

VILLAGE OF BRATENAHL
10300 BRIGHTON ROAD
BRATENAHL, OHIO 44108
(216) 383-0468

BOARD OF ZONING APPEALS MEETING

APRIL 7, 2022
5:30 P.M.

MAYOR JOHN LICASTRO, CHAIR
KEITH BENJAMIN
KAREN BRACE
FRED KREINER
JEFF MOLCHAN

TRANSCRIBED BY: LORRAINE J. KLODNICK, RDR, CRR

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1 photos, but there was a garage, is still a garage
2 on the property that was probably built in the
3 '50s. They built one wall and dropped sort of --
4 somewhat of a roof. It is in considerable
5 disrepair. We would like to build a new garage
6 that matches the house, three-car. It would
7 connect to the house. It would then come across
8 the back courtyard.

9 We wanted to keep the major -- the short
10 side of the wall against our neighbors to the
11 west. They have seen the plans and they
12 submitted a letter of approval to the planning
13 commission. So they have no issue with the two
14 requests that we are putting before you, which is
15 relief from the side yard setback on the west and
16 also garage doors facing the street.

17 The current garage would stop at the
18 current wall of the courtyard, so we are not
19 taking any further land away from green space or
20 we're not getting any closer to the neighbors
21 than we already are now. And the garage facing
22 the street, if we were to have the garage doors
23 face any other way, we would be putting the mask
24 of the wall right up against the neighbors.

25 So those are the two things we're

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1 MAYOR LICASTRO: I'll call the meeting
2 to order, call the roll. We have a full
3 contingent of board members, Mr. Molchan, Mr.
4 Kreiner, Ms. Brace, and Mr. Benjamin all present,
5 and myself as well.

6 We have one item on the agenda. I'll
7 remind everybody this is the most formal of all
8 Village processes, so before you speak, we don't
9 have a court reporter in the room, please
10 identify yourself by name.

11 Also in the room are Kris Hopkins, our
12 Village Planner, Mary Ranney, the Department
13 Administrator, and the two applicants.

14 So without further adieu, I'd ask the
15 applicants to introduce themselves and give us a
16 quick presentation of the project.

17 MS. BROER: So my name is Victoria
18 Broer, Vikki. My husband's name is Peter. We've
19 lived in the Village for a very long time,
20 probably 35 years. We used to live at 12325 and
21 moved down to 12611, bought that house about 20
22 years ago.

23 This is our architect, David Ellison.
24 He's worked in the Village before.

25 I don't know if you could see from the

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1 requesting and we're happy to field any
2 questions.

3 MAYOR LICASTRO: Before we do, the
4 Planning Commission did indeed review this
5 project last month and made a recommendation for
6 the project itself, did not offer an opinion on
7 the variances, which is what we're here to
8 discuss tonight.

9 I'm going to have Ms. Hopkins give her
10 overview and her memo, and then we'll take
11 questions from the board members.

12 Ms. Hopkins.

13 MS. HOPKINS: Yes. Thank you. As was
14 stated, there are two variances that are
15 requested today. One is allowing the garage to
16 be only 11 and a half feet or so off of the side
17 lot line instead of the minimum 30 feet that's
18 required.

19 Then the second one is orienting the
20 garage door so that they face the street instead
21 of the requirement for them to not face the
22 street unless the majority of the homes on the,
23 quote, block are already facing the street.

24 And for my analysis, I -- there is a
25 requirement in the zoning, in the subdivision

1 regulations basically that says a block is on
2 average 1500 feet. So I looked at properties
3 that were 750 feet on either side. And there are
4 not a majority of the garages that face the
5 street. So that is why then that's the second
6 variance being requested.

7 A couple of things, there are a few
8 things to point out. There is a -- the lot line
9 that you can see on the drawing that was the site
10 plan that was submitted, it does take a jog to
11 the east and as we all know property lines are
12 imaginary lines so you can't really see them, so
13 in looking at the total separation between the
14 house to the west and the proposed garage, that
15 separation is 89 feet.

