

PUBLIC HEARINGS
BRECKSVILLE BOARD OF ZONING APPEALS
Community Room – Brecksville City Hall
April 11, 2016

Present: Eric Hall, Robert Hasman, Mayor Hruby, Kim Veras,
Bruce McCrodden, Kathleen Roberts

Absent: Dennis Rose

Others: Building Inspector Synek, 4 guests

PUBLIC HEARINGS

Ms. Roberts started the meeting with an explanation of the code, the job of the Board of Zoning Appeals Committee, and the appeal process.

APPEAL 2016-07

Carrara Companies for Robin Coyer for a variance from Section 1151.24 of 24 ft. from the minimum 125 ft. front yard setback to allow a 101 ft. front yard setback for a rear addition on a non-conforming house located at 9555 Barr Road, PP# 603-11-007.

Michael Myers, Carrara Construction LLC, was in attendance representing Robin Coyer. He explained that Ms. Coyer wants to put a small 12x13 addition on the rear of her home. The addition will be a mud room and an extension of the living room.

Ms. Roberts asked Mr. Myers to clarify her hardship. Mr. Myers stated that her hardship was the setback. He explained that code requires a setback of 125 ft. and this will only be 101 ft., therefore requiring a 24 ft. variance.

Mr. Hasman stated that this is also a lot that is non-conforming, and anything that would be built there would require a variance.

Motion by Mr. McCrodden, seconded by Mr. Hasman to close Public Hearing. **MOTION CARRIED**

APPEAL 2016-08

Erik Kraenzler & Karen Skoczynski for (1) a variance from Section 1185.03(a), maximum fence height of 4 ft. to allow a 9 ft. fence height, and (2) a variance from Section 1185.02(d) to install a solid board type fence instead of the permitted types of fence located at 9491 Greystone Pkwy, PP# 603-20-041.

Erik Kraenzler spoke to the Board regarding his appeal. Mr. Kraenzler stated that his hardship is the paved pathway that is now 12 ft. from his back yard. It has unacceptably compromised his privacy and has increased the road noise. He stated that he submitted eighteen letters of support from his neighbors and brought six more letters with him this evening, and submitted them to the Board.

Mr. Hasman asked Mr. Kraenzler if the letters that were submitted included his neighbors on either side of him. Mr. Kraenzler stated that they did, two neighbors to his left and three to the east. He explained that they currently have a 4 ft. solid fence there now, and would like to install something that they and the Board could come to an agreement on.

Ms. Roberts asked Mr. Kraenzler to clarify his hardship. Mr. Kraenzler stated that it is the road noise and also his privacy.

Mayor Hruby went on to explain that when the Metropolitan Park knew what they were going to do, they took the position that would have the least amount of impact on the homeowners. As things progressed, still with good intentions, they had to meet the various EPA requirements regarding wetlands and foliage, and at that time they separated their thinking, with regards to the impact on the neighborhood, and followed just what the EPA was requiring of them. Mayor Hruby stated, that had many of the residents known that this was going to happen, many of them would not have cleared their properties all the way to their back line. When you're used to having woods behind you and suddenly it is all gone, it can be very traumatic. The Mayor stated that historically the Board does not typically grant fences higher than 4 ft., other than in extreme circumstances, but in this case he strongly supports anyone along Greystone Pkwy. that would want to install a fence greater than 4 ft. because of the self-preservation for peace and tranquility, and is also in support of putting up a barrier for anyone that walks or bikes along that path to not go onto private property. Although the park has agreed to plant trees, they will not be replacing all the foliage that had previously been there, the trees will help but will not solve the problem. Mayor Hruby stated that Mr. Kraenzler was the resident that was most affected from this out of all the properties.

Mr. Hall asked Mr. Kraenzler what it was about his property that impacted him the most. Mr. Kraenzler stated that they are the closest to the path, and showed the Board on the overhead diagram. Mayor Hruby explained that if you drive along that road, you will see that some are farther away from it and some are right on top of them. That is because they had to move the path in and out due to the wetlands.

Mr. Hasman stated that he was concerned about the request for a 9 ft. fence and asked if there was a particular reason why he would need to go 9 ft. Mr. Kraenzler stated that it was his negotiation with his wife, but stated, that however the Board could help him, anything is better than 4 ft. He went on to explain that he was willing to work with the Board, and could go 7 ft., but is flexible. Mr. Hasman asked if they considered any alternatives to a fence, such as spruce trees or something else that could block their view. Mr. Kraenzler stated that they are going to be

doing that a little bit closer to the house. The issue, again, is the sound. He stated that they have a rather extravagant brick patio and there really is no way they can get it the way it was. Mr. Hasman noticed that they said their sound has tripled since all of this happened and questioned, if now that everything has been cut down, was it still that much louder. Mr. and Mrs. Kraenzler stated that it was because the road is accessible over I77 there is a lot of traffic.

Mr. McCrodden asked the Kraenzler's if they were aware whether the Metro Park ever held a public meeting on the changes to the pathway, and if so, were the residents of Greystone aware of it and did they attend the meeting and speak.

Mr. Kraenzler stated that he did not know the answer to that. Mayor Hruby clarified that the answer was yes, there was a public hearing held at City Hall, and very few people attended. It was mostly people who had an interest from the biking community. Mayor Hruby stated that he was sure no one knocked on anyone's door to tell them what this was all about.

Motion by Mayor Hruby, seconded by Mr. McCrodden to close Public Hearing. **MOTION CARRIED**

**MINUTES OF REGULAR MEETING
BRECKSVILLE BOARD OF ZONING APPEALS
Community Room – Brecksville City Hall
April 11, 2016**

Present: Eric Hall, Robert Hasman, Mayor Hruby, Kim Veras,
Bruce McCrodden, Kathleen Roberts

Absent: Dennis Rose

Others: Building Inspector Synek, 4 guests

APPROVAL OF THE REGULAR MEETING MINUTES OF MARCH 7, 2016

Motion by Mr. Hall, seconded by Mr. Hasman to approve the Regular Meeting Minutes of March 7, 2016, as recorded.

ROLL CALL: Ayes: Hall, Hasman, Mayor Hruby, Veras, McCrodden,
Roberts
Nays: None
MOTION CARRIED

APPEAL 2016-06 - WITHDRAWN

Evan Smith for Nora Gagliano for (3) a variance from Section 1323.03 that a fence be erected around a swimming pool, to allow a pool cover as the required barrier located at 9256 Highland Drive, PP#603-06-007 and 603-06-009.

APPEAL 2016-07

Motion by Mr. McCrodden, seconded by Mayor Hruby, that the Board of Zoning Appeals recommend to City Council approval for a variance from Section 1151.24 of 24 ft. from the minimum 125 ft. front yard setback to allow a 101 ft. front yard setback for a rear addition on a non-conforming house located at 9555 Barr Road, PP# 603-11-007.

THE BRECKSVILLE BOARD OF ZONING APPEALS

DENNIS ROSE, CHAIRMAN

KATHLEEN ROBERTS, VICE CHAIRWOMAN

BRUCE MCCRODDEN, SECRETARY

Public Hearings and Regular Meeting recorded by Gina Zdanowicz