

**MINUTES OF PUBLIC HEARINGS
BRECKSVILLE BOARD OF ZONING APPEALS
RALPH W. BIGGS COUNCIL CHAMBERS – BRECKSVILLE CITY HALL
MAY 10, 2021**

Present: Roberts, Caruso, Hasman, Hruby, Collin, McCrodden, Rose

Absent: None

Others: Planning and Zoning Coordinator, Eric Hall, 21 guests

PUBLIC HEARINGS

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

APPEAL 2021-12

Dolphin Electric for Mike Valente for a variance from Section 1326.02 to install a generator in the front of the house instead of the rear as required by code located at 5395 Miller Road, PP# 604-04-013.

Mike Valente spoke to the Board regarding his appeal. He explained that they wanted to get a residential generator installed at their home, and when they came to install it, it was going to be placed in a spot, that was not compliant with code. Mr. Valente stated that he was unaware of the ordinance, but they want it to be as close to the gas and electrical as possible. In order to move the generator to the rear of the home, it would require an additional 150 feet of gas line piping, and would cost another \$3000 to \$4000, and stated that is their hardship, as well as the rationale for choosing the applied location. Mr. Valente went on to explain that from Miller Road, there are trees and other foliage, and it is approximately 180 ft. from the road, so there is no direct line of site. Mr. Valente went on to say that they have no neighbors directly in front of their house. They own the property to the west of them, and to the east are their neighbors, the Patel's, and they cannot see it either. He felt there would be no noise issue because it measured at 62 decibels, which is roughly less than a residential air conditioning unit, so it is quiet. Mr. Valente again stated, that his hardship to move the generator to the rear, would be the cost. It would be almost half the cost of the generator itself. He stated that you will not be able to see the generator, because he has landscaping there, and if needed, he would install additional landscaping.

Mr. Rose asked Mr. Hall if the generator could be tucked behind the garage and still be code compliant. Mr. Hall stated that it would not, you would still need a variance for that location. The generator has to be located anywhere behind the rear wall of the house. Mr. Valente stated that to move it to the rear, it would be more visible to the neighbors, and more audible. Mr. Rose asked if the generator would be screened. Mr. Valente stated that there is screening there now, but he would add additional screening.

Mr. Rose opened up questions to the audience. There were none.

Motion by Mr. McCrodden, seconded by Mr. Caruso to close Public Hearing.

MOTION CARRIED

APPEAL 2021-15

Paul Hilts for a variance from Section 1119.09(d) not to install the required public sidewalks until such time that the City deems appropriate, for the construction of a single family dwelling located at 6940 Hilton Road, PP# 601-17-013.

Paul Hilts spoke to the Board regarding his appeal. Mr. Rose stated Mr. Hilts hardship is that no one else had sidewalks on Hilton, but if and when the City deemed it appropriate to install them, he would agree to put them in. Mr. Hilts stated that was correct.

Mr. Rose opened up questions to the audience. There were none.

Motion by Mr. McCrodden, seconded by Mr. Hasman to close Public Hearing.

MOTION CARRIED

APPEAL 2021-16

Dennis and Jean LeHotan for a variance from Section 1151.24 from the minimum required 60 ft. front yard setback to allow 54 ft. for the construction of a garage addition located at 9865 Whitewood Road, PP# 601-22-011.

Dennis LeHotan spoke to the Board regarding his appeal. He stated that they are requesting to build an attached garage to the existing structure. A variance is required because it will be built 7 ft. in front of the front building setback. He stated his hardship is that they have three cars, and only a two car garage. One of their cars is a classic car, which they store at another location for six months during the winter. It is a hardship, not only because of the cost, but the insurance, and also the cost of traveling back and forth in the winter time to Medina. He went on to explain, that he would like to store the car at his home.

Mr. Rose clarified that the position of his lot prevents him from building the structure in the back of the home. Mr. Lehotan stated that was correct, he has a ravine in the back.

Mr. Hasman stated that he was concern that it would stick out pretty far from where the house was right now, and exceed the lineup of homes that you see there now. Mr. LeHotan stated that the house to the east sits further out than his, and will not obstruct the view. Mr. Hasman clarified that once it is constructed, it will be in line with the other homes. Mr. LeHotan stated that the home east of his will be further out than his, even with the construction, approximately four to five feet further out than his. Mr. Hasman asked if he had spoken with his neighbors. Mr. LeHotan stated that he had, and they had no problem with it.

