

**MINUTES OF PUBLIC HEARINGS
BRECKSVILLE BOARD OF ZONING APPEALS
Teleconference Meeting
June 8, 2020**

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

Absent: Kingston

Others: Building Inspector Synek, Recording Secretary Zdanowicz, Appellants

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 2020-11

Kingdom Home Builders for Belle Ragazze, LTD, for (1) a variance from Section 1181.11(b), 15 ft. maximum building height to allow 17.2 ft. height, and (2) a variance from Section 1151.25(d)(2)(B) and 1151.25(d)(3)(B), from the maximum 592 sq. ft. to allow 1512 sq. ft. for the construction of a pool house/pavilion located at 7345 Crosswinds Lane, PP# 603-16-016.

Rick Siegfried spoke the Board regarding their appeal. Mr. Papalardo's house is on the cul-de- sac, and the homes there, are pretty significant in size. The Papalardo's have a lot that is just under 4 acres and is very private. They wanted to put a pool out back and add a pool house and pavilion. In order for the pool house to be uniform with their current dwelling, 562 sq. ft. would not really work. The structure included a changing room, bathroom, and pool equipment room. There will be a lounge, a dining table area, and an area for grilling and outdoor cooking. The structure will be mostly an open type of structure. Mr. Siegfried stated that they have worked on the design since last Christmas, and this was the final design they came up with. Mr. Siegfried asked that the Board consider the lot size, and the fact that it is secluded there. The pool equipment part of the structure will be enclosed. The height variance was due to the fact that they are matching the roof pitch on the house. Mr. Papalardo spoke to his neighbors about the project. Mr. Siegfried stated that it will be a nice addition to the neighborhood.

Mr. Rose asked Mr. Siegfried if he had an estimate on what the closest house would be, and said it looked as though it was hundreds of feet. Mr. Siegfried state that he didn't have that number exactly, but he would estimate a few hundred feet at least. He stated that some of his neighbors also have pools, and there is some pretty heavy landscaping between Mr. Papalardo, and their neighbors. Mr. Rose clarified that having the structure, from an architectural standpoint, was staying consistent with the architecture of the home. Mr. Siegfried stated that was correct. The roof pitches matched, the materials matched. The design was one, that, looked like it was always meant to be there.

Mr. Rose clarified with Mr. Siegfried that the neighbors have been notified, and no one has objected to this plan. Mr. Siegfried stated that was his understanding, that Mr. Papalardo spoke to both of his neighbors, and there was no objection.

Mr. Papalardo spoke. He stated that he did talk to both of his neighbors, and they were fine with the project. The pavilion is really tucked in the woods and from the left, the Sahni's, you can't really see it, and from the Zenczak's house, it is heavily wooded as well.

An email was received from the Greg and Mary Zenczak, 7342 Crosswinds Lane, and they approved of the project.

Jeff Helpert, Kingdom Home Builders, spoke the Board. He stated that he walked the property with the Zenczak's last week after Sal Papalardo sent them the drawings. He showed him where everything would be located, and they were completely fine with it.

Mr. Rose opened up questions to anyone that wanted to speak. There were none.

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

MOTION CARRIED

APPEAL 2020-12

Andrew Kurtz for a variance from Section 1151.24 from the minimum required 80 ft. rear yard setback to allow 67 ft. for the construction of a deck located at 8697 Hollis Court, PP# 601-37-029.

Mr. Kurtz spoke to the Board regarding his appeal. He stated that he was trying to build a deck in his back yard, and came up with the design, prior to knowing he was violated a zoning code. Mr. Kurtz stated that he would like to extend it into the setback, so he could turn the stairs into another direction, away from the ravine.

Mr. Rose clarified, that he had spoken with his neighbor, who indicated they were fine with it. Mr. Kurtz explained that he spoke with most of his neighbors, and one signed off on it, that is the one that is most able to see the deck, Alan Macek & Mary Ann Merendino, 8701 Hollis Court. The design is so the traffic flow from the deck is not out towards the ravine, and directing it back to the larger portion of the back yard. Mr. Kurtz explained that the deck won't extend more than 5 ft. past their existing screened in porch and will be accessible from his garage.

Mr. Rose opened up questions to anyone that wanted to speak. There were none.

