

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

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

Absent: None

Others: Building Inspector Synek, 23 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 2023-07

Eric Swiatek for Dr. Maged Rizk & Shere Agaiby for (1) a variance from Section 1326.01, to allow two air conditioner units in the front 50% of the side of the dwelling, rear 50% required, and (2) a variance from Section 1326.02 to install a generator in the side yard, instead of the rear as required by code, located at 8819 Snowville Road, PP# 605-15-010.

John Capitoni, with Otero Homes, spoke to the Board regarding their appeal. He stated that this house had a few challenges, and asked to explain the layout to the Board, on the overhead drawing. He indicated where the walk out patio was, and showed the 50% permitted area on the drawing. He also showed a planned retaining wall which screened the generator with rows of landscaping, as well as the location of the air conditioner. Mr. Capitoni went on to explain, that they have three air conditioning condensers on the house. The west side of the house has limited space between the patio and the side parking to locate the utilities. They were able to get two units in by reconfiguring some of the plumbing intake exhaust distribution, and were able to create a space for another unit. There will only be one condenser and a generator to place. The challenge with placing the generator behind the house, is the grading that falls off pretty steeply from the back of the patio. If they place it where they are proposing, they can utilize some of the existing screening, and they will also add some screening, so that it will shield it from the neighbor. They are 500 ft. off the street, and felt that with their screening and the mounds along Snowville Road, the units will be inconspicuous.

Mr. Rose asked about the neighbor to the east. Mr. Capitoni stated that they are 90 ft. to the property line from the side of the house, and the neighbor is approximately another 50 ft. off their property line or more. They have significant evergreens along that side of the property, and their pool and mechanical equipment are also on that side of the house. They felt that with the additional screening it shouldn't stick out. The homeowner purchased a generator that would run quieter.

Mr. Rose stated that he trusted that the owner would work with the neighbor on the time that the generator would test and run once a week that would be less intrusive. Mr. Capitoni stated that

was correct, the owners asked if the generator could be move someplace else, and they explored other options on the site, and they were not practical.

Mr. Hasman stated that he mentioned the screening in front of it, so that you cannot see it from the street, and asked if it will be completely covered or have low ground cover. Mr. Capitoni stated that it will cover the unit. Their intention is to have screening closer to the street with 4 or 5 ft. mounds with vegetation that will grow into a hedge row, so that most of the house isn't visible from the street.

Mr. Collin asked Mr. Capitoni, since this was a new house, why weren't the air conditioning units, and generator placement, configured into the original design to be placed behind the house, originally. Mr. Capitoni stated that the honest answer was, that they intended it to be part of the original design and approval process, and then they found it on an inspection and was told they needed a variance.

Mr. Rose didn't quite understand Mr. Capitoni's response. Mr. Rose understood that when they were drawing up the original plans, they didn't plan for this to need a variance because he wasn't aware, and asked Mr. Capitoni if that was correct. Mr. Capitoni stated that someone in his company should have been aware. They carved out places on the site for those utilities, and felt they were compliant once they got thru the review process. It was approved without that being specified and shown as a variance. Mr. Caruso asked if that was thru the Planning Commission. Mr. Capitoni stated that was correct. Mr. Rose clarified with Mr. Capitoni, that the back was never going to be a good option for placement, because of the nature of the terrain. Mr. Capitoni stated that was correct. The Mayor clarified that the Planning Commission only sets the setback, nothing more. They would not have checked any changes, or any other modifications to the home. The Mayor said that it is stated very clearly in our code, that those units are to be in the rear most part of the property. The Mayor stated, that he didn't know if they missed it or ignored it, but now they have a practical difficulty making it code compliant. Mr. Capitoni stated that they should have been aware of the requirements, and it was a mistake on their part. The Mayor stated, that to their advantage, because they are so far back from the road, or any neighbor, it should not create a problem, which is their only saving grace in this.

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

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

APPEAL 2023-08

Eric Hill for a variance from Section 1151.25(d)(2)(B), a maximum of 192 sq. ft. to allow 720 sq. ft. for a shed located at 5250 Oakes Road, PP# 603-11-026.

