

**BOARD OF ZONING APPEALS**  
**SPECIAL MEETING MINUTES**  
**Mayfield Village**  
**March 23, 2021**

The Board of Zoning Appeals met in Special meeting session on Tues, March 23, 2021 at 6:00 p.m. **remotely, via electronic means.** Chairman Pro Tem DiFranco presided.

**ROLL CALL**

**Present:** Mr. Stivo DiFranco Chairman Pro Tem  
Mr. Joseph Prcela  
Ms. Alexandra Jeanblanc  
Mr. John Michalko

**Also Present:** Mr. John Marrelli Building Commissioner  
Ms. Deborah Garbo Secretary  
Jefferey Thomas IT Systems Coordinator

**Absent:** Mr. Vetus Syracuse Chairman  
Mr. Anthony Coyne Law Director

This meeting has been duly noticed and is being held in accordance with Ohio Revised Code Section 121.22 specific to recent amendments made in light of the current COVID-19 declared emergency (House Bill 197-amended by House Bill 404). Under the orders of Governor DeWine, the Board of Zoning Appeals is meeting remotely, via electronic means.

The public is invited to view the meeting live and can access the meeting through a link posted on the Mayfield Village website at [www.mayfieldvillage.com](http://www.mayfieldvillage.com). The public was encouraged to view this meeting agenda and offer any comments or questions prior to the meeting to be read into the record and addressed at the meeting.

**CONSIDERATION OF MEETING MINUTES:** **Aug 18, 2020**

Ms. Jeanblanc, seconded by Mr. Michalko made a motion to approve the minutes of Aug 18, 2020.

**ROLL CALL**

Ayes: Mr. DiFranco, Mr. Prcela, Ms. Jeanblanc, Mr. Michalko

Nays: None

**Motion Carried**

**Minutes Approved as Written.**

**CONSIDERATION OF CASE NUMBER #2021-01**

**Applicant:** Stephen Jerome  
665 Robley Ln

1. A request for a 5' sideyard setback variance from Section 1181.07 (a) to allow for construction of a shed.
2. A request for a 96 sq ft area variance from Section 1157.06 (3) to allow for construction of a 288 sq ft shed.

**Abutting Property Owners:**

Robley Ln: 657, 649, 643, 673, 681, 689  
Echo Dr.: 680, 690, 696

**OPEN PORTION**

Chairman Pro Tem DiFranco states, good evening everyone, this is a meeting of the Mayfield Village Board of Zoning Appeals Tues, March 23, 2021, 6:00 pm. Chairman Syracuse could not make the meeting, so I will Chair the meeting tonight.

**ORGANIZATIONAL MEETING**

- Election of Chairman
- Election of Chairman Pro-Tem
- Election of Secretary
- Election of Planning & Zoning Representative to the B.Z.A. (Vetus Syracuse)

Chairman Pro Tem DiFranco states, we have our 2021 Organizational meeting to tend to tonight. We have four positions to fill. Currently Vetus Syracuse is serving as Chairman, I am serving as Chairman Pro Tem, Debbie Garbo is serving as Secretary and Vetus is serving as Planning & Zoning Representative to the Board of Zoning Appeals.

Chairman Pro Tem DiFranco opened the floor to a motion for nominations for the 2021 Organizational slate. We can take these all together as one motion or separately by position.

Ms. Jeanblanc, seconded by Mr. Michalko made the motion to keep the positions as is, same slate.

Chairman Pro Tem DiFranco asked if there was any discussion. There was none. The nominations were closed.

Chairman Pro Tem DiFranco asked for a Roll Call on the nominations.

**ROLL CALL:**

Ayes: Mr. DiFranco, Mr. Prcela, Ms. Jeanblanc, Mr. Michalko

Nays: None

**Motion Carried**

Vetus Syracuse to serve as 2021 Chairman.

Stivo DiFranco to serve as 2021 Chairman Pro Tem.

Deborah Garbo to serve as 2021 Secretary.

Vetus Syracuse to serve as 2021 P & Z Rep to the BZA.

Chairman Pro Tem DiFranco said, that concludes the Organizational portion of the meeting. Before us this evening we have consideration of Case #2021-01, applicant is Stephen Jerome at 665 Robley Ln. We have a request for 1) a 5' sideyard setback variance from Section 1181.07 (a) to allow for construction of a shed and 2) a request for a 96 sq ft area variance from Section 1157.06 (3) to allow for construction of a shed. Abutting property owners have been notified.

## **OATH**

Chairman Pro Tem DiFranco stated, because we are a Quasi-Judicial Body, anyone wishing to speak must be sworn in. Chairman Pro Tem DiFranco administered the oath to Stephen Jerome.

Chairman Pro Tem DiFranco asked Mr. Jerome to state his case.

