



CITY OF BROADVIEW HEIGHTS BOARD OF ZONING APPEALS AGENDA

July 28, 2023

Meeting on Wednesday, August 2, 2023 at 6:30 p.m.

CALL TO ORDER: _____

ROLL CALL

BZA MEMBERS

- | | |
|--|---|
| <input type="checkbox"/> Debbie Boop, Chairman | <input type="checkbox"/> VACANT |
| <input type="checkbox"/> VACANT, Vice Chairman | <input type="checkbox"/> Iain Crouch (alternate) |
| <input type="checkbox"/> Scott Maitland | <input type="checkbox"/> Margaret Harshbarger (alternate) |
| <input type="checkbox"/> Rob Routson | |

COUNCIL & CITY OFFICIAL MEMBERS present

- | | |
|--|---|
| <input type="checkbox"/> Joe Mandato (Building Official) | <input type="checkbox"/> Jeff Hajek (Fire Chief) |
| <input type="checkbox"/> Gina Zdanowicz (BZA/PC/Building Dept. Admin. Assist.) | <input type="checkbox"/> Joe Fleming (Assistant Fire Chief) |
| <input type="checkbox"/> Gary Yelenosky, PE (City Engineer) | <input type="checkbox"/> Joe Price (Council Rep.) |
| <input type="checkbox"/> Richard Pignatiello (Assistant Law Director) | <input type="checkbox"/> Glenn Goodwin (Council Rep. Alternate) |

Additional CITY OFFICIALS present

- | | |
|---|--|
| <input type="checkbox"/> Sam Alai (Mayor) | <input type="checkbox"/> Robert Boldt (City Council) |
| <input type="checkbox"/> David Schroedel (Service Director) | <input type="checkbox"/> George Stelmaschuk (City Council) |
| <input type="checkbox"/> Vince Ruffa (Law Director) | <input type="checkbox"/> Tom Pavlica (City Council) |
| <input type="checkbox"/> Joe Grandinetti (Assistant Law Director) | <input type="checkbox"/> Brian Wolf (City Council) |
| <input type="checkbox"/> Dean DePiero (Assistant Law Director) | <input type="checkbox"/> Jennifer Mahnic (City Council) |

BZA APPEAL #2023-07

Site Address: 7985 W. Ridge Drive
 PPN: 581-01-071
 Applicant: Hans Harasimchuk
 Owner(s): Hans Harasimchuk

The matter under discussion is at the request of Hans Harasimchuk, for a variance to build a garage into the allowed front setback. Front setback is 50 feet, so a variance of 15 feet is required. Codified 1268.03(A) states single-family or two-family dwelling, each lot shall have a front yard not less in depth than 50 feet, measured at right angles from the street (property) lot line to the nearest foundation wall. Ordinance 1240.04 definitions states “street, included is the land between the street right of way lines, whether improved or unimproved, which may comprise the pavement, shoulders, gutter, sidewalks, division strips or other areas within the street lines.

Report by the Chief Building Official: I am in favor of this variance being granted. Jenn and Hans Harasimchuk were issued a permit in error. The permit was rescinded after review of the front setback ordinance causing the project to need this variance. The Harasimchuks ordered materials for this project once the permit was issued causing them a monetary hardship as well. Furthermore, it has been brought to my attention that a half of dozen or more homes on the street and in the development do encroach into the front setback (examples: 8245- 15', 7985 Twin Oaks 15', 8055- 10', 8065- 8', 8025-5', 7995- 5' approx. verified on GIS).

Report by the City Engineer: The existing parcel is within an A-1 Zoned District. The required set-back is 50'. The existing set-back is 50'-11 9/16". The requested set-back is 35'-3 17/32" which requires a variance of 15' +-. In the review of the set-backs of houses along the street they vary from 40'-50', with some corner lots down to 30'. Engineering has no objection to this reduced set-back.