16 If both properties were -- had their
17 houses, the minimum 30 feet from the lot line,
18 then the minimum could be as small as 60 feet.
19 So even with the variance that's being requested,
20 it still observes that spacing, that minimum
21 spacing.

22 Then you can also see that the house to
23 the west, 12521 Lake Shore Boulevard, is only a
24 few feet off of its western boundary, so you have
25 this sort of a pattern where for some reason when

1 the property lines were drawn they were --
2 talking about when the houses were originally
3 built over a hundred years ago or so, they
4 weren't necessarily centered on the lot.

5 The other thing that I thought was
6 important to note is that currently, and you can
7 see this in the aerial photo on page 4 of my
8 report, they currently are using this car or this
9 auto yard for parking. And so right now, the
10 neighbors are, to the extent that it's visible,
11 though there's a lot of vegetation there, to the
12 extent that it is visible, they are now looking
13 at multiple cars.

14 So then the question is does it make
15 sense to install or to construct a single story
16 garage, which from the elevations it's a -- the
17 single story is a very low profile, especially
18 compared to the height of the building.

19 So in terms of the practical
20 difficulties required to be assessed for
21 variances, as was pointed out, if the garage were
22 to be reoriented, the neighbor would actually
23 have much more, almost twice as much of a wall
24 facing their property. And when you consider
25 that it's moving, it's what, 20, 25 feet maybe,

1 I'm sorry, not even that much, 18 -- yes, 18 and
2 a half feet over, is that really much of a
3 difference just from a separation point?

4 And I'd say that's one of the practical
5 difficulties is that it doesn't -- the neighbor
6 doesn't gain much, but yet the applicant has to
7 pretty much rearrange much more than just where
8 the garage is going to go in terms of the
9 courtyard and the layout of the driveway.

10 Then also there is significant
11 vegetation between where the garage is at the
12 front of the house and where the front lot line
13 is. It's 350 feet or so.

14 So the garage door orientation, that is
15 important in areas like the street out front
16 where the houses are much closer to the street
17 and so those garage doors are visible. It's --
18 they're not visible from the street where the
19 garage is proposed on the site.

20 So rearranging the garage doors for that
21 to comply with that to me is also not necessary
22 to meet and uphold the spirit of the zoning code.

23 MAYOR LICASTRO: All residents within
24 300 feet of this property were notified by
25 registered mail of this meeting. The only

1 response we got was from the neighbor to the west
2 who did not have a problem. She was supportive
3 of this project going forward. Talking about
4 processes going further, but let's take comments
5 from board members. Any comments?

6 MR. BENJAMIN: Just a clarification to
7 make sure I know what I'm looking at here. This
8 is the area where the proposed new garage would
9 go?

10 MS. BROER: Yes.

11 MR. BENJAMIN: So there's parking
12 already there.

13 Oh, Keith Benjamin, for the record.

14 MAYOR LICASTRO: Thank you.

15 MR. BENJAMIN: Okay. Then the one car
16 garage or shed, that's coming down as well?

17 MS. BROER: This shed, there are two
18 sheds that face each other. This is being
19 incorporated into the garage because it's going
20 to connect here --

21 MR. BENJAMIN: Oh, okay.

22 MS. BROER: -- inside this courtyard,
23 which you can't see in this photo, there is a
24 one-and-a-half-car garage that is in awful shape.
25 It is falling apart.

