

**MINUTES OF PUBLIC HEARINGS  
BRECKSVILLE BOARD OF ZONING APPEALS  
Community Room – Brecksville City Hall  
October 10, 2016**

Present: Kathleen Roberts, Eric Hall, Robert Hasman, Kim Veras,  
Bruce McCrodden, Dennis Rose

Absent: Mayor Hruby

Others: Building Inspector Synek, 16 guests

**PUBLIC HEARINGS**

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

**APPEAL 2016-41**

Chris Spacek for a variance from Section 1151.26(1) to allow the construction of a detached garage in the side yard, as shown in the drawing dated 9-27-2016, instead of the permitted rear yard, and (2) a variance from Section 1151.06(a) not to install the required turnaround driveway located at 9898 Highland Drive, PP# 604-04-035.

Chris Spacek spoke to the Board regarding his appeal. Mr. Spacek stated that he owns a roofing business, and drives a truck for a living. It is a clean truck, and it is parked outside on an extension of the driveway, because the truck does not fit in the garage. Mr. Spacek explained that he likes to keep a clean property and doesn't really like equipment, etc. outside. Also with the winters that we have, he would like to keep it indoors.

Mr. Rose asked Mr. Spacek what prevented him from putting the garage behind the house. Mr. Spacek explained that there is a swale and a pond off to the left. There is also a French drain that runs between his and his neighbors land, and showed Mr. Rose on the overhead screen. With a heavy rain they get ponding water and 24 hours later it will dissipate. Mr. Rose wanted to know if the driveway request was tied into the variance for the turn-around driveway. Mr. Spacek stated that he did not know that it was classified as a turn-around, but that is where he parks the truck, and after talking to the Building Dept. they said he needed an additional variance. He does not want to encroach on his neighbor to the left and is proposing to move it over closer to his house because there is room there. If he goes back further there is the swale. Mr. Rose asked if his neighbor to the left approved of his project. Mr. Spacek stated that he wants to be respectful to his neighbor, and did ask him and he is here this evening. Mr. Spacek explained that he wants to match the garage to the house, and had it professionally designed. He wants to add to the property value of the house. Mr. Spacek stated that if his neighbor has a problem with it, he

would not build it. He had considered a shed, his neighbor has one, but it would be very cluttered in the back, because he also has a swing set.

Mr. Hasman asked Mr. Synek, if Mr. Spacek built the garage behind the house would there be any need for a variance. Mr. Synek stated that he would still require one for the turn around driveway, but not for the garage. Mr. Rose clarified that it has to be behind the rear wall of the house.

Mr. McCrodden stated that he noticed that most of the garages face the side, and wanted to know if that was a requirement along Highland Drive. Mr. Synek stated that there is no requirement in City Ordinances which direction the garage door faces. Mr. McCrodden stated that the way the variance was written provides a variance for the location and not to have a turn around. He asked Mr. Spacek if he would have an issue if they decided to separate the variance into two separate votes. Mr. Spacek didn't know if they could do one without the other. Mr. Spacek stated that he was moving it over closer so that he was not encroaching on his neighbor, and in talking with Mr. Synek he told him he had another issue with the turn around, and would need a variance. Mr. Spacek stated that they don't really use it as a turn around, they use it as a parking space. Mr. Rose asked where he would have to put the turn around if he was going to get rid of the one variance. Mr. Synek showed him on the overhead drawing. Mr. Spacek stated that it is a big area to move things around, approximately 17 ft. wide. Mr. McCrodden asked if he currently backs his truck out of the driveway. Mr. Spacek stated that he did.

Mr. Rose opened up questions to the audience, and there were none.

Motion by Ms. Roberts seconded by Mr. Hasman to close Public Hearing. **MOTION CARRIED**

**APPEAL 2016-43**

Blossom Homes for a variance from Section 1119.09(d) not to install the required public sidewalks until such time that the City deems appropriate, for the construction of a single family dwelling located at 8377 Riverview Road, PP# 602-26-006.

Chris and Connie Anselmo spoke to the Board regarding their appeal. Mr. Rose stated that this is another case in which there are no sidewalks on the street. He did explain to Mr. and Mrs. Anselmo that at such time the City wants the sidewalks to go in they would be required to install them, and wanted to know if they agreed with that. Mr. and Mrs. Anselmo stated that they did.

