

**MINUTES OF PUBLIC HEARINGS
BRECKSVILLE BOARD OF ZONING APPEALS
Community Room – Brecksville City Hall
April 9, 2018**

Present: Roberts, Hall, Hasman, Hruby, Kingston, McCrodden, Rose

Absent: None

Others: Building Inspector Synek, 6 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 process of appeal.

APPEAL 2018-16

Michael Mihalek & Anna Cochran for (1) a variance from Section 1151.25(d) of 140 sq. ft. from the maximum 660 sq. ft. to allow 800 sq. ft. for the construction of a detached garage, and (2) a variance from Section 1151.26(1) requirement that a detached garage be located in the rear yard to allow in the side yard for a replacement garage, and (3) a variance from Section 1151.26(2) requirement that sheds be located in the rear yard to allow in the side yard located at 9519 Highland Drive, PP# 603-14-023.

Anna Cochran Mihalek spoke to the Board regarding her appeal. She stated that their goal was to improve and beautify their garage. She went on to explain that she didn't know how old the garage was but it was ugly and deteriorating, and they would like to demolish it and rebuild another one in its current footprint. They would also like to demolish the shed that is currently attached to the garage, and rebuild a new shed 2 ft. away from it. The reason they would like to detach the shed is for water runoff, they recently installed two new drains to the north side of the garage.

Mr. Rose asked Ms. Mihalek to explain why they could not install the garage in the rear of the house. Ms. Mihalek explained that they had hoped to use their current footprint for convenience. She stated that she has several large oak trees and a playhouse in the rear, and they would rather not have to remove any trees. Mr. Rose clarified what the rear yard was with Mr. Synek, stated that it was anything behind the yellow line that was shown on the overhead screen.

Mr. Hall clarified that if she were to move the garage behind the yellow line, she would have to extend the driveway. Ms. Mihalek stated that was correct.

Mr. Rose asked if she would have to remove trees if the garage was moved behind the yellow line. Ms. Mihalek stated that about twenty yards back there is a massive tree that is by the playground and that would need to come down.

Mr. Rose asked if she had spoken with her neighbors. Ms. Mihalek stated that she did and had signatures of the neighbors that were in support of her variance. She stated that the Poelking's would be the neighbors that would be most impacted by the variance, and they were fine with it. Mr. Rose wanted the record to reflect that eight neighbors were in support of the project, i.e. Stephanie Pace, St. Matthew's Episcopal Church, 9549 Highland Drive, Douglas Harbie, 9536 Highland Drive, Melissa Mueller, 9536 Highland, Adrienne Poelking, 9513 Highland Drive, Richard Bastyr, 9516 Highland Drive, Susan Markovic, 9493 Highland Drive, Patricia Bastyr, 9500 Highland Drive, John and Jessica Griffin, 9526 Highland Drive.

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

Motion by Ms. Roberts, seconded by Mr. McCrodden to close Public Hearing.

MOTION CARRIED

APPEAL 2018-17

Rick & Joanna Staikoff for a variance from Section 1151.25(d) of 940 sq. ft. from the maximum 660 sq. ft. to allow 1600 sq. ft. for the construction of a detached garage located at 5409 Oakes Road, PP# 603-04-003.

Rick Staikoff spoke to the Board regarding his appeal. Mr. Staikoff explained that he has a lot of kids and cars and needed more garage space. He stated that his current attached garage is going to be converted into living space for his mother in law. His neighbor next door to him built a garage last year, and his neighbor's brother in law that built the garage will build his garage as well. Mr. Staikoff stated that he can use the new garage for all his lawn and pool equipment, as well as his cars. He explained that in losing the attached garage to park his cars in, he would like to just build one large garage for everything instead of having multiple buildings, he felt it would look better. He planned on matching the roof lines and the siding, and everything will be cemented.

Mr. Rose asked if he had an elevation of the garage. Mr. Staikoff stated that he did not have one yet.

Mr. Kingston asked if it would be comparable to his neighbor's garage. Mr. Staikoff stated that it would be. Mr. Kingston asked the size of the neighbor's garage. Mr. Staikoff stated that it was a 20x40. Mr. Kingston asked if he was going to place it where all the pine trees were located on the property. Mr. Staikoff stated yes, he will remove the pine trees, and be more than 10 ft. from the property line.

Mr. Rose asked if it was an efficiency hardship, to have it all under one roof. Mr. Staikoff stated that was correct. He will be losing an attached two car garage for the in law suite. Mr. Rose stated that he could have two garages, Mr. Staikoff felt that it would be more efficient under one roof.

Mayor Hruby asked if there will be a bathroom installed in the garage. Mr. Staikoff stated there will be no bathroom. Mayor Hruby explained his reason for asking was, in the future when the next people that buy the house, they may think they could rent it out and use it as living space. The Mayor wanted to make sure that wouldn't be the case here.

Mr. Hasman asked if there will be a driveway leading up to the new building. Mr. Staikoff stated that there will be a cement driveway. He explained it on the overhead screen.

Mr. Rose clarified that all the setback requirements will be met. Mr. Staikoff stated that was correct. He doesn't want a monstrous building. The pitch on the roof may determine what size building he can build, the variance that he was requesting would be the largest he would ever consider going.

Mr. Hall stated that the location of where he was proposing to build, looked as though the land was sloping. Mr. Staikoff stated that he will probably build a retaining wall there so it is even with the rest of the land.