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

MOTION CARRIED

APPEAL 2020-13

Robert & Susan Moore, for (1) a variance from Section 1151.25(d)(1) maximum 660 sq. ft. to

allow 2224 sq. ft. and (2) a variance from Section 1181.11(b) maximum height 15 ft. to allow 19.5 ft. and (3) a variance from Section 1151.26(1) to allow the construction of a detached garage in the side yard instead of the required rear yard located at 9447 Riverview Road, PP# 606-03-001.

Robert Moore spoke to the Board regarding his appeal. Mr. Moore stated that they moved to the house two years ago, and came in front of the Board in the past, with a 1930 cabin that they turned into a home. The Metro park was very happy that they restored it. Mr. Moore explained that they have a very unusual lot, a trapezoid or half triangle lot. Their only real neighbors are the railroad, the park and Riverview Road. He has talked to the neighbor across the street from him, who maintains the spice farm, and he can't really see his property. He was very supportive of the project as well. The property came with a small barn/garage, and you can't fit a lot into it. It appears that it is somewhat hanging off the side of a cliff so it can't hold any automobiles. The first part of the project was to design a garage to fit their cars and boat, which speaks to the size of the footprint. They have 13 acres and there really is no one near them. They are discovering that there is a fair amount of maintenance and upkeep of the property, and a tractor is required. They also have equipment to maintain the pool and the pond. They want to build a structure that not only holds the cars, but also all the equipment that is required to maintain their property. The style of the structure is similar to a horse barn, it is classic and rustic, and would keep with the design of the house and the history of the property. There is a second floor that will be primarily for storage, because there is not a whole lot of storage in their cabin. Mr. Moore explained that with regards to the side yard variance, if you were able to walk the property there is not a whole lot of other places to put the garage, and although there is 13 acres, a lot of it is on the side of a hill. They will not be disturbing any trees with this project, the area they are proposing to build on is already graded out.

Mr. Rose asked if he considered multiple buildings that would comply with code instead of one large building that did not, and asked if there was space to do that. Mr. Moore stated that they talked about different configurations. It is so cold in the winter, and they didn't want to build too far away, and have to walk. The thought was to consolidate it into one modern building from a construction standpoint, so that everything can be stored together. Mr. Rose asked if he will be running utilities to the building. Mr. Moore stated that there will just be electric. Mr. Rose asked if there will be water. Mr. Moore stated there will not be water. There is a scenic easement with the National Park, and they need their approval for any structure. They do not want it to be used for any type of living space.

Mr. Caruso asked if the park approved it already. Mr. Moore stated that they turned everything in to them, but have not heard back from them as of yet.

Mr. Rose opened up questions to anyone that wanted to speak. There were none.

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

MOTION CARRIED

APPEAL 2020-14

Christopher & Lori Labas for a variance from Section 1151.24 from the minimum required 60 ft.

rear yard setback to allow 35 ft. for the construction of a deck on a non-conforming lot located at 9441 Knights Way, PP# 603-13-015.

Chris Labas spoke to the Board regarding their appeal. They purchased the house back in 2001, with an existing deck. They had no idea when they purchased the house that it did not comply with code. The deck is worn and they would like to replace it. They have obtained signatures from ten of their neighbors. The existing deck is 20x16, and they would like to expand it the length of the house, 40 x 16 ft., and they have explained it to their neighbor.

Mr. Rose clarified that besides the width of the deck, the depth into the yard will remain the same. Mr. Labas stated that was correct.

Mr. Rose opened up questions to anyone that wanted to speak. There were none.

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

MOTION CARRIED

APPEAL 2020-15

AoDK Architecture for Fred Geis 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 1185.03(a) fences not allowed in the front yard, to allow a driveway gate to be installed in the front yard, and (3) a variance from Section 1119.09(d) not to install the required public sidewalks until such time that the City deems appropriate for a new single family dwelling located at 7777 Parkview Drive, PP# 605-01-027.

Mr. Rose asked Mr. McCrodden if he would take over this part of the public hearing, as Mr. Geis's company is a client of Hahn, Loeser, the firm in which he works for, so he will be recusing himself from running the public hearing and the vote.