Mr. Rose opened up questions to the audience and there were none.

Motion by Mr. Hall seconded by Mrs. Veras to close Public Hearing. **MOTION CARRIED**

**APPEAL 2016-44**

Petros Homes for (1) a variance from Section 1117.04 (e) to allow a cul-de-sac street to be 1860 ft. in length, maximum 800 ft. permitted, and (2) a variance from Section 1151.24 of 25 ft. from the minimum required 50 ft. front yard setback to allow a minimum 25 feet, and (3) a variance from Section 1151.24 of 25 ft. from the minimum required 50 ft. rear yard to allow 25 ft, and (4) a variance from Section 1151.24 which requires a minimum 5 ft. side yard and a total of two side yards of 20 ft., to allow a minimum 7.5 ft. side yard and a total of 15 ft., and (5) a variance from Section 1151.26(3) to allow decks to be constructed with a minimum rear yard of 15 ft. on those lots which abut open space, and (6) a variance from Section 1119.09(d) not to install the required public sidewalks on Snowville Road until such time that the City deems appropriate, and (7) a variance from Section 1117.04(i) requiring that driveways be located at least 60 feet from the projection of the right-of-way lines of the nearest intersecting street to permit driveways within the projection of right-of-way lines for Sublots 23, 29, 40, 41 and 42, and (8) a variance from Section 1117.09 to permit non-rectangular lots for Lots 45 and 46.

(For the existing house on Sublot 58) - (9) a variance from Section 1151.22 to allow access to a collector street in an R-8 District- not permitted, and (10) a variance from Section 1151.24 to allow a front yard on a collector street- not permitted, and (11) a variance from Section 1119.09(d) not to install the required public sidewalks until such time that the City deems appropriate (proposed 58 lot re-development) for the Snowville Road Subdivision located at 8203 & 7811 Snowville Road PP# 605-15-001, 605-15-004, 605-14-010 & 605-14-016.

Neil Brennan, representing Petros Homes, spoke to the Board. Mr. Rose stated that this project is going for a vote in November before the citizens of Brecksville to be re-zoned from R-20 to R-8, and asked Mr. Brennan to explain the difference. Mr. Brennan stated that R-20 is a 20,000 sq. ft. lot and the R-8 is an 8,000 sq. ft. lot. There are also differences in setbacks.

Mr. Rose asked him to explain the project, and why it is going to a vote. Mr. Brennan stated that this is a proposed re-zoning, and coupled with the proposed rezoning to the Planning Commission, they submitted a drawing of the way the land would be laid out. In doing that they have worked with the Planning Commission for a number of months to get a recommendation for preliminary approval. When the Planning Commission recommended it, they conditioned it on two things, the first, was to get the variances from the Board of Zoning Appeals, and second, was that it would not go to City Council until after the election. Mr. Brennan stated that they are trying to fast-track this, and there are only two election times when they can have it re-zoned on the ballot. Their goal is to do the construction drawings in the interim based on the fact that they will get the approval by the citizens. Before they can go that next step, they need to know that the variances will be recommended by the Board of Zoning Appeals. Mr. Rose asked Mr. Brennan if Council will not considered these variances until after the election. Mr. Brennan stated that was correct, but The Planning Commission only meets once in November and December, which stretches out the time that they can go for an approval, and they would like to get it under construction as soon as possible, probably late winter or early spring. Mr. Brennan explained that one of things that restricts them is the

Army Corp of Engineers. There is a limited window on when you can do tree cutting, and they would like to at least get trees cut before that window closes.