Mayor Hruby asked if he parked one of his cars in the street. Mr. LeHotan stated that he did not, but he would have to park one of the cars in the driveway, and will always have to move a car to get out of the garage.

Mr. Hasman asked if he considered other options for the car instead of storing it so far away in Medina. Mr. LeHotan stated that he didn't trust a lot of the storage spaces that are out there.

Mr. Rose asked how long he had the classic car. Mr. LeHotan stated he had it for one year.

Mr. Rose opened up questions to the audience. There were none.

Motion by Mr. Collin, seconded by Mr. McCrodden to close Public Hearing.

MOTION CARRIED

APPEAL 2021-17

Matthew Mau for Cambridge Village Association for a variance from Section 1151.22 requirement of a 250 ft. minimum lot depth, to allow 216.3 ft. for a lot split located at 7757 Cambridge Drive, PP# 601-02-041.

Matthew Mau spoke to the Board regarding the appeal. Mr. Mau stated that he is the president of the homeowner's association. They are proposing a variance for the lot setback. The code requires 250 ft. for a minimum lot depth, and they have 216.3 ft. Mr. Mau went on to state that because of the pool house and neighborhood pool, they would like to create a buffer in between the residential lot and the pool area that is existing.

Mr. Rose stated that on the site drawing, it looked like there was a building line, and it will be in line with the other houses on Brecksville Road, Mr. Mau stated that it will be similar but not the same. They are asking for an 85 ft. setback, and the neighbor's house on the south side is approximately 91-92 ft. On the north side, there is a commercial property which sits approximately 25 ft. They own the property behind the commercial property. Mr. Mau went on to explain, that they had a vote on the proposal to sell the lot, and got a 75% approval. Mr. Rose asked Mr. Mau, if the immediate neighbors to this property, consented to this. Mr. Mau stated that they were able to vote on it, and the majority of the vote passed with 75% approval. Mr. Rose asked if the immediate neighbors voted to approve it. Mr. Mau stated that he was not aware of the statistics, but they were aware of the meeting that they had, and there was a sign posted as well. Mr. Rose asked if the 75% , was 75% of the members, or 75 % of people that voted. Mr. Mau stated that it was 75% of the association in good standing. Mr. Rose asked if he had spoken with the two people on Rt. 21 that were not association members. Mr. Mau stated that he had not spoken with them. Mr. Rose asked if he anticipated an issue with the rear yard setback in the future. He gave an example, that someone wants to build, and because it is a shorter lot, they will need a rear yard variance. Mr. Mau stated that it is a one acre lot, it just depends what they propose to build. Mr. Hall explained that this is the second public hearing that they have had on this lot. The first was at the Planning Commission, to establish the setback. Mr. Hall stated that they did look, during the design phase, if a reasonably sized house would fit without a rear yard variance, and the answer was yes, it would. There is over 130 ft. behind that building line and the requirement for a rear yard is 60 ft.

Mr. Rose opened up questions to the audience. There were none.

Motion by Mr. Hasman, seconded by Mr. Collin to close Public Hearing.
MOTION CARRIED

APPEAL 2021-18

Ryan Webb for (1) a variance from Section 1185.03(a) maximum fence height of 4 ft. to allow 6 ft., and (2) a variance from Section 1185.02(d) to allow a solid vinyl type of fencing instead of the permitted types of fencing located at 3719 Boston Road, PP# 604-20-007.

Ryan Webb spoke to the Board regarding his appeal. He stated that the reason for their hardship in asking for a 6 ft. fence, was because they live on Boston Road. He went on to explain that it is getting increasingly busy now that Michael Angelo's Winery is open at the end of the street. Over any given weekend, there are hundreds of cars that drive by the house, to go to Michael Angelo's, or the Farm Market in Richfield, and the cars go pretty fast. They feel the need for a 6 ft. fence because they have two dogs, and they are in the process of getting married, and will be having children soon. He wants to make sure his children and dogs will be safe from the traffic on Boston Road. He stated that both his elderly dog and young dog could jump over a 4 ft. fence. He stated that in addition to Boston Road being so busy, he also has Alger Road that dead ends in between his and his neighbor's driveway. Mr. Webb stated that the reason for a privacy fence, is because there is a lot going on in the back of his yard. There are several different fences, that are not appealing to the eye. There are children to the right of him, and as much as he loves children, they antagonize their dogs. He works from home, and there is always a lot going on in the yard, and it is a lot to keep up with while working. They would like the white vinyl, because it would last. Mr. Webb stated that he would go with a Board on Board fence.

