

**MINUTES OF PUBLIC HEARINGS  
BRECKSVILLE BOARD OF ZONING APPEALS  
RALPH W. BIGGS COUNCIL CHAMBERS – BRECKSVILLE CITY HALL  
August 7, 2023**

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

Absent: None

Others: Building Inspector Synek, 19 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 2023-31**

Scott Warren for (1) a variance from Section 1185.03 (a) fence not allowed in a front yard to allow a post and rail fence, (2) a variance from section 1151.25(d) (2) (B) maximum floor area of 192 sq. /ft. to allow 200 sq. /ft., and (3) a variance from section 1151.26 greenhouse required in the rear yard to allow in the front yard located at 8700 Riverview Road, PP# 602-14-018.

Mr. Warren stated his yard is primarily all front yard and very limited to the rear, wooded to the south end and they basically have one area where there are no trees, his only other option would be to clear cut trees to place the greenhouse behind the Emerald Woods development along the residence property lines and the fence they want to install is for aesthetic and not to create a fenced in area. They are creating a pollinator garden in the acre plus section that will be returned to all native plants, the property has been overgrown for years with invasive species and they have been cleaning it up. The greenhouse will not have a waterline or electrical, it will be for wintering over and starter seeds.

Mr. McCrodden asked if the shed he received a variance for in 2021 was ever installed, Mr. Warren said yes it was put up and hidden away in the southeast corner of the property, Mr. Hasman asked if he would be clear cutting the property and Mr. Warren said no just the invasive vines.

Mr. Rose opened up questions to the audience. Mrs. Carolyn Fitch who resides at 8694 Riverview Road spoke, she stated they oppose the variance because the property is non-conforming due to the fact it lacks the frontage on Riverview Road and the ordinance seeks to minimize adverse effects on the adjoining properties, she feels there is ample room in the backyard and a variance will not be needed, Mr. Collin asked Mrs. Fitch if she was objecting to the location of the greenhouse or the size and she stated both. Mr. Fitch spoke next and he said communication is a two way street and there was no communication with Mr. Warren, he also questioned an extension on the driveway that was on the plan, Mr. Rose clarified with Mr. Synek that if indeed the site drawing for the Boards purpose was where the greenhouse and fence will be going, the Board has no driveways in front of them and if there is going to be a driveway put in that does not meet code, Mr. Warren will have to come back in front of the Board of Zoning

Appeal and ask for a variance. Mr. Warren spoke again and stated he will only be talking about the greenhouse because that is why they are there, the location he wants to put the greenhouse would prevent him from cutting down trees in the backyard.

Mr. Phil Resparc, who resides at 7774 Sunstone Drive spoke next, he stated there is not adequate woods to hide everything that's being stated by Mr. Warren, he has construction equipment parked in full view of most of the neighbors and he feels there is not enough woods to protect or block the view of additional buildings.

Meredith Seeley, who resides at 7772 Sunstone Drive spoke next, she said she does not support the variances and she does not disagree with them either, she is a firm believer that everyone is able to do whatever they so choose to do on their own property, including herself. She wishes Mr. Warren would have communicated with the residents in Emerald Woods and maybe they would be more in full support, she agreed the lot is not fully wooded and she would like her children to be able to enjoy their own backyard as well as the Warrens enjoying theirs.

Brian Kondas, who resides at 7770 Sunstone Drive spoke, his entire back property line runs along Mr. Warren's property, he stated there used to be good screening with shrubbery but that has been removed and they now see a lot of construction vehicles. Mrs. Kondas stated the Warren's are requesting a variance so they can enjoy their home but their behavior has made it impossible for her family to enjoy their home.

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

#### **APPEAL 2023-33**

David & Janet Barnhart for (1) a variance from Section 1185.03(a) maximum fence height of 4 ft., to allow 6 ft. for a replacement fence located at 7782 Grenadier Lane, PP# 601-03-032

Mr. Barnhart spoke and stated they want to replace the back section of the 4 ft. wooden fence to a 6 ft. wooden fence with no change in type of fence already there because they have 2 large rescue dogs.

Mr. Rose opened up questions to the audience. Mrs. Deborah Knox who lives at 7772 Grenadier Lane spoke in favor of the fence.

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

#### **APPEAL 2023-34**

Brecksville Horticultural Department (1) a variance from Section 1155.32 minimum 100 ft. front yard to allow 22 ft. ± from Royalton Rd. for the construction of a greenhouse on a through lot located at 6916 Stadium Drive, PP# 601-31-013.

Joe Kickel, the Director of Public Service spoke for the City of Brecksville, he stated the reason for the variance is a technical hardship and the reason being is the property behind the Stadium Drive property is owned by ODOT and the property line is considered the edge of the right of way and the greenhouse would be 22 ft. ± from that line.

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**

**MINUTES OF REGULAR MEETING  
BRECKSVILLE BOARD OF ZONING APPEALS  
RALPH W. BIGGS COUNCIL CHAMBERS – BRECKSVILLE CITY HALL  
August 7, 2023**

Present: Gagliano, Caruso, Hasman, Hruby, Collin, Rose  
Abstain: McCrodden  
Absent: None

**APPROVAL OF THE REGULAR MEETING MINUTES OF July 10, 2023**

Motion by Mr. Hasman, seconded by Mr. Collin, to approve the Regular Meeting minutes of July 10, 2023, as recorded.

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

**APPEAL 2023-31**

Motion by Mr. McCrodden, seconded by Mr. Collin, that the Board of Zoning Appeals recommend to City Council approval for (1) a variance from Section 1185.03 (a) fence not allowed in a front yard to allow a post and rail fence, (2) a variance from section 151.25(d)(2)(B) maximum floor area of 192 sq./ft. to allow 200 sq./ft., and (3) a variance from section 1151.26 greenhouse required in the rear yard to allow in the front yard located at 8700 Riverview Road, PP# 602-14-018.

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

**APPEAL 2023-33**

Motion by Mr. Collin, 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 6 ft. for a replacement fence located at 7782 Grenadier Lane, PP# 601-03-032

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

**APPEAL 2023-34**

Motion by Mr. Caruso, seconded by Ms. Gagliano, that the Board of Zoning Appeals recommend to City Council approval for (1) a variance from Section 1155.32 minimum 100 ft. front yard to allow 22 ft. ± from Royalton Rd. for the construction of a greenhouse on a through lot located at 6916 Stadium Drive, PP# 601-31-013.

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

**MOTION CARRIED**

**REPORT OF COUNCILMEMBER CARUSO**

Mr. Caruso reported the Trike and Bike benefit will be Saturday at Blossom Hill School at 10 am with the proceeds going to the Pediatric Cancer treatment and so far \$32,000 has been raised, people can register at trikeandbike.org. The road projects in town continue to progress pretty much on time and the project on 82 is a little bit slow going because of the nature of the rock but they should be wrapping that up in early September. Glenwood Trail is also progressing nicely and that should be towards the end of the month and please pay attention to our service guys working on the roads.

**REPORT OF MAYOR HRUBY**

None

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