

**MINUTES OF PUBLIC HEARINGS  
BRECKSVILLE BOARD OF ZONING APPEALS  
Community Room – Brecksville City Hall  
March 10, 2014**

Present: Kathleen Roberts, Carl Opatrny, Robert Hasman,  
Kimberly Veras, Dennis Rose

Absent: Mayor Hruby, Bruce McCrodden

Others: Building Inspector Synek, 24 guests

**PUBLIC HEARINGS**

**APPEAL 2014-08**

Thomas Goins for a variance from Section 1185.03(b) to allow the construction of a 4 ft. high post and board type fence in the front and side yard of a corner lot (not permitted) located at 8565 Whitewood Road, PP# 601-18-001.

Mr. Goins spoke to the Board regarding his appeal. He stated that his property is located between three streets, Whitewood Road, Hilton Road and Mill Road. There are two large vertical culverts that are open on the property, and well as a swale that opens up to a vertical storm sewer, which he felt both posed a safety hazard for his three small grandchildren. He purchased the home after it was a rental property, and there was quite a bit of dead vegetation there. His plan is to cut down the dead trees and replace it with a beautification plan they are designing for the property. Mr. Goins went on to explain that he has two Great Danes that are very gentle, but are visually intimidating. The dogs are very large and a person walking by might be intimidated by them because they look more like a pony than a dog. He stated that he is asking for the fence to be 5 ft. off the property line, and the property line is already 15 ft. from the edge of the asphalt and is already set back quite a bit. He would have no problem if Council would ask for it to be set back further. His back yard has some storm water issues that he has not repaired as of yet.

Mr. Rose noted that there was a picture of a fence in his submittal, and asked if the fence would be vinyl. Mr. Goins stated that it would be a wooden fence that will be painted white. Mr. Rose commented that because the property is located at the intersection of three streets, however he plans to beautify it, will be an asset. Mr. Goins stated that his son is a Landscape Architect and they have several plans for the property.

Mr. Opatrny asked Mr. Synek if there were any issues with the right-of-way. Mr. Synek stated that there was not. He also spoke with the Police Department, and they did not have any safety issue with it either. Mr. Opatrny brought up the location of the storm sewer and wanted to make sure there was no problem with the installation of the fence. Mr. Synek stated that there is some storm piping there and the Building Department will make sure that they stay away from it when they install the fence. Mr. Goins explained that the storm sewer is between the fence and the roadway. Mr. Opatrny also asked about

the location of the gas and water lines. Mr. Synek stated there was no issue with that either. Mr. Goins clarified that before digging the posts for the fence, he will call the Ohio Utility Protection Service to make sure that he would not adversely affect anything in the ground.

Mr. Hasman stated that he noticed when he visited the property, that there were no other fences, and asked if Mr. Goins had considered any other alternatives. Mr. Goins stated that some of his friends suggested an invisible fence, but that would not help the situation with his grandchildren, and that they are a priority to him. The other option was to install a picket fence. His preference is to utilize the yard and use as much of the property as possible. Mr. Hasman stated that there is a 12 inch gap in the fence and asked whether the dogs would be able to get out of that size opening. Mr. Goins stated that his dog would not be able fit thru that size gap. Mr. Hasman asked about children getting thru the fence. Mr. Goins stated that he did not envision his grandchildren playing in the yard unsupervised. He went on to explain that he has a lake house with the same type of fence, and his dogs are very accustomed to that type of fencing. Mr. Rose asked if the dogs could jump over the fence. Mr. Goins stated that they are not jumpers. Mr. Hasman asked if Mr. Goins planned on installing any screening by the fence. Mr. Goins stated that he would not, but that he would landscape in front of it. There are a lot of dead trees and he would like to plant new trees between the fence and the property and install some landscaping to give it a natural woodland feel. Mrs. Goins stated that the design has not been drawn up yet. Mr. Rose asked if the plantings would be on the Mill Road side. Mr. Goins stated that it would be along the two streets.

Mr. Hasman asked if Mr. Goins had spoken to any of his neighbors regarding the fence. Mr. Goins explained that he had not, because he had not moved into the house yet.

