



BY _____

Revised March 1st, 2024

6 sets
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2 weeks prior.

Board of Zoning Appeals Application

Application Date:

Meeting Date:

B.O.A. Application Fee: \$50 + 3% State Fee

4/14/24

BZA 4/16/24

Pursuant to the Village of Mayfield Charter and Zoning Code, the undersigned hereby submits attached information and requests a hearing before the Board of Zoning Appeals for the following purposes:

(Please Check Request) AREA VARIANCE NON-CONFORMING USE
 USE VARIANCE OTHER APPEAL

Owner
 Name: DAVE AND ELLEN NAGER
 Address: 886 HARDWOOD CT.
 Phone: [REDACTED] Fax: _____
 E-mail: [REDACTED]

Representative at Hearing (if different than Owner)
 Name: SEAN BIEGA
 Address: 651 STRUMBLY DR. HIGHLAND HTS. OHIO 44143
 Phone: [REDACTED] Fax: _____
 E-mail: [REDACTED]

Nature of Request (e.g., side yard setback variance)	Code Section	Description
1. <u>FRONT YARD HEIGHT RESTRICTION</u>		<u>INSTALLING 2 ENTRY PILLARS.</u>
2.		
3.		

NOTE: A narrative is required with this application. When applying for an “area” variance, the attached supplemental information demonstrating “PRACTICAL DIFFICULTY” is required. When applying for a “use” variance, the attached supplemental information demonstrating an “UNNECESSARY HARDSHIP” is required. (MVCO 1105.02.)

Also see the Procedural Outline for Applicants for further information and instructions.

APPLICANT'S SIGNATURE: S.M. Biega
 DATE: 3/20/2024

PROPERTY OWNER'S SIGNATURE: [Signature]
 DATE: 3.20.24

BOARD OF ZONING APPEALS
Area Variance Application Supplemental Information

Application for property located at:

886 HARDWOOD COURT

"Area" Variances from the terms of the Code shall not be granted by the Board of Zoning Appeals unless the "evidence demonstrates that the literal enforcement of this Planning and Zoning Code will result in practical difficulty."

In determining "practical difficulty", the Board of Zoning Appeals will consider the following factors:

1. Will the property in question yield a reasonable return or can there be any economical beneficial use of the property without the variance? Please include in your answer why the variance is required in order to be able to improve the property.

2. Is the variance substantial and is it the minimum necessary to make possible the economically reasonable use of the land or structures? Please include in your answer whether you are requesting the smallest variance for the particular project.

3. Would the essential character of the neighborhood be substantially altered or would adjoining properties suffer substantial detriment as a result of the variance? Please include in your answer how the character of the neighborhood will change if the variance is granted.

4. Would the variance adversely affect the delivery of governmental services, such as emergency services, water, sewer, or trash pickup? Please include in your answer how the delivery of these services will continue or be changed if the variance is granted.

5. Did the property owner purchase the property with knowledge of the zoning restriction? Please include in your answer a statement as to whether or not the zoning restriction was in effect when the property was purchased.

6. Can the property owner's predicament feasibly be obviated through some method other than a variance? Please include in your answer whether or not the project can be changed in order to not require a variance.

7. Would the spirit and intent behind the zoning requirement be observed and substantial justice done by granting a variance? Please include in your answer why the purpose of the zoning code, to protect the health, safety and welfare of the residents, will continue if the variance is granted.

8. Do special conditions and circumstances exist which are peculiar to the land or structure involved and which are not applicable generally to other lands or structures in the same zoning district? Please include in your answer any conditions such as if the property is shaped differently than surrounding properties or has different topography than surrounding properties.

SIGNATURE



DATE

3-20-24

Board of Zoning Appeals Answers:

Nager Residence

886 Hardwood Court Mayfield Village, Ohio

Area Variance Answers.

Page 1:

1. We propose to install 2 entry pillars to the driveway. The house is tucked back into the land based on the property layout on the cul de sac. The addition of the pillars with the property number will better identify the house and along with all of the plantings, add to the appeal of the area.
2. The front yard code states that nothing over 42" can be installed in the front of the property. I do not believe that the code specifies any certain exceptions. Mailboxes are obviously over that height. As the drawing indicates we are asking for an additional 21". The pillars will be 63" tall
3. Entry pillars or entry signs exist all throughout the community. Subdivisions have entry walls and pillars to mark their location. These types of structures are typically created in a tasteful manner and add to the character of Mayfield Village. These pillars along with the investment in the plantings around them will only enhance the area. As mentioned above it will identify the property and the stone selections will match the stone that is currently on the façade of the house.
4. The pillars set back out of the 20' easement of the property. They are also located appx. 3' away from the driveway. Mail service along with garbage pickup occurs at the street. The driveway is wide enough to accommodate emergency services if needed. Nothing will be hindered.
5. The owner was not aware of any front yard code restrictions for entry pillars. That does not mean that they did not exist however they were not made aware of it.
6. Typical heights of entry pillars are in the 60" plus range. Unfortunately the code does not consider such items and was more likely set at 42" to stop fencing from being installed above that height. The pillars to be installed will be 63" or 5'-3" tall. I feel that they would look out of scale at the 42" height.
7. The construction of the entry pillars would in no way create a problem in regards to the safety, health or welfare of the residents of the community. As mentioned above I believe the spirit of the code was to stop owners from erecting buildings/sheds and or tall fences in the front yards that would be an eyesore to the community. The pillars along with the plantings would not be constructed in a manner that would look obtrusive.
8. The home is located on a cul de sac and it sits back at an angle that makes it somewhat hidden. While that is also a benefit of the location it is hard to tell its location. The shape of the property is also shaped like a pie. Therefore it is somewhat narrow at the street location. Identifying the entrance with the pillars will help.