Fred Geis and his architect Brian Kaufman spoke to the Board regarding his appeal. Mr. Kaufman stated that there are three variances they are looking for approval on tonight. The first two are in regards to the motorized gate. Mr. Kaufman explained that it will be built approximately 95 ft. back from the street. There will be electric service coming back to the main house, and instead of running large electrical lines back to the home, they will use the gate and the sidewalks to conceal the transformer, the gas meter and the generator. With the house set so far back, they have had a lot of people driving to the back of the property to see it and the gate will help control that. The gate will also have the mailbox built into it and will have two lanterns that will add a nice architectural element. The property is very wooded and has a country road kind of feel. He stated that there are similar applications on Snowville Road and Chippewa Road. They have plans to do landscaping around it to soften the look as well. Mr. Kaufman went on to explain that the variance to not install sidewalks, is due to no sidewalks on the street at this time.

Mr. Hasman asked if there were any other alternatives considered for concealing the utilities. Mr. Geis stated that the electric company wanted to go diagonal across the property and didn't want to go back 500 ft. They insisted on placing their transformer upfront, and the generator

needs to be placed next to the transformer. The gas company wanted to go down the right of way thru the middle of the property in the front thru the ravine, and they were only willing to go perpendicular to the street, so they will go to the gate and he can pick it up from there and go down the driveway. They would not follow the driveway, they wanted to go thru the middle of the property and that is how this all evolved. The gate and the height of it seemed proportioned to the five acre property. The gate will be 100 ft. back, and the reason for that is so that trucks can pull all the way in and be completely off the road.

Mr. Hasman asked Mr. Synek whether they would allow the generator to be located in front of the house. Mr. Synek stated that it should be coming back to the Board next month, and generators are required to be in the rear yard. Mr. Hasman stated that until the location of the generator is clarified, there doesn't seem a need to have a stone structure in the front to attach it to. Mr. McCrodden stated that the variance is for the maximum fence height and gate in the front, so the issue of the stone structure, and generator would be subject to a Building Department review. Mr. McCrodden stated that it appears that the Building Department would suggest that if the generator would be in the front yard, it would require a different variance, and not be subject to the variances that are pending tonight.

Mr. Kaufman stated that the walls are definitely dependent on what they are trying to achieve there. He stated, that as part of the submittal for the variance, he indicated the equipment to be located behind the walls.

Mr. McCrodden asked for clarification from Mr. Synek. Mr. Synek stated that it was missed by the Building Department, it was on the drawings, but was never announced that it was part of this request. We offered the applicant to table this issue and go forward with everything next month, but they decided to move forward with the attempt to get the gate approved so they could start that portion of the project. Mr. McCrodden clarified with Mr. Synek, if the appeal should be amended for the generator. Mr. Synek stated that would not be correct, they need a separate appeal for it, since it was not a part of this appeal.

Mr. Caruso asked with regards to the height, the 6 ft. was chosen to keep in scale, and wanted to know if they spoke with the neighbor directly to the left. Mr. Caruso also wanted to know if the 6 ft. was required to actually hide the pieces of equipment that was discussed, or did they just want it that tall. Mr. Geis stated that the house directly to the left is also his, and is part of the property. With regards to the 6 ft. height, he felt that it was an appropriate size, he didn't know if they really needed it to hide the equipment, but he felt that it was appropriate in relation to the length and width of the driveway and property. He understood the 4 ft. rule for a fence, but felt that for a gate, 6 ft. looked better. Mr. Kaufman agreed.

Mr. Caruso stated that since he owned the house to the left, he would not have an issue with it.

Mr. Hasman asked if their delivery people would have a code to move down through the driveway to the home, and if not, how would that work. Mr. Geis stated that there will be a call box that will operate with his cellular phone and can be open and close from that location. It will also have a remote control.

Mr. McCrodden stated that they heard from the architect on the desired need for the front walls and the gate. He asked Mr. Geis what his hardship was for this appeal. Mr. Geis stated that the hardship was security, his wife felt better with the security of a gate. They are set back pretty far and people will drive down through the property during the course of the evening, and they see it, because they are staying in the house adjacent to it. He stated there are other homes that have gates in Brecksville. The gate is 100 ft. back, and sits further back than any other homes on the street.

Mr. Rose opened up questions to anyone that wanted to speak. There were none.

