

The North Royalton Board of Zoning Appeals met in the Council Chambers, 13834 Ridge Road, on Monday, October 26, 2009, to hold a Public Hearing. The meeting was call to order at 7:30 pm by Chairman Neil Price.

Present: Chairman Neil Price, John Ranucci, Councilman Dan Kasaris, Tony Caraballo, Diane Mastronicolas, Prosecutor Donna Vozar, Secretary Julie Broestl.

(BZ09-14) Anna Dillon requests a variance to Chapter 1270 “Residential Districts”, Section 1270.19 “Area of Garage”, paragraph (d), of the City of North Royalton Codified Code for relief from the maximum size allowed for an attached garage addition that she wishes to construct on her property which is located at 6616 Wallings Road, PPN: 489-12-021.

Mrs. Anna Dillon approached the microphone.

Chairman Price: Raise your right hand please. Do you swear to tell the truth, and nothing but the truth, so help you God?

Mrs. Dillon: Yes.

Chairman Price: Name and address please.

Mrs. Dillon: 6616 Wallings Road.

Chairman Price: And your name?

Mrs. Dillon: Anna Dillon. The north east top of the roof on the garage is rotting and the breeze way that we have has water coming in on the side and I have another son that is partially disabled at home, so we would like to have a three car garage. My son here will do my speaking for me.

Chairman Price: Okay.

Mr. Joe Dillon approached the microphone.

Chairman Price: Raise your right hand please. Do you swear to tell the truth, and nothing but the truth, so help you God?

Mr. Dillon: I do. I’m Joe Dillon and I am a resident of North Royalton. They want the variance for my second oldest brother is handicapped. He is diabetic and has congestive heart failure. He is barley able to walk. Right now we are in the process of getting him a wheelchair, which should be another four to six weeks. Due to his size, he is 480 lbs., and the wheelchair will be large also. They have constructed a wheelchair ramp on the front of the house. We feel that might not be adequate enough to get him into the house. Due to the fact that we will be needing a van with a side lift for him, we need the

additional width on the garage. Also, depth wise we will be able to get him into the side door during the winter months. Also, my mother is 78 years old and only has one eye. She had her left eye removed from cancer about five or six years ago, so her depth perception is minimal. She pretty much drives in North Royalton and doesn't go outside of it. We are looking to get this variance due to those extenuating circumstances. My other brother lives with my mom and my other brother. I live on State Road. That is all I have to say.

Chairman Price: Okay. Thank you.

Mr. Larry Dillon approached the microphone.

Mr. Dillon: I'm Larry Dillon and the number one brother. My brother Mike bought a heavy duty van and he wants to have it converted to a wheelchair van. We need room to put it in front and right now the clearance, and we only have a two car garage, and we need more height and in need of a three car garage to get the van in and out. We need room for the wheelchair. Plus I need room to get the snow blower in and out between the cars. Right now I am banging into cars doing that right now. We have a lot of machinery, wood chipper, log splitter, and we would like to put all our machinery in there for storage. But the biggest thing is for my brother Mike, he needs room for a wheelchair. We have 10.5' clearance right now for the side. It will be 150-feet from the street and plenty of room in the back. We talked to the neighbors already and they don't mind. They said do what you want. That is all I have to say.

Chairman Price: Is there a motion to move BZ09-14 to the open meeting.

Moved by Dan Kasaris, seconded by John Ranucci, to move BZ09-14 to the regular order of business.

Chairman Price: Call the roll.

John Ranucci: Yes.
Tony Caraballo: Yes.
Dan Kasaris: Yes.
Chairman Price: Yes.
Diane Mastronicolas: Yes.

Ayes – all. Nays – none.
Motion carried. (5-0)

The North Royalton Board of Zoning Appeals met in the Council Chambers, 13834 Ridge Road, on Monday, October 26, 2009, to hold an Open Meeting. The meeting was call to order at 7:39 pm by Chairman Neil Price.

Present: Chairman Neil Price, John Ranucci, Councilman Dan Kasaris, Tony Caraballo, Diane Mastronicolas, Prosecutor Donna Vozar, Secretary Julie Broestl.

Chairman Price: We have some approval of minutes to take care of and one is for July 27th and we need a motion to excuse everyone from voting but Tony and me. Because we were the only two there.

Moved by Chairman Price, seconded by Tony Caraballo, to excuse everyone from voting except Tony and me.

Chairman Price: Call the roll.

Tony Caraballo: Yes.
Chairman Price: Yes.

Ayes - all. Nays - none.
Motion carried. (2-0)

Chairman Price: For September 28, 2009. I need a motion to excuse Tony from voting.

