

Minutes of a Meeting of
BOARD OF ZONING APPEALS
Held May 5, 2016

Members Present: Dostal, Miller, Norton, Taylor

Excused: Mr. Bruno, (ill), Mr. Tyo, Mr. Burke

Also Present: Jeff Fillar, SAFEbuilt, Inc.

Audience: Ron Kaye, Tiffan Clark

Mr. Norton called the meeting to order at 7:35 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 Taylor, second by Dostal, to approve the minutes of the meeting held April 21.2016 as prepared and distributed. **Motion passed 4-0.**

Tiffan Clark
441 Bradley Road

C.O. 1359 – Air Conditioner Location
Less than 10 feet from property line
Replace in existing location

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

Motion by Dostal, second by Taylor, that a variance of 4 feet be granted to the property at 441 Bradley Road, pertaining to Codified Ordinance 1359 for the replacement of an air conditioning unit at the existing location, per the plans submitted.

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

Motion carried 4-0.

Katie and George Ebenger
28534 Osborn Road

C.O. 1149 Sideyard Variance
to construct a two-car garage

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

A letter from John R. Cheatham, Chief Building Official, SAFEbuilt, Inc., dated April 28, 2016, accompanied the application stating that the applicant desires and requests a variance from the minimum required sideyard setback of 12.5 feet to a proposed setback of 3 feet. The applicant has a one-car garage and wishes to construct an addition which would enlarge it to a two-car garage. The lot is 75 feet in width which requires a sideyard setback of 22.5 feet (30% of width) with a smallest sideyard of 10 feet. The west side is currently at 10 feet. The east side, where the addition is proposed is currently 15 feet. The addition would encroach into this 15 feet for a distance of 12 feet, thus leaving a setback of 3 feet.

Mr. Ron Kaye appeared before the Board, representing Mr. and Mrs. Ebenger. Mr. Norton stated that two variances will be required for this construction. One variance will be for the total side yard, and the other variance will be for the east side yard.

Mr. Taylor asked the distance between the east wall of the new garage to the home, if the variance were to be granted. Mr. Kaye stated that the distance would be 12 feet. Mr. Taylor stated that he would like to see at least a 10 foot clearance.

Mr. Norton stated that the east side of the garage is wider than the west side, from the door over. There is a 2 ½ ft. return on the west side, and substantially more than that on the east side. Mr. Norton stated he is assuming that in addition to having two cars, they are adding storage space. Mr. Kaye stated that they are also trying to save the cost of doing as little as they possibly have to structurally to the existing side of the garage.

Mr. Norton suggested extending the rear of garage for the needed storage space. Additional review of the plans and discussion followed.

Mr. Miller asked if the distance from the overhead door on the east side to the east wall is approximately five feet. Mr. Kaye stated that those calculations are correct. Mr. Miller stated that if the width was reduced from 23' 10" to 21' 10" that would result in a five foot sideyard.

Mr. Jeff Fillar of SAFEbuilt, Inc. commented that the Board of Zoning Appeals recently approved a sideyard variance on Lincolnshire Road that resulted in a 4-foot sideyard. After considerable discussion by the Board, the variance on Lincolnshire Road was thought to provide a reasonable area to get around the building. This request before the Board this evening is consistent with what has been approved in the past. With a 4-foot sideyard, a ladder can be used to reach a 15 foot peak without having to put the ladder in the neighbor's yard.

After further discussion, it was **MOVED** by Dostal, second by Taylor, that two variances to Codified Ordinance 1153.03 be granted to the property at 28534 Osborn Road for a total sideyard variance of 8 feet, 6 inches. The second variance will be a variance of 6 feet to the east sideyard setback, resulting in a 4 foot sideyard instead of the 3 foot sideyard requested, allowing for the 18 foot garage door and reducing a small amount of interior storage.

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

Board of Zoning Appeals
May 5, 2016

Motion passed 4-0.

The meeting adjourned at 8:12 p.m.

Jack Norton, Chairman

Joan Kemper, Secretary