Darlene Hill spoke to the Board regarding their appeal. She passed a letter out from their neighbor, that had no objection to the shed. She also passed out a rough drawing of the shed. Ms. Hill went on to explain that they own the house that is next to theirs, and they have 4 acres. The next house, is being rented, which was her mother-in-law's, who passed away a few years ago. The shed that was on her mother in law's property is what they are using now for all their

equipment. It is very small, and the roof is collapsing. They would like to build a shed on their property, and would like to store several types of lawn equipment to take care of both properties.

Mr. Rose wanted the record to reflect the letter from her neighbors, Elizabeth Alex Popadiuk, 5200 Oakes Road, had no objection.

Ms. Hill went on to explain that the only thing different on the drawing, after speaking with the builder, is the open side of the shed, where there will be storage for wood. That will be moved to the other side. Mr. Rose clarified with Mr. Synek that the open area adds to the square footage. Mr. Synek stated that was correct. Mr. Rose asked if there was a height issue, and Mr. Synek stated that there was not.

Mr. Rose opened up questions to the audience. Mr. Robert Pruchnicki, 9435 Barr Road, spoke to the Board. He had several questions regarding the construction of the shed, he went on to ask Ms. Hill about the foundation, the footer, and if there would be a driveway to it. Mr. Pruchnicki stated that he had a problem with the foundation, because there are a lot of groundhogs and other animals in the area, he has the same problem. Mr. Pruchnicki also asked what they were going to do with the second floor, and if it was going to be heated. Ms. Hill answered all of his questions, and Mr. Pruchnicki stated that he didn't care for heating it with a pot belly stove, because of the sparks that fly from it. Mr. Pruchnicki stated again, that his only concern was the foundation.

Mr. Hasman asked Mr. Pruchnicki to clarify the reason he had a problem with the foundation. Mr. Pruchnicki stated that it is in the woods and there are groundhogs, possum, squirrels and skunks, and without a foundation you are just asking for trouble.

Mr. Collin asked Mr. Pruchnicki, if his property abuts the back side of the applicant's property. Mr. Pruchnicki stated that was correct.

The Mayor wanted to make sure Mr. Pruchnicki had seen the drawing of the shed, and gave him a copy of it.

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

APPEAL 2023-09

ARP Heating & Air Conditioning, Inc. for Cliff Bellmore & Patricia Babington 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 7825 Oakhurst Circle, PP# 602-01-017.

Andy Pech, ARP Heating & Air Conditioning, Inc. spoke to the Board. His clients requested that the generator be placed in the side yard. The hardship is that the backyard is completely finished with a pool and hardscaping. Mr. Pech went on to explain that the utilities are all on that side of the house, so it would be a monetary hardship to move them, and it would also mess up the backyard. You really won't see it from the street, it is tucked up against the fireplace.

Mr. Rose asked if they planned on landscaping it in some manner, in case they amend the variance to pass it with approved screening. Mr. Pech stated that he would be more than happy to do that.

Mr. Hasman made the comment that his recollection was that there is quite a bit a room between this house, and the house to the west, and there are also evergreens there. Mr. Pech stated that it was buffered pretty well.

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

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

APPEAL 2023-10

Woodland Deck Company for Mark & Christy Sponseller for (1) a variance from Section 1151.39(2)(4) enclosed porch not allowed, to allow hot tub screening to project in front of the building line, and (2) a variance from Section 1151.26(2) to install a hot tub in front of building line on a corner lot located at 6610 Morningside Drive, PP# 603-21-077.

Christy Sponseller spoke to the Board regarding her appeal. She also had Steve Stelkic, with the Woodland Deck Company with her. She stated that when they came to the Board in January, they didn't know they needed a variance for the location of the hot tub, or she would have made it part of the initial variance. They proposed to add a porch on the Greystone side which came out 8 ft. As part of the design, the hot tub will be in the corner with a privacy screen. Ms. Sponseller stated that their neighbor's Todd and Janice Romance, were aware of it, and they want the privacy screen as well.

