

Minutes of a Meeting of
BOARD OF ZONING APPEALS
Held June 4, 2015

Members Present: Burke, Dostal, Norton, Taylor, Tyo

Not Present: Mr. Bruno, Mr. Campbell

Also Present: John Cheatham, Chief Building Official, SAFEbuilt, Inc.

Audience: Roger Jones, Morgan Charles

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 Dostal to approve the minutes of the meeting held May 21, 2015, as prepared and distributed. **Motion passed 5-0.**

Mark Boland
28030 Oakland

**C.O. 1163.05 (e) Variance to construct
5 ft. fence in rear yard – continued from
May 7, 2015**

There has been no word received from Mr. Boland. The application of Mark Boland will remain tabled until further word is heard from the applicant.

Brenda O'Reilly
30016 Ednil Drive

**C.O. 1359.01 (a) placement of air
conditioning unit 5 feet from property line**

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

Mr. Taylor noted that the placement of the air conditioning unit to the same place the unit was previously is a tight fit. The dimensions of the new unit may even be smaller than the older unit. A sound blanket will be required due to the proximity to the neighboring home, even though newer units are usually quieter. The home is built on a slab with the air handler in the attic and radiant heat throughout the home.

Motion by **Tyo**, second by Burke, to grant a variance to the property at 30016 Ednil Drive to the requirements of Codified Ordinance 1359.01 (a) for the placement of an air conditioning unit 5 feet from the property line with the understanding that there will be a sound blanket as part of the installation and that the unit cannot be seen from the street.

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

Motion carried 5-0.

Morgan Charles
467 Cahoon Road

C.O. 1163- Variance for 65 ft. privacy fence

Mr. Norton advised that the Board has had an opportunity to review the application and visit the site. Two variances will be required: the first variance is in the amount of 33 feet to the code requirement of 32 feet for a 6' high fence; the second variance would be a 25 ft., 2 inch change in the total 10% perimeter rule.

The property owner would like the fence to be in line with the existing bushes. The fence would be slightly more than 3 feet above the adjoining sidewalk and street. Mr. Norton stated that the appearance would be of a 9 ft. high fence. He suggested that 32 feet of fencing from the end of the house to the garage would provide the privacy requested for a potential backyard patio. An allowed 4 ft. high fence, when considering the slope on which it is to be installed, should give the level of privacy sought by the homeowner. Mr. Taylor expressed the possibility of not being able to see pedestrian traffic when pulling out of the driveway with a fence that high. Mr. Burke expressed concern about fence installation at that corner, to the height requested affecting the character of the neighborhood, since there is no fencing on the four corners of the intersection.

Further discussion followed.

Motion by **Burke**, second by Dostal, to table the request of Morgan Charles, 467 Cahoon Road for a variance to Codified Ordinance 1163 for the construction of a 65 ft. privacy fence, pending further consideration by the applicant.

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

Motion carried 5-0.

There being no further items to review, the meeting adjourned at 7:56 p.m.

Jack Norton, Chairman

Joan Kemper, Secretary