Stone FX Construction
7485 Ravenna Rd. Concord, OH 44077

Mailing Address: PO Box 43422 Richmond Heights, Ohio 44143

RECEIVED

Letter of Explanation

Dave and Ellen Nager

886 Hardwood Court

Mayfield Village, Ohio

Item Description

Zoning Variance: Letter of Explanation

We have been asked by Mr. Dave Nager to install 2 entry pillars on their property. We have submitted a set of plans that show the area in both 2 and 3 dimensions. The drawing set illustrates the design along with all dimensioning. The height of the pillars will be 63". Daniel Russel has informed us that the code requires anything constructed in the front yard to be below the height of 42". We are asking for a variance of appx 21" in height that will allow for us to install the masonry entry pillars as per plan. The materials that will be used on the pillars will match that of the stone that currently exists on the facade of the house along with sandstone that matches the landscape walls on the property. Our goal is to create the pillars to better identify the location of the home. An address number will be installed on the left pillar that will be illuminated with a low voltage landscape light that will shine downward from underneath the sandstone cap. The light will not shine outward. We also please ask that you view the renderings and understand that we will be installing plantings around the base of each pillar that will soften the appearance and create a scaled image that will not be obtrusive. Please also note that they will set back off of the street over 20'.

Respectfully Submitted

Stone FX Inc.,
Sean Biega
BSLA Univ. of Kentucky '95/Owner



MAYFIELD
VILLAGE

MAYOR BRENDA T. BODNAR
mayfieldvillage.com

BUILDING DEPARTMENT
Daniel T. Russell, Building Commissioner
6622 Wilson Mills Road
Mayfield Village, OH 44143
440.461.2213 • Fax: 440.442.5077
drussell@mayfieldvillage.com

MEMO

To: Board of Zoning Appeals Members
From: Dan Russell, Building Commissioner
Date: April 2, 2024

Re: 886 Hardwood Ct – 2 Front Yard Columns

The applicant is requesting to install two (2) - 63" high by 28" wide columns at the front driveway entrance.

Our Ordinance Section 1157.08 (b)(1) for front yard structures allow a 42" high column. The applicant is requesting a 21" height variance.

This has been reviewed by the Law Dept and they agree with my determination.

The applicant will require ARB approval for the columns.

If you have any questions, please contact me at 440-471-1040.

DR/dmg

Enclosure: Sections 1157.08 (b)(1)

(c) "Truck", for the purposes of this chapter, shall include any truck one and one-half tons in rated capacity, or more, any tractor, semi-trailer, or trailer. Also included shall be any pick-up truck less than one and one-half ton van or sport utility vehicle, used for commercial, business, or manufacturing purposes and bearing mounted equipment, signs, racks carrying equipment, tools, ladders, material and/or similar items.
(Ord. 2002-07. Passed 5-20-02.)

1157.08 FENCES; PERMIT; FEE.

(a) Definitions. The following terms shall have the following meanings for purposes of this Section of the Planning and Zoning Code:

