

**MINUTES OF PUBLIC HEARINGS  
BRECKSVILLE BOARD OF ZONING APPEALS  
RALPH W. BIGGS COUNCIL CHAMBERS – BRECKSVILLE CITY HALL  
FEBRUARY 9, 2026**

Present: Collin, Gagliano, Jayjack, Kingston, Rose, Stucky, Veras  
Absent: None  
Others: 20 guests

**CALL TO ORDER**

Council Representative Stucky called the meeting to order at 7:30 pm.

**ELECTION OF OFFICERS**

Council Representative Stucky opened the floor for nominations for Chairperson to the Board of Zoning Appeals.

Motion by Mrs. Veras, seconded by Ms. Gagliano to nominate Mr. Rose as Chairperson. Hearing no other nominations, Council Representative Stucky motioned to close the floor for nominations, seconded by Mrs. Veras.

**ROLL CALL:** Ayes: Collin, Gagliano, Jayjack, Kingston, Stucky, Veras, Rose  
Nays: None

**MOTION CARRIED**

Motion by Council Representative Stucky, seconded by Mrs. Veras, to appoint Mr. Rose as Chairperson of the Board of Zoning Appeals.

**ROLL CALL:** Ayes: Collin, Gagliano, Jayjack, Kingston, Stucky, Veras, Rose  
Nays: None

**MOTION CARRIED**

Mr. Rose opened the floor for nominations for Vice Chairperson to the Board of Zoning Appeals.

Motion by Mr. Rose, seconded by Council Representative Stucky, to nominate Mr. Collin as Vice Chairperson. Hearing no other nominations, Mrs. Veras motioned to close the floor for nominations, seconded by Mr. Rose.

**ROLL CALL:** Ayes: Collin, Gagliano, Jayjack, Kingston, Stucky, Veras, Rose  
Nays: None

**MOTION CARRIED**

Motion by Mr. Rose, seconded by Council Representative Stucky, to appoint Mr. Collin as Vice Chairperson of the Board of Zoning Appeals.

**ROLL CALL:** Ayes: Collin, Gagliano, Jayjack, Kingston, Stucky, Veras, Rose  
Nays: None

**MOTION CARRIED**

Mr. Rose opened the floor for nominations for Secretary to the Board of Zoning Appeals.

Motion by Mr. Collin, seconded by Mrs. Veras, to nominate Ms. Gagliano as Secretary. Hearing no other nominations, Mr. Collin motioned to close the floor for nominations, seconded by Mrs. Veras.

**ROLL CALL:** Ayes: Collin, Gagliano, Jayjack, Kingston, Stucky, Veras, Rose  
Nays: None

**MOTION CARRIED**

Motion by Mr. Collin, seconded by Mrs. Veras, to appoint Ms. Gagliano as Secretary of the Board of Zoning Appeals.

**ROLL CALL:** Ayes: Collin, Gagliano, Jayjack, Kingston, Stucky, Veras, Rose  
Nays: None

**MOTION CARRIED**

**PUBLIC HEARINGS**

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

**APPEAL 2026-01**

Nick Boka from Anthony Slabaugh Remodeling & Design on behalf of Stefan Hlabse and Katherine Harold for a variance from Section 1151.24 minimum 60' rear yard setback to allow for 33.5' for the construction of an addition that was tabled during the Public Hearing previously held on January 12, 2026, located at 4606 Silver Creek Cir., PPN 603-21-074. Mr. Rose asked the Board if there were any further questions after reviewing the video from the January 12<sup>th</sup> meeting. Hearing none, Mr. Rose stated there was no need to hold another Public Hearing.

**APPEAL 2026-02**

Daniel Hudak for a variance from Section 1151.06(i)(2)(B) to allow a trailer on the side of the house instead of the rear as required, located at 6742 Oakes Rd., PPN 603-15-016.

Mr. Hudak explained to the Board that his backyard is very hilly and retains a lot of water. He said he has attempted to park the trailer in the backyard, and on numerous occasions has got the trailer and his vehicles stuck. He explained the side of the garage is the only place he can park it. He told the Board he has spoken to his neighbors and they are ok with it. Mr. Hudak presented the Board with a letter from one of his neighbors.

