

**BOARD OF ZONING APPEALS
MEETING MINUTES
Mayfield Village
Oct 19, 2021**

The Board of Zoning Appeals met in regular meeting session on Tues, Oct 19, 2021 at 6:00 p.m. at the Mayfield Village Civic Center, Civic Hall. Chairman Syracuse presided.

ROLL CALL

Present: Mr. Vetus Syracuse Chairman
Mr. Stivo DiFranco Chairman Pro Tem
Mr. John Michalko

Also Present: Ms. Kathryn Weber Law Department
Mr. Daniel Russell Building Commissioner
Mr. John Marquart Economic Development Manager
Ms. Deborah Garbo Secretary

Absent: Mr. Joseph Prcela
Ms. Alexandra Jeanblanc

CONSIDERATION OF MEETING MINUTES: Sept 21, 2021

Mr. DiFranco, seconded by Mr. Michalko made a motion to approve the minutes of Sept 21, 2021.

ROLL CALL

Ayes: Mr. Syracuse, Mr. DiFranco, Mr. Michalko
Nays: None **Motion Carried**
Minutes Approved as Written.

CONSIDERATION OF CASE NUMBER 2021-04

Applicant: Amy & Yoshi Nakamura
697 Echo Dr. 44040
PP # 831-26-016
Studio One Design Group, Inc
(Rescheduled from mtg date 9/21 for full quorum)

1. A request for a variance from Section 1367.02 to allow for construction of an Angled Front Facing Garage.

Abutting Property Owners:

Echo Dr.: 701, 705, 700, 704, 687, 681, 698, 696, 690, 680

CONSIDERATION OF CASE NUMBER 2021-06

Applicant: Quality Electrodynamics – QED
6655 Beta Dr. 44143
PP # 831-12-003
Premier Development Partners (Property Owner)

1. A request for a zoning variance modification for condition number one, of the Zoning Board of Appeals meeting on Oct 17, 2017.

Abutting Property Owners:

Beta Dr.: 6671, 767, 761, 701, 600, 700, 731, 6685, 6650, 660, 6690, 6680, 6670, 780, 651, 730

CONSIDERATION OF CASE NUMBER 2021-07

Applicant: Lori Vicchiarelli & Erik Sperling
855 Beech Hill Rd.
PP # 831-41-040

1. A request for a variance from Section 1157.08 (b) to allow for construction of a 6' high vinyl privacy fence.

Abutting Property Owners:

Beech Hill Rd.: 823, 827, 833, 837, 841, 849, 859, 871, 883, 893, 899
Wilson Mills Rd.: 6900, 6910

OPEN PORTION

Chairman Syracuse states, this is a meeting of the Mayfield Village Board of Zoning Appeals Tues, Oct 19, 2021.

Case #2021-04

Chairman Syracuse said, the first case before us is consideration of Case #2021-04 for Amy & Yoshi Nakamura at 697 Echo Dr. 44040, PP #831-26-016. This is a request for a variance from Section 1367.02 to allow for construction of an angled front facing garage. The abutting property owners have been notified on Echo Dr., take notice they're listed here on our agenda. Whoever is here to make a presentation, please state your name and address and I'll get you sworn in.

Don Plunkett, President Studio One Design Group, Inc 2451 Stratford Rd, Cleveland Hts 44118 introduced himself.

OATH

Chairman Syracuse stated, because we are a Quasi-Judicial Body, anyone wishing to speak must be sworn in. Chairman Syracuse administered the oath to Don Plunkett.

Don Plunkett states, I'm going to start with the site plan. The existing house, we're going to save the foundation, but that's basically all we're going to save. We're going to be removing the garage, adding new foundation. The house is 90' back from the street. As you can see from the shape of the lot, what exactly is perpendicular to the street is somewhat subjective. So what we've done is tried to mass the house and let the garage be kind of a separate massing. We've angled it, we rotated it, it'll be facing the street half way. We tried to make the best relationship to the property itself. The new garage is 80' back, it's at an angle. It's a single story ranch right now, we're going to take it down to the foundation, build new up. You could see the massing, we've made the main house larger and more prominent. Again, it softens it by not keeping it in the same direction as the house, we angled it a little bit to make it a little cozier as the drive comes up. That's basically it. I'd be happy to answer any questions.

Chairman Syracuse said, code Section 1367.02 Garages says;

“All single-family and two-family houses shall be designed and constructed such that the door of an attached garage shall not face the street on which the house fronts.”