1 MR. BENJAMIN: Okay. So that is being
 2 demolished --
 3 MS. BROER: Yes.
 4 MR. BENJAMIN: -- as part of the project
 5 as well? Okay.
 6 MAYOR LICASTRO: Thank you,
 7 Mr. Benjamin.
 8 MR. BENJAMIN: Thank you, Mayor.
 9 MAYOR LICASTRO: Anyone else?
 10 MR. MOLCHAN: Jeff Molchan, for the
 11 record. So the shed that's supposing the one
 12 that's shown in the photo is coming down with the
 13 garage?
 14 MS. BROER: I'm not sure which -- so the
 15 shed that is nearest the -- closest to the house
 16 is being rebuilt, incorporated.
 17 MR. MOLCHAN: Right.
 18 MS. BROER: The shed on the far side is
 19 staying, because that's -- I mean, it's original
 20 to the property and we would like to maintain as
 21 much of that detail as we can.
 22 MR. BENJAMIN: Mayor, so that's what
 23 this is here. That's the old approximately --
 24 MS. BROER: Yes. That's the -- that's
 25 the shed.

1 MR. BENJAMIN: The shed. That's what I
 2 meant, yeah.
 3 MS. BROER: And the garage is in here.
 4 MR. BENJAMIN: In here. Right. Okay.
 5 Got it.
 6 MAYOR LICASTRO: Mr. Kreiner?
 7 Ms. Brace?
 8 MR. KREINER: So I don't have any
 9 questions. I agree with the recommendation. I
 10 think the garage door issue is a nonissue. I
 11 think with the neighbors in favor, I don't think
 12 there's anything to talk about, in my opinion.
 13 MS. BRACE: I think it looks very
 14 acceptable. No comments. No issues with the
 15 plan.
 16 MAYOR LICASTRO: Thank you. So we'll
 17 ask for a motion in a moment, talk about the
 18 process going forward.
 19 As I mentioned, this already went
 20 through the Planning Commission. The actual
 21 building materials and style will have to go in
 22 front of the Architectural Review Board next
 23 week. And Council will have to approve the
 24 variances so recommended by this body.
 25 So I would ask for a motion to recommend

1 to Council that two variances be granted, one of
 2 which pertains to the side yard setback, the
 3 other which pertains to the manner in which the
 4 garage door faces the street.
 5 MR. MOLCHAN: So moved.
 6 MR. BENJAMIN: Second.
 7 MAYOR LICASTRO: Discussion?
 8 MR. MOLCHAN: Just one motion? We don't
 9 have to do two?
 10 MAYOR LICASTRO: We can do both in one.
 11 Everyone is clear on the motion? Any
 12 comment?
 13 Ms. Hopkins, any further comment from
 14 you?
 15 MS. HOPKINS: No.
 16 MAYOR LICASTRO: All right. All in
 17 favor of the motion?
 18 MR. BENJAMIN: Aye.
 19 MS. BRACE: Aye.
 20 MR. KREINER: Aye.
 21 MR. MOLCHAN: Aye.
 22 MAYOR LICASTRO: Anyone opposed? No one
 23 opposed. Congratulations.
 24 MS. BROER: Thank you very much.
 25 Appreciate it.

1 MR. BENJAMIN: I think it looks great.
 2 MAYOR LICASTRO: It does look great.
 3 Very much in keeping with that beautiful home.
 4 Any other business before this body?
 5 There being none, I'll entertain a motion for
 6 adjournment, please.
 7 MR. BENJAMIN: Motion to adjourn.
 8 MR. KREINER: Second.
 9 MAYOR LICASTRO: All in favor?
 10 MR. BENJAMIN: Aye.
 11 MS. BRACE: Aye.
 12 MR. KREINER: Aye.
 13 MR. MOLCHAN: Aye.
 14 MAYOR LICASTRO: We stand adjourned.
 15 Thank you.
 16 (Meeting adjourned.)
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1 I, Lorraine J. Klodnick, do hereby certify
2 that as such Reporter I took down in Stenotypy all
3 of the audio-taped proceedings had in the foregoing
4 transcript; that I have transcribed my said
5 Stenotype notes into typewritten form as appears in
6 the foregoing transcript; that said transcript is
7 the complete form of the audio-taped proceedings
8 had in said cause and constitutes a true and
9 correct transcript therein.

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