Mr. Rose asked what kind of trailer it was. Mr. Hudak responded that it is a closed storage trailer.

Mr. Rose asked if he has been parking it in the back. Mr. Hudak responded that when he does park it in the back it gets stuck so he has been parking it on the side of the garage so that he can use it. He said there is no way to back the trailer in because of the creek right next to him so he has to pull all the way into his back yard to turn around and pull it up behind the garage.

Mr. Rose asked about the notification that was sent to Mr. Hudak. Mr. Hudak responded that someone e-mailed the City and then the City sent him a notification.

Mr. Hudak explained that he has been parking the trailer next to the detached garage that is a second driveway and down a slight hill. He said it is barely noticeable. Mr. Rose asked if he was parking it behind the garage in the summer. Mr. Hudak stated that when it was dry enough he would park it back there.

Mr. Rose asked if there was a complaint. Mr. Synek stated the Building Department received an e-mail complaint.

Mr. Rose asked Mr. Hudak about the proposal to have the trailer screened. Mr. Hudak responded yes; he would have a screen that would cover the front so you cannot see it from the road.

Council Representative Stucky asked Mr. Hudak if he thought to put gravel down to get his trailer in and out. Mr. Hudak said he would have to gravel the whole back yard because he has to drive the trailer in and have room to turn around to pull it up to the garage. He explained he gets stuck when he has to drive into the backyard. He said he has tried a few different ways to get it back there, but the creek and trees make it very hard to maneuver.

Council Representative Stucky asked how far the trailer is from the property line when he parks it next to the garage. Mr. Hudak stated about ten feet. Council Representative Stucky stated so about 8 feet if you were to use some sort of wrap around screening.

Mayor Kingston stated he believes the screening is a good compromise, and asked if Mr. Hudak would park it behind the garage if the ground was dry. Mr. Hudak said yes, he needs to figure out how to manage that.

Mr. Rose stated that when the appeal is made it will be made subject to having the screening.

Mr. Jayjack asked if it is a cost issue why Mr. Hudak did not modify the garage in some way. Mr. Hudak stated yes, they just moved in and they have costs associated with that and other renovations inside the house first.

Mr. Collin asked Mr. Hudak what they use the garage for now. Mr. Hudak responded storage, lawn equipment, and a second vehicle.

Mr. Rose asked if there was anyone else who would like to speak to this appeal. Hearing none he asked for a motion to close the Public Hearing.

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

**ROLL CALL:** Ayes: Collin, Gagliano, Jayjack, Kingston, Stucky, Veras, Rose

Nays: None

**MOTION CARRIED**

**APPEAL 2026-04**

David Hesse on behalf of Eric & Elisha Barbato for (1) a variance from section 1151.23(a) maximum 420' front yard setback to allow 1289.5' for the construction of a new house, (2) a variance from 1151.25(d)(1) maximum 660 sq/ft to allow 864 sq/ft, (3) a variance from Section 1181.11(b) maximum building height 15' to allow 17.75' for the construction of a detached garage, located at 8322 Settlers Passage, PPN 602-08-005.

Mr. Hesse stated his client has a second, twenty-six-acre parcel, that he would like to build his permanent residence on. His client built a small garage condo on the smaller parcel a few years

ago and now is looking to build a house on the top of the hill. There is a driveway already in place. He explained that it is a very steep incline, about 125 feet difference in elevation, and that's where his client hopes to build the home. He also told the Board that area is the only flat spot, showing the site plan. The flat area is in the center of the property and quite a distance away from the road, this being the reason for the variance request of allowing for 1289.5' from the road. Mr. Hesse stated the other remaining request is for a secondary garage workshop on the property. He explained they had designed it prior to knowing the accessory structure garage could be only 660 square feet and are asking for 864 square feet. He stated he does not believe anyone is going to be able to see the house or the garage structure, and it would eliminate the need to build an additional structure for a workshop.

Mr. Hesse stated the garage structure is 2.7 feet taller than code allows. Mr. Rose asked if the client wanted loft space. Mr. Hesse responded he believes his client would like to add a car lift.

