
MINUTES OF THE BOARD OF ZONING APPEALS -10/13/25**Call to Order****Roll Call**

Present: Hasman, Jayjack, Kingston, Rose, Collin, Gagliano, Stucky

Absent: None

Others: Abby Jakobsky, and approximately 11 guests

The Public Meeting opened at 7:30 pm

PUBLIC HEARING

Mr. Rose began the meeting with an explanation of the code, the job of the Board of Zoning Appeals, and the process of appeal.

1. Appeal 2025-55 - John T. Kosir

John Kosir, was present to ask for two variances regarding a shed at 6633 Westview Drive. Mr. Kosir explained that he currently has a three-car garage, and his mother-in-law lives with them. Mr. Kosir stated the need for the variance on the side yard and square footage was because the contractor made an error when pouring the concrete pad. Now, the shed is only 7 ft. off the property line and somewhat larger than the allowable size, which was the hardship. Mr. Kosir stated he sent in letters from neighbors who approve of the project. He also already has a swing set and a fire ring in his yard, which is why he needed the shed in this location. Mr. Rose stated the size was not much larger than the allowable size. Mr. Kosir also had a letter from the neighbor impacted by the shed closer to their property, and they were not opposed to the project. Councilmember Stucky stated that the shed is already built at this home, and asked if he was aware that he needed a variance, which was also asked later by Mr. Hasman. Mr. Kosir stated no, he was aware that he needed a permit, but not a variance. Mr. Kosir was attempting to put the shed up before winter, he stated. Councilmember Stucky believed the other elements in the yard could be moved, so the shed could be 10 ft. off the property line. Councilmember Stucky discussed the importance of building permits before putting up structures. Mr. Kosir stated that he has now pulled a permit. Mr. Hasman asked for clarification regarding the timeline, and Mr. Kosir stated he got the building permit after he placed the shed, which he then realized he needed to request a variance.

Jan Towsley, located at 4558 Woodbridge Ln., abuts the property on Westview Drive. Ms. Towsley explained the applicant has had other variances and believed that the shed is a large structure and makes her property less worthy. Ms. Towsley stated she is opposed. Mr. Kosir responded and stated the shed is 10 ft. off Ms. Towsley's property line which is in compliance, and apologized for building the structure too soon. With no other comments, Mr. Rose moved to close the Public Hearing.

Motion by Ms. Gagliano, seconded by Mr. Collin to close the Public Hearing.

ROLL CALL: Ayes: Hasman, Jayjack, Kingston, Rose, Gagliano, Collin, Stucky

Absent: None

Nays: None

MOTION CARRIED

2. Appeal 2025-56 - Michael Bayer on behalf of Kevin & Sarah Good

Michael Bayer, present with Kevin and Sarah Good, explained the variance requests for front yard setbacks at 12115 Chippewa Road. Mr. Rose started by stating that this house is a non-conforming lot, and any changes they want to make would require variances, which was the hardship. Councilmember Stucky wanted to confirm that the breezeway was a laundry room, and that the additions would not be any farther forward than proposed, which was confirmed. With no other comments, Mr. Rose moved to close the Public Hearing.

Motion by Mr. Jayjack, seconded by Ms. Gagliano to close the Public Hearing.
ROLL CALL: Ayes: Hasman, Jayjack, Kingston, Rose, Gagliano, Collin, Stucky
Absent: None
Nays: None
MOTION CARRIED

3. Appeal 2025-57 - Todd Clarke on behalf of Kristina Juk

Todd Clarke, represented the client, Kristina Juk, located at 7500 Bristol Lane. and gave background to the request for a rear yard variance. Mr. Clarke explained that part of the addition was constructed when he met the client, and had drawings for an existing variance that was granted. The previous builder built larger than what was approved for. Mr. Clarke said this structure had to be demolished, and currently, there is remnants of the previous structure. Councilmember Stucky wanted to confirm the rest of the structure would be taken down, and Mr. Clarke stated yes. Mr. Rose stated that the neighbor behind the property, 7505 Bristol Ln., gave approval to the project. The neighbor at 7510 Bristol Ln. also was in favor of the project. Mr. Rose stated to summarize the hardship, the project would not be functional if it fit within the code. Mr. Clarke stated yes, and for a functional great room, the size requested is what is needed.

Councilmember Stucky asked for bushes or arborvitae to be proposed behind the project for screening, and Mr. Rose stated that could be proposed as a condition for the appeal. Mayor Kingston stated that if the neighbor directly behind the project does not oppose the project, why must there be a condition for additional screening? Councilmember Stucky stated that because, down the line, the home may be sold. Mr. Hasman wanted to confirm which neighbor approved of the project, and Mr. Rose stated the neighbor directly behind who was located at 7510 Bristol Ln. Councilmember Stucky asked again if screening could be added to the motion, and Mr. Rose stated yes, and to add the statement as an amendment to the motion. With no other comments, Mr. Rose moved to close the Public Hearing.

