

**BOARD OF ZONING APPEALS  
MEETING MINUTES  
Mayfield Village  
Dec 19, 2023**

The Board of Zoning Appeals met in regular meeting session on Tues, Dec 19, 2023 at 6:00 p.m. at the Mayfield Village Civic Center, Main Conference Room. Chairman Pro Tem John Michalko presided.

**ROLL CALL**

**Present:**

Mr. John Michalko Chairman Pro Tem  
Mr. Jim Kless P & Z Rep to BZA  
Ms. Alexandra Jeanblanc  
Mr. Bob Haycox Alternate  
Mr. Bob Andrzejczyk Alternate

Ms. Kathryn Weber Law Department  
Ms. Deborah Garbo Secretary

**Absent:**

Mr. Stivo DiFranco Chairman  
Mr. Joseph Prcela  
Mr. Daniel Russell Bldg Commissioner

**CONSIDERATION OF MEETING MINUTES:**

**Sept 19, 2023**

Mr. Kless, seconded by Ms. Jeanblanc made a motion to approve the minutes of Sept 19, 2023 as written.

**ROLL CALL**

Ayes: Mr. Kless, Ms. Jeanblanc, Mr. Andrzejczyk, Mr. Haycox

Abstain: Mr. Michalko

Nays: None

**Motion Carried  
Minutes Approved**

**CONSIDERATION OF CASE NUMBER 2023-06**

**Applicant:** Jason & Lindsey Baker  
7115 Wilson Mills Rd PP # 831-27-005

1. A request for a 23” height variance from Section 1157.08 (b) (1) to allow for installation of a 5’ 5” high pier.
2. A request for a 12.5” height variance from Section 1157.08 (b) (1) to allow for installation of a 4’-6 ½” high front entry gate.

**Abutting Property Owners:**

Wilson Mills Rd: 7127, 7129, 7109, 7107  
Village Trl: 769, 773

**OPEN PORTION**

Chairman Pro Tem Michalko called the meeting to order. This is a meeting of the Mayfield Village Board of Zoning Appeals Tues, Dec 19, 2023 at 6:00 p.m. We have one application before us tonight, Case No. 2023-06, Jason & Lindsey Baker, 7115 Wilson Mills Rd., for two variance requests;

1. A request for a 23” height variance from Section 1157.08 (b) (1) to allow for installation of a 5’ 5” high pier.
2. A request for a 12.5” height variance from Section 1157.08 (b) (1) to allow for installation of a 4’-6 ½” high front entry gate.

Chairman Pro Tem Michalko stated, the abutting properties have been notified. Debbie, did we receive any responses back from the notice?

Ms. Garbo replied, no.

**OATH**

Chairman Pro Tem Michalko stated, because we are a Quasi-Judicial Body, anyone wishing to speak must be sworn in. Chairman Pro Tem Michalko administered the Oath to Lindsey Baker.

Chairman Pro Tem Michalko stated, please proceed with your presentation.

Lindsey Baker, 316a West Legend Ct, Highland Hts 44143 introduced herself. We’re asking to install a front entry gate right here. The main reason is that Wilson Mills is so busy. We’re pretty removed from the street, we’re about at least probably 12’ higher than the road, so we can’t see whose coming up the driveway until they’re already up the driveway. I think for safety issues it would be nice to control whose coming in from Wilson Mills.

Chairman Pro Tem Michalko asked, is there any way of changing the heights to fall within the guidelines, can you do this without the variances?

Lindsey Baker replied, not really. We wanted the gate to be at least 12’ or 14’ wide so that you can get a bigger truck in there.

Chairman Pro Tem Michalko stated, you’re actually asking just for the gate, you’re not planning on fencing the whole property?

Lindsey Baker replied, no. It’s just the gate, it’s just the pier and it’s set back 30’ from Wilson Mills so that somebody can actually pull in and sit there and not block traffic.

Chairman Pro Tem Michalko stated, I’ve looked at the site myself several times and coming up the hill you can’t even see where the gate’s going to be.

