

**MINUTES OF PUBLIC HEARINGS  
BRECKSVILLE BOARD OF ZONING APPEALS  
RALPH W. BIGGS COUNCIL CHAMBERS – BRECKSVILLE CITY HALL  
JANUARY 13, 2025**

Present: Collin, Gagliano, Hasman, Jayjack, Kingston, Stucky, Rose  
Absent: None  
Others: 8 guests

**ORGANIZATIONAL MEETING**

Councilmember Stucky opened the Organizational meeting at 7:30 pm.

Councilmember Stucky opened nominations for the position of **Chairperson for the Board of Zoning Appeals**. Mr. Hasman nominated Dennis Rose, seconded by Mr. Collin.

Hearing no other nominations, a motion to close the floor was made by Councilperson Stucky, seconded by Mr. Collin.

**ROLL CALL:** Ayes: Collin, Gagliano, Hasman, Jayjack, Kingston, Stucky, Rose  
Nays: None

**MOTION CARRIED**

Mr. Collin moved, seconded by Councilperson Stucky, that Dennis Rose be elected Chairperson for the Board of Zoning Appeals.

**ROLL CALL:** Ayes: Collin, Gagliano, Hasman, Jayjack, Kingston, Stucky, Rose  
Nays: None

**MOTION CARRIED**

Mayor Kingston administered the Oath of Office to Citizen Member Dennis Rose

Chairperson Rose opened nominations for the position of **Vice Chairperson for the Board of Zoning Appeals**. Mr. Hasman nominated Tom Collin, seconded by Mr. Rose.

Hearing no other nominations, a motion to close the floor was made by Mr. Hasman, seconded by Mr. Rose.

**ROLL CALL:** Ayes: Collin, Gagliano, Hasman, Jayjack, Kingston, Stucky, Rose  
Nays: None

**MOTION CARRIED**

Mr. Hasman moved, seconded by Ms. Gagliano, that Tom Collin be elected Vice Chairperson for the Board of Zoning Appeals.

**ROLL CALL:** Ayes: Collin, Gagliano, Hasman, Jayjack, Kingston, Stucky, Rose  
Nays: None

**MOTION CARRIED**

Mr. Rose opened nominations for the position of **Secretary for the Board of Zoning Appeals**. Mr. Collin nominated Nora Gagliano, seconded by Mr. Hasman.

Hearing no other nominations, a motion to close the floor was made by Councilperson Stucky, seconded by Mr. Collin.

**ROLL CALL:** Ayes: Collin, Gagliano, Hasman, Jayjack, Kingston, Stucky, Rose  
Nays: None  
**MOTION CARRIED**

Mr. Collin moved, seconded by Mr. Hasman, that Nora Gagliano be elected Secretary for the Board of Zoning Appeals.

**ROLL CALL:** Ayes: Collin, Gagliano, Hasman, Jayjack, Kingston, Stucky, Rose  
Nays: None  
**MOTION CARRIED**

**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 2024-41**

Trevor Roth of East Ohio Gas, on behalf of Ray Fogg Corporate Properties, LLC for (1) a variance from Section 1185.03(c) maximum fence height 6 ft. to allow 8 ft. and (2) a variance from Section 1185.02(c) prohibiting barbed wire fencing to allow 1 ft along with 7 ft tall chain link, located at 6101 W Snowville Rd, PPN 604-24-001.

Trevor Roth spoke to the Board. He explained that the site holds their Tapping and Stopping Department and the inventory required for that department but also houses the emergency inventory for the entire state of Ohio. They are seeking this variance to give a visual deterrent to anyone who would break in.

Mr. Rose clarified that it is the nature of the use of this building why this request is being made. Mr. Roth agreed.

Mr. Hasman asked if the 7fy. Fence is already in place. Mr. Roth said yes, this was in coordination with the Planning Commission and the recommendation of Scott Packard.

