

The **Board of Zoning Appeals** of the City of North Royalton met on **February 28, 2011** to hold a Public Hearing in the Council Chambers at 13834 Ridge Road. The meeting was called to order by Chairman Neil Price at 7:30 p.m.

Present: Chairman Neil Price, John Ranucci, Diane Mastronicolas, Robert Jankovsky, Dan Kasaris, Prosecutor Donna Vozar, Secretary Lynn Brinkman.

Mr. Price: There is nothing new on the agenda tonight so we will skip the public hearing and go right into the open meeting.

### **Open Meeting**

The **Board of Zoning Appeals** of the City of North Royalton met on **February 28, 2011** to hold an Open Meeting in the Council Chambers at 13834 Ridge Road. The meeting was called to order by Chairman Neil Price at 7:31 p.m.

Present: Chairman Neil Price, John Ranucci, Diane Mastronicolas, Robert Jankovsky, Dan Kasaris, Prosecutor Donna Vozar, Secretary Lynn Brinkman.

Mr. Price: May I have a motion to approve the Minutes for January 24<sup>th</sup>.

Moved by Mr. Kasaris, seconded by Mr. Jankovsky to **approve the Minutes of January 24, 2011.**

Mr. Price: Call the roll.

Mr. Ranucci: Yes.

Ms. Mastronicolas: Yes.

Mr. Jankovsky: Yes.

Mr. Kasaris: Yes.

Mr. Price: Yes.

Ayes – all. Nays – none.

**Motion carried (5-0).**

**Minutes approved.**

### **Old Business:**

**(BZA11-01) Christopher E. Duke / Robert Taddie** request a variance to **Chapter 1284 “Signs”, Section 1284.05 “Design Standards”, paragraph (b)(6) and paragraph (c)**, for relief from the requirement which states that **the number of items of information displayed on a sign shall be limited to ten items** and relief from the requirement that states that **window signs shall have a clear background**, for this **window sign** they wish to install at this tenant space located on the property at **12999 Royalton Road, also known as PPN: 483-17-006.**

Mr. Price: This variance request had been tabled so I need a motion to remove this item from the table.

Moved by Mr. Kasaris, seconded by Mr. Ranucci to **remove (BZA11-01) from the table.**

Mr. Price: Call the roll.

Ms. Mastronicolas: Yes.

Mr. Jankovsky: Yes.

Mr. Kasaris: Yes.

Mr. Price: Yes.

Mr. Ranucci: Yes.

Ayes – all. Nays – none.

**Motion carried. Item removed from the table.**

Mr. Price: Donna, do you have any comments?

Ms. Vozar: Yes. The alleged tenant was here at the last meeting and had indicated that he was not the property owner. I did make an opinion at the Board of Zoning Appeals meeting at that time that the Board does not give advisory opinions and in fact, without the property owner being present and having not signed the application, and since the variance runs with the land, that the Board should use extreme caution before they granted a variance in a case where the property owner had not so requested such a variance. So based on that the matter was tabled to permit the individual who was requesting the variance (Mr. Duke) to go back and seek the approval of the property owner and to submit to the Board an indication that he had some property interest, if any, on the property. The applicant, not being here tonight and not having changed the application that had been submitted and not having shown that the property owner has any property interest, there was no evidence shown at that time or now to evidence that he has any property interest in the property. As such this Board would not grant a variance for a property without the property owner or someone with the property interest seeking it. Based on that, Mr. Chairman, I would respectfully request and suggest that the Board move forward and call the matter for a vote.

Mr. Price: Thank you. Any other comments? (No response.) Call the roll.

Mr. Jankovsky: We are voting on the variance, is that correct?

Mr. Price: Correct.

Mr. Jankovsky: No.

Mr. Kasaris: No.

Mr. Price: No.

Mr. Ranucci: No.

Ms. Mastronicolas: No.

Ayes – all. Nays – none.

**Variance denied (5-0).**

Mr. Price: Any miscellaneous? May I have a motion to adjourn.

Moved by Mr. Kasaris, seconded by Mr. Ranucci to **adjourn the B.Z.A. meeting of February 28, 2011.**

Ayes – all. Nays – none.

**Motion carried.**

The Board of Zoning Appeals Meeting adjourned at 7:35 p.m.

Approved: Neil E. Price  
Chairman

Date: Mar. 28, 2011

Attest: Lynn M. Brickman  
B.Z.A. Secretary