

MINUTES OF PUBLIC HEARINGS
BRECKSVILLE BOARD OF ZONING APPEALS
RALPH W. BIGGS COUNCIL CHAMBERS-BRECKSVILLE CITY HALL
AUGUST 10, 2026

Call to Order

Roll Call

Present: Councilmember Stucky, Ms. Gagliano, Ms. Veras, Mr. Jayjack, Mayor Kingston, Mr. Rose

Absent: Mr. Collin

Others: Steve Synek, Heather Toth and approximately 14 others

The Public Meeting opened at 7:30 p.m.

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 BZA26-000008

Richard Rykalla – RPM Custom Homes was present on behalf of Lynn & Mark Mountain to request (1) a variance from Section 1181.11(a) maximum overall height of 40 ft. to allow 40.5 ft. and 2) a variance from Section 1181.11(a) maximum building height of 30 ft. to allow 33 ft. and (3) a variance from Section 1181.11(a) maximum roof area over 30 ft. is limited to 10% of ground floor area to allow 46% for the construction of a new house, located at 6727 Victoria Ln, PPN 603-15-048.

Mark Mountain explained that the property's steep rear topography drops off dramatically, creating a unique hardship. While the front of the home aligns with the flat lots across the street, the backyard slope alters the average topography height calculation, driving the need for height and footprint variances.

Mr. Stucky noted that the requested 46-foot height significantly exceeds R-20, R-30, and R-40 parameters. They suggested that grading the sides of the lot or eliminating the walkout basement design could bring the project closer to compliance, citing a personal past building experience as precedent.

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The board discussed the home's 12/12 roof pitch. It was noted that lowering the pitch to 10/12 could lessen the variance request, though the builder clarified that the 12/12 pitch is necessary to maintain full 9-foot ceiling heights in the upstairs bedrooms without creating sloped walls.

There were no further questions/comments from the Board Members or audience.

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

Motion Carried

APPEAL BZA26-000017

Scott Warren was present to request (1) a variance from Section 1185.03(a) maximum 4' fence height to allow 6' and (2) a variance from Section 1185.03(a) to allow a fence in a location other than side or rear yard for the installation of a driveway gate, located at 8700 Riverview Rd, PPN 602-14-018.

Scott Warren indicated the underlying hardship stems from a security issue: the driveway is currently being mistaken for a public right-of-way. Due to GPS mapping errors, drivers frequently use it at all hours as a through street to an adjacent subdivision.

Mr. Warren stated he consulted with their closest neighbors (the Sweeneys at 8702), who have no objections. The gate is currently manual but will eventually be upgraded to an electronic opener. The applicant confirmed that emergency access codes will be provided to safety forces as required by city code.

Board members expressed appreciation for the tapered design, noting that keeping the center at 4 feet preserves the neighborhood aesthetic and shows a clear effort to comply with the intent of the zoning code, rather than demanding a flat 6-foot structure across the entire span.

There were no further questions/comments from the Board Members or audience.

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

Motion Carried

APPEAL BZA26-000018

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Anne Sutton, along with her contractor Dean Poling from Dolphin Electric was present to request a variance from Section 1326.02 to install a generator in the side yard, instead of the rear as required by code, located at 8410 Sunnydale Dr, PPN 601-14-016.

Mr. Poling indicated the underlying hardship stems from safety guidelines outlined in the Generac installation manual and the National Electrical Code. The installer explained that generators must be placed a minimum of 5 feet away from any operable windows or fresh air intakes to mitigate carbon monoxide (CO) accumulation risks. Placing the unit at the rear of the property is unfeasible due to a high concentration of windows, an existing concrete patio, and a recent home extension. The side of the house already contains the electric meter, gas meter, and central air conditioning unit. Ms. Gagliano requested that the homeowner install plants or screening around the generator to soften its visual appearance. The applicant agreed to this condition.

John Goliath, a resident who lives on Chippewa Rd. inquired about the utility and engine type. The installer confirmed the generator runs on natural gas piped from the existing meter and utilizes a two-cylinder engine.

There were no further questions/comments from the Board Members or audience.

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

Motion Carried

APPEAL BZA26-000019

Jim Loiko, homeowner, at 8500 Wiese Rd, PPN 602-09-003 was present to request a variance from Section 1151.24 minimum 125' front yard setback to allow 91' for the construction of a deck on the rear of a non-conforming house.

The applicant requested a variance to construct a new deck on the rear of the residence. Board members noted that the situation is a common occurrence. Updates to the municipal zoning code have rendered the existing residential structure non-conforming, requiring a variance for any new structural additions or modifications to the footprint.

There were no further questions/comments from the Board Members or audience.

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

Motion Carried

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APPEAL BZA26-000020

Nick Matuch with Old World Custom Homes on behalf of Murphy & Kimberly Dickason for a variance from Section 1181.11(a) maximum roof area over 30 ft. in height is limited to 10% of ground floor area to allow 19.8% for the construction of a new house located at 6721 Victoria Ln, PPN 603-15-049.

The applicant requested a variance for maximum roof height. The primary hardship stems from a walkout basement design on a sloped lot, a feature shared by four or five neighboring properties on the same street. Because the average grade calculation is skewed downward by the rear walkout exposure—while the front foundation sits roughly 16 inches above grade—a portion of the roof structure exceeds the standard 30-foot height threshold.