Mr. Rose asked Mr. Synek about the screening, and stated that it wasn't a fence, because it was on a porch. Mr. Synek stated that was correct, it is screening. What was previously approved was an open porch, now it is screened in. Mr. Rose clarified that the hot tub was not the issue. Mr. Synek stated that the hot tub is also before the Board tonight, for being placed in front of the building line, on a corner lot, and should be moved back 8 ft. Mr. Rose stated that they have that same challenge as before, because they are on a corner lot.

Mr. Hasman asked if you would be able to see thru the screening to the hot tub, or will it be completely closed. Ms. Sponseller stated that it will look a little like a fence, but she was open to something else if the Board would like it to look more decorative, she was fine with that. Mr. Stelkic stated that it was going to be a cedar stand up, and will be stained to match the deck, and, it is solid, you will not be able to see thru it. Mr. Hasman asked because he wondered about privacy, and what people would be able to see when they drive down the street. He felt that the shed they approved last month would hide it from traffic coming from the west. Ms. Sponseller agreed.

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**

APPEAL 2023-11

Blind & Sons for Mark Rames 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 9520 Whitewood Road, PP# 601-21-048.

Mark Rames spoke to the Board regarding his appeal, and Michael Essary with Blind in Sons was there as well. Mr. Rames explained his submittal to the Board, on the overhead screen, and the location that would be most logical to place the generator. The gas will be easy to access, but the electric is clear across the other side of the house. He showed one other area that would work, as well as the other options that they considered, that wouldn't work, for various reasons. He stated that you would only be able to see the top of the generator. He had a note from his neighbors that are okay with it. They also have a Generac generator.

Mr. Rose stated that he showed the two spots that he could install it, but wanted to know what his preference was. Mr. Rames stated that he would like it to be on the street side of the fence, which is where the pine tree would need to come out. If it was on the other side, you would see the gas and cable runs, and there would be an awful lot of exposed cable showing. Mr. Rose asked if they do pick his first choice on the street side by the fence, would he agree to having the variance amended to add screening to it. Mr. Rames stated that he would, he spoke with Mr. Collin about that when he was out there. Mr. Essary with Blind and Sons, stated that the proposed spot is the best location for it. The length of the gas run was a major consideration, you want to keep it pretty short.

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 2023-12

Richard Neiden for Fogg-Snowville, LLC. for (1) a variance from Section 1157(c)(2) minimum 25 ft. side yard parking setback required to allow 14.23 ft., and (2) a variance from Section 1183.04(c) minimum 10'x20' parking spaces required to allow 9' x 18', and (3) a variance from Section 1183.15(b)(1) minimum 10 ft. landscape island widths required in parking lots to allow 9 ft. located at 5800 West Snowville Road, PP# 604-23-005.

Richard Neiden, Fogg-Snowville LLC., spoke to the Board regarding his appeal. He stated that this is for is Snowville Business Center 3. They went to Planning Commission and got preliminary approval, and got the building and preliminary parking situated, and now it is just based on getting the 9x18 ft. parking spaces. The 9 ft. islands just go with that because it makes it modular with the parking spots. There is one place along the east parking lot, where the property line side yard goes from 25 ft. down to 14 ft, and that is where they are asking for the variance, in that one spot.

Mr. Rose stated that he saw the study that was submitted on how many parking spaces would be needed and asked Mr. Neiden to clarify. Mr. Neiden stated that preliminary agreement on spots were based on the study.

Mr. Hasman asked who would be occupying this building. Mr. Neiden stated that they don't know yet, it will be built on speculation. The type of business would be compliant with the zoning that is required for there, but right now they don't have a tenant. Mr. Hasman stated that he was a little concerned about the size of the parking spaces, if it were a medical building, there could be a little bit of difficulty for people to get in and out of their cars, especially seniors. He clarified with Mr. Neiden, that he had to reduce the size of the parking spaces in order to comply with the number of parking spaces required. Mr. Neiden stated that was correct, they had to reduce it to get the number of parking spaces needed. There are wetlands on the lot, and to get the size of the building that makes sense for them, and the number of spots required for that size building, that is the number they came up with, that made sense.

Mr. Rose clarified that the issue was that to get an economically viable building and parking spaces, you need a certain size building and what is constraining them, is the wetlands. If it was just a property with no wetlands, they probably would not need a variance. Mr. Neiden stated that the wetlands was definitely the hardship.