Mr. Rose asked why he needed a 6 ft. fence. Mr. Webb stated that there are people that drive up and down their street, people going back and forth to the winery. He felt that it would provide more safety.

Mr. McCrodden asked how many feet from his house to the property line. Mr. Webb stated that it was approximately 8 ft. to the property line. Mr. McCrodden asked if the property line was at the top of his slope. Mr. Webb stated that it is at the midway of the slope

Mr. Caruso asked if he has had a conversation with the neighbors regarding their kids harassing the dog. Mr. Webb stated that he had not, they are very busy, but his other neighbor did have a conversation with them about it. Mr. Caruso asked what kept the dog in the yard now. Mr. Webb stated the dogs are on a leash. Mr. Caruso asked if the kids ever come onto his property. Mr. Webb stated that they do. Mr. Caruso asked if he would be flexible with the type of fencing he was willing install. Mr. Webb stated that he would go with a board on board style or shadow box, but would like to keep the white vinyl. There was discussion between Mr. Webb, Mr. Hall and the Board regarding types of fencing that would be code compliant. Mr. Rose asked Mr. Webb if he would consider a board on board instead of a solid stockade type of fencing. Mr. Webb stated that he would. Mr. Rose asked Mr. Webb how old the children next door to him were. Mr. Webb stated that they are 2-7 yrs. old.

Mr. Hasman asked if he considered an electric fence. He stated that he had, his parents have one, but it seemed like the electric fence is down more than it works. He lives on a main road, and doesn't want to take the chance of it not working.

Mr. Collin asked if there was any reason that a board on board fence would not meet his objectives. Mr. Webb stated that he is flexible, a board on board, or shadowbox would be acceptable.

Mr. Caruso asked if he would be open to a 4.5 or 5 ft. high fence. Mr. Webb stated that he preferred a 6 ft. fence. He felt that it would not be out of place, because he is close to Richfield, which allows a 6 ft. fence, and Broadview Heights which also allows a 6 ft. fence. Mr. Webb stated that when he drives down the road, all he sees are 6 ft. fences.

Mr. Rose explained to Mr. Webb that Brecksville is a park like community, and is not a community of privacy fences. Mr. Webb stated that he understood that, he is looking at 2 ft. tall grass on both sides of his property and felt that the fence would enhance his property and his view.

Mr. Rose opened up questions to the audience. There were none.

Motion by Mr. McCrodden, seconded by Mr. Collin to close Public Hearing.

MOTION CARRIED

APPEAL 2021-19

Todd Mitchell for (1) a variance from Section 1151.25(d)(2)(B) from the maximum 192 sq. ft. to allow 992 sq. ft., and (2) a variance from Section 1181.11(b), 15 ft. maximum building height to allow 17 ft. for the construction of a pool house located at 10056 Barr Road, PP# 604-12-025.

Todd Mitchell spoke to the Board regarding his appeal. Mr. Mitchell stated that they want to build a pool house, and felt that the building code, is really more related to a shed. for its size. They are looking to have a useable space that will match the house and look nice. The height variance might come into question, because there will be dirt retained behind the building, and the way it sits will probably be to code. He did speak to the neighbors, and everyone was on okay with it, he submitted it to the Board. Mr. Mitchell stated the neighbor behind him would be the one that could see it.

Mr. Rose asked if the pool house will have a shower or bathroom. Mr. Mitchell stated that it will have a bathroom, shower and changing room, as well as a seating area. Mr. Rose asked why he needed a 17 ft. height. Mr. Mitchell explained that it was to match the roofline on the house. Mr. Rose asked what the pitch was on the house. Mr. Mitchell stated that it is a 12/12 pitch.

Mr. Hasman stated that as he looked at the drawing for the pool house, he saw there was a game room in it, and felt that part of him asking for the variance, was a hardship, and the other part of the variance on the pool house, was just nice to have. Mr. Mitchell stated that he wanted it to be useable, and fit in with the house. He wanted people to use it, and not have to come into the house wet from the pool. Mr. Hasman stated that a variance sought, should be the minimum deviation from the code, and felt that the pool house, as designed now, was a bit of an over

reach. He asked if there was any alternatives that were considered for something smaller. Mr. Mitchell stated that they actually cut it back when he saw they needed a variance, and felt that it was in line with a lot of other properties that were doing the same thing.