Motion by Mr. Collin, seconded by Ms. Gagliano to close the Public Hearing.
ROLL CALL: Ayes: Hasman, Jayjack, Kingston, Rose, Gagliano, Collin, Stucky
Absent: None
Nays: None
MOTION CARRIED

4. Appeal 2025-58 - Aaron Schordock on behalf of Naveen Gopal

Aaron Schordock was present with his client, Naveen Gopal, for the project located at 11700 Parkview Drive. Mr. Schordock stated they are seeking BZA approval for a non-conforming house and adding an addition, hot tub, and overlook. The property is not typical because the

front yard has characteristics of a backyard. Mr Schordock stated the projects are not visible from the road or to the nearest neighbors. The homeowners hope to experience the full potential of the home with the proposed projects. Mr. Rose stated that one neighbor gave a signature on approval. Mr. Rose understood what the project entailed and the uniqueness, though he did state that just because no one would see the project does not mean the variance will be granted. Mr. Gopal, homeowner, stated when he bought the home, he was unaware which was the front yard and which was the back yard of the home. He had always seen Whiskey Ln. as the front yard and Parkview Dr. as the backyard, which was the hardship. Mr. Gopal stated that the proposed project is for backyard elements and wanted that to be understood. Councilmember Stucky agreed with the applicant that the access road nearest to the front door seemed like the applicants front yard.

Jerry Payto, 1138 Parkview Drive, was present to support the applicant and speak about the history of Whiskey Lane. Mr. Payto stated he understood the importance of building and zoning codes. He stated that Mr. Gopal's house was originally built as a one-story and that the original homeowner planted all of the pine trees at the same time, and 100 hemlock trees were also planted. Mr. Payto also stated that he did some of the work on the home. Mr. Payto stated that this house has a history and believed that this is a fine project, and the project has grandfathering. With no other comments, Mr. Rose moved to close the Public Hearing.

Motion by Mr. Jayjack, seconded by Mr. Collin to close the Public Hearing.

ROLL CALL: Ayes: Hasman, Jayjack, Kingston, Rose, Gagliano, Collin, Stucky

Absent: None

Nays: None

MOTION CARRIED

5. Appeal 2025-59 - Richard Wagner on behalf of The Cleveland Electric Illuminating Co

Richard Wagner, Senior Real Estate rep. for First Energy, and on behalf of the Cleveland Electric Illuminating Company, was present to speak about the lot split at 6896 Miller Road. Mr. Wagner stated the hardship is that CEI is seeking to split this parcel from North to South along the building envelope to follow as a regulated utility, and then, CEI will transfer the office building and atrium to American Transmission Systems Incorporated (ATSI). Mr. Wagner stated the reason for the split is to satisfy regulator requirements and management of the building. Some of the variances are hard to avoid, such as side yard setback and acreage. Mr. Wagner stated the building that will be maintained by CEI has been run historically as a distribution center. The intent is for it to be used as a backup to the Akron Distribution Center. They do not anticipate anyone parking here, and again, the building is for a backup. Mr. Rose asked about the intent, and it looks like two entities will own the buildings because of a regulatory change. Mr. Wagner stated it is not necessarily a change, but the intent is to separate the two uses from one regulated utility company from the other, which makes it best to separate by a property line. Mr. Rose stated the Planning Commission asked a lot of questions for this process. Mr. Hasman asked if this split was also for accounting purposes, and Mr. Wagner stated that is part of the need for the lot split, but the intent is to still transfer to the affiliate company. Councilmember Stucky asked why they cannot lease the building and saw there are easements that would need to be brought forward, and Mr. Wagner stated that because it is a product of a regulatory, and accounting purposes, as well, it is cleaner and easier to track dollars. Mr. Wagner stated that the lots and the split was proposed

to Cuyahoga County and was preliminarily approved by them. Mr. Wagner also stated that he understood the comments and explained the split is unorthodox. Councilmember Stucky stated a section of Planning Commission Meeting Minutes and asked about storm water plans. Mr. Wagner followed up and stated that they are working to identify all the utilities, but they know where the utilities are. As far as the storm and retention pond, they are well aware of it, but did not know the capacity of that, but if they needed to add to it, they could. Mayor Kingston stated this appeal was given conditional final approval by the Planning Commission and is on condition based on documents that need to be signed off by the City Engineer and the Law Director. Mr. Wanger stated the Building Department is also in need of documents for the fire wall.

Motion by Mr. Collin, seconded by Ms. Gagliano to close the Public Hearing.
ROLL CALL: Ayes: Hasman, Jayjack, Kingston, Rose, Gagliano, Collin, Stucky
Absent: None
Nays: None
MOTION CARRIED

REGULAR MEETING

Present: Hasman, Jayjack, Kingston, Rose, Collin, Gagliano, Stucky
Absent: None
Others: Abby Jakobsky, and approximately 11 guests

The Regular Meeting opened at 7:45 pm.