Mr. Rose asked Mr. Synek if the covered porch was adding to the overage on the square footage. Mr. Synek responded the covered porch is a separate area and not included in the square footage.

Mr. Collin asked why the detached garage, and if there is a reason it is not part of the main residence. Mr. Hesse responded his client would like it as a wood shop and an area to park his additional vehicles.

Mayor Kingston said he believes the square footage and height variance being asked for are very modest.

Mr. Rose asked to clarify that the owner will not be running a business out of the garage. Mr. Hesse assured the Board his client is only looking for hobby space. Mr. Rose asked other than electric and water if there are going to be any other utilities or living space in the garage. Mr. Hesse stated just water and electric, no living space.

Mr. Rose opened the floor to the public. Mr. Stasuk of 10900 Greenhaven Parkway approached stating this is the first time he was seeing any of these plans. He received the notice in the mail and did not know to notify the Building Department for additional information. Mr. Stasuk stated that the plans look like the house and the garage will be lining up directly in his back yard. He asked if it will be seen at the top of the hill. Mr. Rose asked Mr. Hesse if the house they are looking to build is within code. Mr. Hesse said yes. Mr. Rose told Mr. Stasuk that it may be something you can see, but it is just like seeing anything in your neighborhood.

Mr. Stasuk stated that it will be visible because now he sees just trees. He stated that rules are on the books for a certain amount of space for a reason and this request is quadrupling that. He understands that it is the owner's property, but believes this is a big ask. Mr. Rose explained that one of the hardships permitted by this Board for a property owner is the terrain that can prevent someone from following the rules. Mr. Stasuk asked if it should then be a question of should someone be allowed to build something on land that is physically impossible. He asked if it was appropriate to put a house on a massive hill that only has a few spots to build on and has to change these rules. Mr. Rose stated he understands Mr. Stasuk's point and that is one of the reasons for this process.

Mr. Stasuk stated with a car lift in the garage it sounds more like a business. Mr. Rose said Mr. Hesse stated it would not be a business, and if it is the City has ways of handling that.

Mr. Stasuk said they bought their property 13 years ago, and wanted what they bought. He is afraid it will change his property value having a mansion on the hill behind him, and it will make his view very different from what they bought their house for.

Mr. Rose asked if anyone else would like to speak. John Korfhage of 8309 Settlers Passage stated he lives directly across the street from Eric and Elisha. He said he does not have a problem with the house. He grew up in the area and has walked the property many times. He does not believe anyone will be able to see the house. He said Eric and Elisha have done a good job building the current property with nice landscaping, and he believes they will do the same with this property.

Mr. Rose asked if anyone else would like to speak. Rhonda Ipsaro of 11018 Greenhaven Parkway asked if it was safe to put a house on top of the hill as it pertains to water issues and a moving hill. Mr. Hesse said they have had structural engineering.

Mr. Rose asked if there was anyone else who would like to speak to this appeal. Hearing none he asked for a motion to close the Public Hearing.

Motion by Council Representative Stucky, seconded by Mr. Jayjack to close the Public Hearing.

**ROLL CALL:** Ayes: Collin, Gagliano, Jayjack, Kingston, Stucky, Veras, Rose

Nays: None

**MOTION CARRIED**

### **APPEAL 2025-68**

Ryan & Samantha Leszkowicz Erdman for a variance from Section 1151.26(1) detached garage located in the rear yard required to allow new construction in the side yard, located at 10017 Greenhaven Pkwy, 601-11-002.

