

MINUTES OF PUBLIC HEARING MEETING
BRECKSVILLE BOARD OF ZONING APPEALS
RALPH W BIGGS COUNCIL CHAMBERS – BRECKSVILLE CITY HALL
OCTOBER 7, 2024
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PRESENT: Nora Gagliano, Robert Hasman, Brian Stucky, Mayor Kingston, Tom Collin, Ken Jayjack
ABSENT: Dennis Rose
OTHERS: Steve Synek and approximately 3 guests

PUBLIC HEARINGS

Mr. Collin started the meeting at 7:30 pm with an explanation of the code, the job of the Board of Zoning Appeals Committee, and the process of appeal.

APPEAL 2024-35 5245 Miller Rd Richard McMeechan

Mr. Richard McMeechan, owner of the property, appeared to present his request. This is a request for a variance from Section 1326.02 to install a generator in the side yard.

Mr. McMeechan provided copies of email communications with two immediate neighbors located at 5395 Miller Rd and 5171 Miller Rd.

Mr. McMeechan shared placement of the generator at the rear of his property does not make sense and actually could be non-compliant for a number of reasons. The rear of his home is all windows and doors requiring the unit to be placed 5-10' from the house. That would cause removal of flagstone patio.

He shared the contractor desires to put the unit nearest to the southeast corner, which is nearest to the gas and electric connections and eliminates the need to trench about 150' if placed in the rear.

He shared his three neighbors are okay with the placement, one of them already has a generator on the side of house as well. Mr. Stucky asked if the Building Department had received the written confirmations of approval. Mr. Synek confirmed they had.

Mr. Hasman complimented Mr. McMeechan on the very well-presented demonstration of hardship he included with his request.

Mayor Kingston added the rear placement does not really make sense as it would place the unit closer to the one neighbor.

There being no further questions, Mr. Collin called for a motion to close the Public Hearing. Mr. Hasman made the motion, seconded by Ms. Gagliano. Mr. Collin called for a voice vote: there being no Nays, the motion to close the Public Hearing was approved.

APPEAL 2024-36 8505 Sunnydale Brian Midlik

Mr. Brian Midlik, owner of the property, appeared to present his request. This is a request for a variance from Section 1326.02 to install a generator in the side yard.

Mr. Midlik shared they are replacing an existing generator which must be moved to make way for an addition to the home. He also shared the power lines have been buried on the south side and proposed placement closest to the utilities and windows. He additionally shared the sloping grade away from the home make leveling a pad difficult. The proposed location actually moves the generator approximately 20' away from the neighbor's house.

Mr. Hasman asked if that neighbor is in favor of the proposed placement. Mr. Midlik shared she is, and knows she will see the unit, although there will be landscaping placed as well. Mr. Midlik provided email confirmation of her approval for the generator placement.

Mr. David Boss, 8490 Sunnydale Dr. was present to voice objection to the generator. He showed the Board his house placement as across the street and diagonally opposite Mr. Midlik's location. He is opposed to the location due to fumes and noise as well as seeing the unit.

Mr. Boss confirmed he had not spoken to the property owner about the matter.

Mr. Stucky commented the unit is actually behind the house with the addition having an insert space. Mr. Midlik confirmed there will be landscaping to further conceal.

Mr. Stucky asked if the unit is going to operate on natural gas. Mr. Midlik confirmed that. Mr. Stucky shared the new units are very quiet and mitigate odors substantially.

There being no further questions, Mr. Collin called for a motion to close the Public Hearing. Mr. Hasman made a motion to close the Public Hearing; seconded by Ms. Gagliano. Mr. Collin called for a voice vote: there being no Nays the motion to close the Public Hearing was approved.

PRESENT: Nora Gagliano, Robert Hasman, Brian Stucky, Mayor Kingston, Ken Jayjack, Tom Collin
ABSENT: Dennis Rose
OTHERS: Steve Synek and approximately 3 guests

APPROVAL OF THE REGULAR MEETING MINUTES OF September 9, 2024

Mr. Collin asked for a motion to approve the Regular Meeting Minutes of September 9, 2024. Mr. Jayjack called for a motion, seconded by Ms. Gagliano. Mr. Collin called for a voice vote; there being no Nays and one abstain (Mr. Hasman), the motion was approved.

DISCUSSION OF CURRENT APPEALS:

Appeal 2024-35 5245 Miller Rd. Richard McMeechan

Mr. Hasman made a motion and Ms. Gagliano seconded that the Board recommend and forward to City Council for their consideration, an Appeal 2024-35 for variance from Section 1326.02 to install a generator in the side yard, instead of the rear as required by code, located at 5245 Miller Rd., PP# 604-04-015.

ROLL CALL: AYES: Mr. Hasman, Mr. Stucky, Mayor Kingston, Mr. Jayjack, Mr. Collin, Ms. Gagliano
ABSTAIN: none
NAYS: none
MOTION CARRIED

Appeal 2024-36 8505 Sunnydale Brian Midlik

Mr. Jayjack made a motion and Mr. Hasman seconded that the Board recommend and forward to City Council for their consideration, Appeal 2024-36 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 8505 Sunnydale, PP# 601-13-019.

ROLL CALL: AYES: Mr. Hasman, Mr. Stucky, Mr. Collin, Mr. Jayjack, Mayor Kingston, Ms. Gagliano,
ABSTAIN: none
NAYS: none
MOTION CARRIED

REPORT OF COUNCIL REPRESENTATIVE STUCKY No report.

REPORT OF MAYOR Mayor Kingston reported the Safety Service Festival was a huge success with more than 350 kids participating. He thanked all who supported the event. He added the fire department did an extraction example that included the jaws of life.

Mayor Kingston reminded everyone that on Sunday, 10/13 the Squire Rich Museum will be holding their annual Apple Butter festival.

ADJOURNMENT The meeting was adjourned at 8:00 pm

THE BRECKSVILLE BOARD OF ZONING APPEALS



DENNIS ROSE, CHAIRPERSON



THOMAS COLLIN, VICE CHAIRPERSON



NORA GAGLIANO, SECRETARY

Public Hearing and Regular Meeting recorded by Debbie Knox