

**MINUTES OF PUBLIC HEARINGS
BRECKSVILLE BOARD OF ZONING APPEALS
Community Room – Brecksville City Hall
September 8, 2015**

Present: Kathleen Roberts, Carl Opatrny, Mayor Hruby, Kimberly Veras,
Bruce McCrodden, Dennis Rose

Absent: Robert Hasman

Others: Building Inspector Synek, 10 guests

PUBLIC HEARINGS

APPEAL 2015-27

Artistic Renovations for Julie Sarka for a variance from Section 1151.24 of 38 ft. from the minimum required 125 ft. front setback to allow 87 ft. for the construction of a front porch located at 11031 Fitzwater Road, PP# 602-02-019.

David Meek, homeowner, spoke to the Board regarding their variance. He explained that they met with Artistic Renovations because the house is 70 years old and was in need of a face lift. They would like to add on a front porch addition. He explained that all the homes along Fitzwater Road have a 100 ft. setback, and the required setback is 125 ft., they are asking for a 38 ft. variance. The porch will only project out 12 ft. and would not extend any further out than where his current steps on the front of the house are now, and no further out than his neighbor's garage. He explained that he met with all his immediate neighbors and showed them the plan of what they wanted to do, and they all thought it would be an enhancement to the neighborhood and to his house.

Ken Perrin, Artistic Renovations spoke to the Board. He explained that the porch will not extend out any further than their steps do currently. The porch will be made out of cultured stone and siding. Currently the house is somewhat dated and this will dress it up. They will also add a window on top.

Mr. Rose confirmed with Mr. Synek that anything they would do to the front of the house would need a variance. Mr. Synek stated that was correct, it is a non-conforming house.

Motion by Ms. Roberts, seconded by Mayor Hruby to close Public Hearing. **MOTION CARRIED**

APPEAL 2015-28

Petros Homes for Eric Harsh for a variance from Section 1151.23(a)(2) of 33 ft. from the required 86 ft. front setback to allow 53 ft. for a new single family dwelling located at 9120 Brecksville Road, PP# 601-34-027.

Mark Krahe, Petros Homes, spoke to the Board regarding Eric Harsh's appeal. He stated that they are seeking a variance for the established setback. The original setback is 86 ft. and they are proposing 53 ft. based on the fact that there is a severe drop off. Mr. Krahe explained the topography on the overhead screen stating that there is a severe drop off in the rear of the property, as well as a drop going north to south. The house is behind the original setback line, the garage is the issue. If they moved the house, it would cause a disadvantage in the back. Mr. Krahe explained they are seeking a variance mainly because the body of the house conforms. He stated that the new setback was established in 2013, when someone was proposing to build at that time. Mr. Krahe felt that they didn't proceed because it may have been too difficult to meet the setback because of the topography. Mr. Harsh spoke with his neighbor Nuvia Martin, 9132 Brecksville Road, to the south, and they had no objection.

Mr. Rose asked if the trees on the south line between the two properties would be cleared out. Mr. Krahe stated that they had planned on keeping them.

Mr. Rose asked Mr. Synek if there would be any issue with the steepness of the driveway. Mr. Synek stated that the Building Department did not have anything for review at this time for the driveway. Mr. Rose asked Mr. Krahe if the driveway would need a variance at some point in time. Mr. Synek stated that he did not know, nothing has been submitted for review. Mr. Krahe stated that it will be fairly steep, and that is one of the reasons why they curved the driveway to that point so they would have a little more run to it to get up the hill. It starts at 900 ft. at the property line and goes up to 914 ft. at the garage. Mr. Rose agreed that the driveway will be steep. Mr. Krahe agreed, but stated that he didn't know if there was anyway around it. They had talked about designing the garage on the low side, but it would have been a problem because it would be at garage level and there would be several steps into the house. Mr. Harsh's elderly father could potentially come to live with them, and the steps would create a problem for him.