Mr. Hasman asked about the nature of using barbed wire, stating he has not seen it anywhere else in the City. Mayor Kingston corrected him and said that it is used on some City properties such as the Service Department.

Mr. Roth stated just a chain link fence is not enough of a visual deterrent. Councilperson Stucky asked if there will be additional security. Mr. Roth stated there will be additional internal and external security. Cameras will be on the outside with one at every entrance, and badge readers. Councilperson Stucky clarified the purpose for the fence then is to have a visual deterrent.

Mayor Kingston stated unfortunately there is a nationwide movement to use these type of fences around our critical infrastructure and utilities. He said it will be off the road and not in view, and as Safety Director he would approve of this fence for this type of use.

Mr. Collin pointed out that this is a request from the tenant of the property. He asked if this were to pass and Council were to approve the variance, if it would be binding to the property. Mr. Roth stated his agreement with Fogg is when and if East Ohio Gas was to terminate the lease, all fencing would be removed from the site.

Mr. Rose asked if the Board or public had any further questions or comments. Hearing none he asked for a motion to close the public hearing.

Motion by Mr. Hasman, seconded by Ms. Gagliano to close the public hearing.

**ROLL CALL:** Ayes: Collin, Gagliano, Hasman, Jayjack, Kingston, Stucky, Rose

Nays: None

**MOTION CARRIED**

#### **APPEAL 2025-01**

Matt Supler on behalf of John & Laura Seif for a variance from Section 1185.02(d) to allow solid type of fencing (not allowed) for the screening of pool equipment, located at 6488 Summer Wind Dr, PPN 604-10-011.

Matt Supler spoke to the Board. He began by apologizing, he was unaware of the City's rules regarding solid fences. He was contracted to install a fence to screen pool equipment and constructed and installed a solid fence connected to an ornamental fence. He pointed out in a picture to the board where the fence was located. He explained that the neighbors actually prefer this because it is screening equipment and they do not have to see it. He said they also planted trees to help screen it.

Mr. Rose stated Brecksville is not a stock neighborhood with rows and rows of fencing so no one can look at you, which is why these rules exist, however, this looks like it is only a section to hide the pool equipment then the rest of the yard is the ornamental fence. Mr. Supler confirmed.

Mr. Hasman asked how this was brought to the Board if the neighbors were o.k. with it and since it was already built. Mr. Supler explained that during a final inspection of the pool it was brought to his attention that these types of fences were not permitted and he would need to come the Board for a variance.

Mr. Stucky asked if Mr. Supler could supply the Board with the e-mail from the neighbor approving this.

Mr. Rose asked what the HOA said. Mr. Supler stated they have not said anything one way or another.

Mr. Rose asked if the Board or public had any further questions or comments. Hearing none he asked for a motion to close the public hearing.

Motion by Mr. Jayjack, seconded by Mr. Collin to close the public hearing.

**ROLL CALL:** Ayes: Collin, Gagliano, Hasman, Jayjack, Kingston, Stucky, Rose

Nays: None

**MOTION CARRIED**

**APPEAL 2025-02**

Carmen Milano on behalf of David & Deborah May 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 4809 Snow Blossom Ln, PPN 604-19-056.

Carmen Milano spoke to the Board regarding this request. He stated that due to a porch, a closed in porch and a cabana on the back of the house, there is no room to place the generator. They are asking to put it on the side of the house by the utilities connection. He said during the spring and summer it is screened by large bushes, however, the homeowner cuts down the bushes in the winter, so during that time there would be no screening. He said if the Board requests, the homeowner is willing to put something else there to screen it all year.

Mr. Rose asked if the neighbors were contacted. Mr. Milano stated he spoke with the homeowner and that they had left them voicemails, but no one had responded.

Mr. Hasman said that he would like to see year round screening of the generator. He also asked if the generator was going to be offset from the house or tucked in close. Mr. Milano stated it will be offset due to windows.