Mr. Rose opened up questions to the audience. Ms. Elizabeth Buelow, 8547 Whitewood, spoke to the Board. She stated that she also owns Great Danes, and has lived here over 28 years and has never had a problem with them running out of the yard towards people. They are well trained and know their limits. She stated that she also has grandchildren, and remarked that if you are outside watching them, the storm sewer should not be a problem. Mr. Goins explained that his dogs have always been accustomed to being behind a fence.

Mrs. Veras asked Mr. Goins what the behavior of his dogs were when they are out in the yard and see a person walking by, and asked if they run towards the fence. Mr. Goins stated that they typically do not. They don't bark, and if someone approached they may go up to them, but they are gentle dogs and probably would go up to the fence to seek attention.

Mr. Timothy Gallagher, 6837 Hilton Road spoke to the Board. He asked if Mr. Goins intent was to surround the entire property with a fence. Mr. Goins stated almost, but not quite, and showed him the location on the diagram. He explained that he wasn't sure what it was, but there is a 6 ft. buffer strip between his property and Mr. Gallagher's. Mr. Goins also mentioned that the rear section of fencing did not require a variance. Mr.

Gallagher asked if the rear fencing would be installed regardless. Mr. Goins stated that it would.

Mr. Robert Parsons, 6753 Mill Road spoke to the Board. He wanted to know if he would be allowed to install a fence in his front yard as well. He explained that he also had dogs and his yard has a storm sewer. He felt that it should either be allowed for everyone, or not allowed at all. Mr. Rose stated that if he wanted to seek a variance for a fence he could, the Board takes each appeal on a case by case basis. Mr. Rose explained that the Building and Zoning Code is not black or white, and that is why they have an appeal process in front of this Board.

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

**APPEAL 2014-09**

Christopher Ports for (1) a variance from Section 1151.24 of 5 ft. 10 ½ in. from the required 10 ft. side yard setback to allow a 4ft. 1 ½ in. side yard, and (2) a variance from Section 1151.24 of 10ft. 2 ¼ in. from the required 125 ft. front setback to 114 ft. 9 ¾ in. for a rear addition on a non-conforming house located at 6576 Mill Road  
PP# 601-12-012.

Mr. Ports spoke to the Board regarding his appeal. He stated that they would like to build a bedroom addition because he has a growing family. He has somewhat of an irregular shaped property and the property line is at a 60 degree angle to the right-of-way. It is non-conforming, and the corner of the house is a little over 7 ft. from the property line. They designed the addition to be in the rear to fit with the flow of the house, and really besides cutting out a hole in the wall, they would not have to do any other renovation to the interior of the house to accommodate it. If they built it towards the front of the house they would have a large amount of remodeling to do. Mr. Rose clarified with Mr. Ports that this would be the most efficient way to add the addition to the existing home. Mr. Ports stated that was correct. Mr. Rose clarified with Mr. Synek that because the whole front of the house was in front of the setback line, that this is another example that anything new being built, would require a variance. Mr. Synek stated that was correct. Mr. Ports mentioned that he did speak with his neighbors Kent and Deborah Puthoff, 6560 Mill Road, and did review the plans with them as well as the issue with the property line, and they did not have a problem with it. Mr. Rose stated that the Board did receive it and it will become part of the record.

Mr. Albert Feierabend, 6602 Mill Road, spoke to the Board and stated that he did not have a problem with the addition.

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

**APPEAL 2014-10**

Michael Benza & Associates, Inc. for Snowville Subdivision Joint Venture for a variance from Section 1117.09(b) Design of Lots, of 62.5 ft. to allow the average depth of Lot 18 to exceed the limit of 3 ½ times the width of 437.5 ft. to 500 ft. located at PP# 605-22-001.

**APPEAL 2014-11**

Michael Benza & Associates, Inc. for Snowville Subdivision Joint Venture for a variance from Section 1117.09(b). Design of Lots, of 197.5 ft. to allow the average depth of Lot 19 to exceed the limit of 3 ½ times the width of 472.5 ft. to 670 ft. located at PP# 605-22-001.

**APPEAL 2014-12**

Michael Benza & Associates, Inc. for Snowville Subdivision Joint Venture for a variance from Section 1117.09(b). Design of Lots, of 88 ft. to allow the average depth of Lot 20 to exceed the limit of 3 ½ times the width of 472.5 ft. to 560.5 ft. located at PP# 605-22-001.

