

*Note: These minutes were compiled by extracting certain facts the essence of testimony from an audiotape made of this meeting. Complete detail and verbatim statements can be heard and transcribed from the tape. The tape is available in the office of the Department of Planning and Zoning for a nominal fee.*

## **STREETSBORO BOARD OF BUILDING AND ZONING APPEALS**

**HEARING  
November 16, 2021  
7 PM**

**Call to Order** – Chairperson Bross called the meeting to order at 7:02 pm.

### **Pledge of Allegiance and Invocation**

**Roll Call:** Todd Cooper, Aaron Hatzon, Doug Liebler, Anthony Madden, Marvin Woods and Matt Bross were present.

Also present: John H. Cieszkowski, Jr. AICP Planning and Zoning Director; Sara J. Fagnilli, Assistant Law Director and Bridget Pavlick, Clerk

<b>Disposition of Minutes:</b>	August 18, 2020	May 25, 2021
	September 22, 2020	July 20, 2021
	October 20, 2020	August 17, 2021
	February 16, 2021	October 19, 2021
	March 16, 2021	

Mr. Bross suggested that there be no voting on adoption of minutes until the December 21, 2021 meeting to give the Board more time to review.

**Old Business-** none

**Sign Review- Chapter 1159 -** none

**New Business –**

### **769 Stewart Avenue – Ghrist**

Requesting a variance from Section 1151.13 to allow a side yard setback for a home addition on a corner lot of 15 ft. Code requires 45 ft. Variance is for 30 feet.

Applicant, Richard Ghrist 769 Stewart Avenue, Streetsboro was sworn in. Mr. Ghrist stated that he and his wife want to add a substantial addition and renovation for the existing home. He stated that all of the homes on Raymond are at approximately the same distance on the side. He was not aware of the issues with corner lots and is asking for this variance. Mr. Cieszkowski added that the proposed setback for this addition would be in line with setback from the Raymond Street right-of-way for the property adjacent to the north. A good number of homes that are somewhere between 12 feet and 20 feet. There are no sight-visibility issues created by this addition.

**Motion: Mr. Madden.**

**I hereby move on this 16th day of November 2021 the Streetsboro Board of Zoning and Building Appeals grant a variance for 769 Stewart Avenue-Ghrist; from Section 1151.13 to allow a 15-foot side yard setback from the Raymond Street right-of-way, where Code requires a minimum side yard setback of 45 feet on a corner lot in the R-1 District. Variance is for 30 feet; per drawings received 10-25-2021, subject to all Planning and Zoning ordinances and site plan review of the City of Streetsboro where applicable. Seconded by Mr. Woods. Roll Call vote: Yes-6, No-0.**

**Mr. Madden: I vote yes. I think the presentation and everything you offered tells a very good story. While I mentioned this prior to the meeting, I respect that you got the neighbors to sign off on this and that you did your due diligence.**

**Mr. Woods: I believe that this stands in unison with the rest of the houses in the neighborhood and I vote yes.**

**Mr. Liebler: Yes, when you have a corner lot like that it kind of puts you at a little bit of what seems to be a disadvantage according to the zoning rules, when it really puts you in line with the other houses if you didn't have that corner lot.**

**Mr. Cooper: I vote yes. Thank you very much for the thorough proposal and it appears that this variance will keep you in harmony with the rest of the neighborhood.**

**Mr. Hatz: I vote yes. I actually went through the community and verified. Always, Mr. C. always double checking. I would go through the community and see what it's like and that whole road there pretty much seems in line with everyone else.**

**Mr. Bross: Yeah, while I initially have reservations about second story additions to one story structures, I know with garages, we tackle that. But, I think this is different and what drove it home for me is Mr. Cieszkowski had pointed out to me in advance about the side-yard setbacks being consistent with the rest of the houses. Again, I think it's harmonious and given that, I vote yes.**

**1112 Tinkers Green Drive - Rao**

**Requesting a variance from Section 1129.04(b) to allow a rear yard setback of 32 ft. Code requires 50 ft. Variance is for 18 ft.**

