Minutes of a Meeting of
Board of Zoning Appeals
Held July 19, 2018

Members Present: Burke, Miller, Norton, Tyo, and Young (arrived 7:43)

Excused: Bruno, Gess

Also Present: Jeff Fillar, Building Official SafeBuilt Inc.

Audience: Matt & Megan Moran, Brad Hausler

*Full recording of the meeting is permanently available on the City of Bay Village website under City Government /Board of Zoning Appeals.

Chairman Norton called the meeting to order at 7:41 p.m.

Motion by Tyo, second by Burke, to approve the minutes of the meeting held July 5, 2018, as prepared and distributed. Motion passed 4-0.

Mr. Norton advised that the code states that the Board consists 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.

Daniel French
328 Florence Street
(Tabled from June 21, 2018)

C.O. 1163.05 (c)(4), 1163.05(f), 1153.03(4)
Applicant is requesting a 6 foot high privacy fence on the side yard due to the house being on a corner lot.

Mr. Norton advised that the tabled item for Daniel French will not be heard this evening since no one is present and it will remain tabled.

Matthew & Megan Moran
29100 Foote Rd.
(Tabled from June 21, 2018)

C.O. 1153.03 Applicant is requesting a side yard setback variance for an addition.

Mr. Norton stated that this is a tabled request from the Board of Zoning Appeals meeting of June 21, 2018, and the Board has had an opportunity to visit the site and review the application.

By the recommendation of the Board of Zoning members from the June 21, 2018, the Morans provide additional documentation and drawings that illustrate the proposed adjustments to the west structure on their property.
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Mr. Miller stated that the submitted plans appears to answer a lot of the discussion that was held at the June 21, 2018, meeting.

Mr. Norton stated that the Morans need an eight foot variance to the 30% rule. A discussion was held regarding the measurements. It was determined that the Morans need a seven foot nine inch variance to the 30% rule.

Mr. Norton noted the 10 foot rule and said that on the east side of the house 7 foot 6 inches is grandfathered in. Mr. Burke referenced the west side of the property drawing and explained that from the southwest corner of the structure to the property line is 7 foot 9 inches and from northwest corner of the structure to the property line is 5 foot 9 inches. Therefore, a variance of 4 feet 3 inches and 2 feet 3 inches is needed. Mr. Norton advised that they do not need a variance for each corner and they can include anything less than 4 foot 3 inches in that variance. Also, that the drawing submitted by M&M design dated June 30, 2018 be part of the record.

Mr. Miller added that at the last meeting the old drawings showed 7 posts that were 20 inches tall and asked how many posts they are now proposing. It was answered that there will be 4 posts. Mr. Burke suggested that the height of the posts be reduced to the height that is permitted by code. Mr. Moran noted that the posts will be independent from the fence.

**Motion** by Burke, **second** by Young, that the property located at 29100 Foote Road be granted two variances. The first is a variance not to exceed 4 feet 3 inches relating to the side yard setback of the west side of the house. Second a variance of 7 feet 9 inches from the 30% total side yard ordinance, all of this for the construction of an attached pergola as per the drawing submitted and dated June 30, 2018 from M&M Design Company and provided that the fence posts that are currently on the west side of the property that exceed the fence code be reduced in height to the height allowed by code.

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

**Motion Carried 5-0**

Edward Pavicic  
550 Red Oak Lane  
(Tabled: Reconsideration for Variance)

C.O. 1306.04(d)(4) Applicant is requesting a variance to construct a basement within the 100 year flood plain.

Mr. Norton advised that the board has not heard from Edward Pavicic and the item will remain tabled.

**There being no further business to discuss the meeting adjourned at 7:57 p.m.**

[Signatures]

Jack Norton, Chairman

Kristine Jones, Secretary

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MATERIAL SPECS
1. All Hardware Fasteners use #A unless noted otherwise
2. All Vertical Posts are 6x6 Pressure Treated Lumber
3. All Horizontal/Overhead Beams are 2x8 Pressure Treated Lumber unless noted otherwise.