Stephen Jerome stated, what we're trying to do, we've been looking at for a couple of years. We built the pool about 3 or 4 years ago and on the original plan, elevation levels were set in regards to that, and to meet those requirements for that project. At the time there's an existing pool house/shed that with the new pool location was going to be a problem. There's the photo, it hasn't come down yet, it's affecting the elevation that was written on the original plan. That's reason number one of why we want to move it.

The other issue noted, and I submitted to you guys the most recent plan done by a Landscape Architect, he said that that tree is suffocated. The tree is directly up against the current structure, that's the second reason. For the new unit, we're trying to get a 5' sideyard setback as opposed to the 10' required.

The current structure that's there is 19' x 16', about 300 sq ft., that was a structure built 40 years ago. That structure is a hair bigger than what I'm asking for, for the new shed. The new shed will be 12' wide, a little bit squattier, a little bit longer, 12' x 14' (further discussion clarifies size to be 12' x 24'), it fits in there nicely.

I spoke with my neighbor yesterday Marge Comella who lives adjacent to that side of the property. She was kind of confused what was going on. I explained the process on how this is done and what was going on. She was just wondering what it was about. I told her we're taking that shed that was there before and basically rotating it with a new one. It's going to be a little bit closer than what's allowed, that's why we're asking for a variance, in an effort to get it back and over as far as possible. She agreed and said it's not going to be a problem, there's trees back there and it's not going to be any different than what's there now. It'll actually be nice and new and painted and we'll be able to get the yard elevation correct and we'll be able to keep that beautiful tulip tree from having future issues. That's what we're trying to do here.

Ms. Jeanblanc asked, do the elevation issues affect any other properties?

Stephen Jerome replied, no. The elevation issue is affecting my current shed. My elevation should be more rounded where the current shed is but because the current shed's in the way, it's affecting that, so we're going to move it back.

Ms. Jeanblanc asked, is that a contributing factor to the current state of the shed?

Stephen Jerome replied yes, there's some mud and stuff that's getting on the concrete and what not. The current shed's in disrepair and knowing that it's going to have to be torn down, it's not usable in the setup that it is now. That's something we're going to start working on, taking that down.

Mr. Michalko asked for clarification. Stephen, you just said the size is 12' x 14'. We talked yesterday, I thought you said it's 12' x 24'.

Stephen Jerome replied I misspoke, I apologize, it's 12' x 24', correct. It's roughly the same size as the current one, just a little bit narrower and a little bit longer.

Mr. Michalko said, it's almost the size of a small one car garage.

Stephen Jerome said, it's a nice shed I saw at Costco, I think it'll be perfect. We have a lot of lounge chairs, furniture, pool equipment, vacuum, hoses, all the stuff we're currently storing in that building as best we can. We have stuff in the garage and attic temporarily until we tear that one down.

Mr. Michalko asked, is it going to be built on site or brought in whole?

Stephen Jerome replied, probably be built on site. I don't think we can get that wide of a unit through the side of the yard there.

Mr. Michalko asked John, do you have any concerns about the construction?

Mr. Marrelli asked Stephen, do you have to put a pad down?

Stephen Jerome replied yes, we're going to build a pad for it to sit on.

Mr. Marrelli said, because you're close to the sideline and that's where the drainage swales exist, would you be putting downspouts on it and pointing them back into the-

Stephen Jerome replied, there's currently downspouts on it now, that's going to be duplicated.

Mr. Marrelli asked, those just go out into the woods, correct?

Stephen Jerome replied, correct those go back into the woods.

Mr. Marrelli said, for anybody that hasn't been there, you live adjacent to the park, your back lot line is against the park, correct?

Stephen Jerome replied, no. I'm actually up against Echo. Echo has a pretty deep backyard.

Mr. Marrelli said, I think there's a swale that runs North South along Echo if I'm not mistaken.

Stephen Jerome replied, yes it's probably 15' from my property line, it's not too deep. Echo sits a little bit lower than Robley, so they have less of an elevation change from the front to the back than I do.

Mr. Marrelli said, I guess my point is the little bit of water that comes off of a couple hundred square feet will probably get absorbed into the ground before it goes sideways, correct?

Stephen Jerome replied, that's what I'm thinking. Even with the current shed, it has the downspouts.

Mr. Michalko said Steve, you explained that you're going to try re-swaling some of that.

Stephen Jerome replied, yes and I think I showed you that other plan that was approved a couple years ago. It's all the existing elevation, we're not changing elevation with the existing line up against the fence. The side of the fence there, we'll scallop that out a little bit to make sure that no water enters the neighbor's property.

Mr. Michalko asked John, did you hear from any of the neighbors?

Mr. Marrelli replied, I did talk to Mrs. Comella and she wasn't against it. Steve pretty much summed it up, she wasn't sure how the process worked and what exactly he was asking for. I explained it and I told her to call Steve and talk to him about it, which apparently she did.