Mr. Rose opened up the public hearing for all three appeals to be heard simultaneously because of their similarity.

Mr. Chris Bender with Snowville Joint Venture spoke to the Board. He stated that all five variances were previously approved by the Board of Zoning Appeals in 2007, but because of the economy issues and legal problems, it was never completed. They are now in a position to go forward with the subdivision. He explained that nothing has changed since the last time. The three appeals are all located on the south west corner of the site and need a variance because the lots are too deep. At one time it was going to be a small cul-de-sac. There is a commercial district on the Brecksville and Richfield side that abuts this development. In the process of working with the Planning Commission it was decided not to put in a cul-de-sac and use it as a buffer area between properties. There is also a large grade change there as well, approximately 15 to 18 ft. higher. One of their plans was to take the rear of the property and make it part of a conservation district and preserve it. They have done that throughout the subdivision with roughly 30 plus acres. The problem with that is, it would be an orphaned piece of property and no one else in the subdivision would be able to enjoy it because it would be somewhat remote. It would be opened to residents in the community to go back there, but they decided that it would cause more problems. Mr. Bender stated that they are very large lots, 2 ½ to 3 times larger than what code requires and would need a variance.

Mr. Rose clarified that this applies to all three lots. Mr. Bender stated that was correct.

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

**APPEAL 2014-13**

Michael Benza & Associates, Inc. for Snowville Subdivision Joint Venture for a variance from Section 1117.09(a). of 27.35 ft. for Lot 42 from the required rear property line to be at least 60% of the required 125 ft. lot width or 75 ft. and permit a rear lot width of 47.65 ft. located at PP# 605-22-001.

Chris Bender stated that this lot was discussed quite a bit in Planning Commission and did receive preliminary approval. They are going back to Planning Commission at present for final approval and that is why they need the variances for this lot. They could have made this a smaller lot and not needed a variance, it is currently 36,000 sq. ft. and the code requires 30,000 sq. ft., but they felt, as did Planning Commission, to maintain the north-south line and also continue the line across the back, because straighter lines are better between neighbors.

Mr. Rose opened up questions to the audience. Ms. Gayle Cartledge, 9110 Snowville Road, spoke to the Board. She asked Mr. Bender if this variance is part of 1A that they are working on now. Mr. Bender stated that it is not, it is part of 1B, the next phase and showed her on the diagram. Ms. Cartledge asked if 1B has been approved yet. Mr. Bender stated that it has preliminary approval and they are seeking these variances so that they can go back to the Planning Commission to get final approval and provide a detailed engineering plan. Mr. Bender asked where her property was located. Mr. Bender asked Ms. Cartledge where she lived. She stated that her property is located in the middle and the subdivision is all around her.

Mr. Rose explained to Ms. Cartledge that the Planning Commission gave them preliminary approval, but the reason they are in front of this Board, is to seek these variances and then go back for final approval.

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

**MOTION CARRIED**

**APPEAL 2014-14**

Michael Benza & Associates, Inc. for Snowville Subdivision Joint Venture for a variance from Section 1117.04(e). of 920.19 ft. from the permitted maximum of 800 ft. for a cul-de-sac street, to allow River Birch Run to extend 1,720.19 ft. located at PP# 605-22-001.

Chris Bender explained that River Birch Run is the road that was established at the intersection in 1A of the two new streets and wraps around to the west and terminates into a twin cul-de-sac on the north end of the property. The reason they are seeking this variance was because in one of their very early plans, there was another street exiting onto Snowville Road. In working with Planning Commission as well as the Fire Chief, it was determined that it was not the best location for a street because of terrain and site line issues, and it was suggested that they moved it down further to the east. This was a plan that was advised by the Planning Commission and approved on at least three occasions. The variance was also previously approved by this Board, but because they were not ready to do the work, the variance expired. They are just seeking a renewal. Mr. Bender

showed another location that they considered moving the street to, but because of that area being a conservation area as well as wetland area it would have been difficult to cross it with a street and the City Engineer recommended that it not be done, and that is why this plan was presented and approved.