**Applicant, Jay Rao, 1112 Tinkers Green Drive was sworn in. Mr. Rao explained that the way the lot is configured and the home placed on the lot, the only way he can build his deck and get a view of the greens is through variance. Mr. Rao stated that he went through the HOA to seek approval and sought out the neighbors that would be affected. He indicated that he was not able to cantilever and have the posts inside the setback because an 8-foot cantilever is not structurally sound. Mr. Cieszkowski discussed the cantilever issues and how it was not feasible in this instance. The applicant stated that**

granting the variance would bring him in line with the other houses in the neighborhood and allow him to have a regular shaped deck as opposed to an irregular shaped deck.

Mr. Cieszkowski indicated that the applicant picked up on most of the items that had been discussed several times over the course of several months. Mr. Cieszkowski thanked the applicant for his diligence and willingness to meet and work toward a solution. It was also mentioned that the positioning of the door to the outside was on the side of the house where this deck will be placed. There is no other access to the outside on the back of the house.

Mr. Cieszkowski wanted to clarify and explain the difference between the variance that is being requested and what is seen on the drawings. The drawings show the topo submitted and what was permitted per the Consent Judgement Entry (CJE) (i.e., the 40-foot setback). In looking at the Code, Mr. Cieszkowski felt it more appropriate to request the variance from the current Code standard of 50 feet than the Consent Judgement Entry permitted rear yard setback of 40 feet. This explains the difference between the variance being granted in the staff report and the dimensions on the drawings.

There was some discussion with the Board members as to the differences between the Consent Judgement Entry and the Zoning Code with respect to the variance. It was stated that either form of usage, CJE of current Zoning Code, the outcome is still a 32 foot rear yard setback.

**Motion: Mr. Madden:**

**I hereby move on this 16th day of November 2021 the Streetsboro Board of Zoning and Building Appeals grant a variance for 1112 Tinkers Green Drive-Rao, from Section 1129.04(b) to permit a 32-foot rear yard setback. Code requires a minimum rear yard setback of 50 feet. Variance is for 18 feet. Per drawings received 10-25-21 and subject to all Planning and Zoning ordinances and site plan review of the City of Streetsboro where applicable. Seconded by Mr. Liebler. Roll Call vote: Yes-6; No-0.**

**Mr. Madden: I vote yes. I wish to thank you for your hard work and working so closely with our city officials to ultimately get you to where you are tonight. It is very cut and dried.**

**Mr. Woods: I vote yes for all the same reasons.**

**Mr. Liebler: I vote yes as well. Again, with this corner, it presents different challenges and you have a non-square lot it adds a little bit to our setback requirements there and you worked with the city to make it as minimal as possible.**

**Mr. Cooper: I vote yes. Thank you for your effort in working with the city on this. It appears that the spirit and intent of the zoning code is still being followed.**

**Mr. Hatz:** I vote yes.

**Mr. Bross:** Yeah, I fully understand the real issue is the rear property line and how it slants in toward the street, henceforth the difficulty. I don't think it's encroaching on anything, it will serve its purpose, and everyone will be glad to be on a deck and off the driveway. I vote yes as well. Your request for variance has been unanimously approved.

**Zoning Text Amendment** – None

**Reports, Communications and Correspondence**

**Citizens' Comments-None**

**Commission Member Comments-**

Mr. Madden offered a welcome to the two new Board members. He also offered a heartfelt farewell to Bill.

Mr. Woods wished everyone a Happy Thanksgiving.

**Announcements:** The next Regular Planning and Zoning Commission meeting will be held Tuesday, December 21, 2021 at 7PM at the Streetsboro Municipal Building (555 Frost Road).

**Adjournment**

There being no further business before this Commission a motion to adjourn was made by Mr. Madden and seconded by Mr. Woods and the meeting was adjourned at 7:37 pm.

Attest:

  
Bridget Pavlick, Clerk

  
Matt Bross, Chairperson