Approval of Minutes

6. Approval of the Regular Meeting Minutes of September 8, 2025

Motion by Mr. Collin, seconded by Ms. Gagliano to approve the regular Meeting Minutes of September 8, 2025.
ROLL CALL: Ayes: Hasman, Jayjack, Kingston, Rose, Gagliano, Collin
Absent: None
Abstain: Stucky
Nays: None
MOTION CARRIED

Appeals

7. Appeal 2025-55 - Motion by Mr. Jayjack, seconded by Mr. Collin for the Board of Zoning Appeals to recommend to City Council (1) a variance from Section 1151.25(d)(2)(B) maximum 192 sq/ft. for an accessory structure to allow 200.5 sq/ft. (2) a variance from Section 1151.26(2) minimum 10' side yard setback required to allow 7' for the construction of shed, located at 6633 Westview Dr., PPN 603-20-044.

ROLL CALL: Ayes: Hasman, Jayjack, Kingston, Rose, Gagliano, Collin
Absent: None
Nays: Stucky
MOTION CARRIED

8. **Appeal 2025-56** - Motion by Mr. Collin, seconded by Ms. Gagliano for the Board of Zoning Appeals to recommend to City Council a variance from Section 1151.24 minimum 125' front yard setback required to allow 68' for laundry room addition and 83' for a covered porch addition on a nonconforming house, located at 12115 Chippewa Rd., PPN 602-16-010.

ROLL CALL: Ayes: Hasman, Jayjack, Kingston, Rose, Gagliano, Collin, Stucky
Absent: None
Nays: None
MOTION CARRIED

9. **Appeal 2025-57** — Motion by Ms. Gagliano, seconded by Mr. Collin for the Board of Zoning Appeals to recommend to City Council a variance from Section 1151.24 minimum 60' rear yard setback required to allow 45' for an addition and deck located at 7500 Bristol Ln., PPN 604-03-069, and contingent on natural screening that is approved by the City's arborist.

ROLL CALL: Ayes: Hasman, Jayjack, Kingston, Rose, Gagliano, Collin, Stucky
Absent: None
Nays:None
MOTION CARRIED

Motion by Councilmember Stucky, seconded by Mr. Hasman, to amended the appeal to add natural screening.

ROLL CALL: Ayes: Hasman, Jayjack, Kingston, Rose, Gagliano, Collin, Stucky
Absent: None
Nays: Kingston
MOTION CARRIED

10. **Appeal 2025-58** — Motion by Mr. Hasman, seconded by Councilmember Stucky for the Board of Zoning Appeals to recommend to City Council (1) a variance from Section 1151.26(2), to allow an observation platform in the front yard (not permitted), (2) a variance from Section 1151.26(2) to allow a hot tub in the front yard (not allowed), (3) a variance from Section 1151.26(3) to allow the expansion of decks into the front yard (not allowed), (4) a variance from Section 1173.03(b) to allow for additions on a nonconforming house, as shown on the drawing stamped 9/25/25, located at 11700 Parkview Dr, PPN 605-06-002.

ROLL CALL: Ayes: Hasman, Jayjack, Kingston, Rose, Gagliano, Collin, Stucky
Absent: None
Nays: None
MOTION CARRIED

11. **Appeal 2025-59** -

Motion by Mr. Collin seconded by Ms. Gagliano for for the Board of Zoning Appeals to recommend to City Council (1) a variance from Section 1157.29(a)(1) minimum 5 acres required to allow for 4.6596 acres for lot 2, (2) a variance from Section 1117.09 that lots be generally rectangular in form to allow irregular form for lots 1 & 2, (3) a variance from Section 1157.29(c)(1) minimum 50' side yard required to allow for 0' on lots 1 & 2, (4) a variance from Section 1157.29(c)(2) minimum 25' side parking setback required to allow 0' on lots 1 & 2, (5) a variance from Section 1157.29(a)(2) minimum 300' lot width to allow 223' for lot 2, for a lot split located at 6896 Miller Rd, PPN 604-18-010.

ROLL CALL: Ayes: Hasman, Jayjack, Kingston, Rose, Gagliano, Collin, Stucky
Absent: None
Nays: None
MOTION CARRIED

Report of Council Representative Stucky

No report.

Report of Mayor Kingston

33 years ago, when the City playground Kids Quarters was built, it was the nicest playground in Cuyahoga County. Two Sundays from now, October 26th, at 11:30 am, the new playground will be opening.

Announcements

No announcements.

Adjournment

Motion by Mr. Hasman, seconded by Ms. Gagliano to close the Regular Meeting.

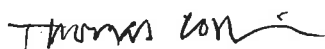
ROLL CALL: Ayes: Hasman, Jayjack, Kingston, Rose, Gagliano, Collin
Nays: None
Absent: None
MOTION CARRIED

The Regular Meeting closed at 8:30 pm

THE BRECKSVILLE BOARD OF ZONING APPEALS



DENNIS ROSE, CHAIRPERSON



THOMAS COLLIN, VICE CHAIRPERSON



NORA GAGLIANO, SECRETARY

Public Hearing and Regular Meeting minutes recorded by Abby Jakobsky