Motion by Mr. Hasman, seconded by Ms. Roberts to close Public Hearing. Mr. Rose abstained
MOTION CARRIED

APPEAL 2020-16

Philip LiBassi for Jerome Yurch for a variance from Section 1151.23 from the maximum 70 ft. front yard setback to allow 120 to 125 ft. for a single family dwelling located at 5559 Woodmill Circle, PP# 601-26-055

Phil Libassi spoke to the Board regarding his appeal. He stated that he has a bid in on the property which is pending a series of items, that they have enough space to actually build on the property. The prior interested person that wanted to purchase had a wetland study done and it was confirmed that it was a wetland by the Army Corp of Engineers. They did a delineation and it was submitted to them, and they have accepted it. That gave them the probable footprint of the house. Mr. Libassi stated that the wetlands are indicated by a dash line on the documents that were submitted to the Board. The nationwide permit allows a reduction of the wetlands by 1/10 of an acre and the result of that is the "L" shaped piece. He went on to explain the rest of the property to the Board. Mr. Libassi stated that they really don't have any other option. They are not going to pay any alteration to the wetlands above more than 1/10 of an acre, because that would result in purchasing mitigation rights, which are very expensive.

Mr. Rose asked if there was a concern on how close the house would be to the bank and terrain that he mentioned. Mr. Libassi stated that it is set back and is a principal part of the house. They also have a Geo tech Engineer that they will be retaining to look at the condition. Mr. Rose stated that a variance was granted in the 90's to the owner, and asked if that was Mr. Libassi. Mr. Libassi stated that the property is owned by Mr. Yurch. Mr. Rose asked if he was the person that got the variance back in the 90's. Mr. Libassi stated that other people have made a run at trying to buy the property and obtain a variance. Mr. Rose clarified with Mr. Libassi, that the wetlands and the shape of the lot is his hardship. Mr. Libassi stated that was correct. Mr. Rose stated that if the Board was to recommend this variance, would they need to come back to the Board, after finding more variances in the future. Mr. Libassi stated that was not his intention. Mr. Rose explained that some lots are just not meant to be built on, not that this is the situation here. Mr. Libassi explained that he is a practicing Architect for 40 years, and has done major developments on wetlands before. He has dealt with the Army Corp of Engineers, the Ohio EPA, and geotechnical conditions in a variety of situations. He has no interest in building closer to the edge of the ravine. He will have a Geo tech evaluate everything. The reason for the driveway to the east side is because the neighbor's drive is also to the east side and he is

currently building a trench along the property to deal with the wetland and the drainage. Part of the plan is to properly drain the site, and he will hire a Civil Engineer to design that. With respect to the design of the house, it's not perfect but it is close. He is currently looking at the requirements and clearances to make sure he can do this.

Mr. Rose stated that he heard Mr. Libassi had significant experience in this area, and clarified that Mr. Libassi had no concern with the southeast corner being as close to the bank as it appears to be. Mr. Libassi stated that at this point in time, if the Geo Tech Engineer tells him it can't be there, than they will slide the house to the west. Mr. Libassi felt that he couldn't answer Mr. Rose's questions, because it is to some degree, hypothetical, but felt that it could be accomplished. He stated that if he didn't think he could put the house on this piece of property he wouldn't be wasting everyone's time. Mr. Rose clarified that he has looked into the project and he won't be needing any other variances, even if he had to move the house further west. Mr. Libassi stated that on the drawing he gave the Board, he asked for a setback variance of between 120-125 ft. and if he had to slide the house further west, and stay in that setback limitation that's been defined in the request, he could accomplish that. Mr. Rose stated that he was talking about the side yard setback, to get away from the slope, and move it closer to the western side yard. He would then need to come back to the Board with a different variance. Mr. Libassi, stated that there is a line there that states it is a 10 ft. side yard, and he has no intention of going into that in anyway. Mr. Libassi stated that can be put in the record. Mr. Rose clarified that he would be able to fit whatever house he would want to put within the variance side yard setbacks. Mr. Libassi stated that was correct. He explained that he has given a lot of thought to the clearances, and came early in the building process, because it wouldn't help to take it any further if the variances weren't granted for the initial setback. Mr. Rose clarified that he had not purchased the property yet. Mr. Libassi stated that was correct.

Mr. Caruso asked Mr. Libassi if there was any reason he hadn't had the Geo Tech study done, and it signed off on, prior to coming before the Zoning Board. Mr. Libassi stated that he knew he had to have the Geo Tech report done, but he would rather know if the variance was going to be accepted or not, before he spends another few thousand dollars for a Geo Tech to tell him that. Mr. Caruso asked if he had any conversation with the neighbor on either side. Mr. Libassi stated that he spoke with Rex Mack right before the meeting, and he asked why it had to be placed so far back, and he sent him a photograph of the material that was sent to the Board. He met with Aasia Syed and his wife on separate occasions, and Ronelle and Nick Rajkovich.