Mr. Caruso asked if this was going to be compliant with all the setbacks from the wetlands. Mr. Neiden stated that they are, they are not encroaching on any of the wetlands. Mr. Caruso asked if some of the parking will be land banked. Mr. Neiden stated that there is some parking land banked to the north towards Snowville Road.

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**

APPEAL 2023-13

Poweron Generators for Mike Butkovic 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 6770 Rivercrest Drive, PP# 601-03-055.

Kelly Betts, Poweron Generators spoke to the Board regarding their variance. He stated that his argument is the same as the previous appeal for a generator. The property to the rear is basically a drop off. He explained that it is hardscaped in the back, and the air conditioning unit is on that back corner. There is already existing screening, and they can add more if needed.

Mr. Rose stated that the Board is very familiar with the development, and it is not basically a drop off, it is a drop off. Mr. Betts stated that there really is nowhere else to put it.

Mr. Collin asked whether they had any comments from their neighbor, William & Sharon Kramp, at 6772 Rivercrest Drive. Mr. Betts stated that they didn't have a letter from them, but they had no objection to it.

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

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

APPEAL 2023-14

Robert & Kristin Schwab for (1) a variance from Section 1185.03(a) maximum fence height of 4 ft., to allow a 6 ft. fence height, and (2) a variance from Section 1185.02(d) to install a solid vinyl type fence instead of the permitted types of fence located at 11500 Cherokee Lane, PP# 602-11-038.

Mr. Robert Schwab spoke to the Board regarding their appeal. He stated that he is asking for a variance on the height and type of fence. The number one reason is because his wife is disabled, and it makes it difficult for her to get around with her wheelchair, and with a 6 ft. privacy fence, it would allow her a little more security in their back yard. They live very close to the park, and they have seen some indication of coyotes in their yard, by the footprints left in the snow. They also have pets that they would like to let out, and a 4 ft. fence is not much of a deterrent for coyote or deer. Mr. Schwab stated that they plan on installing a solid vinyl fence.

Mr. Rose asked if they had talked with their neighbor in the back on Chautauqua Trail. Mr. Schwab stated that they have. There was a 4 ft. wooden fence that was around their property when they bought it, but it was so badly rotted that they took it down. Mr. Rose asked if he had spoken to his neighbors about installing a 6 ft. fence. Mr. Schwab stated that he spoke with the McHugh's, the Janka's, the Boroway's and Wade and Waverly. He did not get a chance to talk with Lubinger's, but the ones that he did speak to had no problem with it.

Mr. Hasman stated that he just wasn't sold on a 6 ft. fence, when a 4 ft. fence was probably adequate for the reasons that he stated. Mr. Hasman stated that coyotes aren't known to jump that high, and asked why a 4 ft. high fence wouldn't be sufficient. Mr. Schwab explained that he lived in Bedford, and was surrounded by Metro parks, and there were a lot of coyotes in that area. He had a 4 ft. high chain link fence there, and he couldn't tell you the number of times that he looked out his backyard and saw a number of coyotes inside his fence. When he opened his window they jumped up and over that fence. Mr. Hasman asked what color the proposed fence would be. Mr. Schwab stated that it would be a white vinyl fence. Mr. Hasman asked if he had considered a wooden board on board fence. Mr. Schwab stated that he would consider it. They priced out the vinyl because it was low maintenance, and it looks good on both sides. Mr. Hasman was still concerned about the height of the fence, and that it would set a precedence.

Mr. Rose asked if the fence will be solid, or if you could you see through it. Mr. Schwab stated that it will be solid.

Mr. Collin asked how long he lived at the residence. Mr. Schwab stated that it will be two years in September. Mr. Collin asked when he took down the original fence. Mr. Schwab stated that he took it down last May. Mr. Collin clarified that it was a 4 ft. wooden fence. Mr. Schwab stated that yes, it was a decrepit cedar fence. Mr. Collin stated that when he visited the property, he was curious to know if he would install a patio to help facilitate with his wife's mobility. Mr. Schwab stated that they are looking to install a deck, so that she can roll out the back doors of the kitchen

or the great room, and go out on the deck and enjoy the outside. Mr. Collin clarified that Mr. Schwab would have no objection to the type of fence that would be compliant with city code. Mr. Schwab stated that if they have to, they can revisit the type of fence from vinyl to wood. Mr. Collin was concerned with the privacy fence, because it is not the type of fence that the City encourages. He felt that if he was open to changing the type of fence, that would address his concerns.

