

The Board of Zoning Appeals of the City of North Royalton met on **June 23, 2008**, to hold a Public Hearing, in the Council Chambers at 13834 Ridge Road. The meeting was called to order by Vice-Chairman John Ranucci.
at 8:00 pm

Present: John Ranucci, Paula Recker, Tony Caraballo, Councilman Dan Kasaris,
Prosecutor Donna Vozar, Zoning Inspector Joe Hartman,
Assistant City Engineer Dan Collins, Secretary Julie Broestl.

John Ranucci: I need a motion to excuse Chairman Price for cause.

Moved by Dan Kasaris, seconded by Paula Recker to excuse Chairman Neil Price for cause.

John Ranucci: Call the roll.

Tony Caraballo: Yes.
Dan Kasaris: Yes.
Paula Recker: Yes.
John Ranucci: Yes.

Ayes – all. Nays – none.
Motion carried. (4-0)

(BZ08-17) Jane and Matthew Coleman request a variance to **Chapter 1270 “Residential District”, Section 1270.12 “Yards for Accessory Buildings and Uses”, paragraph (b)**, of the City of North Royalton Codified Code, for relief from the **rear yard setback** requirement for an **accessory structure** that they wish to construct on their property which is located at **9957 Hawley Drive, PPN: 481-16-071**.

Jane Coleman approached the microphone.

John Ranucci: Name and address please.

Mrs. Coleman: Jane Coleman from 9957 Hawley Drive.

John Ranucci: Raise your right hand please. Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. Coleman: I do.

John Ranucci: State your case.

Mrs. Coleman: We have a shed that needed to be replaced. It has since been torn down. Which wasn't very hard to do. I don't know how long it has been there. We have been at this residence for almost nine years. To build a new shed in the same area necessitates a

variance because at this time its not ten feet from what we think is our boarder line, which is kind of in the middle of the creek. So that's it. Any questions?

John Ranucci: Not yet. Thank you. Anyone else wishing to be heard? Do I have a motion to move BZ08-17 to the regular order of business?

Moved by Paula Recker, seconded by Dan Kasaris, to move BZ08-27 to the regular order of business.

John Ranucci: Call the roll.

John Ranucci: Yes.
Paula Recker: Yes.
Dan Kasaris: Yes.
Tony Caraballo: Yes.

Ayes – all. Nays – none.
Motion carried. (4-0)

John Ranucci: Do I have a motion to adjourn the Public Hearing?

Moved by Paula Recker, seconded by Dan Kasaris, to adjourn the Public Hearing.

John Ranucci: Call the roll.

Paula Recker: Yes.
Tony Caraballo: Yes.
Dan Kasaris: Yes.
John Ranucci: Yes.

Ayes – all. Nays – none.
Meeting adjourned. (4-0)

Meeting adjourned at 8:07 pm.

The Board of Zoning Appeals of the City of North Royalton met on **June 23, 2008**, to hold an Open Meeting, in the Council Chambers at 13834 Ridge Road. The meeting was called to order by Vice-Chairman John Ranucci. at 8:08 pm

Present: John Ranucci, Paula Recker, Tony Caraballo, Councilman Dan Kasaris, Prosecutor Donna Vozar, Zoning Inspector Joe Hartman, Assistant City Engineer Dan Collins, Secretary Julie Broestl.

John Ranucci: I need a motion to excuse Chairman Price for cause.

Moved by Paula Recker, seconded by Dan Kasaris, to excuse Chairman Neil Price for cause.

John Ranucci: Call the roll.

Tony Caraballo: Yes.
Dan Kasaris: Yes.
Paula Recker: Yes.
John Ranucci: Yes.

Ayes – all. Nays – none.
Motion carried. (4-0)

John Ranucci: I need a motion to approve the minutes of the May 19, 2008 meeting.

Moved by Paula Recker, seconded by Dan Kasaris, to approve the Board of Zoning Appeals minutes of May 19, 2008.

John Ranucci: Call the roll.

Paula Recker: Yes.
Dan Kasaris: Yes.
Tony Caraballo: Yes.
John Ranucci: Yes.

Ayes – all. Nays – none.
Minutes approved. (4-0)

(BZ08-17) Jane and Matthew Coleman request a variance to **Chapter 1270 “Residential District”, Section 1270.12 “Yards for Accessory Buildings and Uses”, paragraph (b)**, for relief from the **rear yard setback** requirement for an **accessory structure** that they wish to construct on their property which is located at **9957 Hawley Drive, PPN: 481-16-071**.

Moved by Paula Recker, seconded by Dan Kasaris, to **approve a variance of 3-feet less than the minimum required rear yard setback as prescribed in Section 1270.12(b) of the Zoning Code with regards to a proposed accessory structure.**

John Ranucci: I have a motion and a second. Discussion?

Paula Recker: Mr. Vice-Chairman.

John Ranucci: Paula.

Paula Recker: I will be approving this variance because I feel that it will give these people essential use of their property and it will not interfere with the neighbors and it will improve their yard.

Dan Kasaris: Mr. Vice-Chairman. I also will vote to approve the variance. The structure is proposed to be built in the same location where there was a shed before it was torn down. I find that there are some practical difficulties with strict enforcement of the Zoning Code. I will be supporting the application. Thank you.

Tony Caraballo: Mr. Vice-Chairman. I also will be voting in favor of this 3-foot variance. Seeing that the shed prior to this had been there at this residence for approximately nine years. It did not impede or interfere with any of the neighbors. They are building it within Code of size, so I will be voting for it also.

John Ranucci: So will I. I did look at the property and the extra three feet along that creek line will come in handy. There would be possible root damage to the trees root structure if it was moved up. I don't see any interference with the neighbors, so I will be approving this also. Consensus please.

Mrs. Vozar: Mr. Chairman, if I could?

John Ranucci: Yes.

Mrs. Vozar: I have some findings of fact. The applicant was here tonight requesting a variance to put a replacement shed in the same location as the existing current shed. It did exist at the time when they purchased the home some nine years ago, and they took the property at that time with the shed in that location. It is the minimum necessary. It

will not substantially alter the character of the neighborhood. Due to the special conditions of the property with the creek on that property, the location of the shed is justified under those circumstances and also due to the tree line. In addition, it is keeping in the spirit of the Code. It is a replacement structure. They are complying with all other requirements of the Code. There are no neighbors here objecting. The applicant has, according to the Board and according to the findings of fact, has established practical difficulty. If there is anything else the Board will like to add or change I would appreciate if they would do so now.

John Ranucci: Call the roll.

John Ranucci: Yes.
Tony Caraballo: Yes.
Dan Kasaris: Yes.
Paula Recker: Yes.

Ayes – all. Nays – none.
Variance granted. (4-0)

John Ranucci: Do I have a motion to adjourn?

Moved by Dan Kasaris, seconded by Paula Recker, to adjourn the Open Meeting of the Board of Zoning Appeals of June 23, 2008.

John Ranucci: Call the roll.

Paula Recker: Yes.
Dan Kasaris: Yes.
John Ranucci: Yes.
Tony Caraballo: Yes.

Ayes – all. Nays – none.
Motion carried. (4-0)

Meeting adjourned at 8:14 pm.

Approved: _____
Vice-Chairman John Ranucci

Date: _____

Attest: _____
Secretary Julie Broestl