

Minutes of a Meeting of  
BOARD OF ZONING APPEALS  
Held February 20, 2014

Members Present: Burke, Norton, Taylor, Tyo

Absent: Dostal, Bruno, Campbell

Also Present: Robert Lyons, SAFEbuilt

Audience: Pete Ward, Jeremy Tinney, Tom Carey, Martin Reuben, Mark Reinhold

Chairman Norton called the meeting to order at 7:30 p.m.

A copy of City of Bay Village Codified Ordinance 1127.01 was posted and Mr. Norton advised that the code states that the Board shall consist of seven electors of the City not holding other municipal office or appointment. If all members are not present at a meeting, the applicant may request a delay so that all members may be present. An applicant may delay a decision up to two times.

**Motion** by Taylor, second by Burke, to approve the minutes of the meeting held February 20, 2014 as prepared and distributed. **Motion passed 4-0.**

**Joy Bredenbeck**  
**30201 Ashton Lane**

**C.O. 1359.01 (a) 4' Side yard variance**  
**for air-conditioner**

Stack Heating and Cooling installed the unit in the same place it had been for the past thirty years. The unit comes with a sound blanket and is much quieter than the unit that was replaced. Mr. Norton stated that the air conditioner is screened in the front of the installation, but he recommended screening along the side as well.

**Motion** by Burke, second by Tyo, that the property at 30201 Ashton Lane be granted a 4-foot variance from the side yard setback requirements of Codified Ordinance Section 1359.01 (a) for the installation of an air-conditioning unit in the same place where the existing unit had been, provided that further year-around screening be added so that the unit cannot be seen from the street or the next door neighbor.

**Roll Call Vote: Yeas – Burke, Norton, Taylor, Tyo**  
**Nays – None**

**Motion passed 4-0.**

**Megan Dortenzo**

**C.O. 1350.03 12 ft. by 12 ft shed**

**31011 Lake Road**

**construction**

**Mr. Norton** noted that the application is to replace a 12 ft. by 12 ft. shed with a 10 ft. by 16 ft. storage shed. The shed does have a small cupola, but the shed itself is not higher than 12 feet in height.

**Motion** by Burke, second by Tyo, that the property at 31011 Lake Road be granted a variance from the requirements of Ordinance No. 1350.03 for construction of a shed, the shed to have the dimensions of 10 ft. by 16 ft., and the shed to be placed on the property as per the drawings submitted for the location and be of the type and style as shown in the application to the Board of Zoning Appeals.

**Roll Call Vote: Yeas – Burke, Norton, Taylor, Tyo**  
**Nays – None**

**Motion passed 4-0.**

**Peter Ward**  
**31115 Nantucket Row**

**C.O. 1155.03 Variance for side yard  
set back of 9 ½ ft. to enlarge garage  
in width to allow more than one car  
in garage.**

Mr. Taylor asked if there have been any comments received from the neighbors. There have been no comments received from neighbors. Mr. Norton stated that the lot is odd-shaped in that it is truncated, getting narrow as it goes back along the side of the street in which it is located. It is also noted that the neighboring house on the side of the Wards' garage is set back quite a bit from the property line.

Mr. Burke asked how many feet the addition is going to be in width. Mr. Ward stated that it will be 4 feet wide. The existing 17-ft. garage will become a 21-ft. garage.

Mr. Taylor noted that it is critical that the 11 feet in distance along the side be maintained for the purpose of enabling a vehicle to get in the back yard if necessary. The remaining distance after the addition between the Ward property line and the neighbor's property line would be 11 feet.

Mr. Burke asked if there were drawings available of the proposed garage construction. The representative of Mr. Ward who was present at the meeting does not have drawings but displayed photographs of what it looks like today, and where the addition will be constructed. He stated that this project is the first step in a remodeling project to enlarge the second floor. He has done sketches showing the addition going all the way to the garage line, or going to the new line. The

roof ridge will probably come back as a zoning-compliant addition up. The drawings that have been preferred by the homeowners are to keep the home as a Cape and change the pitch from an 8' to a 12' and add dormers, keeping it in character with the neighborhood. All plans that the owners tend to like have living space over the garage.

Mr. Tyo asked if there is a room behind the existing garage. He was informed that there is a room behind the existing garage. The addition will be to the full depth of the existing garage.

Mr. Burke asked if the Board approves a variance for the enlargement of the garage, will the living space above the garage be included? Mr. Norton responded that as long as the living space meets all codes, a variance will not be required for that living space. Mr. Lyons added that a sideyard variance granted would not include restrictions on a second floor. The concern now is a sideyard variance.

Mr. Burke clarified with Mr. Lyons that even though the Wards are asking for a 9 ½ feet variance they are only constructing a 4 ft. addition and the total amount of the variance covers the existing sideyard setback and the new addition.

Mr. Taylor noted the importance of planning ahead if the Wards are anticipating a second floor remodeling project.

**Motion** by Burke, second by Taylor, that the property at 31115 Nantucket Row be granted a side yard setback variance of 9 ½ feet to the requirements of Codified Ordinance 1155.03 for the widening of the existing structure by 4 ft.

**Roll Call Vote: Yeas – Burke, Norton, Taylor, Tyo**  
**Nays – None**

**Motion passed 4-0. )**

**Bridget O'Donnell**  
**23724 Cliff Drive**

**Proposed Resolution to Driveway Dispute**  
**(Note- Variance Denied Dec. 5, 2013)**

Mr. Norton stated that this item is removed from this evening's agenda because an application to the Board of Zoning Appeals has not been received.

There being no further business to come before the Board, the meeting adjourned at 7:52 p.m.

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Jack Norton, Chairman

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Joan T. Kemper, Secretary