Mr. Rose clarified this plan is a way to get back in there with out disrupting anything. Mr. Bender stated that was correct, they are also using Sublot 55 and making one lot out of it and use the balance of the acreage for a conservation easement. It will have an ingress/egress from Snowville Road.

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

**MOTION CARRIED**

**APPEAL 2014-15**

Form-A Architects, LLC. for County Line Saloon (1) a variance from Section 1183.04(c) from the required 10' X 20' parking spaces to allow 9' X 18' parking spaces, and (2) a variance from the Section 1183.05 required 28 parking spaces to permit 26 car spaces and 14 motorcycle spaces, and (3) a variance from Section 1155.32 of 17.5' from the required 20' parking setback from an arterial street to allow a 2.5' parking lot setback, and (4) a variance from Section 1155.32 of 17.5' from the required 20' parking setback from a collector street to allow a 2.5' parking lot setback, and (5) a variance from Section 1155.32 of 67.3' from the required 100' from a collector street to permit a 32.7 set back from a collector street, and (6) a variance from Section 1155.32 of 66.7' from the required 100' from an arterial street to permit a 33.3' set back from an arterial street, and (7) a variance from the Section 1119.09(d) requirement that public sidewalks be provided to allow this development without public sidewalks with the covenant that at a future date should sidewalks be necessary that they will be installed at the owner's expense, and (8) a variance from Section 1183.17 (d) of 1 ft. from the maximum driveway width of 24 ft. to permit a 25 ft. maximum driveway width located at 13007 Chippewa Road, PP# 602-30-009.

Mr. Justin Capella and Eduardo Villagomez with Form-A Architects, LLC. spoke to the Board regarding their appeal. Mr. Capella explained that they are seeking these variance requests due to the hardships presented by the existing building location. The variances are all in an effort to bring the existing building up to the current building codes. He stated that unfortunately, the building is rather close to the two streets and thus non-conforming to the current zoning codes. Their main goal is to improve the existing building and clean up the site with a new parking lot and landscaping. The old home that was located behind the restaurant was already removed and the owners are committed to rejuvenating the look of the corner.

Mr. Rose asked if the parking is all non-compliant at this time. Mr. Capella stated that it is, it is a gravel parking lot and you pull in wherever you want and park. Mr. Rose asked Mr. Synek what started this process. Mr. Synek stated that the owner wanted to make improvements as well as an addition on the building, and went to Planning Commission.

Mr. Capella stated that the currently building sits too close to the street. It was built in the 1940's and with the new zoning codes, and if you change anything on the building, it would need a variance.

Mr. Opatrny stated that there is an entrance on Riverview Road and asked if they will put in a second entrance. Mr. Capella stated that there will not be, there is only one entrance off of Riverview Road. Mr. Opatrny stated that currently you can drive onto Rt. 82 from the parking lot, and asked if that will be changed. Mr. Capella stated that it will change; it will all be curbed on the Rt. 82 side. Mr. Opatrny asked what their landscape plan is that abuts the two streets. Mr. Villagomez stated that they have submitted a landscape plan, and there will be various different plantings and trees installed along the front. Mr. Rose commented that the plan looked very nice. Mr. Opatrny stated that it will certainly be an improvement to what is currently there. Mr. Opatrny also asked if there will be new signage. Mr. Villagomez stated that there will be one more new sign. Mr. Capella stated that the new sign will not be by the road.

Mr. Hasman asked for their hardship and an explanation as to why the parking spaces have to be narrower than what is required by code. Mr. Capella stated that they made them smaller to be able to fit more spaces in, and explained that both 9x18 and 10x20 would both work.

Mr. Rose opened up questions to the audience. Sharon Schreiner, 8788 Riverview Road spoke to the Board. She stated that she is concerned with the paving of the parking lot. They have already experienced a terrible issue with water coming from the Veterinarian Hospital. She explained that when there is heavy rain, the water pours into Riverview Road and dumps onto her property. She asked if there will be some sort of grading or sewer installed to alleviate this issue. Mr. Capella showed her on the diagram the area where there will be water collection. Ms. Schreiner stated that area where you pull in is where there is a lot of water run off and with it paved and open, she was concerned. Mr. Capella stated that with the installation of the curb, it will re-direct the water and will carry it down to the lower area where there is a catch basin. There may be a little bit that comes out thru there, but with the new curb and the re-sloping and grading it will carry the water down to the catch basin. She again stated her concern about the water run off onto her property. Mr. Rose clarified that the City Engineer came up with this storm water plan. Mr. Capella stated that was correct.