Mr. McCrodden stated that the drawing shows the pool house behind the large box in the back yard, and wanted to know if that was correct. Mr. McCrodden also asked for the location of the pool, Mr. Mitchell went on to explained it to Mr. McCrodden.

Mr. Rose opened up questions to the audience. There were none.

Motion by Ms. Roberts, seconded by Mr. Hasman to close Public Hearing.

MOTION CARRIED

APPEAL 2021-20

New Creation Builders for Dan Lizanich for (1) a variance from Section 1151.24 from the minimum required 60 ft. front yard setback to allow 43 ft., and (2) a variance from Section 1151.24, a minimum 20 ft. side yard setback required to allow 16 ft., and (3) a variance from Section 1151.24 a minimum 40 ft. total side yards required to allow 28 ft., and for the construction of a garage addition located at 7894 Oakhurst Drive, PP# 602-01-054.

Dan Lizanich spoke to the Board regarding his appeal. He stated that he did not have a presentation prepared, his contractor was supposed to be in attendance, and could not make it. He went on to explain that he was planning on building a three car attached garage that will be parallel with the house. It will not extend any further than the house. He stated that he spoke with the neighbor, and it will not obstruct his view. There is also a lot of foliage there between the house. Mr. Lizanich stated that his neighbor did ask that it be all brick instead of siding and brick.

Mr. Rose clarified that their hardship, is that they have more things to store. Mr. Lizanich stated that was correct, there are three vehicles and it is hard to park them in the garage.

Mr. Hasman asked Mr. Hall if the addition will be even with the house now. Mr. Hall stated that was correct. Mr. Hasman also clarified that the front of the home is already non-conforming. Mr. Hall stated that was also correct. Mr. Hasman asked Mr. Lizanich if the vegetation to the west will stay. Mr. Lizanich stated that it would.

Mr. Rose asked when he purchased the home. Mr. Lizanich stated that he purchased it in 2017. Mr. Rose clarified he was unaware of the house being non-conforming by today's code. Mr. Lizanich state that was correct, almost every house there is closer than 60 ft.

Mr. Rose opened up questions to the audience. There were none.

Motion by Mr. Collin, seconded by Mr. Caruso to close Public Hearing.

MOTION CARRIED

APPEAL 2021-21

Karen Lovell for a variance Section 1151.03(c) to install an above ground pool on a vacant lot (not permitted) located at 12004 Chippewa Road, PP# 602-16-006 and PP# 602-16-009.

Peter Lovell spoke to the Board regarding his appeal. He stated that he is requesting to install a pool in their back yard. It will be above ground, and 24 ft. in diameter. The property in the rear of their home is owned by The Glen Valley Club, their representative is in attendance tonight, Rebecca Claridge. He went on to explain the location of the pool heater, and the electrical and gas lines. There will be no lines that will cross the two property lines. The only thing going across the property line is the underground intake and outtake piping pump. Mr. Lovell stated that his hardship was, when they purchased the home, their realtor was not very forthcoming about the location of the property line. They were at fault as well, because they did not get a survey.

Mr. Rose asked where they thought the property line was. Mr. Lovell stated that when they learned where the line was in 2002, they worked with The Glen Valley Club to lease the property from them, and they have been very generous about everything. Mr. Lovell stated that they have spoken with their neighbors.

Mr. Collin stated that he was looking at the lease, and it can be terminated by the landlord in the event of a default. He asked what would they propose to do if they want to revoke the lease, after the pool had been installed. Mr. Lovell stated there is a disclaimer in Section 44 of the lease, and went on to explain it. Mr. Collin stated that he took it, that his relationship with the landlord, is cordial thus far. Mr. Lovell stated that it was.

Mr. Rose recapped their solution to having no land behind the house, and the lease. Mr. Lovell stated that they maintained that lease over the 20 year period. Mr. Rose asked if there was another lease regarding the maintenance. Mr. Lovell stated that there was one in 2002.

Mr. Rose opened up questions to the audience.