Moved by Dan Kasaris, seconded by John Ranucci, to excuse Tony Caraballo from voting on the minutes.

Chairman Price: Call the roll.

John Ranucci: Yes.
Chairman Price: Yes.
Dan Kasaris: Yes.
Diane Mastronicolas: Yes.

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

Chairman Price: I need a motion to approve the minutes of September 28, 2009.

Moved by Dan Kasaris, seconded John Ranucci, to approve the minutes of September 28, 2009.

Chairman Price: Call the roll.

John Ranucci: Yes.
Chairman Price: Yes.
Dan Kasaris: Yes.
Diane Mastronicolas: Yes.

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

Chairman Price: I guess we need to vote on the minutes of July 27, 2009. Call the roll on the approval of the minutes.

Tony Caraballo: Yes.
Chairman Price: Yes.

Ayes - all. Nays - none.
Minutes approved. (2-0)

(BZ09-14) Anna Dillon requests a variance to Chapter 1270 "Residential Districts", Section 1270.19 "Area of Garage", paragraph (d), for relief from the maximum size allowed for an attached garage addition that she wishes to construct on her property which is located at 6616 Wallings Road, PPN: 489-12-021.

Moved by John Ranucci, seconded by Dan Kasaris, to approve a variance of 224-square feet more than the maximum square footage allowed as prescribed in Section 1270.19(d) of the Zoning Code with regards to this proposed attached garage addition.

Chairman Price: There is a motion and a second. Discussion?

Dan Kasaris: Mr. Chairman. After reviewing the packet and listening to the Dillon family, I believe that I will be supporting the variance. The variance is not substantial and doesn't alter the central character of the neighborhood. It does not affect any governmental services. I don't think that the property owner's predicament can be obviated through any other way other than a variance. So, I will be voting in support of the variance. Thank you.

John Ranucci: Mr. Chairman.

Chairman Price: Yes, go ahead.

John Ranucci: I have a question for one of the family members. In reference to the gravel driveway and parking area there on the side of the house, you told me today that you will have about 10-feet left from the property lien to the new addition, do you plan on paving that to get to the back yard?

Larry Dillon approached the microphone.

Mr. Dillon: We plan on paving that at least to the back of the patio in a year or two, when we recover from the finances of this garage.

Mr. Joe Dillon spoke from the audience.

Mr. Dillon: It may happen as soon as the spring.

Donna Vozar: Mr. Chairman. Just so the applicant is clear, what's before the Board tonight is merely the enlargement of the garage. Any kind of driveway or carrying back beyond would need to go back to the Building Department and if they thought a variance was required you would need to come back before us again. Do you understand that?

Mr. Dillon: Absolutely.

Chairman Price: I thin in view of that, the variance is minimal to make use of the property, and no neighbors have objected. Essential character of the neighborhood would not be substantially altered. Neighbors will not suffer substantial detriment. The variance will not affect governmental services. I will be voting for it.

Diane Mastronicolas: Mr. Chairman. I too will be voting in approval of this variance.

Tony Caraballo: Mr. Chairman. Also, seeing that there are health reasons due to this family here, I think it will be an enhancement to the property that they are requesting for that van access. I don't see any undo hardship to the neighbors, none of them came here to object. I don't see that any city government services will be affected. Seeing all this I will be voting for it also.

Chairman Price: Donna?

Donna Vozar: Mr. Chairman. The findings of facts and conclusion of law are as follows; pursuant to North Royalton Ordinance 1264.08 the Board finds that the applicant has established practical difficulty. That the variance sought is the minimal necessary to make reasonable use of the property. The essential character of the neighborhood will not be substantially altered. The factors whether or not governmental services will not be affected. There are no special conditions that are peculiar to the land, however the applicant has established practical difficulty. Based on that the family has nothing left to do to alleviate this necessity other than a variance and therefore the Board has found that practical difficulty has been established. If there is anything else or go forward to the vote.

Chairman Price: Any additions? Call the roll.

Tony Caraballo: Yes.
Chairman Price: Yes.
Diane Mastronicolas: Yes.
Dan Kasaris: Yes.
John Ranucci: Yes.

Ayes - all. Nays - none.
Variance granted. (5-0)

Chairman Price: Anything under miscellaneous? A motion to adjourn.

Moved by Dan Kasaris, seconded Tony Caraballo, to adjourn the Open Meeting of the Board of Zoning Appeals of October 26, 2009

Chairman Price: Yes.
Diane Mastronicolas: Yes.
Dan Kasaris: Yes.
Tony Caraballo: Yes.
John Ranucci: Yes.

Ayes - all. Nays - none.
Motion carried. (5-0)

Approved: _____
Chairman Price

Date: _____

Attest: _____
Julie Broestl