Mr. Rose stated that there are two things going on, he wants to keep out the coyote, but also doesn't want his neighbors looking in. Mr. Rose explained that a stockade fence is generally not what Brecksville is all about.

Mr. Rose opened up questions to the audience.

Bruce Komandt 11524 Cherokee Lane, spoke to the Board. He wanted to commend Mr. Schwab, because he fixed up the property very nice. His concern is the height of the fence. When they build the houses there, on the back of the property, there is a little hill that goes up approximately 3 to 5 ft. If you put a 6 ft. fence there, he is going to have a 10 ft. tall fence. He didn't think it would be a good idea. He had no problem at all with a 4 ft. fence.

Sue Komandt, 11524 Cherokee Lane spoke to the Board. She stated that at one time the house on the east side of them decided to build a 6 ft. fence, and they were stunned to see a 6 ft. wall. It was a stockade fence and it just cut everything off, and is not pleasant looking. She didn't like a white fence either.

Ray Rapo, 11521 Chautauqua Trail spoke to the Board. He stated that if they allow a 6 ft. fence in an older neighborhood it would set a precedence, and the neighborhood would not look the same. He didn't feel that a 6 ft. fence was necessary.

Karen Janka, 8519 Wiese Road, spoke to the Board. She stated that Mr. Schwab did a great job with the property, and appreciated the old fence being removed. A big white 6 ft. high fence would be across their entire back yard. They have enjoyed it being opened since the fence has been down, and stated that she is not opposed to a 4 ft. wooden fence, but not a 6 ft. high white fence.

Mr. Rose stated that Mr. Schwab heard some of his neighbors' opinions, and appreciated the civility that everyone had. Brecksville is a park-like community, and people enjoy the openness and not sitting between fences. He went on to state that hopefully a 4 ft. fence could take care of the security, and if you want privacy, he could plant arborvitae or trees.

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

**MINUTES OF REGULAR MEETING
BRECKSVILLE BOARD OF ZONING APPEALS
RALPH W. BIGGS COUNCIL CHAMBERS – BRECKSVILLE CITY HALL
MARCH 13, 2023**

Present: Gagliano, Caruso, Hasman, Hruba, Collin, McCrodden, Rose

Absent: None

Others: Building Inspector Synek, 23 guests

APPROVAL OF THE REGULAR MEETING MINUTES OF FEBRUARY 13, 2023

Motion by Mr. Caruso, seconded by Mr. Collin, to approve the Regular Meeting minutes of February 13, 2023, as recorded.

ROLL CALL: Ayes: Gagliano, Caruso, Hasman, Hruba, Collin, McCrodden, Rose
Nays: None

MOTION CARRIED

APPEAL 2023-07

Motion by Mr. Caruso, seconded by Mr. Collin, that the Board of Zoning Appeals recommend to City Council approval for (1) a variance from Section 1326.01, to allow **one air conditioning unit** in the front 50% of the side of the dwelling, rear 50% required, and (2) a variance from Section 1326.02 to install a generator in the side yard, instead of the rear as required by code, located at 8819 Snowville Road, PP# 605-15-010.

ROLL CALL: Ayes: Gagliano, Hasman, Caruso, Hruba, Collin, McCrodden, Rose
Nays: None

MOTION CARRIED

APPEAL 2023-08

Motion by Mr. Collin, seconded by Mr. Caruso, that the Board of Zoning Appeals recommend to City Council approval for a variance from Section 1151.25(d)(2)(B), a maximum of 192 sq. ft. to allow 720 sq. ft. for a shed located at 5250 Oakes Road, PP# 603-11-026.

