

Minutes of a Meeting of
BOARD OF ZONING APPEALS
Held March 7, 2013

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

Absent: Burke, Dostal

Also Present: Bob Lyons, Building Department, Gayle Fisher, Russell Thompson, Terry Bennett, Paul and Sharie Jasin

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

Motion by Taylor, second by Campbell, to approve the minutes of the meeting held February 21, 2013 as prepared and distributed. **Motion passed 5-0.**

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.

Daniel J. and Mary T. Barringer
24433 E. Oakland Rd.

C.O. 1163.05 (H) (2) Installation of
8 feet high fence for 27 feet along
east side of driveway

At the request of Daniel and Mary Barringer, the matter is referred to the meeting of the Board of Zoning Appeals to be held on March 21, 2013.

Mark Jeffers
26960 Lake Road

C.O. 1145.02 (C) Special Permit
Generator (side yard placement)

Mr. Norton advised that the Board has had an opportunity to visit the site and review the application.

Mr. Norton stated that while he can understand why the Jeffers would like the generator on the side of the home, he is concerned that there will be an echo-chamber effect created between the two homes. The houses are relatively close together, and when the decibel ratings of these units are measured, the standard is to measure 23 feet away. Because the houses are perfectly aligned next to each other, the noise will reverberate between the houses. The generator could be placed in the back yard, on the northeast side where the house jogs in some, and landscaped around. Putting it behind the patio or deck area would not be the most aesthetic place to put the generator. It would still have to be surrounded by some type of screening. The home is set way

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back from the street. Mr. Norton stated that he would rather see the generator in the front of the home, concealed by screening. However, it is unknown if the Board would consider that as a possible option.

Mr. Bruno noted that exceptions have been made in the past. In the recent past, a special permit was granted to place the generator in the front of a home on Lake Road.

Mr. Taylor stated that there is too much equipment on the side of the home now. It will be absolutely necessary to install the generator behind the home.

Further discussion and review of plans followed.

After considering several alternatives for placement of the generator, Mr. Jeffers decided to postpone the hearing for his special permit to the March 21, 2013 meeting of the Board of Zoning Appeals. This will give him time to reconsider placement of the equipment. Mr. Jeffers was reminded that the rule of the ordinance regulating generator placement is for the installation to be behind the home and 10 feet from the sideyard. Any placement other than that would have to be presented to the Board of Zoning Appeals. The unit must be fully screened with year-around vegetation or decorative screening.

Mr. Campbell noted that from the neighbor's point of view, installation in the back yard would be the easiest if it can be made to fit.

Mr. Bob Lyons of the Building Department stated that a question was brought up on the height of the fence of the neighbors of the Barringers at the February 21, 2013 meeting of the Board of Zoning Appeals. Mr. Lyons measured the fence and found it to be 6 feet, 4 inches high. Plastic planter boxes had been placed on top of the fence, which made the fence higher. The property owner was notified and the planter boxes have been removed.

The Board members expressed their concern regarding a proposal to have the Building Department administered by a private firm, since it is a function of the city and has been administered by employees of the city.

There being no further business to come before the Board, the meeting adjourned at 8:00 p.m.

Jack Norton, Chairman

Joan Kemper, Secretary