Mr. Rose asked Mr. Brennan to explain his hardship. In this case, the type of development that they are proposing is not recognized in the zoning code, it was last revised in 1995. Since then, his company has built two major developments like this one, one is Wiltshire and the other Glencairn. In both of those developments a large percentage of people moving there, were Brecksville residents. The houses are either master suite downstairs or a ranch with very limited yard. Most of these developments have associations that provide snow removal, grass cutting, etc., it is a step down from the large single family home that they had kids in. Around the perimeter of the development that have installed a buffer area that is in control of the HOA, so that the landscaping there is permanent. Mr. Rose asked if the buffer was not there would it eliminate a number of the rear yard variances. Mr. Brennan stated that was correct. Mr. Brennan went on to explain the variances. Variance #1, they originally came in with two cul-de-sac streets not connected. The Planning Commission stated that this should be a neighborhood with one entry, and wanted to eliminate the two cul-de-sacs, and that gave them a cul-de-sac that is longer than 800 ft. Variance #2, the minimum front yard setback of 50 ft. They designed the front yard with enough room sufficient to park a car in front of the garage without wasting a lot of front yard space and that led to the 25 ft. front yard and that is from the back of the sidewalk to the garage door. Variance #3, the minimum rear yard to 25 ft., again it is because of the buffer area. Variance #4, the side yard and total of two, they reduced it slightly to meet the dimensions of standards for a cluster home. The lots in Wiltshire are a minimum of 60 or 80 ft. Variance #5 is regarding a deck, some lots will have walk out basements, which would have the potential for a deck. In those cases, they would like to keep a minimum back yard of 15 ft. on lots which abut an open space. The lots that have patios won't be an issue. Variance #6, no public sidewalks, there are none in the surrounding area, and when it comes times to install, the HOA will be responsible to do so. Mr. Rose asked if they were planning on having sidewalks in the neighborhood, and Mr. Brennan stated that they are. Variance #7 is a function of the lot size and the fact that this size lot will be approved. Variance #8, there are two lots that are not rectangular. Variance #9, is for an existing house on Sublot 58, there is an existing house on a lot that is 100 x 200, they are proposing to make it 250 x 125, and the existing house will be rehabbed to bring it up to design standards similar to what is being built. This lot will probably not be included in the HOA. They are asking to allow access to a collector street in an R-8 district, as well as Variance #10, having a front yard on a collector street, they already have a front yard and are changing the zoning. Variance #11 has another variance not to install public sidewalks because it is a stand alone and not part of the HOA.

Ms. Roberts wanted to make a comment, rather than question Mr. Brennan. She stated that this development strikes her as an unusually dense development, and somewhat surprising to the essence of Brecksville and other condominium complexes. Mr. Brennan exemplified Hillbrook as being similar. Ms. Roberts stated that helped a bit, because she doesn't immediately think of Hillbrook as being extremely dense. Ms. Roberts stated that she is

familiar with the Snowville Road area, and she is a bit taken back by it. Mr. Brennan explained that it is a transition zoning, across the street there is a radio tower as well as an area of Manufacturing –Distribution. Mr. Brennan stated that he did not disagree, but felt that what it was going to do was fill a niche in the market that doesn't exist in Brecksville. It is for people that want to step down to a smaller unit, but not move out of Brecksville. Ms. Roberts used the comparison of Macintosh Farms, Phase I, built by Zaremba. It won awards, because what the builder did was to create a new lifestyle, still keeping the quaintness because it was "homey," but still had space. Ms. Roberts did not want to lecture the point, but felt that Brecksville is a community that is deserving of that kind of Macintosh beauty, greenspace combined with smaller living. She knows that the community is changing, and explained that it is a very personal matter for her too because she is getting older, but was very surprised at this particular plan because of the density.

Mr. Rose stated that the whole reason the code was drafted the way it was, was because it is not a community of cluster homes. He stated that doesn't mean we can't be progressive and is a great idea, but the code is this way because it wasn't considered. Mr. Brennan stated that the code permits an 8,000 sq. ft. lot, which they have, and will fit the house that would be appropriate on that size lot. He stated that to visualize what it would look like, the best example is Wiltshire, it is the same type of design, smaller front and back yards, essentially they are small, but it is because the over 55 market, the empty nester market is looking for something. Mr. Rose asked how many different models will be offered. Mr. Brennan stated that they are not that far along, but there will probably be seven or eight different models.

Mr. Hall asked if they will have basements, Mr. Brennan stated that for the most part yes. Mr. Rose asked what the square footage will be. Mr. Brennan stated approximately 2000 square ft. plus. Mr. Hall asked if the driveways are back to back across from one another. Mr. Brennan stated that is has to be 60 ft. from projection of the right of way, so you can't do it. Mr. Rose clarified that if there were 2 cul-de-sac roads he wouldn't have this problem. Mr. Brennan stated that was correct, and it is also a problem that one section of the code didn't consider the other section.