We have a practical difficulty standard that has to be met in order to grant this type of area variance. The Board shall determine that one or both of the following factors are met by the request:

- a. The conditions upon which an application for a Variance is based are particular to the subject property with respect to the physical size, shape or other characteristics of the premises or adjoining premises, differentiating it from other premises in the same district:
or
- b. The Variance would result in an improvement of the property that is more appropriate and more beneficial to the community than would be the case without granting of the Variance.

I drove by the property, I see that they currently do have a front facing garage, it is an unusual shaped lot. Have they looked at any alternative designs where the garage would be built in compliance with the code?

Don Plunkett replied, because of the nature of the site, the shape of the lot, we're kind of at a challenge. Again, we didn't keep it straight, I thought that would make it look too long, too lineal and again, we softened it by turning it.

Mr. DiFranco said, I noted some areas in the back, there's some limitations in the back there.

Don Plunkett replied, there are. There's a ravine that runs right along there.

Mr. DiFranco said, and I think there was a neighboring home that was mentioned that already has an angled garage.

Don Plunkett replied, yes.

Mr. DiFranco asked, where's the front facing on that?

Don Plunkett points out on the site plan, the front face is the same as ours.

Mr. DiFranco said, the front face of the garage, where are you going to turn the garage?

Don Plunkett points out on the site plan.

Mr. Michalko said, when I was looking at the property yesterday Mr. Nakamura came out and we walked the whole property. To me, it's the most logical way to build it on that property.

Chairman Syracuse said, I agree. Obviously, we have to find that there's something unique about the property, otherwise an area variance could be granting for anyone. I look not to set a precedent that would be negative and in violation of the code. With the different lot shape and size and the fact that there's already precedence set on the one next door, this already has a front facing garage. This isn't completely front facing, it's angled. I really think that this does perhaps meet the criteria for a practical difficulty.

Mr. DiFranco asked Building Commissioner Russell if he has any issues.

Mr. Russell replied, I don't have any issues.

Chairman Syracuse asked, any other questions or comments? There were none.

DECISION

Mr. Michalko, seconded by Mr. DiFranco made a motion to approve the request for a variance from Section 1367.02 for Amy & Yoshi Nakamura at 697 Echo Dr. to allow for construction of an angled front facing garage.

ROLL CALL

Ayes: Mr. Syracuse, Mr. DiFranco, Mr. Michalko

Nays: None

Motion Carried

Variance Approved

Case #2021-06

Chairman Syracuse said, our second case before us is Case #2021-06 for Quality Electrodynamics (QED) at 6655 Beta Dr. PP #831-12-003. This is a request for a zoning variance modification for condition number one of the Zoning Board of Appeals meeting on Oct 17, 2017. The abutting property owners on Beta Dr. have all been notified. Take notice that they're listed on our agenda. Whoever is here to make a presentation, if you could please state your name and address and I'll get you sworn in.

Bert Toth, Facilities Manager with QED, 6655 Beta Dr. introduced himself.

OATH

Chairman Syracuse stated, because we are a Quasi-Judicial Body, anyone wishing to speak must be sworn in. Chairman Syracuse administered the oath to Bert Toth.

Bert Toth states, we're kind of desperately trying to achieve changing the monument signs to reflect the traffic situation on the street. You can see that we're located on the corner of Beta Dr., so it's kind of a challenge as far as signage is concerned.

Chairman Syracuse notes a little roundabout in front of the building. I drove by this property as well.

Bert Toth said, our situation more than anything is that we've got a quick succession of 3 driveways to 3 properties along that curve and it comes about really fast when you're driving. The idea is to simplify the signage to identify the QED logo, that's a big issue. When visitors come usually off of Wilson Mills, come northward, go around the corner, they miss the property because QED signage logo is not at the drive. Right now it says MARS Electric.

Chairman Syracuse said, so the issue is cars coming from SOM down to Beta driving past it and circling back around.

Bert Toth replied, passing the property altogether, we're trying to direct people to the right drive, as simple as that.

Chairman Syracuse asked, is everybody on board with this, MARS, QED?

Bert Toth replied yes, MARS and the property owner. MARS is a good neighbor. Then Mayfran which is a little confusing in itself because there's a drive with a sign, but the building is set way back and towards the freeway. Then QED, we have a sign here, but the entrance is really to the right, that's the issue.

Chairman Syracuse said, so the sign is not by the entrance so cars driving this way are going to turn into the first drive and circle around.

Bert Toth replied, they would if they could even recognize that sign quick enough, that's the problem.

Chairman Syracuse said, and coming from the other direction-

Bert Toth said, that's not so bad, but over 90% of the traffic comes from Wilson Mills and not from 91.

Chairman Syracuse said, this is more of a safety issue and just making sure there's not unnecessary traffic.