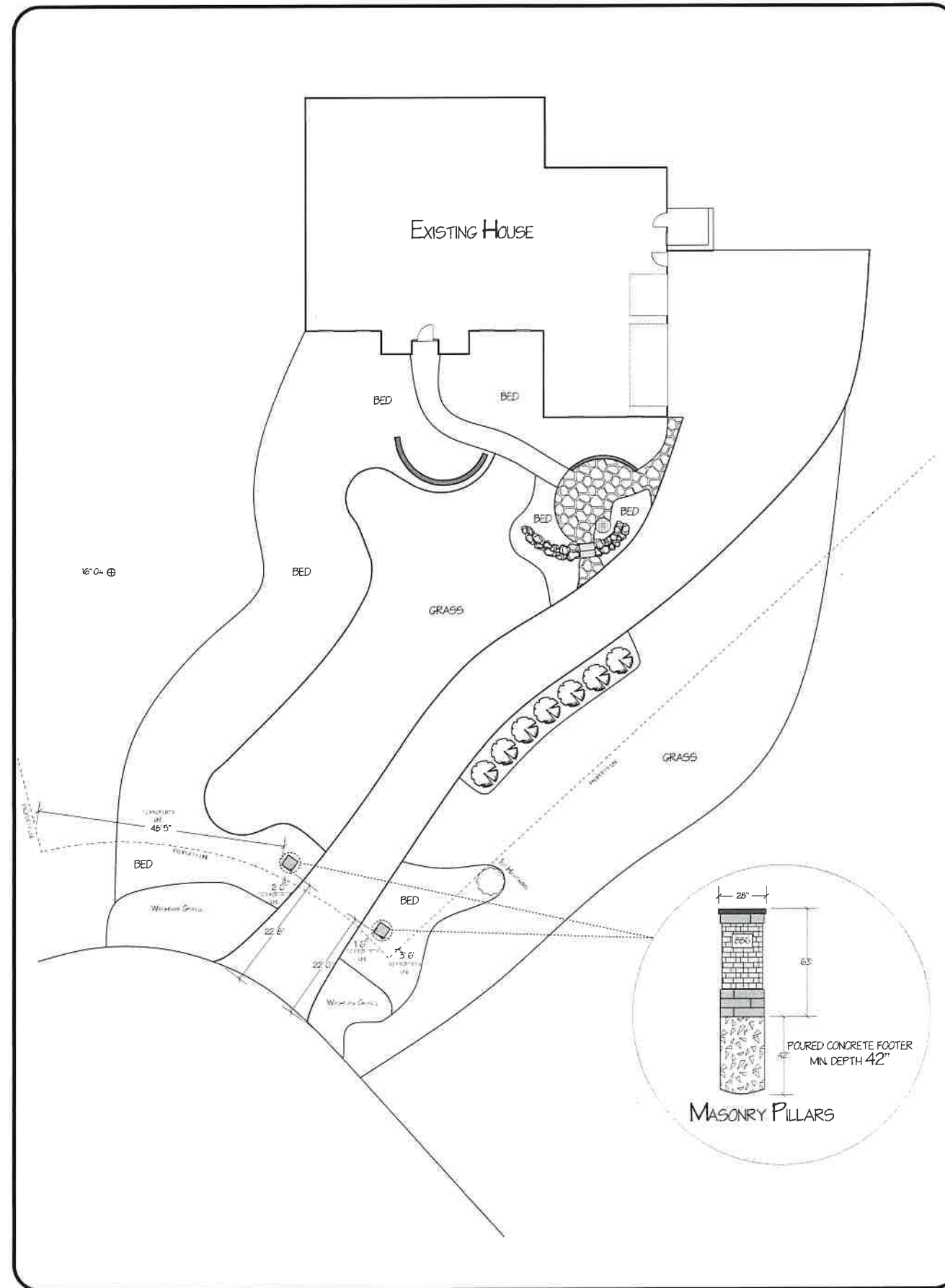
- (1) "Fence" means the installation of acceptable material at or along the property line or lines to define or enclose the property or to prevent entry to an area.
- (2) "Solid Board" means a wood or vinyl fence where the boards are installed against each other so as to provide a solid wall that does not allow seeing through or the passage of air and includes stockade fences.
- (3) "Spaced Board" means a wood or vinyl fence where there is a space left between the boards so as to allow the flow of air and allow visibility. Typically, the space is anywhere from one (1) inch up to the width of the vertical boards.
- (4) "Board on Board (or Shadow Box)" means a fence constructed like a Solid Board fence, except that the fence boards are installed alternately from one side of the fence rails (or stringers) to the other. Boards can run either vertically or horizontally.
- (5) "Louver" means a fence where the boards are installed on an angle between the rails or posts to direct sunlight or air. Boards may be installed either vertically or horizontally.
- (6) "Basket Weave" means a fence where thin basket boards are woven alternately around small wooden members which extend through the height of the weave.
- (7) "Split Rail" means a rustic fence where split rails are inserted into slotted posts. Two and three horizontal rails are common.
- (8) "Picket" means a fence that is typically a spaced board fence four (4) feet or less in height usually with a blunted point cut at 45-degree angles, or rounded, or with a gothic point.
- (9) "Chain link" means a fence usually made of metal consisting of loops of wire interconnected in a series of joined links.
- (10) "Decorative fence" or "Ornamental Fence" means a fence that is erected primarily for aesthetic purposes which does not obstruct visibility into or out of the lot or property, and is constructed of materials to enhance the appearance of a property or garden such as metal or wrought iron.

(b) Fences Permitted.

- (1) In Front Yards. In front yards in Class U-1, U-2, U-3 and U-3AA Use Districts, the only fences permitted shall be as follows: decorative fences and split rail. Such fences shall be placed adjacent to the front entrance of the dwelling, at a point not closer than twelve (12) inches from the front property line and not over forty-two (42) inches in height.
- (2) In Side and Rear Yards. In side yards and rear yards in Class U-1, U-2, U-3 and U-3AA Use Districts, the only fences permitted shall be as follows: split rail, chain link, board on board, solid board, spaced board, basket weave, louver, decorative and picket fences.

886
Hawwood CT





STONE FX CONSTRUCTION

LANDSCAPE PLAN:
NAGER RESIDENCE
 886 HARDWOOD CT.
 MAYFIELD VILLAGE, OH 44040
 REVISION # REV 0

LANDSCAPE DESIGN BY:
 SEAN BIEGA BSLA 1995
 SCALE: 1/8" = 1'
 DATE: 3/3/2024