Mr. Hasman asked if the idea of this development was to be freestanding or might it be two units that are adjoined. Mr. Brennan stated that under the zoning they could have an attached unit under a conditional use permit, but they have not taken that option. They are doing free standing single family units.

Mr. Rose opened up questions to the audience. Tim and Marge Pristas, 8545 Snowville Road spoke to the Board. They are adjacent to the proposed development. They wanted to know the distance from their lot to the development. Mr. Rose stated that was what was being considered this evening, but these variances that are being considered as a result of what the Planning Commission approved, is 50 ft. from their property line. Mr. Synek stated that there is 45 ft. of common property and then begins the measurement for the individual lots. Mr. Rose clarified that the houses will be approximately 70 ft. from their lot line, because of the buffer. Mr. Pristas

stated that the sewer line runs down right next to his property line, and can't be landscaped. He was concerned about selling his property with this development next to it, and stated that if it were all R-20 zoning with regular homes, he was sure he wouldn't have a problem selling. Mr. Brennan stated that landscaping can be done in the sewer easement, it also can be done between the lot line and the easement. The other thing they can do is pull the easement and leave the buffer and pull the sewer line closer to the property line. Mr. Pristas stated that there are two large trees there that the sewer line will eventually kill. Mr. Brennan stated that they can shift that easement. Mr. Brennan explained it further and showed Mrs. Pristas on the overhead screen. Mr. Pristas wanted Mr. Brennan to address the run-off, he stated that the run off fed his lake and in turn fed the Maleski's lake, and wanted to know what was going to happen to all the water once the development was in. Mr. Brennan stated that the property slopes back to the north east corner. They are proposing to build a detention basin in that corner which will limit the run off, it will definitely go to your lake because of the way the water flows, and that amount will be retained and let out over time. Mr. Brennan stated that because of the sewer system that they will have to install, he will have less water. The water should be trapped and taken down to the yard basins. The water from the houses will go into gutters and downspouts out to the street sewer. Mr. Pristas felt that was a lot of water. Mr. Brennan stated that it is a large detention basin. They haven't gotten to the point of designing it, but the development is going thru a review process from both the County and the City Engineer. Mr. Pristas explained that he doesn't want the water to stop going to his lake, but also doesn't want it inundated with water and blow out the dams, because he is responsible for that. Mr. Pristas wanted to clarify that the 45 ft. that is green land is not going to change to 25 ft. Mr. Brennan stated that it is not. He is going to tell the engineer to move the sewer from the property line and move it 25 ft. west.

Ray Podojil, 10219 and 10217 Snowville Road spoke to the Board. He stated that he knows the goal is to have this development as senior housing, but there is no restriction says it stays with seniors. One of his concerns was that there is a lot of noise back there, semi's fork lifts, etc. There are certain areas of the development that are very close to the parking areas of businesses. If the homes are bought by families that have children, there is a possibility of kids wandering into those parking lots, and could be a possible security issue as well as a safety issue. Mr. Rose asked Mr. Brennan if he had any plans for that area that is right up against the industrial area. Mr. Brennan stated that they are looking at mounding and planting trees there. They recognize that there should be a visual and noise barrier and will try to make it more desirable. Mr. Podojil also wanted them to address the safety issue of people wandering onto a parking lot, such as a fence. It would need to be put across the entire area. He asked the Board if they could make it part of the approval that an 8 ft. fence be installed. Mr. Rose stated that they do not install 8 ft. fences in Brecksville, and felt that was a whole other issue, and at this point premature. He appreciated Mr. Podojil's viewpoint, but felt it was a function of having residential zoning next to non-residential zoning, it is always a challenge. Mr. Podojil asked Mr. Brennan the price range of the homes. Mr. Brennan stated that they will be \$300,000 plus. Mr. Podojil didn't think that seniors that are retiring or on a fixed income could afford that, which gives credence to the fact that younger families could move in. Mr. Brennan stated that the price point is not as low as he would have like to have seen it, but that is the way the market is in Brecksville and other

areas. The HOA fees are not going to be that substantial. There was a question about the area that is wetlands with a small pond, and whether they would expand it for water retention. Mr. Brennan stated that it would not, the pond it is a jurisdictional wetland, and will be owned by the HOA.

