

MINUTES OF MEETING  
BOARD OF ZONING AND BUILDING APPEALS  
MARCH 12, 2026

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Members Present: Farrell, Christ, Wright, Martinez, Harpster

Presence Noted: Lisa Havemann, City Councilman  
Steven Dever, Assistant Law Director  
Ray Reich, Building Commissioner  
Dylan Minek, Planning and Community Development Administrator

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The Board of Zoning and Building Appeals has two variance standards that it uses to evaluate every variance request. Depending on the variances requested, it is either an (Use) Unnecessary Hardship Standard or (Area) Practical Difficulties Standard. Each standard has a specific set of questions that the applicants must answer, and the Board must consider when looking at each request. The Secretary, or acting Secretary, will read through these questions and answer them to the best of their ability. The Board Members can agree with the evaluation of the Secretary or can give their own opinion to be considered.

In the case of the March 12<sup>th</sup>, 2026, meeting, every variance that was voted on used the (Area) Practical Difficulties Standard. The questions for the (Area) Practical Difficulties Standard are as follows:

- A. Describe what special conditions and circumstances exist which are peculiar to the land or structure involved and which are not applicable generally to other land or structures in the same zoning district (i.e., exceptional irregularity, narrowness, shallowness or steepness of the lot; or proximity to non-conforming and inharmonious uses, structures or conditions).
- B. Explain whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the variance (discuss use limitations without the variance).
- C. Explain whether the variance is substantial and is the minimum necessary to make possible the reasonable use of the land or structures (demonstrate how much the variance request deviates from Code requirements, i.e., coverage is 1 or 2% above Code, or setback is 1 or 2 feet less than Code requirement).
- D. Explain whether the essential character of the neighborhood would be substantially altered and whether adjoining properties would suffer substantial detriment as a result of the variance (discuss the increase of value, use, and aesthetic appeal for both your property and adjoining properties, together with any negative impact to adjoining properties).
- E. Explain whether the variance would adversely affect the delivery of governmental services, such as water, sewer, or trash pickup.
- F. Explain whether the property owner purchased the property with knowledge of the zoning restrictions.
- G. Explain whether special conditions or circumstances exist as a result of actions of the owner.
- H. Explain whether the property owner's predicament feasibly can be obviated through some method other than a variance (why other means and methods of property improvements or enhancements would not suffice).

- I. Explain whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting a variance (discuss the positive impact of your improvement on your property and on the surrounding neighborhood).
- J. Explain whether the granting of the variance requested will confer on the applicant any special privilege that is denied by this regulation to other lands, structures, or buildings in the same district.
- K. Explain whether a literal interpretation of the provisions of this Code would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Code.

As the Secretary reads these Practical Difficulties for the variance requests, the letters for the questions will be referenced. Refer to the letters listed above during their evaluation of the Practical Difficulties.

Mr. Farrell opened the March 12<sup>th</sup> meeting of the Board of Zoning and Building Appeals at 7:00 p.m. He explained the meeting protocol and said that the Board has had the opportunity to visit the sites and review the applications. He said that anyone who is present and interested in any of the agenda items should come forward when the item is called so they can be sworn in if they wish to speak.

Mr. Wright moved to approve the Board of Zoning and Building Appeals meeting minutes from February 12, 2026, as presented. Mr. Christ seconded.

4 Ayes – 1 Abstain (Harpster)  
**APPROVED**

**1. ERIC AND BETSY FRITZ – 922 Morewood Pkwy – PUBLIC HEARING –**

**Variance:** To construct a two-story addition with a side setback of 4'-9" vs the 6'-3" that is permitted. Per Schedule: 1153.07 (1)A.

Mr. Christ introduced the variance request, and Mr. Farrell swore in Michael DeMarco, the architect. Mr. DeMarco said it is an addition to the rear of the home to primarily accommodate some of the ambulatory requirements for the homeowners' parents. The first floor will now have a master suite, the laundry room is being reconfigured, and the existing kitchen and dining room are being renovated. On the second floor, a master bath will be added off the existing master bedroom. Mr. DeMarco said the south side yard setback currently exists at 4.8' versus the 6.25' that is required, and the new addition would not expand past that. It would align with the existing house. He said they have gone through two Design Board meetings and received approval. Mr. DeMarco said the neighbor directly to the south, the property most affected, wrote a letter in support, and that was provided to the Board. Mr. Farrell said they received that letter.