Mrs. Erdman stated they are looking to do a garage directly next to their house. Their current garage only accommodates one small crossover SUV, and offers very limited storage space. Her husband's vehicle does not properly fit because the trunk cannot be opened without hitting the garage door, and the door height does not really meet the standard requirements for a larger SUV. Additionally, they have very limited space to store a tractor and yard equipment. She said they are currently family planning, and adequate and accessible parking and storage are becoming increasingly important. She stated due to her current disability, it is essential that the garage be located as close to the home as possible for the ease of access. They said they are hoping to avoid constructing a breezeway through the home to connect the garage as this area is part of their sunroom and kitchen and in doing so, it would require significant interior changes and alterations to the existing roofline. She stated they are very mindful of maintaining the aesthetic of the neighborhood, and placing the garage in the middle of our backyard would attract from the scenic park-like views. She said their goal is to have the garage aligned seamlessly with the existing patio. And pushing the structure further back would disrupt this alignment and diminish the overall

appearance. Additionally, there will be room on both sides, ample space to allow any access for emergency vehicles if needed as well.

Mr. Rose acknowledged the list of neighbors that signed saying they did not have issue with the addition. Council Representative Stucky thanked them for submitting the sheet stating that it is nice when the Board receives forms like this, not just the applicants word saying the neighbors are fine with the variance. Mrs. Erdman stated they have wonderful neighbors and are very fortunate.

Mayor Kingston noticed that the neighbor directly next to them was not on the list, and asked if they have spoken with them. Mrs. Erdman pointed to her neighbors who were in the audience. Mr. Rose asked if they would like to come up and speak.

Daniel and Sherry Marion of 10147 Greenhaven Parkway, directly next door to the south spoke to this request. Daniel read from a letter presented to the Board. He stated they oppose the request due to zoning codes. They want them to build the garage but within the code requirements. Mr. Marion stated they feel the variance request should be denied because it does not meet the criteria of a hardship. He said it will negatively impact the neighborhood and may be detrimental to the resale of their home in the future. He stated allowing this detached garage to be built in between the homes alters the aesthetics of the neighborhood, which is characterized by having quiet single-family homes with open spaces between them. There are approximately 51 houses on Greenhaven, only two have detached garages and both of them adhere to the zoning code. Mr. Marion stated per the zoning code, detached garages are permitted 10 feet from the house, 10 feet from the side and rear property line, and in the rear yard, by definition, the rear yard is where the back of the home ends. He said he confirmed this with the Building Department. He continued, saying a zoning variance is generally requested when the unique physical characteristic of a property creates practical difficulties or unnecessary hardships that prevent compliance with the City's zoning codes and it should not be used for personal convenience, preference, or desires. He said he believes the applicant has not demonstrated a unique hardship, stating they say in their request they prefer to build in their side yard between the homes instead of the rear yard. He said the request states they would be 10 feet from the back side of the house, but in reality, they would be 10 feet from the side of the house. If they were to build in the side yard, they would be encroaching nine feet forward from the rear of the yard and between the two homes. Mr. Marion said currently, their homes are within 52 feet of each other from the wall of the Erdman's house to the wall of the Marion's house, and if the detached garage were built in between the homes, there would be only 20 feet from the garage wall to the wall of the Marion's house. He said aesthetically, it will appear as though the detached garage was squeezed in between the two houses. He said they are requesting they build according to the zoning code, and that the front of their garage be even with the back of their house. He said they are not asking them to build their detached garage in the center of their backyard, the owners can still build an aesthetically pleasing detached garage, making reasonable use of their property while adhering to the zoning code. Mr. Marion stated approving this variance sets a dangerous precedence, encouraging others to disregard the requirements and use this case, if approved, as an example of building detached garages in the side yards and between homes.

Mr. Rose asked for clarification on Mr. Marion's statement regarding encroaching nine feet. He asked if Mr. Marion wanted them to move back the garage by nine feet. Mr. Marion said yes.

Council Representative Stucky stated if the Erdman's made this an attached garage they could move it up even as far as the other garage door, and you would have 10 feet between your house and their garage. He asked if Mr. Marion was ok with that. Mr. Marion said they would prefer not. Council Representative Stucky said he understands by the Erdman's moving it back it will give the Marion's more breathing room, but worst case, they could attach it and have it where they have it. Council Representative Stucky asked the Erdman's if they have a problem moving it back 9 feet. Mrs. Erdman stated they prefer not to.

Mayor Kingston stated he believes if they move it back 8 to 10 feet it will worsen the view of the backyards. Mrs. Marion said yes, but then she will be looking at a garage wall out of her bedroom window.

