

**MINUTES OF PUBLIC HEARINGS  
BRECKSVILLE BOARD OF ZONING APPEALS  
RALPH W. BIGGS COUNCIL CHAMBERS – BRECKSVILLE CITY HALL  
November 13, 2023**

Present: Gagliano, Hasman, Hruby, Collin, McCrodden, Rose

Absent: Caruso

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 2023-44**

John Kusa for Joan Doyne for (1) a variance from Section 1117.09 requiring lots to be generally rectangular, to allow irregularly shaped lots, for the consolidation and lot split located at 9135 Highland Drive PP#601-33-035 & 9155 Highland Dr. PP#601-33-014.

Mitchell Kusa spoke for Joan Doyne and he represents Auburn Homes and the reason they are at the meeting is to request a simple variance in regards to the plot line layout of the two parcels and the hardship is that there's an existing garage dividing how the lines currently lay.

Mr. Rose stated they went through Planning Commission and was approved. Mr. Rose asked the Mayor if there was anything he wanted to report and the Mayor stated the Planning Commission reviewed it and unanimously passed.

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

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

Motion by Mr. McCrodden, seconded by Mr. Collin to close Public Hearing.

**MOTION CARRIED**

**Appeal 2023-45**

John and Maureen Wain for a variance from Section 1326.02 to install a generator in the side yard, instead of the rear as required by code, located at 6582 Harold Drive PP# 601-14-042.

Mr. Wain spoke and stated they want to install a whole house generator, but install it on the side of the house instead of the rear of the house as required by code. The rear of the house has a built in pool, concrete deck, stone steps all the way down the side, a large retaining wall down to one side and a fence. They had somebody from Generator One come out and give options on where to put it, the opinion was the only place they can locate it is on the easterly side of the house, next to his property. There are no windows on that side of the house and there is a little recessed indent and they plan to put in landscaping to block it from the neighbors but the challenge they have are getting the electrical and gas lines any place on the property other than on that one side, to run the gas line on that other side they have to cut through the driveway and patio, take out about 15 – 20 ft. section of aluminum fencing that's installed. Mr. Rose asked if Mr. Wain spoke to his neighbor and Mr. Wain said he spoke to the neighbors on both sides of his property and neither neighbor

had any problems with it, Mr. Rose asked if he had any problems amending the board's recommendation and will put up screening appropriate for it, Mr. Wain stated absolutely fine because that is their intention to do that. Mr. Rose asked about the testing of the generator and wanted to know if he has a schedule on testing it. Mr. Wain stated it will be tested every other week for 5 minutes and they will do it in the daytime probably on a weekend, when people are either cutting the grass, weed whacking or blowing the leaves so it's lost in the shuffle. Mr. McCrodden asked about the location of the generator and Mr. Wain explained the location.

Mr. Rose opened up questions to the audience. There were none.

Motion by Mr. Hasman, seconded by Ms. Gagliano to close Public Hearing.

**MOTION CARRIED**

### **Appeal 2023-46**

Doug Wahl, for Leo and Darlene Michitsch for a variance from Section 1151.25(d)(2)(B) from the maximum 240 sq. ft. to allow 1360 sq. ft. for the construction of a shed located at 8531 Riverview Road, PP# 602-29-011.

Mrs. Michitsch spoke, she stated Doug Wahl could not make the meeting. Mrs. Michitsch stated the reason for requesting a bigger shed is because they have a large property, are avid gardeners and they would use the shed for storage of a tractor with a plow, a lawn tractor and a conventional lawn mower in addition to other pieces of lawn or garden equipment and a work area. They are also looking to put solar cells on the shed. They have not communicated with the immediate neighbors at 8517 Riverview Road. Mr. Rose asked Mr. Synek if the solar panels would comply with our code and Mr. Synek stated solar panels are done with the Planning Commission. Mr. Hasman asked if they considered a smaller size shed and Mrs. Michitsch said they are open to it and want to have a dialogue with the board in terms of input and what they think would be viable and appropriate, Mr. Hasman asked if they would be willing to put up screening and Mrs. Michitsch stated absolutely, they would like to put up some nice landscaping. Mr. Rose asked if there was a reason they weren't putting it on the south end of the street closer to the other neighbor and Mrs. Michitsch said they have the garden on that side and also geothermal and do not want to interfere or run the risk of interfering with it. Mr. Rose asked if there is room behind the garden and Mrs. Michitsch said there is a ravine back there and they would also have to clear out trees. Mr. Collin asked if the fence separating the two properties was put up by the neighbor and she said yes, Mr. Collin asked if it was a six foot fence and Mrs. Michitsch thought it was a four foot fence, Mr. Collin was thinking the fence functions as a barrier up to a point.