Board members discussed the historical context of the subdivision's R20 zoning. It was noted that because this is a uniform, ongoing development where the new homes will match in scale, the proposed structure will not dwarf or negatively impact adjacent properties.

There were no further questions/comments from the Board Members or audience.

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

Motion Carried

The Public Hearings Meeting closed at 7:59 p.m.

MINUTES OF REGULAR MEETING
BRECKSVILLE BOARD OF ZONING APPEALS
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REGULAR MEETING

Present: Councilmember Stucky, Ms. Gagliano, Ms. Veras, Mr. Jayjack, Mayor Kingston, Mr. Rose

Absent: Mr. Collin

Others: Steve Synek, Heather Toth and approximately 11 guests

The Regular Meeting opened at 8:00 p.m.

APPROVAL OF THE REGULAR MEETING MINUTES OF JULY 13, 2026

Motion by Ms. Veras, seconded by Ms. Gagliano to approve the Regular Meeting Minutes of July 13, 2026.

Roll Call: Ayes - Ms. Gagliano, Ms. Veras, Councilmember Stucky, Mayor Kingston, Mr. Rose

Abstain – Mr. Jayjack

Nays – none

Motion Carried

APPEAL BZA26-000008

Motion by Mr. Jayjack, seconded by Ms. Gagliano, that the Board of Zoning Appeals recommend to City Council approval for (1) a variance from Section 1181.11(a) maximum overall height of 40ft. to allow 40.5 ft. and 2) a variance from Section 1181.11(a) maximum building height of 30 ft. to allow 33 ft. and (3) a variance from Section 1181.11(a) maximum roof area over 30 ft. is limited to 10% of ground floor area to allow 46% for the construction of a new house, located at 6727 Victoria Ln, PPN 603-15-048.

ROLL CALL: Ayes: Mayor Kingston, Ms. Gagliano, Ms. Veras, Mr. Jayjack, Councilmember Stucky, Mr. Rose

Nays: None

Abstain: None

MOTION CARRIED

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APPEAL BZA26-000017

Motion by Ms. Veras, seconded by Ms. Gagliano, that the Board of Zoning Appeals recommend to City Council approval for (1) a variance from Section 1185.03(a) maximum 4' fence height to allow 6' and (2) a variance from Section 1185.03(a) to allow a fence in a location other than side or rear yard for the installation of a driveway gate as shown on the drawing dated 7/9/2026, located at 8700 Riverview Rd, PPN 602-14-018.

ROLL CALL: Ayes: Ms. Veras, Ms. Gagliano, Mr. Jayjack, Mayor Kingston, Councilmember Stucky, Mr. Rose

Nays: None

Abstain: None

MOTION CARRIED

APPEAL BZA26-000018

Motion by Ms. Gagliano, seconded by Mr. Jayjack, that the Board of Zoning Appeals recommend to City Council approval 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 8410 Sunnysdale Dr, PPN 601-14-016.

ROLL CALL: Ayes: Mr. Jayjack, Mayor Kingston, Councilmember Stucky, Ms. Gagliano, Ms. Veras, Mr. Rose

Nays: None

Abstain: None

MOTION CARRIED

APPEAL BZA26-000019

Motion by Ms. Gagliano, seconded by Councilmember Stucky, that the Board of Zoning Appeals recommend to City Council approval for a variance from Section 1151.24 minimum 125' front yard setback to allow 91' for the construction of a deck on the rear of a non-conforming house, located at 8500 Wiese Rd, PPN 602-09-003.

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ROLL CALL: Ayes: Councilmember Stucky, Ms. Gagliano, Mr. Jayjack, Ms. Veras, Mayor Kingston, Mr. Rose

Nays: None

Abstain: None

MOTION CARRIED

APPEAL BZA26-000020

Motion by Mr. Jayjack, seconded by Ms. Veras, that the Board of Zoning Appeals recommend to City Council approval for a variance from Section Section 1181.11(a) maximum roof area over 30 ft. in height is limited to 10% of ground floor area to allow 19.8% for the construction of a new house located at 6721 Victoria Ln, PPN 603-15-049.

ROLL CALL: Ayes: Councilmember Stucky, Mr. Jayjack, Ms. Gagliano, Ms. Veras, Mayor Kingston, Mr. Rose

Nays: None

Abstain: None

MOTION CARRIED

REPORT OF COUNCILMEMBER STUCKY – No Report

REPORT OF MAYOR KINGSTON – Around 9:00 AM on the day of the meeting, approximately 1,300 Brecksville residents were without power. The administration has maintained constant communication with FirstEnergy (The Illuminating Company) throughout the day. The utility company estimated full restoration by tomorrow morning at the latest, though the city hopes for an earlier completion. All local roadways have successfully reopened.

ANNOUNCEMENTS - None

Motion by Ms. Gagliano and seconded by Mr. Veras to close the Regular Meeting at 8:07 p.m.

ROLL CALL: Ayes: Councilmember Stucky, Ms. Gagliano, Mr. Jayjack, Ms. Veras, Mayor Kingston, Mr. Rose

Nays: None

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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

THOMAS COLLIN, VICE CHAIRPERSON

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

NORA GAGLIANO, SECRETARY

Public Hearing and Regular Meeting recorded by Heather Toth