ROLL CALL: Ayes: McCrodden, Gagliano, Hasman, Caruso, Hruba, Collin, Rose
Nays: None

MOTION CARRIED

APPEAL 2023-09

Motion by Mr. McCrodden, seconded by Mr. Collin, that the Board of Zoning Appeals recommend to City Council approval for a variance from Section 1326.02 to install a generator in the side yard, instead of the rear as required by code, **with landscaping screening approved by the City Arborist**, located at 7825 Oakhurst Circle, PP# 602-01-017.

ROLL CALL: Ayes: Hasman, Caruso, Hrubby, Collin, McCrodden, Gagliano, Rose
Nays: None
MOTION CARRIED

APPEAL 2023-10

Motion by Mr. Hasman, seconded by Ms. Gagliano, that the Board of Zoning Appeals recommend to City Council approval for (1) a variance from Section 1151.39(2)(4) enclosed porch not allowed, to allow hot tub screening to project in front of the building line, and (2) a variance from Section 1151.26(2) to install a hot tub in front of building line on a corner lot located at 6610 Morningside Drive, PP# 603-21-077.

ROLL CALL: Ayes: Collin, Gagliano, Hasman, Caruso, Hrubby, Rose
Nays: McCrodden
MOTION CARRIED

APPEAL 2023-11

Motion by Mr. McCrodden, seconded by Mr. Collin, that the Board of Zoning Appeals recommend to City Council approval for a variance from Section 1326.02 to install a generator in the side yard, instead of the rear as required by code, **with landscaping screening approved by the City Arborist**, located at 9520 Whitewood Road, PP# 601-21-048.

ROLL CALL: Ayes: Caruso, Hrubby, Collin, McCrodden, Gagliano, Hasman, Rose
Nays: None
MOTION CARRIED

APPEAL 2023-12

Motion by Mr. Collin, seconded by Mr. McCrodden, that the Board of Zoning Appeals recommend to City Council approval for (1) a variance from Section 1157(c)(2) minimum 25 ft. side yard parking setback required to allow 14.23 ft., and (2) a variance from Section 1183.04(c) minimum 10'x20' parking spaces required to allow 9' x 18', and (3) a variance from Section 1183.15(b)(1) minimum 10 ft. landscape island widths required in parking lots to allow 9 ft. located at 5800 West Snowville Road, PP# 604-23-005.

ROLL CALL: Ayes: Hrubby, Collin, McCrodden, Gagliano, Hasman, Caruso, Rose
Nays: None
MOTION CARRIED

APPEAL 2023-13

Motion by Mr. McCrodden, seconded by Mr. Caruso, that the Board of Zoning Appeals recommend to City Council approval for a variance from Section 1326.02 to install a generator in the side yard, instead of the rear as required by code, **with landscaping screening approved by the City Arborist**, located at 6770 Rivercrest Drive, PP# 601-03-055.

ROLL CALL: Ayes: Gagliano, Hasman, Caruso, Hrubby, Collin, McCrodden, Rose
Nays: None
MOTION CARRIED

APPEAL 2023-14

Motion by Mr. Hasman, seconded by Mr. Caruso, that the Board of Zoning Appeals recommend to City Council approval for (1) a variance from Section 1185.03(a) maximum fence height of 4 ft., to allow a 6 ft. fence height, and (2) a variance from Section 1185.02(d) to install a solid vinyl type fence instead of the permitted types of fence located at 11500 Cherokee Lane, PP# 602-11-038.

ROLL CALL: Ayes: None
Nays: Hasman, Caruso, Hruby, Collin, McCrodden, Gagliano, Rose
MOTION DENIED

REPORT OF COUNCILMEMBER CARUSO

Mr. Caruso reported that the Charter Review Committee continues to makes good progress, and the next meeting will be tomorrow night in Council Chambers at 6:30 p.m.

REPORT OF MAYOR HRUBY

Mayor Hruby stated that he had sad news to report, one of our younger firefighters, Bruce Gordon, passed away after suffering from a long illness. The wake will be held this Wednesday and the Funeral on Thursday. The Mayor extended his sympathy to the family.

Motion by Mr. Hasman, seconded by Mr. McCrodden to close the Regular Meeting at 8:54 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 Gina Zdanowicz