

Minutes of a Meeting of
BOARD OF ZONING APPEALS
Held May 19, 2016

Members Present: Bruno, Burke, Dostal, Miller, Taylor, Tyo

Excused: Mr. Norton

Also Present: Jeff Fillar, SAFEbuilt, Inc.

Audience: Michelle Pietron, Ross Dexler, Gene Barry, Joan Knurek, Gary and Connie Clifford, Mr. and Mrs. Daniel Meehan.

Chairman pro tem Tyo 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. Tyo 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 Dostal, second by Bruno, to approve the minutes of the meeting held May 5, 2016 as prepared and distributed. **Motion passed 6-0.**

**Daniel Meehan
31308 Lake Road**

**C.O. 1153.03 Sideyard Setback of
1 foot on east side and 2.5 feet on
west side of property**

Mr. Tyo advised that the Board of Zoning Appeals has had an opportunity to visit the site and review the application.

Mr. Tyo explained that the Codified Ordinances of the City of Bay Village require that the sum of both side yards shall be not less than 30% of the total width of the lot, in this case 13.5 feet. The smallest is 6 feet and the other is 7.5 feet.

Mr. and Mrs. Meehan were present and Mr. Meehan explained that their intention is to demolish the existing home on the lot and build their own retirement home. Mr. Meehan is an architect and has designed the home being very careful to work with the property, being sensitive to the neighbors, and to the park. The difficulty is that it is a very narrow lot and once they take out the sideyard setbacks there is not a great deal to work with. They are trying to put a small house on a small lot. The footprint is in character with small homes in Bay Village. The setbacks that they are asking for this evening are greater than the existing setbacks. The existing house is 4.8' on one side and 3.1' on the other side. They feel that the newly designed home is in character with the architecture of Bay Village. Mr. Meehan has met with the neighbors on both sides of the property to make sure there were no concerns.

Comments from neighbors were heard as follows:

Connie Clifford, 31329 Lake Road, stated that they are totally in favor of the home because it will actually be farther in than the garage is now, and much more attractive. All the neighbors are very supportive.

Joan Knurek, 70 Eagle Cliff Drive, asked if the 1925 home existing on the property will be demolished. Mrs. Knurek was informed that it will be demolished. Mrs. Knurek noted that it is nice to hear that a smaller home will replace the existing home.

Mr. Taylor asked about the level of the garage floor. Mr. Meehan stated that the garage floor will be two inches above the grade.

Mrs. Knurek asked if any of the boundary lines are on the old railroad access line. Mr. Meehan stated that he had a survey done of the property and nothing in the survey indicates any former railroad access line.

Mrs. Knurek asked if any of the boundary lines of the Meehan property will interfere with access to the vacant land that is owned by the Eagle Cliff Park Association.

Mrs. Clifford brought a map of the area and stated that there is no effect to the access of the park. Access is to the south of the property.

Mrs. Knurek stated that there are residents on Eagle Cliff that belong to the Eagle Cliff Park Association and like to go back to the property to look at the lake. Many of the residents that live on Lake Road are hostile to those residents.

Mr. Bruno noted that the Law Department has had difficulty determining present ownership of the Eagle Cliff Park property.

Mr. Miller asked Mr. Meehan about the number of risers on the new building. Mr. Meehan stated that it will be two, maybe three risers. It will be no more than 2 feet out of the ground. The existing house is 3 feet out of the ground.

Mr., Gene Barry, 31418 Lake Road, further discussed the difficulty for members of the Eagle Cliff Park Association, and asked if there is any further clarification for visitors to the lake front property from Eagle Cliff Drive. Mr. Tyo reiterated Mr. Bruno's comments about the research being done by the Law Director in regard to this property. Mr. Barry noted that many of the Lake Road property owners are under the impression that Eagle Cliff Drive residents should not be visiting the lake front property. Mr. Tyo stated that there are along the lake small parks that are owned by groups of people. They very often post a "Private Property" notice. Mr. Burke noted that this Eagle Cliff Park Association dilemma will not become resolved until title action is filed by all of the property owners.

Mrs. Clifford stated that the situation has become more perplexed due to the fact that many people are taking their pets back to the property and not cleaning up after them.

Mr. Tyo asked who cuts the grass on the property. Mr. Barry explained that each person who owns the front of the property takes care of the property to the entire depth of the property behind them.

Motion by Bruno, second by Taylor, that a variance of 1 foot on the east side of the property, and 2.5 feet on the west side of the property at 31308 Lake Road be granted pursuant to Codified Ordinance 1153.03 for the construction of a home by Daniel Meehan, per the plans and drawings submitted by Mr. Meehan.

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

Motion carried 6-0.

The meeting adjourned at 8:15 p.m.

Barry Tyo, Chairman pro tem

Joan Kemper, Secretary