

MINUTES OF PUBLIC HEARINGS  
BRECKSVILLE BOARD OF ZONING APPEALS  
RALPH W BIGGS COUNCIL CHAMBERS – BRECKSVILLE CITY HALL  
JUNE 10, 2024  
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PRESENT: Nora Gagliano, Robert Hasman, Mayor Kingston, Tom Collin, Ken Jayjack,  
Dennis Rose  
ABSENT: Brian Stucky  
OTHERS: Monica Bartkiewicz and approximately 5 guests

PUBLIC HEARINGS

Mr. Rose 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 2024-18 7849 Oakhurst Circle

Mr. Randall Keller, owner of 7849 Oakhurst Circle, 7;849 Oakhurst Circle appeared for a variance from Section 1185.02(d) that solid board fences not be permitted to permit solid board fence and from Section 1185.03(a) that the maximum permitted fence height be 4 ft to allow 6 ft as shown on the application dated May 3, 2024, located at 7849 Oakhurst Circle, PPN 602-01-059.

Seeking the variance to install a length of fencing 24' to 32' in length that is 5' in height with an additional 1' lattice work top for a total of 6' fence. The driveways of both houses are side by side but the house placements on their lots are non-conforming in nature (one sets farther back from the other) creating a situation whereby the neighbor must keep her bedroom and bathroom curtains pulled for privacy. Additionally, the applicants' young son darts into the driveway near the garage by virtue of their back yard placement.

Mr. Rose asked about placement of greener for privacy. Mr. Keller, former landscaper, advised that with the two large specimen oaks on the property it is unlikely any greener would grow in the location.

Mr. Hasman commented that the applicant could put up a 4' fence at any time for the protection issue.

Mr. Keller responded to question from Mr. Collins that the neighbor has been in the home for approximately two years. While no letter was provided and she did not attend, Mr. Keller reports she is supportive of the fencing.

There being no further questions, Mr. Hasman made a motion to close the Public Hearing; seconded by Mr. Collin.

Mr. Rose called for a voice vote: there being no Nays the motion to close the Public Hearing was approved.

APPEAL 2024-19 9560 Chapel Hill Oval

Rosemary Pilling Parks, on behalf of Mr. William Mendat, Jr, of 9560 Chapel Hill Oval appeared to request a variance from Section 1151.24 that rear yard setback be 60' in an R-20 district to allow 50' for a house addition, as shown on the application dated May 14, 2024, located at 9560 Chapel Hill Oval, PPN 603-16-044.

Mr. Mendat seeks to enlarge the current galley kitchen of his home that backs to the rear set back at present.

Mr. Rose note the house is currently non-conforming.

Mayor Kingston noted that they had received a letter from the Metropark voicing no objections to encroachment on an existing easement.

There being no further questions, Mr. Collin made a motion to close the Public Hearing; seconded by Mr. Hassman .

Mr. Rose called for a voice vote: there being no Nays the motion to close the Public Hearing was approved.

APPEAL 2024-20 6924 Lawnpark Drive

Aaron Rohe, owner at 6924 Lawnpark Drive appeared for a variance from Section 1151.24 that the said yard setback be a minimum of 10' for RI-20 residential districts to allow 5' for a house addition, as shown on the application dated May 10, 2024, located at 6924 Lawnpark Drive, PPN 603-08-030.

He stated they need more space for growing family and seek to replace their current galley kitchen and bedroom/office with this addition. It would be built in what is now a non-conforming sunroom.

Mr. Rose confirmed the non-conforming status with 5' setback. The applicant is seeking to maintain that footprint.

Mr. Rose reported they had received a letter of support from a neighbor.

There being no further questions, Mr. Collin made a motion to close the Public Hearing; seconded by Mr. Hasman .

Mr. Rose called for a voice vote: there being no Nays the motion to close the Public Hearing was approved.

APPEAL 2024-21 9416 Brecksville Road

Rob Morel of Morel Landscaping LLC appeared on behalf of Tony Stillings for a variance from Section 1151.25 (d) that sheds be a maximum of 192 sq ft in an R-30 district to allow 280 sq ft as shown on the application dated May 20, 2024, located at 9416 Brecksville Road, PPN 603-16-015.

The owner is planning to build a large shed for gardening and was desiring to also build a play house for children. The intent is to combine the two structures, hence the larger size at 280 sq ft. Mr. Morel also reported that this is a second phase of what was previously and approved landscaping plan for a large garden and fruit orchard area in the yard.

The facility will have power but will not have water. The building will have green screening around it.