Rebecca Claridge, 12022 Glen Valley spoke to the Board. She is the president of the homeowner's association for The Glen Valley Club. Mr. Rose clarified, that the property in question was owned by the homeowner's association. Ms. Claridge stated that was correct, it is common land owned by the homeowner's association. Mr. Rose clarified that they were okay with the use of the land. Ms. Claridge stated that they were. Mr. Rose asked if it required a vote. Ms. Claridge stated that it did not. Mr. Rose asked if the Lovell's had her support for this appeal. She stated that they do.

Mr. Caruso asked if there was any language on the lease, of how much of the land they can use. Ms. Claridge did not know if. She stated that members of her Board came up with the lease, and because she is not a lawyer, she was not sure if that language was in there.

Mr. Rose stated that this was a private agreement, and the City was not involved in this part of the agreement. The Board was not here to vote on whether it is or is not appropriate, they are just voting on the variance.

Mr. McCrodden asked if there were any other leases on the land, owned by the homeowner's association. Ms. Claridge stated that there were not. Mr. McCrodden asked if there was any consideration to selling the property, and there would be no need for a variance. Ms. Claridge stated that she felt they were all concerned that it would set a precedence in their community, and many of them bought in Glen Valley because of the large buffer area to Rt. 82.

Mr. Rose asked if it was a single parcel. Mr. Caruso stated that it was.

Mr. Hasman stated that because it is a property of Glen Valley, if someone were to get hurt from the pool, did she feel that this agreement protected Glen Valley from any recourse against them. Ms. Claridge stated that she did. Mr. Hasman asked if there was any requirement for a fence around the pool. Mayor Hruby explained the code regarding fencing for above ground pools.

Motion by Mr. Hasman, seconded by Mr. Collin to close Public Hearing. **MOTION CARRIED**

APPEAL 2021-22

Josh & Stephanie Papp for (1) a variance from Section 1151.25(d)(1) maximum 660 sq. ft. to allow 884 sq. ft. and (2) a variance from Section 1181.11(b) maximum height 15 ft. to allow 18.5 ft. and (3) a variance from Section 1183.15(a) not to install a hard surface driveway for the construction of a detached garage located at 11034 Snowville Road, PP# 605-24-001.

Josh & Stephanie Papp spoke to the Board regarding their appeal. They applied for the variance because their hardship is the size of their RV, it is larger than a car and they need the room to store it. They have a 1 ½ acre lot, and have a tractor and ATV. His wife is an avid gardener and has equipment for gardening as well. Mr. Papp went on to state that the height they are looking to install was a 14 ft. garage door so they are able to pull in and out with the RV.

Mr. Rose asked if he was taking the current shed down. Mr. Papp stated that they were. Mr. Rose asked where the RV was parked now. Ms. Papp stated that the RV is currently parked in their driveway, and they are trying to comply with code by keeping it fully inside a garage. Mr. Papp explained that the other personal issue to them, is when the RV is parked in the driveway, it tells people when they are, or are not, at home. Mr. Papp went on to explain the variance not to install the hard surface driveway. He explained there is very little topsoil there, and mostly clay. They have rain barrels on the property, through a Cuyahoga County program, to catch the water and help water the garden. They are trying to come up with a solution to the water run off problem that goes into their neighbor's yard, Mike and Karen Brody. They would like to install a permeable surface. Mr. Papp handed out samples of what they would like to install to the Board. It is a plastic grid system with a stone base, and will help the water to drain into the soil. He went on to explain it further. Mr. Rose summarized that they are going to install a drive, but it is an environmentally friendly way. Mr. Papp stated that was correct. Ms. Papp stated that their backyard wouldn't be concrete, it would have a grass look to it. Mr. Papp stated that the driveway, whether it be brick, concrete or asphalt, are all impermeable surfaces.

Mr. Collin asked what they were going to do with the existing garage if they put up this new structure. The drive goes to the existing garage but between the existing garage and the property line on the left, it looks like they may have to reroute the driveway or get rid of it and install

another one. Mr. Papp stated that between the property line and the existing garage there is approximately 23 feet. To his knowledge they would have a 20 foot side area for a drive to go around there. Mr. Collin asked where the driveway would run. Mr. Papp showed him on the overhead screen.

Mr. McCrodden asked if they would be okay with a provision to the existing variance, to add the permeable surface. Ms. Papp stated that they would be fine with that.