Mr. Opatrny asked what the setback of the house to the south was. Mr. Krahe wasn't sure, but believed it to be 86 ft.

Mayor Hruby stated that with the exception of the red house on the corner of Brecksville Road and Greystone, this would be the closest house to Rt. 21, and asked Mr. Synek to confirm. Mr. Synek stated that he was not familiar with the setbacks on Brecksville Road, but found the answer to Mr. Opatrny's question regarding the setback of the house to the south, it is 79 ft. Mayor Hruby asked Mr. Krahe what he was going to do to the topography to the far south of the property if this variance was approved. Mr. Krahe stated that he will keep it where it is. The plans show the property with a relatively minimal amount of grading. Mayor Hruby asked what the height of the structure was with the walk out basement. Mr. Synek stated that the drawings did not have those numbers. Mr. Krahe explained that from the average grade it is approximately 31 ½ or so, it met the height requirement.

Mayor Hruby wanted to make the homeowner aware of how close they will be to the road. Mr. Harsh stated that their plan is to build so that they would do most of their living in the rear of the house. Mr. Krahe stated that they will be up above the street line, approximately 10 ft.

Mr. Opatrny stated that the setback of the adjacent house is 79 ft. and wanted to know why Mr. Krahe could not at least meet that setback. Mr. Krahe stated that because of the footprint of the house, it gives you a limited area to build within.

Mayor Hruby asked what the overall square footage of the house was. Mr. Krahe stated that it was 3100 sq. ft. Mr. Rose asked how much of that included a walkout basement, Mr. Krahe stated none.

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

**MINUTES OF REGULAR MEETING
BRECKSVILLE BOARD OF ZONING APPEALS
Community Room – Brecksville City Hall
September 8, 2015**

Present: Kathleen Roberts, Carl Opatrny, Mayor Hruby, Kimberly Veras,
Bruce McCrodden, Dennis Rose

Absent: Robert Hasman

Others: Building Inspector Synek, 10 guests

APPROVAL OF THE REGULAR MEETING MINUTES OF AUGUST 10, 2015

Motion by Mr. McCrodden, seconded by Mr. Opatrny to approve the Regular Meeting Minutes of August 10, 2015 as recorded.

ROLL CALL: Ayes: Roberts, Opatrny, Hruby, Veras, McCrodden,
Rose
Nays: None
MOTION CARRIED

APPEAL 2015-27

Motion by Mr. McCrodden seconded by Mr. Opatrny, that the Board of Zoning Appeals recommend to City Council approval for a variance from Section 1151.24 of 38 ft. from the minimum required 125 ft. front setback to allow 87 ft. for the construction of a front porch located at 11031 Fitzwater Road, PP# 602-02-019.

ROLL CALL: Ayes: Roberts, Opatrny, Hruby, Veras, McCrodden,
Rose
Nays: None
MOTION CARRIED

APPEAL 2015-28

Motion by Ms. Roberts seconded by Mr. Opatrny, that the Board of Zoning Appeals recommend to City Council approval for a variance from Section 1151.23(a)(2) of 33 ft. from the required 86 ft. front setback to allow 53 ft. for a new single family dwelling located at 9120 Brecksville Road, PP# 601-34-027.

ROLL CALL: Ayes: Roberts, Hruby, Veras, McCrodden, Rose
Nays: Opatrny
MOTION CARRIED

REPORT OF COUNCILMEMBER VERAS

Councilmember Veras stated that City Council passed all five items recommended by the Board of Zoning Appeals at the August 18, 2015 meeting.

REPORT OF MAYOR HRUBY

No Report.

Motion by Ms. Roberts, seconded by Mr. Opatrny to close the Regular Meeting at 7:53 p.m. **MOTION CARRIED**

THE BRECKSVILLE BOARD OF ZONING APPEALS

DENNIS ROSE, CHAIRMAN

KATHLEEN ROBERTS, VICE CHAIRMAN

ROBERT HASMAN, SECRETARY

Regular Meeting recorded by Gina Zdanowicz