

**MINUTES OF PUBLIC HEARINGS  
BRECKSVILLE BOARD OF ZONING APPEALS  
Community Room – Brecksville City Hall  
February 11, 2019**

Present: Roberts, Hall, Hasman, Hruby, McCrodden, Kingston, Rose

Absent: None

Others: Building Inspector Synek, 8 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.

**APPROVAL OF THE 2018 BOARD OF ZONING ANNUAL REPORT**

Chairman Rose requested that the approval of the 2018 Annual Report be tabled until the March 11, 2019 meeting.

**APPROVAL OF THE REGULAR MEETING MINUTES OF JANUARY 7, 2019**

Motion by Mr. McCrodden, seconded by Mr. Hall to approve the Regular Meeting Minutes of January 7, 2019, as recorded.

ROLL CALL: Ayes: Roberts, Hall, Hasman, Hruby, McCrodden,  
Kingston, Rose

Nays: None

**MOTION CARRIED**

**APPEAL 2019-03**

Joseph Calderwood, Architect, for Lois Walters for a variance from Section 1151.24 a minimum 30 ft. total side yards required to allow 23.5 ft., for a rear yard addition on a non-conforming house located at 8043 Amber Lane, PP# 601-25-017.

Joseph Calderwood, representing the homeowner, is requesting a variance for side-yard setbacks for a non-conforming house. The current required setback is 30 ft. and they are asking for 23.5 ft. for an addition to the side and rear of house.

Mr. Rose asked what the extension to the side was for and Mr. Calderwood replied it was an extension of the kitchen and laundry room. Mr. Rose asked Mr. Synek if the hardship was the code and he replied that the code has changed.

Mr. Rose opened up questions to the audience, there were none.

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

**APPEAL 2019-04**

Marcus & Valerie Fitch for a variance from Section 1185.03(b) to allow the construction of a 4 ft. ornamental fence in front of the building line on a corner lot, instead of the allowable 3 ft. tall split rail type fences, as shown in the drawing, dated 1-22-19, located at 8678 Hollis Lane, PP# 601-37-024.

Marcus & Valerie Fitch, homeowners, are requesting a variance to allow a 4 ft. aluminum fence to enclose their yard for their children. Their hardship is the current location of their deck & privacy panels, which are 6 ft. off the sidewalk. If they complied with code, the fence would be on the deck.

Mr. Rose acknowledged a prior variance was granted for a fence in 2002. Mr. Rose confirmed with Mr. Synek the only issue is the fence being located near the public sidewalk.

Mr. Hall asked the homeowners to describe the fence. Valerie Fitch explained it would be a 4 ft. black, aluminum fence. Mr. Synek showed a picture of the fence on the overhead screen and Valerie Fitch explained several of the neighbors have similar fences. Mr. Hall asked Mr. Synek if being on a corner lot is the issue and Mr. Synek confirmed that a fence cannot be in front of the building line.

Mr. Rose opened up questions to the audience, there were none.

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

**MOTION CARRIED**

**APPEAL 2019-05**

Shepp Electric for Michael Kulick for a variance from Section 1326.02 to install a generator on the side of the house instead of the rear as required by code located at 8455 Sunnydale Drive, PP# 601-13-024.

Michael Kulick, homeowner, is requesting a variance to place a generator on the side of the house. He explained that's where the electric comes into the house, otherwise it would have to be behind the patio enclosure.

Mr. Rose requested the photo to be enlarged on the overhead screen. Mr. Kulick explained the generator is for the entire house, quieter than an air conditioner and runs for (5) minutes, once a week. Mr. Rose also asked if Mr. Kulick had spoken to his neighbor and he said he and not been able to get in touch with them. Mr. Rose also asked if he would be willing to screen the generator in some way and Mr. Kulick said he would.

Mr. McCrodden and Mr. Kulick had conversation regarding (2) existing air conditioners on the side of the house.

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

Motion by Mr. Hall, seconded by Mayor Hruby to close Public Hearing. **MOTION CARRIED**

**MINUTES OF REGULAR MEETING  
BRECKSVILLE BOARD OF ZONING APPEALS  
Community Room – Brecksville City Hall  
February 12, 2018**

Present: Roberts, Hall, Hasman, Hruby, McCrodden, Kingston, Rose

Absent: None

Others: Building Inspector Synek, 8 guests

**APPEAL 2019-03**

Motion by Ms. Roberts, seconded by, Mayor Hruby that the Board of Zoning Appeals recommend to City Council approval for a variance from Section 1151.24 a minimum 30 ft. total side yards required to allow 23.5 ft., for a rear yard addition on a non-conforming house located at 8043 Amber Lane, PP# 601-25-017.

ROLL CALL: Ayes: Hasman, Hruby, Kingston, McCrodden, Roberts,  
Hall, Rose

Nays: None

**MOTION CARRIED**

**APPEAL 2019-04**

Motion by Mr. McCrodden, seconded by Ms. Roberts, that the Board of Zoning Appeals recommend to City Council approval for a variance from Section 1185.03(b) to allow the construction of a 4 ft. ornamental fence in front of the building line on a corner lot, instead of the allowable 3 ft. tall split rail type fences, as shown in the drawing, dated 1-22-19, located at 8678 Hollis Lane, PP# 601-37-024.

ROLL CALL: Ayes: Hall, Hruby, Kingston, McCrodden,  
Roberts, Rose

Nays: Hasman

**MOTION CARRIED**

**APPEAL 2019-05**

Motion by Mr. Hall, seconded by Ms. Roberts, that the Board of Zoning Appeals recommend to City Council approval for a variance from Section 1326.02 to install a generator on the side of the house instead of the rear as required by code located at 8455 Sunnydale Drive, PP# 601-13-024.

Amended to include screening as approved by the Building Department.

ROLL CALL: Ayes: McCrodden, Roberts, Hall, Hasman, Hruby,  
Kingston, Rose

Nays: None

**MOTION CARRIED**

**REPORT OF COUNCILMEMBER ROSE**

Mr. Rose reported that City Council approved all the appeals from the January 7, 2019, Board of Zoning Meeting.

Mr. Rose acknowledged this was Mr. Hall's last meeting with the Board of Zoning and thanked him for serving and for all his efforts.

Mr. Rose noted to table the 2018 Annual Report and that the Minutes were approved in the Public Hearing meeting.

**REPORT OF MAYOR HRUBY**

Mayor Hruby reported the dates of upcoming events:

February 18, 2019 City Offices Closed for President's Day

February 19, 2019 Human Services Conversation with the Mayor, 2:00 pm in the  
Gathering room at the Community Center

February 19, 2019 Gypsy Moth Hearing, 5:00-9:00 pm in the Community room at the  
Community Center

February 20, 2019 Mayor Hruby's State of the City Address, 6:00 pm in the Gathering  
Room at the Community Center

February 26, 2019 Democracy Day, 6:30-9:30 pm in the Gathering room at the  
Community Center

February 27, 2019 Meeting for the New School & Fieldhouse Project, 7:00 pm in the  
Media Center at the High School

Mayor Hruby also reported of upcoming difficult weather conditions in the next couple of days.

Motion by Mr. Hall, seconded by Mr. Kingston, to close the Regular Meeting at 8:02 p.m.

**MOTION CARRIED**

**THE BRECKSVILLE BOARD OF ZONING APPEALS**

**DENNIS ROSE, CHAIRMAN**

**KATHLEEN ROBERTS, VICE CHAIRMAN**

**BRUCE MCCRODDEN, SECRETARY**

Public Hearing and Regular Meeting recorded by Jeanne Magistro