Mr. Rose asked, due to testing requirements, if the generator will be tested during normal hours. Mr. Milano confirmed bi-weekly, Wednesday at approximately 2:00pm.

Mr. Hasman asked if there was a medical reason for the need of the generator. Mr. Milano said no.

Councilperson Stucky stated he understands the necessity to move it to the side of the house but would like to see a requirement for year round screening.

Mr. Rose said an addendum will be added to the motion that is contingent upon having year round screening.

Mr. Rose asked if the Board or public had any further questions or comments. Hearing none he asked for a motion to close the public hearing.

Motion by Councilperson Stucky, seconded by Mr. Collin to close the public hearing.

**ROLL CALL:** Ayes: Collin, Gagliano, Hasman, Jayjack, Kingston, Stucky, Rose

Nays: None

**MOTION CARRIED**

**APPEAL 2025-03**

Steve & Rosemary Allen for a variance from section 1151.23(b) to allow a shed to be located in front of the building line on a corner lot as indicated on the drawing dated 12/13/2024 (not allowed), located at 9737 Brecksville Rd, PPN 605-01-001.

Steve Allen spoke to the Board. He stated in 2014 they received a variance to build an addition onto the back of the home and place a fence along the Parkview side of the home. He said because they are on a corner lot they technically have two front yards. They have been working hard to improve the home. They have constructed a little oasis in the back yard and would like to place a shed in the corner for additional privacy as well as to store landscaping tools and some woodworking tools. The plan is to have the shed match the color and look of the home. He said that none of the neighbors have objected on either Brecksville Road or Parkview.

Mr. Allen presented the Board with a picture of the shed and location. He said they use to have a large pine tree in that area that needed to be removed due to years of damage from utility work. This exposed the backyard

Mr. Hasman asked if he would be parking in the shed. Mr. Allen said no, it is a 10x10 prebuilt shed for storage.

Ms. Gagliano asked what the height is. Mr. Allen stated it is not above the 15 foot limit, and he believes it to be approximately 11 feet.

Mr. Jayjack asked if the reason he is placing it parallel to Parkview is to create more privacy. Mr. Allen confirmed.

Mrs. Bowman, a neighbor on Parkview, was present and stated to the Board that they approve of the shed and that the Allen's have worked hard to create a beautiful home.

Mr. Rose asked if the Board or public had any further questions or comments. Hearing none he asked for a motion to close the public hearing.

Motion by Mr. Jayjack, seconded by Ms. Gagliano to close the public hearing.

**ROLL CALL:** Ayes: Collin, Gagliano, Hasman, Jayjack, Kingston, Stucky, Rose

Nays: None

**MOTION CARRIED**

**APPEAL 2025-04**

Patrick Mason for Kristen Kilburg for a variance from section 1197.31 to allow a 6-month extension (currently expired) to BZA variance 2022-24 located at 8643 Brecksville Rd, PPN 601-24-010.

Patrick Mason spoke to the Board. He stated he was hired to construct a garage addition and was told there was a variance approved, however, it had lapsed. He is here to request an extension to complete the garage.

Mr. Rose asked if Mr. Mason knew why the homeowner did not construct the addition in 2022.  
Mr. Mason did not.

Mr. Rose asked if the Board or public had any further questions or comments. Hearing none he asked for a motion to close the public hearing.

Motion by Mr. Collin, seconded by Mr. Hasman to close the public hearing.

**ROLL CALL:** Ayes: Collin, Gagliano, Hasman, Jayjack, Kingston, Stucky, Rose

Nays: None

**MOTION CARRIED**

**MINUTES OF REGULAR MEETING  
BRECKSVILLE BOARD OF ZONING APPEALS  
RALPH W. BIGGS COUNCIL CHAMBERS – BRECKSVILLE CITY HALL  
JANUARY 13, 2025**

Present: Collin, Gagliano, Hasman, Jayjack, Kingston, Stucky, Rose  
Absent: None  
Others: 8 guests

**APPROVAL OF THE REGULAR MEETING MINUTES OF NOVEMBER 12, 2024**

Motion by Councilperson Stucky, seconded by Mr. Collin, to approve the Regular Meeting minutes of November 12, 2024.

