two-car garage for his equipment and tacked on a room in back to live in. He worked in Shaker Heights as a florist and still does a couple of days a week to support himself.

His nails are black with work, his face lined and he's as lean as he was 20 years ago. But Gardenview is blooming, gloriously. More than 500 varieties of flowering crabapple trees, 1,500 tuberous rooted begonias, thousands of daffodils, tulips and azaleas, a cactus collection, two lakes.

In 1960, when his 16 acres were about 50% developed, Ross realized that to assure Gardenview's perpetuation, it would be necessary to dedicate it legally to public park use.

He offered the park free to Strongsville.

Hey, Strongsville. Here's 16 acres of land. Frontage right on Pearl Road. Free!

Great, or some such, said





Ross and friend

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Strongsville. We'll peddle it to the first land developer who comes along. Ought to be good for 38 houses.

And here's what we'll do for you. With the money we get from the sale, we'll build this new service garage we need and we'll name it the Henry Ross Service Garage as a memorial to you.

"Drop dead," said Ross. "I really wanted to give the land to the city. But I put on the condition that it had to be forever maintained and utilized as a public botanical garden park and could not be converted to any other use.

"To enforce this, I wrote a forfeiture clause which provided that if any attempt was made to discontinue Gardenview, to convert it to another use or to sell it, it would revert to my heirs. But only after the city had the opportunity to remove anything and everything that it had put onto the property."

Ross repeated the offer to the city several times with the same answer: We'll be happy to take the land but with no conditions.

Finally, Ross created a nonprofit corporation, Gardenview Horticultural Park, Inc., and deeded his 16 acres to it.

He applied for a real estate tax exemption for Gardenview but was turned down by the Ohio Board of Tax Appeal. He believes this was due to opposition from Strongsville officials.

At any rate, he applied three years in a row and was turned down on an exemption which state law specifically provides for.

"It just goes to show how a per-

son without money can be denied his rights."

But Ross's brother, a businessman in Detroit, came through with a gift to finance an appeal. Ross went to court. The court ruled that the refusal was improper and unjustified and ordered that the exemption be granted.

Fire one for Henry Ross's dream. And he'd have to fire seven more legal salvos through the years to keep Gardenview alive.

Like a year later when Strongsville installed sanitary sewers along Pearl Road. This is no park because we don't hold title to it. This is 38 building lots and we are assessing you \$10,000 for this sewer.

"Drop dead," Ross told city officials. "Gardenview has 250 feet of frontage and is a park and I'll go to court rather than pay.

"They told me, 'We know we are wrong and that we have no chance of winning but we are betting that you will not be able to muster the money needed to appeal this to the courts and as a result our decision will stand.'"

But Ross did muster the money and appeal. The court ruled the city officials were wrong and ordered that the assessment (really about \$5,000 with \$5,000 more in interest) be reduced to one sewer connection instead of 38 and should total just \$700.

Fire two for Gardenview. There were other battles, and Ross, through constant reading, became a pretty fair country lawyer.

Through Friends of Gardenview, his brother and foundations, Ross raised \$13,000 to build a library and

meeting room and a service building. He remodeled the two-car garage into the library-meeting room. Then for the service garage.

"When I informed the city officials that we intended to build a very attractive service building which would look like a modern, rough cedar-covered home, they informed me that they would not allow us to build this building or any other. The local papers wrote that I was trying to build an ugly shed.

"My pleas for reconsideration went unheeded from spring through November of 1969. They would not issue a building permit.

"Then I came across a law of the State of Ohio which said agricultural buildings did not need approval.

"But no builder would touch the job without city approval. Finally, a friend dug and poured the footer for me and I went to work myself."

Stop building, said the city.

"Drop dead," said Ross.

This time Ross was hauled into court on criminal charges—building without a permit.

The city wanted the court to rule on whether or not Ross was building.

"Sure I'm building," Ross freely admitted.

The court dismissed the charges.

The city appealed. The court of appeals ruled that the city had no right to prosecute Ross.

The next day the building inspector drove up to Gardenview. You can go down to city hall and get your building permit now, he said.

"Drop dead," said Ross.

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Henry Ross admits now that his original dream of a free botanical garden park "was a fool's pipe dream." But only the "fool" part.

"I was under the mistaken impression that the general public in this country would have the same feeling towards botanical gardens which Europeans have. But I have learned that most of the people of this country are just too self-centered and materialistic."

Gardenview was open free between 1961 and 1969. Here's what happened:

"Visitors came by the hundreds of thousands. They trampled out the lawns, dug up and carried away plants, stole potted treasures from the greenhouse, pulled the tail feathers out of the peacocks and caused the death of a pair of black and white swans by feeding them pretzel sticks. On several occasions they broke open and stole money from the corn vending machines and the contribution box."

Ah, the contribution box. It was

Gardenview's only source of income during the free years.

On one Mother's Day weekend, 10,000 people trampled through Gardenview . . . and left \$9 in the box.

Get a levy on the ballot and we'll support it, hundreds of visitors told Ross. And he finally did get one on. It would have cost each family (not person) in Strongsville one cent a day to support Gardenview and give Ross four helpers. It was defeated.

That's when Ross changed the policy at Gardenview, in the spring of 1969. It is now open free only to members—\$5 a year per person or \$10 per family. Non-members can enter for 75 cents for adults, 25 cents for children.

Attendance immediately plummeted to about one-tenth of the free volume. But vandalism and theft ceased completely.

"In talking to the present-day visitors, it is obvious that, at long last, Gardenview finally does have the kind of visitors who have toward it the same attitude that the Europeans have towards their botanical gardens," Ross said.

"In the years to come, as all of the vacant land is filled to the saturation point with homes, businesses and industry, the little bit of land which is set aside as botanical gardens will be so inadequate to cope with the hordes of people seeking relief from congestion that it will be absolutely essential to restrict the number of visitors if only from the standpoint of preventing these green islands from being trampled out.

"I am absolutely certain that it will be necessary to make an appointment far in advance for permission to visit a botanical garden and that there will be a very substantial admission fee in addition to the long wait.

"The people of this country will have only themselves to blame for this situation which they themselves have created. When they finally realize what has happened it will be too late to do anything about it. It will not be possible to create new open green spaces as there will be no spaces left.

"At this very time we stand on the threshold of creating our own future environment. If we lack the vision or capacity to see ahead, we will ultimately end up with planned congestion. We've got to set aside some space now as open green spaces so that the people of the future will have some place to escape to."

And he doesn't say it, but you know mild-mannered Henry Ross is thinking it:

"Without these green spaces, we might as well all drop dead." □