Mr. Farrell said it matches the current home's setback. He said that even though part of this addition is two-story enclosed, there is the sun porch section of it, which helps break things up a little bit. Mr. Farrell asked if the Design Board had comments on that elevation. Mr. DeMarco said they did. He said originally there were no windows on that elevation, and the Board told them to add windows on the first floor in the bedroom and bathroom. The bathroom upstairs

does not allow for windows since that wall is used for the vanity and other features like that. Design Board approved the window placement. He said the only thing the Design Board asked was for them to provide some sort of concealment to the door that goes from the bathroom to the sun porch. Mr. Christ asked Mr. Reich if the bathroom is required to have a window for exterior ventilation. Mr. Reich said that could be substituted with a mechanical fan.

Mr. Harpster said it looks like a nice addition and had no additional comments. Mrs. Martinez had no comments. Mr. Wright said what is driving this is the in-law suite, which, to him, is a reasonable request. Mr. Christ had no comments.

Mr. Christ moved to close the public hearing. Mr. Wright seconded.

4 Ayes – 0 Nays  
Passed

Mr. Christ read the practical difficulties factors aloud:

- A. This is an existing home, and they are adding on to the most appropriate area.
- B. He does not believe that will apply.
- C. He does not believe that it is.
- D. He does not believe that it will, since this is an existing setback.
- E. No, since it is an existing setback.
- F. He does not believe that will apply.
- G. He does not believe that they do.
- H. He does not believe that it can.
- I. He believes it would.
- J. He does not believe that it will.
- K. He believes it would.

The other Board members agreed with Mr. Christ's assessment.

Mr. Christ moved to grant a variance to Eric and Betsy Frtiz, 922 Morewood Pkwy, to construct a two-story addition with a side setback of 4'-9" vs the 6'-3" that is permitted. Per Schedule: 1153.07 (1)A. Mr. Wright seconded.

4 Ayes – 0 Nays  
**APPROVED**

**2. AUSTIN PRATT – 21399 Erie Rd – PUBLIC HEARING –**

**Variance:** To retain an air conditioning condenser with a side setback of 3'-6" vs the 10' that is permitted. Per Section: 1153.15 (k)(1).

Mr. Christ introduced the variance request, and Mr. Farrell swore in Austin Pratt, the homeowner. Mr. Pratt said he had an existing condenser in that area, and they placed the new one directly next to it, and it is within the 10-foot setback. He said they were doing renovations, and the existing unit in the garage was not functioning properly, so they removed it and rerouted it into the attic. He said the new condenser unit is powering the heating and cooling for the second floor. Mr. Pratt said there is a fence on the property line, and on both sides of the fence

are rows of pine trees, which help to block the view and muffle the sound. Mr. Farrell asked if he had spoken with the neighbor on that side. Mr. Pratt said he has not. Mr. Farrell said the neighbor's condenser is on the same side of the house. Mr. Farrell asked why he needed two condensers. Mr. Pratt said the existing powers the basement and the first floor, and the new one powers the second level. He said it did not seem like there was a practical location to put the new condenser. Mr. Farrell agreed with that.

Mr. Harpster asked for clarification about the condenser that was in the garage previously. Mr. Pratt said there was old ductwork and a furnace in there, so he believes it was only powering the addition above the garage. There was also a window unit in the bedroom upstairs, which was the only form of air conditioning on the second floor of the home. Mrs. Martinez, Mr. Wright, and Mr. Christ had no comments. Mr. Farrell agreed that there were not a whole lot of other places that he could put the condenser, and the neighbor has one in that same side yard.

Mr. Christ moved to close the public hearing. Mr. Wright seconded.

