

PRESENT: Nora Gagliano, Brian Stucky, Mayor Kingston, Tom Collin, Ken Jayjack, Dennis Rose
ABSENT: Robert Hasman
OTHERS: Steve Synek and approximately 12 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 2024-37 Kevin Fink for George Picha 11047 Snowville Rd.

Mr. Kevin Fink, on behalf of George Picha, owner, was in attendance to discuss their request to be allowed to create a driveway for property access that will be a gravel drive, after asphalt apron, and a gate across the driveway to provide security for the property. He shared the land is wooded and there is no present access road on the property. They would like to create the access road and then reduce access by vehicle via the driveway with a gate.

Three variances are required for this request:

1. A variance from Section 1183.15(a) driveways improved with concrete or asphalt required to allow gravel.
2. A variance from 1185.03(a) to allow a fence (driveway gate) in a location other than side or rear yard.
3. A variance from Section 1151.03(c) to install a driveway and a gate on a vacant lot (accessory use not permitted).

Mr. Fink shared with the Board that there is no plan to develop the 39 acres at present. He also shared it is currently R40 Zoned. There is nothing being maintained on the property; it is occasionally used for hunting.

There being no further questions, Mr. Rose called for a motion to close the Public Hearing. Ms. Gagliano made the motion, 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 2024-38 10140 Brecksville Road Signature Sauces

Mr. Mike Wohlwend, 4216 Kain Ind. Pkwy; Kent, representing Mr. Perry Stancato, 7169 E Pleasant Valley Road, Independence, the owner of Signature Sauces was in attendance to discuss the request. The size of the proposed building addition at the location was determined by the current and future needs of the business addition. The location along the west side of the existing building is required due to the current layout of the existing buildings. The parking variance is required to maintain a fire access around the proposed addition. They are expanding the present use of the building for short and long term needs of the business. Being required to replace the loading docks and refrigeration units would be costly.

Mr. Wohlwend assured Mr. Rose that the questions raised by Mr. Wise are in the process of being addressed.

There are two variances requested:

1. A variance to Section 1157.29(a)(2) to reduce the front building setback on LaRose Drive to 90.5'
2. A variance to Section 1157.29(d)(1) to reduce the rear building setback on the west property line to 58.27'.

There being no further questions, Mr. Rose called for a motion to close the Public Hearing. Mr. Collin 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.

APPEAL 2024-39 10417 Chippewa Rd. Justin Klubnik & Rachel Sanson

Mr. Justin Klubnik, owner, was in attendance to discuss his request for a variance to allow a 6' fence for approximately 55 linear feet of post and board. He shared they are on the corner of a busy street and are seeking to tie-in to neighbor fence for privacy and safety of children and pets from the busy street.

Mr. Rose agreed with Mr. Klubnik about the business of this main road and that it is a safety issue for children, pets and public traveling the road.

Mr. Klubnik confirmed for the mayor the fencing will be matching the existing neighbors fencing for continuity.

Mr. Klubnik reviewed for the Board the drawings and placement of the fence for clarity.

There being no further questions, Mr. Rose called for a motion to close the Public Hearing. Mr. Jayjack 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 2024-40 10637 Glen Forest Trail Paul Gaiduk

Mr. Paul Gaiduk, owner, was in attendance to discuss his request for a variance to allow an 18' height on an accessory structure. He provided images of the proposed accessory building with an adjacent pergola with concrete pad for outdoor enjoyment. The pergola and concrete pad are compliant with City codes per Mr. Synek.

Mr. Gaiduk shared the property topography limits ease of access to storage at the far rear of the property given elevation and adjacent ravine.

Mr. Gaiduk shared for the Board there are no planned utilities for the accessory building. There will be a loft area to expand the storage for items that exceed the floor space. He explained the landscaping and snow removal equipment quickly take up the floor space. The loft will be used for other storage of items such as kayaks.

Mr. Gaiduk shared all of the neighbors have been reached out to and are supportive of the storage building.

Mr. Collin asked if the front-end loader he saw on site will also be stored in the new building. Mr. Gaiduk said it would not be stored there.

There being no further questions, Mr. Rose called for a motion to close the Public Hearing. 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.

APPEAL 2024-41 6101 W. Snowville Rd. East Ohio Gas (Enbridge)

There was no one in attendance to discuss this variance request.