Mr. Rose asked if the neighbor's had any objection. Mr. Libassi stated that they had no objection to him directly. He stated that both Aasia and his wife and the Rajkovich's were very enthusiastic, and Rex and been very friendly and never made any contrary comments to him.

Mr. Hasman asked if there were plans to maintain the wooded area on either side of the new home so there would be some barrier from the neighbors, particularly in light of the fact that the new home would be so far back as compared to the neighbors on either side. Mr. Libassi stated that to the east, it is actually very close in line with the house, because of the dimensions of the road dipping out and back. He stated the footprint of the site has to be cleared to put the house in. It is hard for him to answer the question because he doesn't have a map of the trees and has not met with the City Arborist yet. Mr. Hasman's concern is for the neighbors and him being set

back so far, he may have a more direct view into their windows which might not be desirable. Saving whatever trees he could, to make a partition between the properties, would be helpful. Mr. Libassi stated that the line of sight that he is describing is not going to have any impact, the side of the house that faces north is the private side of the house, and the windows will be up higher.

Carolyn Jatszek, Administrator City of Brecksville, received an email during this Appeal from Rex Mack, 5555 Woodmill Circle. He stated that he is still a bit unclear as to how allowing the variance would ultimately affect his property, and a little uncomfortable with the proposal without having more clarity. He was concerned with the proposed setback, and their view of the home. He was not completely in support without gaining a better understanding of the effects of the variance approval.

Mr. Libassi stated that he can't address a concern about what someone might consider an unacceptable view of what the house looks like, or whether they can see into their windows or he can see into theirs. Mr. Rose stated that he made a notation that he didn't mark where the other houses would be in relation to his on the drawing, so the Board doesn't really know where Mr. Mack's house is in relation to the front of Mr. Libassi's house. Mr. Libassi stated that he could put his house on a drawing, and photograph every window, and create sight lines so that the Board could see what they look like. He stated he wasn't prepared to do that today. Mr. Rose asked if Mr. Libassi would like the Board to table his appeal for today, and he could supplement his presentation, and possibly address the concerns that Mr. Mack had raised. Mr. Libassi stated that it would be helpful to hear from the Board what is precedent for a request like this. Mr. Rose explained that there was a concern from Mr. Mack about each of them seeing into the other's house from where they sit. The Board has no way of knowing whether that is a realistic concern or not. He tried to explain to Mr. Mack's concerns. Mr. Libassi stated that he would be happy to draw Mr. Mack's house on the drawing, and show the views from his windows to his house, but he wanted to know what would be the boundary of that decision, whether that is acceptable or not. He is not objecting to further information to clarify all of these points, but wanted to know what the decision point was of what was acceptable. Mr. Libassi stated that it wasn't defined within the zoning code, he did not see any requirement having a view to not face something. If he tables the appeal and comes back, what is the criteria for making it acceptable, if it is in question. Mr. Rose stated that he cannot predict the future, and he could go ahead with his vote, but he wanted Mr. Libassi to understand that the zoning code has setbacks for this very reason, so that you don't end up behind other houses. He felt that if he had Mr. Mack's concerns alleviated, it would certainly help his appeal, but the decision was his. Mr. Libassi stated that the sign for the project was posted for 10 days, and he notified Mr. Mack, and offered him the phone number to his attorney four days ago, and got a call a half hour before the meeting started. He did not have time to properly respond, so he will table it because he is not hearing an optimistic response from the Board. Mr. Libassi stated that before they closed the public hearing, he didn't like the way the whole thing felt or sounded. He explained that he is a reasonable person, and would be happy to provide information, but he could come back next month marking all the houses on the drawing, and identify all the views, and if the views aren't acceptable to somebody, it could be cancelled at that point in time, and he spent a month taking the time and energy to do it. Mr. Libassi, again stated, that he was not hearing any type of standard

requirement, nor did he see any written information he read thoroughly threw. He will table the appeal, because it was not worth the risk.

Mr. Rose opened up questions to anyone that wanted to speak or had questions. There were none.

Motion by Ms. Roberts, seconded by Mayor Hruby to table the Public Hearing.

MOTION TABLED.