4 Ayes – 0 Nays  
Passed

Mr. Christ read the practical difficulties factors aloud:

- A. The lot is a corner lot with a rather unusual shape, and the locations of the existing building and condenser are all connected to this decision.
- B. He does not believe that will apply.
- C. Since there is an existing condenser, he does not believe that it is substantial.
- D. He does not believe that it will, since there is an existing unit in that area.
- E. He does not believe that it will affect any more than the one that's currently there.
- F. He does not believe that will apply.
- G. He does not believe that will apply.
- H. He does not believe that it reasonably can.
- I. He believes it would
- J. He does not believe that it will.
- K. He believes it would.

The other Board members agreed with Mr. Christ's assessment.

Mr. Christ moved to grant a variance to Austin Pratt, 21399 Erie Rd, to retain an air conditioning condenser with a side setback of 3'-6" vs the 10' that is permitted. The applicant has indicated their practical difficulties with providing the relocation and expansion of an existing condensing unit. It is going adjacent to the existing unit, and this is a reasonable solution based on the property's configuration and the home's location. Per Section: 1153.15 (k)(1). Mr. Wright seconded.

4 Ayes – 0 Nays  
**APPROVED**

**3. KIM AND BRIAN MCCUE – 2797 Tonawanda Dr – PUBLIC HEARING –**  
**Variance:** To construct an attached covered patio and outdoor kitchen with a side setback of 5'-2" vs the 8' that is permitted. Per Schedule: 1153.07 (1)A.

Mr. Christ introduced the variance request, and Mr. Farrell swore in Laura Bair, Hurst Design Build Remodel, and Brian McCue, the homeowner. Mrs. Bair said they are looking to remodel their backyard with a new covered outdoor living/grill area and new concrete. She said they are taking the existing sunroom and going straight back to create a vaulted roof to cover the outdoor living space. The goal is to be able to fit their sofa and outdoor furniture. Mrs. Bair said right next to it is an uncovered area for dining, and then right next to that, they are creating a grill area. To keep the smoke separate from the living area, they are creating a side cabinetry area with a grill and proposing to cover that. Mrs. Bair said the owners' grill is on that side currently, and the new proposed covering would extend 3 feet past the existing side of the home, which currently sits at the required 8 feet. She said they cannot put the grill area on the other side of the home because of the existing dormer and bay window.

Mrs. Bair said the neighbor most affected is here and is in support. Mrs. Bair said this is an improvement to the property. The materials and finishes will match the existing home. Mr. Dever asked if the neighbor who is present lives to the south. Mrs. Bair confirmed. She said there used to be a row of arborvitae between the homes, and a grill and stone wall used to sit where the proposed covered outdoor kitchen is going. Mr. Farrell asked if the stone wall and the covered outdoor kitchen are in the same area. Mrs. Bair said the covered outdoor kitchen is a little bit further from the property line than the stone wall was, but is essentially in the same location.

Mr. Farrell said he wondered if there was anywhere they could put the grill area that would not require a variance. He said they sort of described why they did not want to do it to the north because of the bay window. He asked if they could explain again why they could not do something without requiring a variance. Mrs. Bair said that to get proper circulation around the grill equipment, they wouldn't be able to fit that within the covered structure and have the everyday living furniture. She said they needed to have the living and cooking spaces separated from one another. Mr. Harpster asked why they did not put the grill straight out from the house. Mrs. Blair said there was not enough room. They have a fireplace wall and wanted to maintain the dimensions of the existing sunroom. She said it was important for them to maintain the roofline of that sunroom so it tied in with the original house. Mrs. Martinez asked if the entire cooking area is sheltered. Mrs. Blair said it is, the roof cantilevers over the back area.

Mr. Christ said the existing wall and cooking units appear to be closer to the property line than what is being proposed. To him, it seems to be a nonconforming pre-existing condition. Mrs. Blair said that it was uncovered and now they are covering it, which is why they are here, to ask for that grace. Mr. Christ agreed that this needed a variance; however, he was not as concerned because of the existing wall and units.

Mr. Minek asked for the neighbor's name and address who was present. Leila Abdallah, 2807 Tonawanda Dr, came forward to express her support and had no objections to the project.

Mr. Christ moved to close the public hearing. Mr. Wright seconded.