Mr. Rose called for a motion to table this Public Hearing. Mr. Stucky made a motion to table the Public Hearing; seconded by Mr. Collin. Mr. Rose called for a voice vote: there being no Nays the motion to table the Public Hearing was approved.

APPEAL 2024-42 6561 Queens Way Ernesto and Annela Vizcarra

Mr. William Tierney, on behalf of Ernesto and Annela Vizcarra, was in attendance to present the request for a variance to allow a 4' ornamental fence in front of the building line on a corner lot. He shared 218 ft on the corner lot is planned and a portion of that is technically front yard given the corner lot. If they stay only to the technically allowed fencing area, a significant portion of yard space would be unusable given the existing patio at the rear of the home.

Mr. Tierney shared the neighbors have no objections to the fence and the neighbor to the West provided a written statement of support. He plans for the fencing to complement the existing neighbor's fence.

Mr. Tierney clarified actual placement and connection of the fence to the neighbor's fence for Mr. Stucky and the Board.

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

PRESENT: Nora Gagliano, Brian Stucky, Mayor Kingston, Ken Jayjack, Tom Collin, Dennis Rose
ABSENT: Robert Hasman
OTHERS: Steve Synek and approximately 12 guests

APPROVAL OF THE REGULAR MEETING MINUTES OF October 7, 2024

Mr. Rose asked for a motion to approve the Regular Meeting Minutes of October 7, 2024. Mr. Collin called for a motion, seconded by Mr. Stucky. Mr. Rose called for a voice vote; there being no Nays and one abstain from Mr. Rose; the motion was approved.

DISCUSSION OF CURRENT APPEALS:

Appeal 2024-37 George Picha Jr.

Mr. Collin moved and Ms. Gagliano seconded that the Board recommend and forward to City Council for their consideration, Appeal 2024-37 a request by Kevin Fink, on behalf of George J Picha, Jr. for

1. A variance from Section 1183.14 (a) driveways improved with concrete or asphalt required to allow gravel and
2. A variance from 1185.03(a) to allow a fence (driveway gate) in location other than side or rear yard, and
3. A variance from Section 1151.03© to install a driveway and a gate on a vacant lot (accessory use not permitted) located at 11047 Snowville Rd, PPN 605-17-007.

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

Appeal 2024-38 Perry Stancato, Signature Sauces

Mr. Jayjack moved and Mr. Stucky seconded that the Board recommend and forward to City Council for their consideration, Appeal 2024-38 a request by Perry Stancato for:

1. A variance from Section 1157.29(a)(3) minimum 150' front yard setback on a corner lot to allow 90.5'
2. A variance from 1157.29(d)(1) minimum 75' rear yard setback to allow 58.27'

For the construction of an addition, located at 10140 Brecksville Rd., PPN 604-18-007.

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

Appeal 2024-39 Justin Klubnik

Mr. Jayjack moved and Mr. Collin seconded that the Board recommend and forward to City Council for their consideration, Appeal 2024-39 made by Justin Klubnik for a variance from Section 1185.03(a) maximum fence height of 4 ft to allow 6 ft for approximately 55 linear ft of post and board fence, located at 10417 Chippewa Rd, PPN 601-38-010.

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

Appeal 2024-40 Paul Gaiduk

Mr. Jayjack made a motion and Mr. Collin seconded that the Board recommend and forward to City Council for their consideration, Appeal 2024-40 made by Paul Gaiduk for a variance from Section 1181.11(b) maximum 15 ft height to allow 18 ft for the construction of an accessory structure, located at 10637 Glen Forest Trail, PPN 602-07-027.

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

Appeal 2024-42 William Tierney on behalf of Ernesto and Annela Vizcarra

Mr. Collin moved and Mr. Stucky seconded that the Board recommend and forward to City Council for their consideration, Appeal 2024-42 made by William Tierney on behalf of Ernesto and Annela Vizcarra for a variance from Section 1185.03(b) to allow 4 ft tall ornamental fencing in front of the building line on a corner lot (not allowed) at 6561 Queens Way, PPN 603-13-073.

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

REPORT OF COUNCIL REPRESENTATIVE STUCKY **No report.**

REPORT OF MAYOR **No Report**

ADJOURNMENT The meeting was adjourned at 8:05 pm.

MINUTES OF REGULAR MEETING
BRECKSVILLE BOARD OF ZONING APPEALS
RALPH W BIGGS COUNCIL CHAMBERS – BRECKSVILLE CITY HALL
NOVEMBER 12, 2024
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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