Chairman Pro Tem DiFranco said John, the current requirement is that this can only be 192 sq ft., is that right?

Mr. Marrelli replied, that's right, as a tool shed.

Chairman Pro Tem DiFranco said, he's looking for 288 sq ft., 12' x 24'.

Mr. Marrelli said, he's asking for 100 more feet, so that would be 292, correct?

Stephen Jerome corrected, I'm looking for 288 sq ft., so the request should be for a 96 sq ft area variance.

Ms. Jeanblanc asked, did I hear you correctly that the existing shed is larger?

Stephen Jerome replied yes, it's 300 sq ft.

Mr. Prcela said, I assume I know where you're going with this. He doesn't even need the variance for the size because one already exists.

Mr. Marrelli replied, it's grandfathered in, but once you demolish it, then that goes away.

Stephen Jerome said right, and we tried looking at salvaging it, adding on to the back, I just feel this is the right way to go about it. I'm not really happy with how the things even built, but it's lasted this long so I guess it was built fairly well.

Mr. Prcela said, our code is a little ambiguous when it comes to sizing and how you define vehicle.

Mr. Marrelli said, a motorcycle's a vehicle.

Mr. Prcela asked, is a riding mower a vehicle?

Mr. Marrelli replied good question.

Mr. Prcela asked, but in your reading of the code, he definitely needs this variance?

Mr. Marrelli replied, I think if you go into the definitions in the beginning of Chapter 11, I think they talk about vehicle as something that you can drive on the street. I've always determined that to be a licensed motorcycle or a licensed car.

Mr. Prcela said, I actually looked at the shed, the condition and the size. I don't have a problem with the size to be honest with you, it looks like it's going to be a one for one replacement.

Mr. Marrelli agreed. Basically it's like can I build the same shed almost that I have only better and move it a little bit.

Ms. Jeanblanc added, and slightly less non-conforming.

Mr. Marrelli said, correct.

Stephen Jerome said, I thought we talked last year but I couldn't find it. I thought if you have a pool, you're allowed to have a larger building.

Mr. Marrelli replied, it was a cabana that has a toilet room, a changing room. Cabana's are unlimited in size.

Ms. Jeanblanc asked, are you coming back with a cabana?

Stephen Jerome said in jest, yes, I have to find a good plumber though.

Mr. Michalko asked about the height of the proposed shed.

Mr. Marrelli said, he has to submit the shed to me, dimensions, materials and whatnot. The height limit of 15' would be pretty hard to do with that shape.

Chairman Pro Tem DiFranco said, to be clear here Stephen, one, you're asking for a 5' sideyard setback variance because you're close to the sideyard there. Secondly, you're asking for a 100 sq ft area variance from the 192 to 292 but if you're going 12' x 24', you're at 288 sq ft.

Mr. Marrelli said, do you want to amend your request from a 100 sq ft area variance to a 96 sq ft area variance?

Stephen Jerome replied yes. I think I asked for a variance of 100 sq ft in my letter, but that should have been for 96 sq ft, shed size of 288 sq ft.

Chairman Pro Tem DiFranco asked, any issues or concerns with the 5' sideyard setback?

Mr. Michalko replied, based on what I saw over there, it won't affect any neighbors.

Mr. Marrelli agreed.

Chairman Pro Tem DiFranco asked, any other discussion?

There was none.

### **DECISION**

Ms. Jeanblanc, seconded by Mr. Michalko made a motion to approve the 5' sideyard setback variance and 96 sq ft area variance requests for Stephen Jerome at 665 Robley Ln to allow for construction of a 288 sq ft Shed as proposed.

### **ROLL CALL**

Ayes: Mr. DiFranco, Mr. Prcela, Ms. Jeanblanc, Mr. Michalko

Nays: None

**Motion Carried**

**Variances Approved**

### **Right to Appeal**

Chairman Pro Tem DiFranco stated, you or any interested party has the right to appeal the decision within ten (10) days to Council.

### **ANY OTHER BUSINESS**

Chairman Pro Tem DiFranco asked Mr. Michalko, did you want to revisit your comment on the fence issue on SOM Ctr Rd?

Mr. Michalko replied, John said that was for the Law Dept.

Mr. Marrelli said, we notified that person that his appeal was denied and he's basically dragging his feet on doing anything about it, so I have to take it to the next level.

Ms. Jeanblanc asked what fence is being referenced.

Mr. Marrelli replied, the fence in the front yard on the condo's. He's not willing to agree that you turned him down.

**ADJOURNMENT**

Mr. Michalko, seconded by Ms. Jeanblanc made a motion to adjourn the meeting.

**ROLL CALL**

Ayes: All  
Nays: None

**Motion Carried**  
**Meeting adjourned at 6:25 p.m.**

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Chairman

\_\_\_\_\_  
Secretary