David James, Brecksville Road Transit, 7885 Snowville Road. He brought up the run off from their properties on the back side, and wanted to know if that will all be kept in play. Mr. Brennan stated that if he is asking if they will stop the runoff, they can't do that. Mr. James agreed with Ms. Roberts that this development is a little out of character for Brecksville.

Dave with Thinair, LLC., 10147 Snowville Road. He wanted to reinforce Mr. Podojil's thoughts that there is going to be noise issues with residents. Running a manufacturing operation, they have had noise issues with existing residential neighbors on Snowville Road. It is not abnormal noise for the operation. There is routine truck traffic and manufacturing noise. He liked the idea of the development, but questioned some of the homes that are the closest, and felt that some sort of noise abatement should be required if those homes to go in. Mr. Podojil stated that Curtiss Wright is straight back from the development, and has the biggest noise back in that area. There is also an issue with lighting in his back parking lot. Most of the lighting in the parking lot shines toward the rear of their lots, and people park back there and some work until 11:00 to 12:00 at night. Mr. Rose stated that if the area stayed R-20 they wouldn't need variances and would still be next to that industrial area. These are all issues the City has to deal with and figure out the best solutions. Mr. Brennan stated that the houses that are the closest to those areas is the second phase, and hopefully by the time they get to those lots in, the demand will be such that people will say they want to be here and are willing to have a mound in back yard with trees and an occasional noise problem. Surprisingly enough, the new development down the street by Pulte Homes abuts Federal Express which is a 24 hour operation.

Mr. Pristas wanted to reinforce what the other two gentlemen were saying about noise, they do hear noise from the dumpsters being emptied in the early morning hours, it has woken them up, and when the trees get cut down it will be magnified. Mrs. Pristas stated that her big concern is the traffic on Snowville Road. Since the Pulte development has gone in, it is very bad and is like a raceway. She was concerned with a second development going in if they will study the traffic and put more traffic lights in. Mr. Rose stated that the City Engineer will deal with that.

Ms. Roberts stated that she felt there were a lot of very compelling questions being raised this evening, and was sure the Planning Commission had equally heard them, and she knows they are very thorough in doing their job. She stated that there are a small amount of people in attendance tonight. Whether it is R-8 or R-20 there is the impact of an industrial frontage and also the issue of traffic. Ms. Roberts also brought up a term that Mr. Brennan used, "fast-tracking" the project, but when she hears all the questions and concerns and there is a small amount of people in the audience tonight, it concerned her. Mr. Rose did add that all the surrounding properties got noticed, and it was also published in the paper.

Mr. Hall asked Mr. Brennan if he was to do away with the cul-de-sac and lose 5 properties could he redesign the lots to not need variances. Mr. Brennan stated that the only variance that would change would be for the one with the 60 ft. driveways, everything else would remain the same. Mr. Brennan explained it to Mr. Hall on the overhead screen, showing him the two wetland areas. Mrs. Pristas stated that the first wetland was not an actual natural wetland, it was a pond that was being dug by the people that owned the house, and was stopped by the City. It is now being called a wetland, and it is not. Mr. Brennan stated that he knows it was man made and wished that argument worked with the Army Corp of Engineers but it didn't.

Sue Meyers, 7811 Snowville Road spoke to the Board. She stated that she did not build a pond, someone who was staying at the property did the pond and the City didn't stopped him and there was no permit, and it became their problem. She feels that because it is the industrial part of the City, it is going to improve the look of the south end of the City. She felt it didn't look good now, and it will make it more attractive.

Motion by Ms. Roberts seconded by Mr. McCrodden to close Public Hearing. **MOTION CARRIED**

#### **APPEAL 2016-45**

Edward Matuszak for a variance from Section 1151.24 of 11.5 ft. from the minimum required 20 ft. side yard setback to allow a 8.5 ft. setback for the construction of an addition on a non-conforming house located at 8468 Whitewood Road, PP#601-16-007.

Ed and Terry Matuszak spoke to the Board. Mr. Matuszak stated that they purchased the house and it was built in 1955 and was somewhat in disrepair and is non-conforming by today's code. They are trying to add on to the back of the house with a master bedroom, bathroom, great room and covered patio to improve it. Mr. Rose asked to see the drawings on the overhead screen.