Mr. Hasman asked how much clearance they would really need when the camper is attached to the truck, to be able to pull in the garage. Mr. Papp stated that the camper on the truck is roughly 11 ft. 8 in. The reason for the larger variance request, is that they are looking at the option of getting a larger camper sometime in the future, and that may raise the height. Ms. Papp talked about the height of the garage in relation to the house and the house being a 5/12 pitch. Mr. Hasman asked if they had spoken with the neighbors. Ms. Papp stated that they were in attendance tonight.

Mr. Rose opened up questions to the audience. Mike Brody, 11042 Snowville Road, spoke to the Board. He explained that he spoke with Stephanie Papp, and she showed him what they had proposed to do. He stated that his reservation, and biggest problem he has with it, was water. He cannot cut grass on the property line because it is so wet. All the water flows to his property, it is a swamp, and felt that something had to be done. Mr. Rose asked if they were intending on using water barrels by the garage. Ms. Papp stated that they are. Mr. Rose asked if they considered a drainage plan. Mr. and Mrs. Papp and Mr. Brody had a discussion about drainage and water issues. Mr. Brody stated that it will be a nice building and was glad the shed was coming down, his only concern was about the water. Mr. Rose stated there is a City Engineer, and maybe the Mayor, or Councilman Caruso, can see if there was something the City could give him advice on.

Mr. Hasman asked about a drain in the yard as a possibility.

Motion by Mr. McCrodden, seconded by Mr. Hasman to close Public Hearing.
MOTION CARRIED

**MINUTES OF REGULAR MEETING
BRECKSVILLE BOARD OF ZONING APPEALS
RALPH W. BIGGS COUNCIL CHAMBERS – BRECKSVILLE CITY HALL
MAY 10, 2021**

Present: Roberts, Caruso, Hasman, Hruby, Collin, McCrodden, Rose

Absent: None

Others: Planning and Zoning Coordinator, Eric Hall, 21 guests

APPROVAL OF THE REGULAR MEETING MINUTES OF APRIL 12, 2021

Motion by Mayor Hruby, seconded by Mr. Caruso, to approve the Regular Meeting minutes of April 12, 2021, as recorded.

ROLL CALL: Ayes: Roberts, Caruso, Hasman, Hruby, Collin, McCrodden, Rose
Nays: None

MOTION CARRIED

APPEAL 2021-12

Motion by Mayor Hruby, seconded by Mr. Caruso, that the Board of Zoning Appeals recommend to City Council approval for a variance from Section 1326.02 to install a generator in the front of the house instead of the rear as required by code located at 5395 Miller Road, PP# 604-04-013.

ROLL CALL: Ayes: Hasman, Hruby, Collin, McCrodden, Caruso, Rose
Nays: None
Abstain: Roberts

MOTION CARRIED

APPEAL 2021-15

Motion by Mr. Caruso, seconded by Mr. Collin, that the Board of Zoning Appeals recommend to City Council approval for a variance from Section 1119.09(d) not to install the required public sidewalks until such time that the City deems appropriate, for the construction of a single family dwelling located at 6940 Hilton Road, PP# 601-17-013.

ROLL CALL: Ayes: Roberts, Caruso, Hasman, Hruby, Collin, McCrodden, Rose
Nays: None

MOTION CARRIED

APPEAL 2021-16

Motion by Mr. McCrodden, seconded by Mr. Collin, that the Board of Zoning Appeals recommend to City Council approval for a variance from Section 1151.24 from the minimum required 60 ft. front yard setback to allow 54 ft. for the construction of a garage addition located at 9865 Whitewood Road, PP# 601-22-011.

ROLL CALL: Ayes: Collin, McCrodden, Roberts, Caruso, Hruby, Rose
Nays: Hasman
MOTION CARRIED

APPEAL 2021-17

Motion by Mr. Collin, seconded by Mayor Hruby, that the Board of Zoning Appeals recommend to City Council approval for a variance from Section 1151.22 requirement of a 250 ft. minimum lot depth, to allow 216.3 ft. for a lot split located at 7757 Cambridge Drive, PP# 601-02-041.