**ROLL CALL:** Ayes: Collin, Gagliano, Jayjack, Kingston, Stucky, Rose  
Abstain: Hasman  
Nays: None  
**MOTION CARRIED**

**APPEAL 2024-41**

Motion by Mr. Jayjack, seconded by Mr. Collin, that the Board of Zoning Appeals recommend to City Council approval of (1) a variance from Section 1185.03(c) maximum fence height 6 ft. to allow 8 ft. and (2) a variance from Section 1185.02(c) prohibiting barbed wire fencing to allow 1 ft along with 7 ft tall chain link, located at 6101 W Snowville Rd, PPN 604-24-001.

**ROLL CALL:** Ayes: Collin, Gagliano, Hasman, Jayjack, Kingston, Stucky, Rose  
Nays: None  
**MOTION CARRIED**

**APPEAL 2025-01**

Motion by Mr. Collin, seconded by Councilperson Stucky, that the Board of Zoning Appeals recommend to City Council approval of a variance from Section 1185.02(d) to allow solid type of fencing (not allowed) for the screening of pool equipment, located at 6488 Summer Wind Dr, PPN 604-10-011.

**ROLL CALL:** Ayes: Collin, Hasman, Jayjack, Kingston, Stucky, Rose  
Abstain: Gagliano  
Nays: None  
**MOTION CARRIED**

**APPEAL 2025-02**

Motion by Mr. Hasman, seconded by Councilperson Stucky, that the Board of Zoning Appeals recommend to City Council approval of a variance from section 1326.02 to install a generator in the side yard, instead of the rear as required by code, providing some type of natural screening, approved by the City's Arborist, is planted by the structure to help conceal it year round, located at 4809 Snow Blossom Ln, PPN 604-19-056.

**ROLL CALL:** Ayes: Collin, Gagliano, Hasman, Jayjack, Kingston, Stucky, Rose  
Nays: None  
**MOTION CARRIED**

**APPEAL 2025-03**

Motion by Ms. Gagliano, seconded by Mr. Collin, that the Board of Zoning Appeals recommend to City Council approval of a variance from section 1151.23(b) to allow a shed to be located in front of the building line on a corner lot as indicated on the drawing dated 12/13/2024 (not allowed), located at 9737 Brecksville Rd, PPN 605-01-001.

**ROLL CALL:** Ayes: Collin, Gagliano, Hasman, Jayjack, Kingston, Stucky, Rose  
Nays: None

**MOTION CARRIED**

**APPEAL 2025-04**

Motion by Mr. Collin, seconded by Ms. Gagliano that the Board of Zoning Appeals recommend to City Council approval of a variance from section 1197.31 to allow a 6-month extension (currently expired) to BZA variance 2022-24 located at 8643 Brecksville Rd, PPN 601-24-010.

**ROLL CALL:** Ayes: Collin, Gagliano, Hasman, Jayjack, Kingston, Stucky, Rose  
Nays: None

**MOTION CARRIED**

**REPORT OF COUNCILMEMBER STUCKY**

No Report

**REPORT OF MAYOR KINGSTON**

Mayor Kingston congratulated the appointed officers and thanked them for their time on the Board.

**ANNOUNCEMENTS**

No Announcements

Motion by Mr. Hasman, seconded by Mr. Collin to close the Regular Meeting at 8:10 p.m.

**MOTION CARRIED**

**THE BRECKSVILLE BOARD OF ZONING APPEALS**

**DENNIS ROSE, CHAIRPERSON**

**THOMAS COLLIN, VICE CHAIRPERSON**

**NORA GAGLIANO, SECRETARY**

Public Hearing and Regular Meeting recorded by Kristen Kouri