Mr. Kless stated, I agree with you, it seems to be very innocuous.

Chairman Pro Tem Michalko stated, as long as it's not going to go all the way around the property.

Mr. Haycox asked, is your plan to construct the house in 2024?

Lindsey Baker replied, yes. Hopefully it'll be done in the Fall of 2024.

Mr. Andrzejczyk asked, is this an automatic gate?

Lindsey Baker replied, yes. It'll have added security so that Fire and Police will have the signal and they can just go in. I work with Finelli, I think it's called a siren feature. Gillmore is our security person we're planning on working with.

Mr. Haycox asked, during the day if Amazon, Fed-X, UPS, Postal Service is making a delivery, would the gate be open or will there be a call button?

Lindsey Baker replied, most of the time the gate will be open because I work from home, I have a home office. Unless I'm out then the gate will close. But they will be given instructions with a passcode for package deliveries.

Mr. Andrzejczyk stated, you really can't see that, I've driven by several times.

Chairman Pro Tem Michalko stated, I don't know if you noticed on your pictures you submitted, the one across the street unfortunately you can't use that one for comparison because that's Gates Mills.

Lindsey Baker replied, right. But what's interesting is that technically the house is Gates Mills but the property where that gate is on is actually Mayfield Village.

Chairman Pro Tem Michalko stated, in granting an 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.

Chairman Pro Tem Michalko stated, personally on number one, I think it meets the recommendation for a variance. Two, whether it improves the Village, I can't say for sure.

Chairman Pro Tem Michalko asked, will it have lights on the top of that?

Lindsey Baker replied, no. The lights are under the cap, they'll shine down. I want it to be pretty subtle, and then I'll have plantings in front of it.

Chairman Pro Tem Michalko stated, it'll be interesting to see the landscaping once it's done, with you being a Landscape Architect.

Mr. Haycox stated, it's a beautiful piece of property to work with.

Mr. Andrzejczyk agreed, it's gorgeous.

Chairman Pro Tem Michalko stated, that used to be part of the Metro Parks.

Lindsey Baker stated, the lot next to us is for sale, she's abutting the Metro Park properties. Mary Ackley is the other neighbor, she's been there for a long time.

Chairman Pro Tem Michalko asked, any other questions or comments?

There was none.

### **DECISION**

Ms. Jeanblanc, seconded by Mr. Kless made a motion to approve the requests for the following variances for Jason & Lindsey Baker, 7115 Wilson Mills Rd, PP #831-27-005 as proposed;

1. A request for a 23" height variance from Section 1157.08 (b) (1) to allow for installation of a 5' 5" high pier.
2. A request for a 12.5" height variance from Section 1157.08 (b) (1) to allow for installation of a 4'-6 1/2" high front entry gate.

### **ROLL CALL**

Ayes: Mr. Michalko, Mr. Kless, Ms. Jeanblanc, Mr. Andrzejczyk, Mr. Haycox

Nays: None

**Motion Carried**

**Variations Approved**

### **Right to Appeal**

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

Ms. Weber stated, I know that you're in construction, so I know that there're some time limits on variances, so you should double check with the Building Dept to make sure that you pull the permits in that timeframe.

Lindsey Baker stated, this is for the fence part, so I would pull a fence permit?

Ms. Weber replied, I would just double check with the Building Dept but I'm pretty positive that you'd need a building permit in order to construct this.

Lindsey Baker stated, because this was approved as part of the ARB., so does that count?

Ms. Weber replied, no. There's the design review and you came here for a variance. Architectural Review is going to look at the design of everything and then the Building Dept is in charge of building permits, making sure everything meets the Zoning and Building Codes.

Lindsey Baker replied, okay.

Chairman Pro Tem Michalko asked, are there any other matters before the Board tonight?

There was none.

**ADJOURNMENT**

Mr. Haycox, seconded by Mr. Kless made a motion to adjourn the meeting.

**ROLL CALL**

Ayes: All

Nays: None

**Motion Carried**

**Meeting adjourned at 6:15 p.m.**

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Chairman

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Secretary