Mr. Hasman stated that Mr. Staikoff mentioned cutting down his pine trees, and asked if the neighbor to the west was alright with it. Mr. Staikoff stated that his neighbor, Brian Lanasa, was fine with it. Mr. Lanasa's brother in law is the person that will be building the garage. They talked about planting some nice shrubbery there.

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

Motion by Mr. Hasman, seconded by Mr. Hall to close Public Hearing.

MOTION CARRIED

APPEAL 2018-18

Glen RE, LLC. for a variance from Section 1151.24 of 20 ft. from the minimum required 70 ft. rear yard setback to allow 50 ft. for the construction of an addition located at 9455 Glen Drive, PP# 603-15-032.

Nate Cevasco spoke to the Board regarding his appeal. Mr. Cevasco explained that they are proposing to build an addition onto the existing home. He stated that he went thru the Planning Commission last November to consolidate two parcels into one. He is hoping to add the addition onto the second property that was consolidated. Mr. Cevasco went on

to state that there is quite a constriction in the central part of the home as opposed to either side of the property. He stated there is already a rear setback variance, and explained it to the Board on the overhead screen. Mr. Cevalco explained that since it is already a large structure as it is, they would like to condense it, so that it didn't look too large for the neighborhood that they are in. It will also leave some buffer area for the other neighbor that will be building, and that is why they are asking for a variance.

Mayor Hruby asked Mr. Cevalco what he would be using the addition for. Mr. Cevalco stated that he has four sons, so he would like to build an extra two car garage, as well as an indoor sports court, an in-ground pool and attached cabana.

Mr. Rose asked if Mr. Cevalco spoke with the neighbor at 9465 Glen Drive. Mr. Cevalco stated that he did, he submitted letters to the Board. His neighbors on either side of him are in support of the project. In addition, he spoke with Mr. Liptak at 6836 Oakes Road, who was present this evening.

Mayor Hruby asked Mr. Synek what the total square footage of the home with this proposed project. Mr. Synek stated that he did not know. Mr. Cevalco stated that the existing home was almost 10,000 square feet including the walk out basement, and the new addition will be probably 2000 to 3000 sq. ft.

Mr. Hall asked if the center of the home would be a drive thru structure. Mr. Cevalco stated yes, they didn't want to change the existing residence because they like the current architecture of it, and they didn't want to move the driveway, so they decided to do a second floor walkway over to the addition with a portico that you drive thru to the rear.

Mr. Rose opened up questions to the audience.

Mr. Liptak, 6836 Oakes Road, thought the project was great.

Roberta Anderson, 9495 Glen Drive, stated that she also supports his project.

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 9, 2018**

Present: Roberts, Hall, Hasman, Hruby, Kingston, McCrodden, Rose

Absent: None

Others: Building Inspector Synek, 6 guests

APPROVAL OF THE REGULAR MEETING MINUTES OF MARCH 12, 2018

Motion by Mayor Hruby, seconded by Mr. Hall to approve the Regular Meeting Minutes of March 12, 2018, as recorded.

ROLL CALL: Ayes: Roberts, Hall, Hasman, Hruby, Kingston,
McCrodden, Rose

Nays: None

MOTION CARRIED

APPEAL 2018-16

Motion by Mr. Hall, seconded by, Ms. Roberts that the Board of Zoning Appeals recommend to City Council approval for (1) a variance from Section 1151.25(d) of 140 sq. ft. from the maximum 660 sq. ft. to allow 800 sq. ft. for the construction of a detached garage, and (2) a variance from Section 1151.26(1) requirement that a detached garage be located in the rear yard to allow in the side yard for a replacement garage, and (3) a variance from Section 1151.26(2) requirement that sheds be located in the rear yard to allow in the side yard.

ROLL CALL: Ayes: Hasman, Hruby, Kingston, McCrodden, Roberts,
Hall, Rose

Nays: None

MOTION CARRIED

APPEAL 2018-17

Motion by Mr. Hasman, seconded by Mr. Kingston, that the Board of Zoning Appeals recommend to City Council approval for a variance from Section 1151.25(d) of 940 sq. ft. from the maximum 660 sq. ft. to allow 1600 sq. ft. for the construction of a detached garage located at 5409 Oakes Road, PP# 603-04-003.

ROLL CALL: Ayes: Kingston, McCrodden, Roberts, Hall, Hasman,
Hruby, Rose

Nays: None

MOTION CARRIED

APPEAL 2018-18

Motion by Mr. McCrodden, seconded by Ms. Roberts, that the Board of Zoning Appeals recommend to City Council approval for a variance from Section 1151.24 of 20 ft. from the minimum required 70 ft. rear yard setback to allow 50 ft. for the construction of an addition located at 9455 Glen Drive, PP# 603-15-032.

ROLL CALL: Ayes: Hall, Hasman, Hruby, Kingston, McCrodden,
Roberts, Rose

Nays: None

MOTION CARRIED

REPORT OF COUNCILMEMBER ROSE

Councilmember Rose reported that all the variances at the last Board of Zoning meeting were approved by City Council on March 20, 2018.

REPORT OF MAYOR HRUBY

No Report.

Motion by Mr. McCrodden, seconded by Mr. Hasman to close the Regular Meeting at 8:03 p.m. **MOTION CARRIED**

THE BRECKSVILLE BOARD OF ZONING APPEALS

DENNIS ROSE, CHAIRMAN

KATHLEEN ROBERTS, VICE CHAIRMAN

BRUCE MCCRODDEN, SECRETARY

Public Hearing and Regular Meeting recorded by Gina Zdanowicz