

The Board of Zoning Appeals of the City of North Royalton
met on **June 24, 2014** to hold a Public Hearing in
the Council Chambers at 13834 Ridge Road.

The meeting was called to order by Chairman Dan Kasaris at 7:00 p.m.

Present: Chairman Dan Kasaris, Robert Jankovsky, Victor Bull, Dale Gauman, Anthony Rohloff, Assistant Law Director Donna Vozar, Building Commissioner Dan Kulchytsky, Secretary Diane Veverka.

Public Hearing / Open Meeting

New Business:

(BZA14-05). Barry Flanagan & Pamela Flanagan requests a variance to **Chapter 1270 “Residential Districts”, 1270.19 “ Dwelling Unit Area Requirements”, Section 1270.19 (d) “Area of Garage”,** of the City of North Royalton Zoning Code. Request is for a **variance of 282 feet (correction to variance changing it to 282 sq. ft.)** to allow for relief from the maximum square footage requirement for their garage addition that is proposed at **10957 York Road**, also known as **PPN: 482-15-030**, in a R1-B zoning district.

Barry Flanagan, 10957 York Road, said he would like to build a garage attached to the house to store a camper and a boat. He said both vehicles are currently being stored outside under a canopy and they would like to store them indoors. The required size does not allow us enough room to have both vehicles inside. We are requesting a variance of 282 sq. ft. Mr. Kulchytsky explained that the original variance request was modified slightly to error on the side of caution; our calculations differed by approximately 10 feet. In order to ensure that adequate square footage was provided for the applicant, we modified the request to show a maximum of 282 sq. ft. based on the city’s calculation. Mr. Kulchytsky asked the applicant if he still intends to have a breezeway connection between his existing garage and the proposed garage addition. Mr. Flanagan said yes. He stated that his lot is 88 ft. wide and 250+ ft. deep. Mr. Kulchytsky added that there is a significant landscape buffer to the north so it is not visible from the road. The minimum side yard requirement of 10 feet has been maintained. Mr. Kulchytsky asked the applicant if he is willing and able to, a recommendation from the Building Department is that two garage doors be installed instead of one massive one to help break up the facade. He asked Mr. Flanagan if that were possible to still fit his vehicles in there. Mr. Flanagan said he would look into it. The BZA Secretary stated that no objections have been received from the neighbors.

Mr. Kasaris asked Mr. Flanagan about his request for a variance to have the new garage extend 5 ft. forward from the existing garage/house. Mr. Flanagan said yes he is also requesting that variance if necessary. Mr. Kulchytsky explained that since it is an attached garage (not a detached garage), it requires no variance. Therefore the 2nd variance has been removed since it was unnecessary. Mr. Flanagan stated that he wishes to withdraw the 2nd variance.

Moved by Mr. Kasaris, seconded by Mr. Jankovsky to **grant a variance of 282 sq. ft. to allow for relief from the maximum square footage requirements for a garage addition that is proposed at 10957 York Road**, also known as **PPN: 482-15-030**, in a R1-B zoning district.

Roll call: **Yeas: Five** (Mr. Kasaris, Mr. Jankovsky, Mr. Bull, Mr. Rohloff, Mr. Gauman).

Nays: None. Variance approved.

(BZA14-06). Mark DiFrancisco requests a variance to **Chapter 1270 “Residential Districts”, Section 1270.05 “Schedule of Area, Yard and Height Regulations”,** of the City of North Royalton Zoning Code. Request is for a **variance of 14 feet** from the minimum 50 foot **rear yard setback** requirement for a proposed wood deck they wish to construct on their property located at **5301 Brookhaven Drive**, also known as **PPN: 486-23-047**, in a R1-A zoning district.

Mr. Kasaris noted that the notices sent out referenced an incorrect address of 4301 Brookhaven Drive; however, the PPN number referenced was correct. The correct address of 5301 Brookhaven Drive is noted. Our record indicates that the proper people were notified, as required by City code.

Dave Borowske, 10428 Abbey Road, Contractor of Mark DiFrancisco, explained that the current rear yard setback from the building structure is 50 ft. He added that they have two exterior doors on the back of the house that are essentially useless unless a variance is granted in order to have some type of deck or staircase installed.

The applicant, Mark DiFrancisco explained the features of the back yard and properties around him. He said his lot is 142 ft. deep. He wants to beautify his yard and have a deck for enjoyment purposes. Mr. Kulchytsky explained that it is a unique situation to have the site laid out where the building is at the minimum rear-yard setback. He added that this development, due to its configuration, has many property sites on that side of the street also laid out the same way.

Moved by Mr. Jankovsky, seconded by Mr. Bull to **grant a variance of 14 ft. from the minimum 50 ft. rear yard setback requirement for a proposed wood deck they wish to construct on their property located at 5301 Brookhaven Drive, also known as PPN: 486-23-047**, in an R1-A zoning district.

Roll call: **Yeas: Five** (Mr. Kasaris, Mr. Jankovsky, Mr. Bull, Mr. Rohloff, Mr. Gauman).

Nays: None. Variance approved.

(BZA14-07). Sam Calanni requested a **variance to Chapter 1278 “Industrial Districts”, Section 1278.06 “Schedule of Yard Regulations for Research-Office, Commercial Service and General Industrial Districts”,** of the City of North Royalton Zoning Code. He is requesting a **variance of 22 feet** from the minimum 50 foot **front parking setback requirement from the street right-of-way** that is proposed at **12412 York Road**, also known as **PPN: 483-06-010**, in a General Industrial district.

The applicant, Sam Calanni, 10575 Sprague Road, requested a variance of 22 feet so the building is uniform and lines up with neighboring buildings on either side of his proposed building. Mr. Kulchytsky said that Mr. Calanni has appeared before the Planning Commission for preliminary site approval which he has secured. He will be meeting again at a later date for final site approval. He explained that Mr. Calanni currently operates out of a mobile trailer. He is making significant investment on the property and good planning dictates that in situations such as these, buildings should align with adjacent buildings when possible. Our current ordinance is that his building would have to be further back from his neighbors if he met the parking setback. At some point over time, the zoning ordinances changed for setbacks and he is left with this condition. He referenced Mr. Calanni’s engineered site plan and said he would be aligning with the newer commercial building to the north. The building to the south would still be slightly in front of him. He concluded by saying the Building Department has no objection to this particular variance. It is good planning to align his structure with the adjacent structures.

Dan Langshaw, Ward 3 Councilman, said he is in support of the variance and would urge the support of the BZA.

Moved by Mr. Jankovsky, seconded by Mr. Bull to **grant a variance of 22 ft. from the minimum 50 ft. front parking setback requirement from the street right-of-way that is proposed at 12412 York Road**, also known as **PPN: 483-06-010**, in a General Industrial district be approved.

Roll call: **Yeas: Five** (Mr. Kasaris, Mr. Jankovsky, Mr. Bull, Mr. Rohloff, Mr. Gauman).

Nays: None. Variance approved.

(BZA14-08). GT Investments, LLC, George Troicky, and York Delta Parking is **appealing the Decision of the Building Commissioner.**

The attorney representing Mr. Troicky, who is appealing a decision from our Building Commissioner, has indicated that he has a conflict and is unable to attend tonight’s meeting. He has requested we continue this matter at our July, 2014 meeting.

Moved by Mr. Jankovsky, seconded by Mr. Bull to Continue BZA14-08 at the request of the applicant thereby tolling any time requirements.

Roll call: **Yeas: Five** (Mr. Kasaris, Mr. Jankovsky, Mr. Bull, Mr. Rohloff, Mr. Gauman).

Nays: None. Request approved.