After the motion, Mayor Hruby clarified with Mr. Rose that they are tabling the public hearing. Mr. Rose stated that was correct. The information that the Board has required from Mr. Libassi, specifically for him to come back, is the site view from the proposed house. Mr. Rose stated that was correct, and that he heard Mr. Mack's concerns.

**MINUTES OF REGULAR MEETING
BRECKSVILLE BOARD OF ZONING APPEALS
Teleconference Meeting
June 8, 2020**

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

Absent: Kingston

Others: Building Inspector Synek, Recording Secretary Zdanowicz, Appellants

APPROVAL OF THE REGULAR MEETING MINUTES OF MARCH 9, 2020

Motion by Mayor Hruby, seconded by Mr. Hasman, to approve the Regular Meeting minutes of March 9, 2020, as recorded.

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

MOTION CARRIED

Before the voting, Mr. Rose wanted to let the appellants know that there are only 6 Board members tonight that will be voting on the appeals. Mr. Rose also wanted to let Mr. Geis know that he will be recusing himself from his vote, so 5 other members of the Board, would be voting, and he would need 4 out of the 5 votes in order for it to pass.

APPEAL 2020-11

Motion by Mr. McCrodden, seconded by Mr. Hasman, that the Board of Zoning Appeals recommend to City Council approval for (1) a variance from Section 1181.11(b), 15 ft. maximum building height to allow 17.2 ft. height, and (2) a variance from Section 1151.25(d)(2)(B) and 1151.25(d)(3)(B), from the maximum 592 sq. ft. to allow 1512 sq. ft. for the construction of a pool house/pavilion located at 7345 Crosswinds Lane, PP# 603-16-016.

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

MOTION CARRIED

APPEAL 2020-12

Motion by Mr. Hasman, seconded by Ms. Roberts, that the Board of Zoning Appeals recommend to City Council approval for a variance from Section 1151.24 from the minimum required 80 ft. rear yard setback to allow 67 ft. for the construction of a deck located at 8697 Hollis Court, PP# 601-37-029.

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

MOTION CARRIED

APPEAL 2020-13

Motion by Ms. Roberts, seconded by Mr. McCrodden, 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 2224 sq. ft. and (2) a variance from Section 1181.11(b) maximum height 15 ft. to allow 19.5 ft. and (3) a variance from Section 1151.26(1) to allow the construction of a detached garage in the side yard instead of the required rear yard located at 9447 Riverview Road, PP# 606-03-001.

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

MOTION CARRIED

APPEAL 2020-14

Motion by Mr. Hasman, seconded by Mr. McCrodden, that the Board of Zoning Appeals recommend to City Council approval for a variance from Section 1151.24 from the minimum required 60 ft. rear yard setback to allow 35 ft. for the construction of a deck on a non-conforming lot located at 9441 Knights Way, PP# 603-13-015.

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

MOTION CARRIED

Before the vote, he asked the appellant if he would like to proceed with the vote or table until next month. Mr. Geis wanted to move forward.

APPEAL 2020-15

Motion by Ms. Roberts, seconded by Mayor Hruby, 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) a variance from Section 1185.03(a) fences not allowed in the front yard, to allow a driveway gate to be installed in the front yard, and (3) a variance from Section 1119.09(d) not to install the required public sidewalks until such time that the City deems appropriate for a new single family dwelling located at 7777 Parkview Drive, PP# 605-01-027.

ROLL CALL: Ayes: Hruby, Roberts, Caruso, Hasman
Nays: McCrodden
Abstain: Rose

MOTION CARRIED

APPEAL 2020-16 -TABLED

Motion by Mr. McCrodden, seconded by Mr. Caruso, that the Board of Zoning Appeals table the approval for a variance from Section 1151.23 from the maximum 70 ft. front yard setback to allow 120 to 125 ft. for a single family dwelling located at 5559 Woodmill Circle, PP# 601-26-055.

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

REPORT OF COUNCILMEMBER CARUSO

No Report.

REPORT OF MAYOR HRUBY

The Mayor welcomed everyone back and hoped everyone was staying safe and healthy.

Motion by Ms. Roberts, seconded by Mr. Caruso to close the Regular Meeting at 9:12 p.m.

MOTION CARRIED

THE BRECKSVILLE BOARD OF ZONING APPEALS

DENNIS ROSE, CHAIRMAN

ROBERT HASMAN, VICE CHAIRMAN

DARYL KINGSTON, SECRETARY

Public Hearing and Regular Meeting recorded by Gina Zdanowicz