Mr. Marion said he does not want to see garages popping up all over the neighborhood in between houses obstructing the view driving down the road too.

Mr. Rose asked if there was anyone else who would like to speak to this appeal. Hearing none he asked for a motion to close the Public Hearing.

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

**ROLL CALL:** Ayes: Collin, Gagliano, Jayjack, Kingston, Stucky, Veras, Rose

Nays: None

**MOTION CARRIED**

**MINUTES OF REGULAR MEETING  
BRECKSVILLE BOARD OF ZONING APPEALS  
RALPH W. BIGGS COUNCIL CHAMBERS – BRECKSVILLE CITY HALL  
FEBRUARY 9, 2025**

Present: Collin, Gagliano, Hasman, Jayjack, Kingston, Stucky, Rose  
Absent: None  
Others: 20 guests

**APPROVAL OF THE REGULAR MEETING MINUTES OF JANUARY 12, 2026**

Motion by Councilperson Stucky, seconded by Mr. Collin, to approve the Regular Meeting Minutes of January 12, 2026.

**ROLL CALL:** Ayes: Gagliano, Jayjack, Kingston, Stucky, Veras.  
Abstain: Collin, Rose  
Nays: None  
**MOTION CARRIED**

**APPEAL 2026-01**

Motion by Mr. Jayjack, seconded by Mrs. Veras, that the Board of Zoning Appeals recommend to City Council approval of a variance from Section 1151.24 minimum 60' rear yard setback to allow for 33.5' for the construction of an addition located at 4606 Silver Creek Cir., PPN 603-21-074

**ROLL CALL:** Ayes: Collin, Gagliano, Jayjack, Kingston, Veras, Rose  
Nays: Stucky  
**MOTION CARRIED**

**APPEAL 2026-02**

Motion by Mr. Collin, seconded by Ms. Gagliano, that the Board of Zoning Appeals recommend to City Council approval of a variance from Section 1151.06(i)(2)(B) to allow a trailer on the side of the house instead of the rear as required, located at 6742 Oakes Rd., PPN 603-15-016.

**ROLL CALL:** Ayes: Collin, Gagliano, Jayjack, Kingston, Stucky, Veras, Rose  
Nays: None  
**MOTION CARRIED**

**APPEAL 2026-04**

Motion by Ms. Gagliano, seconded by Council Representative Stucky, that the Board of Zoning Appeals recommend to City Council approval of (1) a variance from section 1151.23(a) maximum 420' front yard setback to allow 1289.5' for the construction of a new house, (2) a variance from 1151.25(d)(1) maximum 660 sq/ft to allow 864 sq/ft, (3) a variance from Section 1181.11(b) maximum building height 15' to allow 17.75' for the construction of a detached garage, located at 8322 Settlers Passage, PPN 602-08-005.

**ROLL CALL:** Ayes: Collin, Gagliano, Jayjack, Kingston, Stucky, Veras, Rose  
Nays: None  
**MOTION CARRIED**

**APPEAL 2025-68**

Motion by Mrs. Veras, seconded by Ms. Gagliano, that the Board of Zoning Appeals recommend to City Council approval of a variance from Section 1151.26(1) detached garage located in the rear yard required to allow new construction in the side yard, located at 10017 Greenhaven Pkwy, 601-11-002.

**ROLL CALL:** Ayes: Collin, Gagliano, Jayjack, Kingston, Stucky, Veras, Rose  
Nays: None  
**MOTION CARRIED**

**REPORT OF COUNCILMEMBER STUCKY**

No Report

**REPORT OF MAYOR KINGSTON**

No Report

**ANNOUNCEMENTS**

No Announcements

Motion by Ms. Gagliano, seconded by Mr. Rose to close the Regular Meeting at 8:30 p.m.

**MOTION CARRIED**

**THE BRECKSVILLE BOARD OF ZONING APPEALS**



**DENNIS ROSE, CHAIRPERSON**



**THOMAS COLLIN, VICE CHAIRPERSON**



**NORA GAGLIANO, SECRETARY**

Public Hearing and Regular Meeting recorded by Kristen Cole