Mr. Hall clarified with Mr. Matuszak that there is a slope to the property. Mr. Matuszak stated that it does slope, the house is pushed all the way to the east side because it slopes toward the west where there is a creek, and is really the only place they could build.

Mr. Rose clarified with Mr. Synek that this is similar to a non-conforming situation where anything you do would require a variance. Mr. Synek stated that they could technically move the addition over so it is in the middle of the rear of the house, but didn't know how advantageous it was to the existing floor plan. Mr. Matuszak stated that they are adding on to almost the entire back of the house and they did actually push it in 3 ft. from the side of the house. Mr. Matuszak stated that he has communicated with his neighbor thru this whole process and have showed them their plans. His neighbor submitted a letter, Mr. and Mrs. David L. Sabo, 8468 Whitewood Road, and they had no problem with their project. Mr. Rose stated that the Board had the letter.

Mr. Rose opened up questions to the audience and there were none.

Motion by McCrodden seconded by Veras to close Public Hearing. **MOTION CARRIED**



**APPEAL 2016-46**

North Coast Home Improvement for Bob & Carol Zawacki for (1) a variance from Section 1151.24 of 15 ft. from the required 125 ft. front yard setback to allow 110 ft. on Highland Drive, and (2) a variance from Section 1151.24 of 7.67 ft. from the required 125 ft. side yard setback to allow 117.33 ft. on Boston Road for the construction of a rear addition on a non-conforming house on a corner lot located at 10460 Highland Drive, PP# 604-20-008.

Bob Zawacki spoke to the Board regarding his appeal. He stated that they have lived in the house since 1962, and won the 2007 Beautification award. He works on his yard all the time. His wife does not want to move, so he wants to install a laundry room and a bath on the first floor and take the patio that they have and raise it to be a porch, so that everything is on one level and make it handicap ready, because he doesn't know if they will ever move. Mr. Rose clarified with Mr. Synek that this is another situation that anything they would want to do would require a variance. Mr. Synek stated that was correct, it is an existing non-conforming house. Mr. Rose stated that it has an issue of being a corner lot as well.

Mr. Zawacki stated that he submitted letters from two of his neighbors that approve of his project, Laura and Bob Bandsuh, 10436 Highland Drive and Bryan and Loretta Harko, 4015 Boston Road. Mr. Rose stated that he received an email from Rosie Borisz, 10448 Highland Drive, that was opposed to his project, mainly for sight line purposes.

Mr. Rose opened up questions to the audience and there were none.

Motion by Mr. Hasman seconded by Mrs. Veras to close Public Hearing. **MOTION CARRIED**

**MINUTES OF REGULAR MEETING  
REGULAR MEETING  
BRECKSVILLE BOARD OF ZONING APPEALS  
Community Room – Brecksville City Hall  
October 10, 2016**

Present: Kathleen Roberts, Eric Hall, Robert Hasman, Kim Veras,  
Bruce McCrodden, Dennis Rose

Absent: Mayor Hruby

Others: Building Inspector Synek, 16 guests

**APPROVAL OF THE REGULAR MEETING MINUTES OF SEPTEMBER 12, 2016**

Motion by Mr. Hall, seconded by Mr. Hasman to approve the Regular Meeting Minutes of September 12, 2016 as recorded.

ROLL CALL: Ayes: Roberts, Hall, Hasman, Veras, McCrodden, Rose  
Nays: None  
**MOTION CARRIED**

**APPEAL 2016-41**

Motion by Mr. Hasman, seconded by Mrs. Veras that the Board of Zoning Appeals recommend to City Council approval for a variance from Section 1151.26(1) to allow the construction of a detached garage in the side yard, as shown in the drawing dated 9-27-2016, instead of the permitted rear yard, and (2) a variance from Section 1151.06(a) not to install the required turn around driveway located at 9898 Highland Drive, PP# 604-04-035.

ROLL CALL: Ayes: McCrodden, Roberts, Hall, Hasman, Veras, Rose  
Nays: None  
**MOTION CARRIED**

**APPEAL 2016-43**

Motion by Mrs. Veras, seconded by Ms. Roberts that the Board of Zoning Appeals recommend to City Council approval for a variance from Section 1119.09(d) not to install the required public sidewalks until such time that the City deems appropriate, for the construction of a single family dwelling located at 8377 Riverview Road, PP# 602-26-006.