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

**MOTION CARRIED**

**APPEAL 2014-16**

Anthony Vanadia for (1) a variance from Section 1151.22 of 50 ft. from the minimum required 150 ft. to allow a 100 ft. lot width, and (2) a variance from Section 1151.23 of 42.91 ft. from the minimum 125 ft. front yard setback to allow 82.09 ft. for an exiting house as part of a lot split (Lot "B") located at 6631 Wallings Road, PP# 601-01-004.

Anthony Vanadia spoke to the Board regarding his appeal. He stated that he bought the property in 2004. It is a non-conforming lot by today's code requirements. The lot is 200 ft. wide by 400 ft. deep. The other homes on the street are 100 ft. wide by 400 ft. deep. There are two homes on the property and he currently lives in the home on the right. He is requesting a variance for the front yard setback, because the home is not 125 ft from the street. The need for a variance was requested because he wants to build an addition. Mr. Rose asked if the lot split had occurred yet. Mr. Synek stated that this went before the Planning Commission last Thursday and they did not have an issue with it. We have not yet received the minutes from that meeting to forward onto the Board. Mr. Rose clarified that these are generally 100 ft. lots. Mr. Synek stated that was correct. Mr. Rose asked if lot 1B is to the west. Mr. Vanadia stated that lot 1B is the house he is living in now. Mr. Rose clarified that it is non-conforming. Mr. Synek stated that was correct. We are trying to recognize this as a non-conforming house, he is not changing anything.

Mr. Hasman wanted to clarify that R-20 has a width of 150 ft. Mr. Synek stated that was correct.

Mr. Rose opened up questions to the audience. Anastasia Holiday, 6632 Somerset Drive, spoke to the Board; she lives behind the two lots. She stated that he wants to split the lots and live on one of them and build an addition, but to her knowledge, it is a commercial lot. Mr. Vanadia stated that it was a commercial lot to cut stone. He purchased the property and it is not a commercial lot anymore. Ms. Holiday stated that she thought it was commercial because at times there is heavy equipment on the lot. Mr. Vanadia stated that there is heavy equipment because he has been renovating the property. The house was used as a commercial property and he needed the equipment to do the amount of work that he had to do to get all the building material off the lot. There is no equipment there at this time. Ms. Holiday clarified with Mr. Vanadia that after the addition is built there will be no more commercial type vehicles or equipment on the property. Mr. Vanadia stated that was correct. Ms. Holiday asked if he would be installing two driveways because it is two different lots. Mr. Vanadia stated that there is a center driveway which will be removed, and showed her the location of the other driveway. Ms. Holiday asked if he was going to sell the other parcel and house. Mr. Vanadia stated that he has no plan to sell it, the only reason he is doing this is because he is building the addition and he needs the variances to meet the city codes. Ms. Holiday asked if it will turn into a rental property. Mr. Vanadia stated that his mother in law and father in law will be living there.

Joseph Petsche, 6640 Somerset Drive, spoke to the Board. He stated that he lives behind Mr. Vanadia. He asked if he was going to install the driveway all the way to the rear of the property. Mr. Vanadia stated that he is not. That driveway dead ends by the garage. Mr. Petsche asked to see the location and Mr. Vanadia showed him on the diagram.

Casimir Mieskoski, 6534 Wallings Road spoke to the Board. He asked where the commercial property that he purchased was located, and if it was the old stone smith. Mr. Vanadia stated that it was.

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

**MOTION CARRIED**

**APPEAL 2014-17**

Anthony Vanadia for (1) a variance from Section 1151.24 of 1.65 ft. from the minimum required 10 ft. side yard to allow 8.35 ft., and (2) a variance from Section 1151.24 of .43 ft. from the required total of two side yards of 30 ft. to allow 29.57 ft. for an addition and (3) a variance from Section 1151.22 of 50 ft. from the minimum required 150 ft. to allow a 100 ft. lot width for a lot split (Lot "A") located at 6631 Wallings Road, PP# 601-01-004.