ROLL CALL: Ayes: McCrodden, Roberts, Caruso, Hasman, Hruby, Collin, Rose
Nays: None
MOTION CARRIED

APPEAL 2021-18

Motion by Mr. Hasman, seconded by Mr. Collin, that the Board of Zoning Appeals recommend to City Council approval for (1) a variance from Section 1185.03(a) maximum fence height of 4 ft. to allow 6 ft., and **(2) an amended variance from Section 1185.02(d) to allow a board on board vinyl fencing (permitted) instead of the solid vinyl fencing originally requested, located at 3719 Boston Road, PP# 604-20-007.**

ROLL CALL: Ayes: Caruso, Hruby, Collin, Roberts, Rose
Nays: Hasman, McCrodden
MOTION CARRIED

APPEAL 2021-19

Motion by Mayor Hruby, seconded by Mr. Collin, that the Board of Zoning Appeals recommend to City Council approval for (1) a variance from Section 1151.25(d)(2)(B) from the maximum 192 sq. ft. to allow 992 sq. ft., and (2) a variance from Section 1181.11(b), 15 ft. maximum building height to allow 17 ft. for the construction of a pool house located at 10056 Barr Road, PP# 604-12-025.

ROLL CALL: Ayes: Hruby, Collin, McCrodden, Roberts, Caruso, Rose
Nays: Hasman
MOTION CARRIED

APPEAL 2021-20

Motion by Roberts, seconded by Mr. Collin, that the Board of Zoning Appeals recommend to City Council approval for (1) a variance from Section 1151.24 from the minimum required 60 ft. front yard setback to allow 43 ft., and (2) a variance from Section 1151.24, a minimum 20 ft. side yard setback required to allow 16 ft., and (3) a variance from Section 1151.24 a minimum 40 ft. total side yards required to allow 28 ft., and for the construction of a garage addition located at 7894 Oakhurst Drive, PP# 602-01-054.

ROLL CALL: Ayes: Hasman, Hruby, Collin, McCrodden, Roberts, Caruso, Rose
Nays: None
MOTION CARRIED

APPEAL 2021-21

Motion by Mr. Caruso, seconded by Mr. McCrodden, that the Board of Zoning Appeals recommend to City Council approval for a variance Section 1151.03(c) to install an above ground pool on a vacant lot (not permitted) located at 12004 Chippewa Road, PP# 602-16-006 and PP# 602-16-009.

ROLL CALL: Ayes: Roberts, Caruso, Hasman, Hruby, Collin, McCrodden, Rose
Nays: None

MOTION CARRIED

APPEAL 2021-22

Motion by Mr. McCrodden, seconded by Mr. Collin, that the Board of Zoning Appeals recommend to City Council approval for (1) a variance from Section 1151.25(d)(1) maximum 660 sq. ft. to allow 884 sq. ft. and (2) a variance from Section 1181.11(b) maximum height 15 ft. to allow 18.5 ft. and **(3) an amended variance from Section 1183.15(a) not to install a hard surface driveway, provided a permeable surface driveway, acceptable to the Building Department, is installed, for the construction of a detached garage located at 11034 Snowville Road, PP# 605-24-001.**

ROLL CALL: Ayes: McCrodden, Roberts, Caruso, Hasman, Collin, Rose
Nays: None
Abstain: Hruby

MOTION CARRIED

Mayor Hruby wanted the record to reflect, that the reason he abstained from the vote, was that Josh Papp is a City employee, and anytime an employee comes to the Board, he abstains from the discussion and the vote.

REPORT OF COUNCILMEMBER CARUSO

No Report.

REPORT OF MAYOR HRUBY

Mayor Hruby reported that Tom Tupa, Director of Recreation, retired. The Mayor wished Tom the best, and stated that he was an excellent Recreation Director, and did a lot for the City. The Mayor also reported that the City will have a Memorial Day event, but based on the Governor's mandate, they felt it was in the City's best interest to not hold the conventional parade that the City normally does every year. Various City departments will drive thru the town displaying signs in honor of our fallen heroes, and there will also be something on line. The Mayor also reported that Saturday, May 15, 2021 is Shred Day from 9:00 a.m. – 12:00 p.m. at the Service Department. The City is just ask the residents to bring a non-perishable item to donate to our pantry.

Motion by Mr. Hasman, seconded by Mr. McCrodden, to close the Regular Meeting at 9:12 p.m. **MOTION CARRIED**

THE BRECKSVILLE BOARD OF ZONING APPEALS

DENNIS ROSE, CHAIRPERSON

ROBERT HASMAN, VICE CHAIRPERSON

KATHLEEN ROBERTS, SECRETARY

Public Hearing and Regular Meeting recorded by Gina Zdanowicz