ROLL CALL: Ayes: Hasman Veras, McCrodden, Roberts, Hall, Rose  
Nays: None  
**MOTION CARRIED**

**APPEAL 2016-44**

Motion by Mr. McCrodden, seconded by Mrs. Veras that the Board of Zoning Appeals recommend to City Council approval for (1) a variance from Section 1117.04 (e) to allow a cul-de-sac street to be 1860 ft. in length, maximum 800 ft. permitted, and (2) a variance from Section 1151.24 of 25 ft. from the minimum required 50 ft. front yard setback to allow a minimum 25 feet, and (3) a variance from Section 1151.24 of 25 ft. from the minimum required 50 ft. rear yard to allow 25 ft, and (4) a variance from Section 1151.24 which requires a minimum 5 ft. side yard and a total of two side yards of 20 ft., to allow a minimum 7.5 ft. side yard and a total of 15 ft., and (5) a variance from Section 1151.26(3) to allow decks to be constructed with a minimum rear yard of 15 ft. on those lots which abut open space, and (6) a variance from Section 1119.09(d) not to install the required public sidewalks on Snowville Road until such time that the City deems appropriate, and (7) a variance from Section 1117.04(i) requiring that driveways be located at least 60 feet from the projection of the right-of-way lines of the nearest intersecting street to permit driveways within the projection of right-of-way lines for 23, 29, 40, 41 and 42, and (8) a variance from Section 1117.09 to permit non-rectangular lots

for Lots 45 and 46.

(For the existing house on Sublot 58) - (9) a variance from Section 1151.22 to allow access to a collector street in an R-8 District- not permitted, and (10) a variance from Section 1151.24 to allow a front yard on a collector street- not permitted, and (11) a variance from Section 1119.09(d) not to install the required public sidewalks until such time that the City deems appropriate (proposed 58 lot re-development) for the Snowville Road Subdivision located at 8203 & 7811 Snowville Road PP# 605-15-001, 605-15-004, 605-14-010 & 605-14-016.

ROLL CALL: Ayes: Hall, Veras, McCrodden, Rose

Nays: Roberts, Hasman

**MOTION CARRIED**

**APPEAL 2016-45**

Motion by Ms. Roberts, seconded by Mrs. Veras that the Board of Zoning Appeals recommend to City Council approval for a variance from Section 1151.24 of 11.5 ft. from the minimum required 20 ft. side yard setback to allow a 8.5 ft. setback for the construction of an addition on a non-conforming house located at 8468 Whitewood Road, PP#601-16-007.

ROLL CALL: Ayes: Veras, McCrodden, Roberts, Hall, Hasman, Rose

Nays: None

**MOTION CARRIED**

**APPEAL 2016-46**

Motion by Mr. Hall, seconded by Mrs. Veras that the Board of Zoning Appeals recommend to City Council approval for (1) a variance from Section 1151.24 of 15 ft. from the required 125 ft. front yard setback to allow 110 ft. on Highland Drive, and (2) a variance from Section 1151.24 of 7.67 ft. from the required 125 ft. side yard setback to allow 117.33 ft. on Boston Road for the construction of a rear addition on a non-conforming house on a corner lot located at 10460 Highland Drive, PP# 604-20-008.

ROLL CALL: Ayes: Hall, Hasman, Veras, McCrodden, Roberts, Rose

Nays: None

**MOTION CARRIED**

**REPORT OF COUNCILMEMBER VERAS**

Mrs. Veras reported that at the September 20, Council Meeting, the two recommended variances from the Board of Zoning Appeals were passed by City Council.

**REPORT OF MAYOR HRUBY**

No Report, the Mayor was not in attendance.

**RULES AND REGULATIONS AND APPLICATION OF THE BOARD OF ZONING APPEALS**

Mr. Rose commended Mr. Hasman for his work on redesigning the Board of Zoning Application as well as the Rules and Regulations. Mr. Rose stated that he has reviewed it and made some comments/changes. He suggested that the Board wait until the next meeting to discuss it, since this was a lengthy meeting. It would also give Board members time to look over the copies one more time.

Motion by Mr. Hasman, seconded by Mr. McCrodden to close the Regular Meeting at 9:04 p.m.  
**MOTION CARRIED.**

**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