Mr. Vanadia pointed out the existing structure on the diagram with three garage doors stating one will be eliminated. He explained that it is a difficult home to work with without tearing it all down, and wanted to stay within the current footprint. The entrance would be on the side of the house which is closer to parcel B.

Mr. Rose asked what prevented him from building the addition more even with the house and not having to be as close to that side yard. Mr. Vanadia stated that he needs to maintain the ingress and egress to the existing house, and also needed the area for front porch and entrance way. Mr. Rose clarified that if he moved the addition over there would be no entrance to the house. Mr. Vanadia stated that was correct.

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

**MOTION CARRIED**

**MINUTES OF REGULAR MEETING  
BRECKSVILLE BOARD OF ZONING APPEALS  
Community Room – Brecksville City Hall  
March 10, 2014**

Present: Kathleen Roberts, Carl Opatrny, Robert Hasman,  
Kimberly Veras, Dennis Rose

Absent: Mayor Hruby, Bruce McCrodden

Others: Building Inspector Synek, 24 guests

**APPROVAL OF THE REGULAR MEETING MINUTES OF FEBRUARY 10, 2014**

Motion by Ms. Roberts, seconded by Mr. Opatrny, to approve the Regular Meeting Minutes of February 10, 2014 as recorded.

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

**Before voting on each appeal, Mr. Rose gave the appellants the option of tabling their appeal and waiting until next month when there may be more Board Members present. Each appellant wanted to go forth with the vote.**

**APPEAL 2014-08**

Motion by Ms. Roberts, seconded by Mr. Opatrny, that the Board of Zoning Appeals recommend to City Council approval for a variance from Section 1185.03(b) to allow the construction of a 4 ft. high post and board type fence in the front and side yard of a corner lot (not permitted) located at 8565 Whitewood Road, PP# 601-18-001.

ROLL CALL: Ayes: Roberts, Opatrny, Veras, Rose  
Nays: Hasman  
**MOTION CARRIED**

**APPEAL 2014-09**

Motion by Mr. Opatrny, seconded by Ms. Roberts, that the Board of Zoning Appeals recommend to City Council approval for (1) a variance from Section 1151.24 of 5 ft. 10 ½ in. from the required 10 ft. side yard setback to allow a 4ft. 1 ½ in. side yard, and (2) a variance from Section 1151.24 of 10ft. 2 ¼ in. from the required 125 ft. front setback to 114 ft. 9 ¾ in. for a rear addition on a non-conforming house located at 6576 Mill Road PP# 601-12-012.

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

**APPEAL 2014-10**

Motion by Mr. Hasman, seconded by Mr. Opatrny, that the Board of Zoning Appeals recommend to City Council approval for Snowville Subdivision Joint Venture for a variance from Section 1117.09(b) Design of Lots, of 62.5 ft. to allow the average depth of Lot 18 to exceed the limit of 3 ½ times the width of 437.5 ft. to 500 ft. located at PP# 605-22-001.

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

**APPEAL 2014-11**

Motion by Ms. Roberts, seconded by Mr. Opatrny, that the Board of Zoning Appeals recommend to City Council approval for Snowville Subdivision Joint Venture for a variance from Section 1117.09(b). Design of Lots, of 197.5 ft. to allow the average depth of Lot 19 to exceed the limit of 3 ½ times the width of 472.5 ft. to 670 ft. located at PP# 605-22-001.

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

**APPEAL 2014-12**

Motion by Mr. Opatrny, seconded by Ms. Roberts, that the Board of Zoning Appeals recommend to City Council approval for Snowville Subdivision Joint Venture for a variance from Section 1117.09(b). Design of Lots, of 88 ft. to allow the average depth of Lot 20 to exceed the limit of 3 ½ times the width of 472.5 ft. to 560.5 ft. located at PP# 605-22-001.

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

**APPEAL 2014-13**

Motion by Ms. Roberts, seconded by Mr. Opatrny, that the Board of Zoning Appeals recommend to City Council approval for Snowville Subdivision Joint Venture for a variance from Section 1117.09(a). of 27.35 ft. for Lot 42 from the required rear property line to be at least 60% of the required 125 ft. lot width or 75 ft. and permit a rear lot width of 47.65 ft. located at PP# 605-22-001.

