

Minutes of a Meeting of  
BOARD OF ZONING APPEALS  
Held March 6, 2014

Members Present: Bruno, Burke, Campbell, Norton, Taylor, Tyo

Absent: Dostal

Also Present: Mr. Bob Lyons, SAFEbuilt, Inc.

Audience: Stella Parkins and her contractor.

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 Burke, second by Bruno, to approve the minutes of the meeting held February 20, 2014 as prepared and distributed. **Motion passed 6-0.**

**Stella Parkins  
350 Kenilworth**

**C.O. 1359 Placement of Air Conditioning  
on side yard of new addition**

Mr. Norton noted that the Board has had an opportunity to visit the site and review the application. He commented that it appears that the property has been grandfathered in as far as the requirements for the rear yard setback.

Mr. Burke stated that there is a unit in the back of the home, which is the unit for the back part of the dwelling. Mr. Burke asked if there is some reason the contractor did not seek to locate the new air conditioner next to the old one in the back when he built the new addition.

The contractor spoke and stated that the reason is that the home is farther away. He noted that there is large bamboo plants there shielding it from the neighbors. The home is set back farther than any of the other homes on the street.

Mr. Campbell asked if there is a way to get to the back yard. The contractor stated that in order to get through the basement you would have to go through the crawl space and it is so small it is impossible to get through. The new addition is on a slab.

Mr. Taylor asked if the home is required to have a garage. He was under the impression that when a building modification is done to the home it has to be brought up to current code. Mr.

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Norton stated that because of the lot and the house placement on the lot it must be grandfathered in. There is no space behind the house. Mr. Lyons stated that they do not have to bring anything up to code in the old area of the home.

**Motion** by Burke, second by Campbell, that the property at 350 Kenilworth be permitted a 5' variance to the Codified Ordinance Section 1359 to install an air conditioner at the location shown on the application with a sound blanket and adequate year-around screening so that it cannot be seen from the street or the neighbor.

**Roll Call Vote: Yeas – Bruno, Burke, Campbell, Norton, Taylor, Tyo**

**Nays – None**

**Motion passed 6-0.**

There being no further business to come before the Board, the meeting adjourned at 7:40 p.m.

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Jack Norton, Chairman

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Joan T. Kemper, Secretary