PRESENTATION BY OWNER/APPLICANT
PUBLIC COMMENTS
COMMENTS BY CITY OFFICIALS
QUESTIONS BY BZA MEMBERS

MOTION BY: _____ **SECOND BY:** _____

VOTING:

	<u>YES</u>	<u>NO</u>	<u>RECUSE</u>		<u>YES</u>	<u>NO</u>	<u>RECUSE</u>
Debbie Boop	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	VACANT	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
VACANT	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Iain Crouch	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Maitland	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Margaret Harshbarger	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rob Routson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				

APPROVED DENIED POSTPONED TABLED

BZA APPEAL #2023-08

Site Address: 2256 West Royalton Road
 PPN: 584-06-018
 Applicant: Krystyna & Jozef Pietrzycki
 Owner(s): Krystyna Pietrzycki

The matter under discussion is at the request of Kystyna and Andy Pietrzycki of 2256 W Royalton Rd. for an area variance of 220 sq. ft., and variance for a second pole barn type garage with driveway. Ordinance 1268.02(B) (2) "only one garage is permitted per parcel". This will also require an area variance of 220 Sq. Ft. over the allowed 1700 sq. ft. maximum allowed per 1268.02(B(1) "not to exceed 1700 sq. ft. in area per parcel".

Report by the Chief Building Official: If variance is granted tonight, no work can commence until house drawings are submitted and fully approved. No accessory structures can be built without a main dwelling. All variances expire one year from approval date.

Report by the City Engineer: The proposed outbuilding exceeds the minimum square footage allowable for garages and outbuilding. No exception taken by Engineering on this request.

**PRESENTATION BY OWNER/APPLICANT
PUBLIC COMMENTS
COMMENTS BY CITY OFFICIALS
QUESTIONS BY BZA MEMBERS**

MOTION BY: _____ **SECOND BY:** _____

VOTING:

	<u>YES</u>	<u>NO</u>	<u>RECUSE</u>		<u>YES</u>	<u>NO</u>	<u>RECUSE</u>
Debbie Boop	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	VACANT	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
VACANT	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Iain Crouch	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Maitland	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Margaret Harshbarger	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rob Routson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				

APPROVED DENIED POSTPONED TABLED

CASE #2023-BZA #04: - Tabled from the May 3, 2023 Meeting

Site Address: 9083 AVERY RD.
PPN: 583-14-001
Applicant: TERRY SPETH
Owner(s): TERRY SPETH

The matter under discussion is at the request of Terry Speth of 8151 Overlook for variances to lot split 583-14-001 into three lots. Variance (1) needs a lot width variance of 63 feet (ord. 1268.06(D) - each lot must have a minimum width of 125 feet); all three lots need an additional Variance (2) for the dwelling not to front the dedicated street (ord. 1268.06(C) – each dwelling’s front elevation faces only the dedicated street).

Report by the Chief Building Official: No Comment

Report by the City Engineer:

Applicant is requesting a minor lot split into three parcels Parcel 1-A, 1B, and 1-C.
Parcel 1-A: Lot requires a variance of 63.12’ from the required 125’ (1268.06 (D). In addition the lot requires a variance from 1268.06 (C) which requires a house with a front facing elevation.
Parcel 1-B: Lot requires a variance of 125’ from the required 125’ (1268.06 (D). In addition the lot requires a variance from 1268.06 (C) which requires a house with a front facing elevation.
Parcel 1-C: Lot requires a variance of 125’ from the required 125’ (1268.06 (D). In addition the lot requires a variance from 1268.06 (C) which requires a house with a front facing elevation.
The lots will be accessed using a proposed ingress/egress easement which will be required to be a paved (asphalt/concrete) surface.
Lot utilities will be accessed from Avery Road via the easement. The applicant has provided a fire hydrant as requested by the Fire Department

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PUBLIC COMMENTS
COMMENTS BY CITY OFFICIALS
QUESTIONS BY BZA MEMBERS**

MOTION BY: _____ **SECOND BY:** _____

VOTING:

	<u>YES</u>	<u>NO</u>	<u>RECUSE</u>		<u>YES</u>	<u>NO</u>	<u>RECUSE</u>
Debbie Boop	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	VACANT	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
VACANT	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Iain Crouch	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Maitland	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Margaret Harshbarger	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rob Routson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				

APPROVED DENIED POSTPONED TABLED

NEW BUSINESS:

OLD BUSINESS:

APPROVAL OF MINUTES:

May 3, 2023 and June 7, 2023 Meeting Minutes

ADJOURNED AT: _____ **P.M.**