A neighbor called the Building Department with concerns about storm water. Mr. Morel plans to have the rain water flow off the building with gutters and into the planned landscape area down to the storm sewers.

There being no further questions, Ms. Gagliano made a motion to close the Public Hearing; seconded by Mr. Jayjack.

Mr. Rose called for a voice vote: there being no Nays the motion to close the Public Hearing was approved.

PRESENT: Nora Gagliano, Robert Hasman, Mayor Kingston, Tom Collin, Ken Jayjack,  
Dennis Rose  
ABSENT: Brian Stucky  
OTHERS: Monica Bartkiewicz and approximately 5 guests

APPROVAL OF THE REGULAR MEETING MINUTES OF MAY 13, 2024

Mr. Collin called for a motion to approve the Regular Meeting Minutes of May 13, 2024, seconded by Mr. Hasman.

ROLL CALL: AYES: Mr. Collin, Mr. Jayjack, Ms. Gagliano, Mr. Hasman, Mr. Rose  
ABSTAIN: None  
NAYS: None

MOTION CARRIED

REPORT OF COUNCIL REPRESENTATIVE STUCKY none

REPORT OF MAYOR none

ANNOUNCEMENTS none

DISCUSSION of Current Appeals:

Appeal 2024-18

Mr. Collin made a motion and Ms. Gagliano seconded that the group vote forward to City Council for their consideration to approve, the request of Randall Keller for a variance from Section 1185.02(d) that solid board fences not be permitted to permit a solid board fence and from Section 1185.03(a) that the maximum permitted fence height be 4 ft to allow 6 ft, as shown on the application dated May 3, 2024, located at 7849 Oakhurst Circle, PPN 602-01-059.

ROLL CALL: AYES: Ms. Gagliano, Mayor Kingston, Mr. Collin, Mr. Jayjack, Mr. Rose  
ABSTAIN: None  
NAYS: Mr. Hasman

MOTION CARRIED

Appeal 2024-19

Mr. Jayjack moved and Mr. Collin seconded that the group vote to send to City Council for their consideration to approve, the request of Rosemary Pilling Parks on behalf of William Mendat; for a variance from Section 1151.24 that the rear yard setback by 60' in an R-20 district to allow 50' for a house addition, as shown on the application dated May 14, 2024, located at 9560 Chapel Hill Oval, PPN 603-16-044.

ROLL CALL:	AYES:	Mr. Hasman, Mayor Kingston, Mr. Collin, Mr. Jayjack, Ms. Gagliano, Mr. Rose
	ABSTAIN:	None
	NAYS:	None

**MOTION CARRIED**

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Appeal 2024-20

Mr. Collin moved and Mr. Hasman seconded that the group vote to send to City Council for their consideration to approve, the request of Aaron and Krista Rohe for a variance from Section 1151.24 that the side yard setback be a minimum of 10' for R-20 residential districts to allow 5' for a house addition, as shown on the application dated May 10, 2024, located at 6924 Lawnpark Drive, PPN 603-08-030.

ROLL CALL:	AYES:	Mayor Kingston, Mr. Collin, Mr. Jayjack, Ms. Gagliano, Mr. Hasman, Mr. Rose
	ABSTAIN:	None
	NAYS:	None

**MOTION CARRIED**

Appeal 2024-21

Ms. Gagliano moved and Mr. Jayjack seconded that the group vote to send to City Council for their consideration to approve, the request of Morel Landscaping LLC on behalf of Tony Stillings for a variance from Section 1151.25(d) that sheds be a maximum of 192 sq ft in an R-30 district to allow 280 sq ft as shown on the application dated May 20, 2024, located at 9416 Brecksville Road, PPN 603-16-015.

ROLL CALL:	AYES:	Mayor Kingston, Mr. Collin, Mr. Jayjack, Ms. Gagliano, Mr. Hasman, Mr. Rose
	ABSTAIN:	None
	NAYS:	None

**MOTION CARRIED**

**ADJOURNMENT** The meeting was adjourned at 8:30 pm

**THE BRECKSVILLE BOARD OF ZONING APPEALS**

A handwritten signature in black ink, appearing to read "Dennis Rose", with a stylized flourish at the end.

**DENNIS ROSE, CHAIRPERSON**

A handwritten signature in black ink, appearing to read "Thomas Collin", with a stylized flourish at the end.

**THOMAS COLLIN, VICE CHAIRPERSON**

A handwritten signature in blue ink, appearing to read "Nora Gagliano", with a stylized flourish at the end.

**NORA GAGLIANO, SECRETARY**

Public Hearing and Regular Meeting recorded by Debbie Knox