Bert Toth replied, absolutely. We get a lot of turnarounds, trucks are confused, so on and so forth, pure mayhem.

Chairman Syracuse asked to scroll to the next slide. So QED would go next to the MARS on the brick sign.

Bert Toth replied, right. What we're trying to do is re-establish QED presence on the entrance drive by this sign.

Mr. Michalko said, if I'm correct, back in 2018 you put up your QED sign and at that time you were in a hurry because you had a big meeting coming up and you wanted that sign put up.

Bert Toth replied, the Governor was coming.

Mr. Michalko said yes, the Governor was coming. At that time, you stated that once you had that new sign put up that your name would have to come off the other one and only be MARS.

Bert Toth replied, right.

Mr. Michalko said, I think at that time nobody really thought about the fact that the driveways being so close together and now that you ran into that problem.

Bert Toth said, it's a functional problem, in short, that's what it is. We're trying to re-establish the drive with the QED logo. In working with the sign vendors, they're telling us that you want to maximize your logo as much as possible and have your lettering as small as possible.

Chairman Syracuse said, I think from a safety standpoint this makes sense.

Mr. DiFranco asked, so for QED, you'll have two signs?

Bert Toth replied, we'll have two signs. We have two suites, there are three suites in the building, MARS and two are QED. We're going to obey their requirement that only one suite number is on one sign, there is no duplication of suite numbers. There's Suite 100 for QED proper and Suite 150 for the QED Research Center.

Mr. DiFranco asked, the 6655 on the right sign, the brick sign, is that going to be on top of it, it says Premier.

Bert Toth replied right, it's a little add on. In other words, we've got to maximize the two businesses but Premier Development would still like to retain their name on top.

Mr. DiFranco said, and there's a request also for a 20' setback variance for the ground sign. Currently is it out of compliance with that?

Ms. Weber replied, no. So back in 2017 they came in for their initial variance that they needed in order to put up the second sign which is the sign on the left, the QED sign if you will because this as we see has the two drives, that circle drive. They came in for a variance to allow the second sign as well as the setback variance in order to make sure it was positioned correctly. Back then I think John Marrelli mentioned the fact that you don't want it to block the Mayfran sign next door, that was the necessity for that setback variance. And then in order to have the V-shaped sign, there was an additional variance. All three of those variances were granted. At the time it was thought that for safety and traffic flow reasons a condition was placed on it that the east side sign would be solely dedicated to MARS and that the V-shaped sign on the left would be solely dedicated to QED being that would alleviate confusion. But now as the applicant has let us know in practice, that is not necessarily the case. So, the three variances have already been granted. They are coming in asking for the first condition that was placed on those variances to be removed in order to allow them to have the sign on the right to be not solely dedicated to MARS, which will allow QED to have signage on there as well.

Mr. DiFranco said, it is a unique property.

Chairman Syracuse said, I think it would be to reduce any confusion or additional traffic, especially during peak times of traffic.

Chairman Syracuse asked, any further questions or comments? There were none.

DECISION

Mr. Michalko, seconded by Mr. DiFranco made a motion to approve the request for a zoning variance modification for Condition #1 of the Zoning Board of Appeals meeting on Oct 17, 2017.

ROLL CALL

Ayes: Mr. Syracuse, Mr. DiFranco, Mr. Michalko

Nays: None

Motion Carried

Variance Modification Approved

John Schellenberg with QED said, I have to tell you it was fun to watch the Zoning Board, it brings back fond memories because I would go with my Father to these kinds of meetings. I was just reminiscing about that today saying it's been a long time since I've been to a zoning meeting. Thank you very much, appreciate it.

Right to Appeal

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

Case #2021-07

Chairman Syracuse asked, is there anyone here for consideration of Case #2021-07 for applicant Lori Vicchiarelli & Erik Sperling at 855 Beech Hill Rd requesting a variance from Section

1157.08 (b) to allow for construction of a 6' high vinyl privacy fence? The abutting property owners on Beech Hill and Wilson Mills have been notified.

Ms. Garbo replied, no one is in attendance to make a presentation.

Chairman Syracuse asked, should we table this? My recommendation would be likely to table it for one month rather than dismiss it and make them re-file.

DECISION

Mr. DiFranco, seconded by Mr. Michalko made a motion to table Case #2021-07.

ROLL CALL

Ayes: All

Nays: None

Motion Carried

Proposal TABLED

ADJOURNMENT

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

ROLL CALL

Ayes: All

Nays: None

Motion Carried

Meeting adjourned at 6:20 p.m.

Chairman

Secretary