

**MINUTES OF PUBLIC HEARINGS
BRECKSVILLE BOARD OF ZONING APPEALS
RALPH W. BIGGS COUNCIL CHAMBERS – BRECKSVILLE CITY HALL
July 10, 2023**

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

Absent: McCrodden

Others: Building Inspector Synek, 17 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 2023-25

Robert & Stacie Bibby for (1) a variance from Section 1185.03 (a) no fence may extend into the front yard, to allow for a split rail fence at the front lot line located at 8261 Brecksville Road, PP# 601-21-015.

Mr. Bibby spoke to the Board regarding his appeal, he explained there is a lot of pedestrian traffic and has to repair the grass almost every year, his reasoning for putting the fence in that location was to protect the barrier. He was unaware of the procedures and thought it was more of a decorative fence than a containment, also a deterrent for the deer.

Mr. Rose asked if he thought of putting in arborvitaes or bushes, Mr. Bibby said yes but like the neighbors they are now overgrown and hard to see traffic coming.

Mr. Rose opened up questions from the members of the Board and Mr. Hasman commented he appreciates the reason for putting the fence there but it poses a problem for others that are on a sidewalk that may want to make the same argument.

Mr. Rose did state two letters from different neighbors were submitted, one objected and the other was in favor of the fence.

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 2023-26

Don Geitz for Borbala & Attila Banto for (1) a variance from Section 1151.25 (d)(2)(B) maximum 192 sq. ft. to allow 280 sq. ft., and (2) a variance from Section 1151.26 (1) minimum 10 ft. side yard setback, to allow 5 ft., for the construction of a shed located at 7464 Old Quarry Lane, PP# 601-25-049.

Mr. Geitz spoke for the Bantos, he showed a picture of the backyard and stated they want to save as many trees as possible and the reason for a bigger shed is to store items that will no longer fit in the smaller shed that was on the property.

Mr. Rose opened up questions from the members of the Board and Ms. Gagliano asked if the shed in the picture is the one currently on the property and Mr. Geitz stated it is not but did talk to the property owner and found out the new shed was delivered without any permits being pulled.

Mayor Hruby, seconded by Ms. Gagliano suggested this appeal be tabled until September, all members were in favor.

Tabled until the September meeting

APPEAL 2023-27

David and Bethany Hicks for (1) a variance from Section 1151.25(d) (1) Maximum 660 sq. ft., to allow 1350 sq. ft. and (2) a variance from Section 1151.26(1) minimum 10 ft. side yard setback, to allow 4 ft. and (3) a variance from Section 1181.11(b) maximum building height 15 ft., to allow 18 ft. for a replacement detached garage located at 9019 Highland Drive, PP# 601-33-031.

Mr. Hicks stated the current garage they have is not in good condition and he would also like a larger garage for his vehicles and also for a studio because he is an artist, and the location is because of the terrain of the property.

Mr. Hasman questioned the height of the new building and it was determined a higher height may be needed.

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

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

APPEAL 2023-28

Robert Richards (1) for a variance from Section 1151.26(2) minimum 10 side yard setback to allow 3 ft. for a shed, pergola and a hot tub located at 6815 Greenbrier Drive, PP# 601-01-036.

Mr. Richards explained the variance he is looking for then passed it onto his contractor, Sebastian Reymers who stated the yard is big but it has a ravine in the back and the usable space is fairly small.

Mr. Hasman asked about bathroom and kitchen facilities, and Mr. Reymers stated there would not be any of the facilities or plumbing, just electric.

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

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

APPEAL 2023-30

Dionysios Giatis for (1) a variance from Section 1119.09(d) not to install public sidewalks until such time that the City deems appropriate, for a new single family dwelling located at 4315 Oakes Road, PP# 603-02-112.

Mr. Giatis is the homeowner and they are currently building a new home, he is making the request because there is nowhere to attach a sidewalk, Oakes Road does not have sidewalks on his side of the street and he is aware once the sidewalk is put in he is responsible for the cost of putting it in.

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

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

**MINUTES OF REGULAR MEETING
BRECKSVILLE BOARD OF ZONING APPEALS
RALPH W. BIGGS COUNCIL CHAMBERS – BRECKSVILLE CITY HALL
July 10, 2023**

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

Absent: McCrodden

APPROVAL OF THE REGULAR MEETING MINUTES OF June 12, 2023

Motion by Mr. Collin, seconded by Mr. Hasman, to approve the Regular Meeting minutes of June 12, 2023, as recorded.

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

Absent: McCrodden

MOTION CARRIED

APPEAL 2023-25

Motion by Mr. Caruso, seconded by Ms. Gagliano, that the Board of Zoning Appeals recommend to City Council Approval for a variance from Section 1185.03 (a) no fence may extend into the front yard, to allow for a split rail fence at the front lot line located at 8261 Brecksville Road, PP# 601-21-015.

ROLL CALL: Ayes: Gagliano, Caruso, Hruby

Nays: Hasman, Collin, Rose

MOTION DENIED

APPEAL 2023-26 – TABLED UNTIL SEPTEMBER

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APPEAL 2023-27

Motion by Mr. Hasman, seconded by Mr. Collin, that the Board of Zoning Appeals recommend to City Council approval for a variance (1) a variance from Section 1151.25(d) (1) Maximum 660 sq. ft., to allow 1350 sq. ft. and (2) a variance from Section 1151.26(1) minimum 10 ft. side yard setback, to allow 4 ft. and (3) a variance from Section 1181.11(b) maximum building height 15 ft., to allow 18 ft. for a replacement detached garage located at 9019 Highland Drive, PP# 601-33-031.

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

MOTION CARRIED

APPEAL 2023-28

Motion by Mr. Collin, seconded by Mr. Caruso, that the Board of Zoning Appeals recommend to City Council approval for variance from Section 1151.26(2) minimum 10 side yard setback to allow 3 ft. for a shed, pergola and a hot tub located at 6815 Greenbrier Drive, PP# 601-01-036.

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

MOTION CARRIED

APPEAL 2023-30

Motion by Mr. Caruso, seconded by Mr. Collin, that the Board of Zoning Appeals recommend to City Council approval for a variance from Section 1119.09(d) not to install public sidewalks until such time that the City deems appropriate, for a new single family dwelling located at 4315 Oakes Road, PP# 603-02-112.

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

MOTION CARRIED

REPORT OF COUNCILMEMBER CARUSO

Mr. Caruso reported on a successful home days, the road program continuing to progress and encouraging everyone to be conscientious when driving by City employees and contractors working on these projects.

REPORT OF MAYOR HRUBY

None

Motion by Mr. Hasman, seconded by Mr. Caruso to close the Regular Meeting at 8:17 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