Mr. Rose opened up questions to the audience. There were none.

Motion by Mr. Collin, seconded by Mr. McCrodden to close Public Hearing.

**MOTION CARRIED**

**MINUTES OF REGULAR MEETING  
BRECKSVILLE BOARD OF ZONING APPEALS  
RALPH W. BIGGS COUNCIL CHAMBERS – BRECKSVILLE CITY HALL  
October 9, 2023**

Present: Gagliano, Hasman, Hruby, Collin, McCrodden, Rose  
Absent: Caruso

**APPROVAL OF THE REGULAR MEETING MINUTES OF October 9, 2023**

Motion by Mr. Collin, seconded by Mr. Hasman, to approve the Regular Meeting minutes of October 9, 2023, as recorded.

ROLL CALL: Ayes: Gagliano, Hasman, Hruby, Collin, McCrodden, Rose  
Nays: None  
Absent: Caruso  
**MOTION CARRIED**

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John Kusa for Joan Doyne for (1) a variance from Section 1117.09 requiring lots to be generally rectangular, to allow irregularly shaped lots, for the consolidation and lot split located at 9135 Highland Drive PP#601-33-035 & 9155 Highland Dr. PP#601-33-014.

ROLL CALL: Ayes: McCrodden, Collin, Gagliano, Hruby, Hasman, Rose  
Nays: None  
Absent: Caruso  
**MOTION CARRIED**

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John and Maureen Wain for a variance from Section 1326.02 to install a generator in the side yard, instead of the rear as required by code, located at 6582 Harold Drive PP# 601-14-042.

**Amended to add arborvitae screening to be added to the satisfaction of the city arborist. Mr. Synek asked if we can amend this to say screening is approved by the arborist and not to lock him into a position of arborvitae just in case for whatever reason it does not work, the second amendment was added.**

ROLL CALL: Ayes: Hasman, Collin, Hruby, McCrodden, Gagliano, Rose  
Nays: None  
Absent: Caruso  
**MOTION CARRIED**

**Appeal 2023-46**

Doug Wahl, for Leo and Darlene Michitsch for a variance from Section 1151.25(d)(2)(B) from the maximum 240 sq. ft. to allow 1360 sq. ft. for the construction of a shed located at 8531 Riverview Road, PP# 602-29-011.

ROLL CALL: Ayes: Gagliano, Collin, McCrodden, Hruby, Hasman, Rose

Nays: None

Absent: Caruso

**MOTION CARRIED**

**REPORT OF COUNCILMEMBER CARUSO**

Mr. Caruso was absent therefore no report was made.

Mr. McCrodden stated although his term is up we did not vote on the schedule for next year, Mr. Rose asked if there were any comments to the schedule and Mr. Synek asked if the board will consider holding the November 11, 2024 meeting on Tuesday November 12, 2024 because City Hall and its departments are closed on November 11<sup>th</sup> for Veterans Day. The board members did not object to changing the date and Mr. Rose made the amendment to change the November 11, 2024 meeting to November 12, 2024 with the submission and Council dates staying the same.

Motion to approve by Mr. McCrodden and seconded by Ms. Gagliano.

**MOTION CARRIED**

**REPORT OF MAYOR HRUBY**

Mayor Hruby wanted to wish everybody a Happy Thanksgiving, enjoy the time with our families and hope it's a blessed one.

Motion by Mr. Hasman, seconded by Mr. Collin to close the Regular Meeting at 7:55 p.m.

**MOTION CARRIED**

**THE BRECKSVILLE BOARD OF ZONING APPEALS**

**DENNIS ROSE, CHAIRPERSON**

**ROBERT HASMAN, VICE CHAIRPERSON**

**BRUCE MCCRODDEN, SECRETARY**

Public Hearing and Regular Meeting recorded by Lisa Canzoni