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

**APPEAL 2014-14**

Motion by Mr. Hasman, seconded by Mr. Opatrny, that the Board of Zoning Appeals

recommend to City Council approval for Snowville Subdivision Joint Venture for a variance from Section 1117.04(e). of 920.19 ft. from the permitted maximum of 800 ft. for a cul-de-sac street, to allow River Birch Run to extend 1,720.19 ft. located at PP# 605-22-001.

ROLL CALL: Ayes: Roberts, Opatrny, Hasman, Veras, Rose  
Nays: None

**MOTION CARRIED**

**APPEAL 2014-15**

Motion by Mr. Opatrny, seconded by Ms. Roberts, that the Board of Zoning Appeals recommend to City Council approval for (1) a variance from Section 1183.04(c) from the required 10' X 20' parking spaces to allow 9' X 18' parking spaces, and (2) a variance from the Section 1183.05 required 28 parking spaces to permit 26 car spaces and 14 motorcycle spaces, and (3) a variance from Section 1155.32 of 17.5' from the required 20' parking setback from an arterial street to allow a 2.5' parking lot setback, and (4) a variance from Section 1155.32 of 17.5' from the required 20' parking setback from a collector street to allow a 2.5' parking lot setback, and (5) a variance from Section 1155.32 of 67.3' from the required 100' from a collector street to permit a 32.7 set back from a collector street, and (6) a variance from Section 1155.32 of 66.7' from the required 100' from an arterial street to permit a 33.3' set back from an arterial street, and (7) a variance from the Section 1119.09(d) requirement that public sidewalks be provided to allow this development without public sidewalks with the covenant that at a future date should sidewalks be necessary that they will be installed at the owner's expense, and (8) a variance from Section 1183.17 (d) of 1 ft. from the maximum driveway width of 24 ft. to permit a 25 ft. maximum driveway width located at 13007 Chippewa Road, PP# 602-30-009.

ROLL CALL: Ayes: Roberts, Opatrny, Hasman, Veras, Rose  
Nays: None

**MOTION CARRIED**

**APPEAL 2014-16**

Motion by Ms. Roberts, seconded by Mr. Opatrny, that the Board of Zoning Appeals recommend to City Council approval for (1) a variance from Section 1151.22 of 50 ft. from the minimum required 150 ft. to allow a 100 ft. lot width, and (2) a variance from Section 1151.23 of 42.91 ft. from the minimum 125 ft. front yard setback to allow 82.09 ft. for an exiting house as part of a lot split (Lot "B") located at 6631 Wallings Road, PP# 601-01-004.

ROLL CALL: Ayes: Roberts, Opatrny, Hasman, Veras, Rose  
Nays: None

**MOTION CARRIED**

**APPEAL 2014-17**

Motion by Mr. Hasman, seconded by Mr. Opatrny, that the Board of Zoning Appeals

recommend to City Council approval for (1) a variance from Section 1151.24 of 1.65 ft. from the minimum required 10 ft. side yard to allow 8.35 ft., and (2) a variance from Section 1151.24 of .43 ft. from the required total of two side yards of 30 ft. to allow 29.57 ft. for an addition and (3) a variance from Section 1151.22 of 50 ft. from the minimum required 150 ft. to allow a 100 ft. lot width for a lot split (Lot "A") located at 6631 Wallings Road, PP# 601-01-004.

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

**REPORT OF COUNCILWOMAN VERAS**

Councilwoman Veras reported that City Council approved all the recommended variances from the Board of Zoning Appeals at the February 18, 2014 Council meeting.

**REPORT OF MAYOR HRUBY**

No Report. The Mayor was not in attendance.

Motion by Mr. Hasman, seconded by Mr. Opatrny, to close the Regular Meeting  
At 8:48 p.m. **MOTION CARRIED**

**THE BRECKSVILLE BOARD OF ZONING APPEALS**

**DENNIS ROSE, CHAIRMAN**

**KATHLEEN ROBERTS, VICE CHAIRWOMAN**

**ROBERT HASMAN, SECRETARY**

Regular Meeting recorded by Gina Zdanowicz