4 Ayes – 0 Nays  
Passed

Mr. Christ read the practical difficulties factors aloud:

- A. The applicant has indicated that these units are, in essence, being relocated to almost the same location. The primary difference is adding a roof covering over them. The existing configuration of the house and porch is driving this.
- B. He does not believe that will apply.
- C. Since it is in almost the same location, he does not believe that it is.
- D. He does not believe that it will.
- E. He does not believe that it will.
- F. He does not believe that will apply.
- G. He does not believe that they do.
- H. Based on the testimony, he does not believe that it can.
- I. He believes it would.
- J. He does not believe that it will.
- K. He believes it would.

The other Board members agreed with Mr. Christ's assessment.

Mr. Christ moved to grant a variance to Kim and Brian McCue, 2797 Tonawanda Dr, to construct an attached covered patio and outdoor kitchen with a side setback of 5'-2" vs the 8' that is permitted. Per Schedule: 1153.07 (1)A. The applicant has indicated their practical difficulties with upgrading the rear patio and cooking area to provide a better-protected area that is conducive to the existing house configuration. Mr. Wright seconded.

4 Ayes – 0 Nays  
**APPROVED**

**4. ROBERT AND MACKENZINE VECCHIONE – 21185 Beachwood Dr – PUBLIC HEARING –**

**Variance:** To install a mini split with a 3'-6" side setback vs the 10' that is permitted. Per Section: 1153.15 (k)(1).

Mr. Christ introduced the variance request, and Mr. Farrell swore in Ben Gertz, the contractor, and the owners of the neighboring property, 21167 Beachwood Dr, Ann and Michael Stasiak. Mr. and Mrs. Stasiak own the property directly affected by the mini-split.

Mr. Gertz said they are adding a dormer on the third floor, right next to the existing dormer, for an office space. The existing HVAC system does not provide adequate air flow to the third floor, so they are adding a mini-split. Mr. Gertz said the existing window placement on the rear of the house creates a condition where the lines for the mini-split would have to cross a window. He said the master bedroom at the rear of the home on the second floor is vaulted, so there is no attic space to run the lines through. Mr. Gertz said the mini-split would go where the larger bush is right next to the existing fireplace bump-out.

Mrs. Stasiak said they are contesting the location because it is too close to their property's driveway. Every time you walk out of the side door, you will see the mini-split, which will hurt the curb appeal of their home. Mr. Stasiak said that it would only be 10-12 feet from their side door if it were placed in the proposed location. He also said this same variance was requested years ago, and it was denied back then. The proposed mini-split is in the same location as the previous request. Mr. Stasiak said the condenser had been moved to the back yard, and they allowed for a closer setback as long as a fence was installed and bushes planted. He said they could put this mini-split right next to the existing condenser, which is already screened with the bushes and the fence. Mr. Gertz said the previous owner built an addition, and the bedroom has vaulted ceilings, so there is no space for them to run lines through that room into the attic.

Mr. Farrell asked if they put the mini-split behind the fireplace bump-out, if the neighbors would be amenable to that. Mr. Stasiak said he doesn't understand why they cannot put the mini-split next to the existing unit and run it under the addition. Mr. Gertz said it is a slab foundation. Mr. Reich asked what was on the west wall of the addition. Mr. Gertz said it has windows on the second floor and glass doors on the first floor. He said they also looked at a space behind the kitchen; however, there are too many windows on the home's rear. Mr. Christ asked if they would hang it on the wall, even though it would be less attractive and the sound would be heightened. Mr. Gertz said they wanted to avoid hanging on the wall. Mr. Farrell asked what was on the driveway side of the house. Mr. Gertz said the driveway abuts the home, so the unit would have to be hung above the man door.

Mr. Harpster asked if there is an offset where the addition meets up with the house. Mr. Gertz said there is about a 12-inch offset. Mr. Harpster said his thought was to put the mini-split behind the home and run the line towards the ground till you get over the offset. Then run up along that offset. Mr. Harpster said that would put the mini-split back where the existing condenser is, and all they have to do is run the pipes up. Mr. Christ said that if they put the mini-split behind the fireplace bump-out, they would be behind the neighbor's house, it would be screened by the bump-out, and lines would be shielded from the street. Mr. Farrell originally thought of the same location. However, if they can put it in that location, why can't they put it around the corner behind the rear of the home. Mr. