

Minutes of a Meeting of
BOARD OF ZONING APPEALS
Held June 16, 2016

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

Excused: Mr. Miller

Also Present: Jeff Fillar, SAFEbuilt, Inc.

Audience: Dave Pusti, Mary Ann Frank, Ward 1 Councilman Tadych,
Mark Reinhold, Rob Dabrowski

Chairman Norton 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. 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 Dostal, second by Bruno, to approve the minutes of the meeting held June 16, 2016 as prepared and distributed. **Motion passed 6-0.**

**Richard and Mary-Alice Frank
25145 Wolf Road**

**C.O. 1153.03 Sideyard setback
to construct 3-car garage**

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

Mr. Tyo stated that the property is on Wolf Road where there is no street parking. He noted that the request, if granted, will increase the value of the property. Mr. Norton added that the house to the east is set substantially back, which is an unusual situation.

Motion by Dostal, second by Burke, to grant a variance of 7 ft., 2 inches to the property located at 25145 Wolf Road on the east side of the property, to construct a 3-car garage, per the plans submitted.

Motion carried 5-1. (Nay – Mr. Taylor)

**Robert Dabrowski
23313 Lincolnshire Dr.**

**C.O. 1149 Request to construct
a pole barn/detached garage
(26'W x 40'L)
in their back yard.**

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

Mr. Norton stated that the correct code is C.O. 1149.06 pertaining to this request, a correction to the notification by John Cheatham of SAFEbuilt, Inc. who had stated that the code reference was C.O. 1149.05.

Mr. Dabrowski stated that he is requesting an increase in square footage from 700 square feet to 1040 square feet. This essentially will be a two-car garage with a metal roof similar to the color of the house roof. A driveway will be constructed to the building. Mr. Norton stated that this is a corner lot. The back of the lot borders the railroad tracks, and the west side of the lot borders a ravine. Mr. Fillar of SAFEbuilt, Inc., stated that this is an accessory structure and it is only required to be two feet from the property line.

The square footage of the existing house is 1650 feet. With a 2000 square foot house, you are allowed to have a 1000 square foot detached garage. This request is for a 1040 square foot building. This home is 350 square feet from the next 2000 square foot house requirement for this size detached garage. Mr. Tyo noted that the lot is in a heavily wooded area, and the lots are not perpendicular to each other.

Mr. Norton noted that as part of the Building Department process, a more detailed plot plan will be filed which will provide the information requested by Mr. Taylor of the property line setback.

Mr. Fillar asked that the record note that the building requested is to be for incidental storage only and will not be used for the conducting of a business in a residential district.

Motion by Burke, second by Tyo, that the property at 23313 Lincolnshire Drive, be granted a variance to the provisions of C.O. 1149.06 for the construction of a pole barn and detached garage of 1040 square feet in the rear yard of the property, and the building is to be used for storage only and not for business purposes in this residential district, and upon submission of the plans it meet all requirements of the code including property line setback.

Motion carried 5-1. (Nay – Mr. Taylor)

**Kim Rion
29612 Lake Road**

**C.O. 1153.03 Sideyard setback of 2'3/4"
for 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.

Mr. Norton noted that the amount of the variance diminishes very quickly because of the very severe angle it is located to the property line. They are not being overly aggressive on the size of the garage requested.

Motion by Burke, second by Dostal, that the property located at 29612 Lake Road be granted a variance of two feet, three-quarter inches from the side setback requirements of Codified Ordinance 1153.03 for the construction of a two-car garage, provided that the construction shall be limited to the triangular section shown on the drawings as the northeast corner of the proposed garage.

Motion carried 6-0.

Mr. Tadych asked if the detached garage/pole barn at 23313 Lincolnshire will have a separate driveway. Mr. Burke stated that it does have a driveway that is not paved but it goes along the west side of the house between the house and the ravine. Mr. Tadych asked if the driveway will be paved. Mr. Norton stated that it must have access to the garage, so you cannot drive over the grass; the driveway will be either concrete or gravel, which is permitted. Mr. Norton knows that gravel is favorable as it absorbs water diminishing the amount of water carried to the storm sewers.

The meeting adjourned at 8:20 p.m.

Jack Norton, Chairman

Joan Kemper, Secretary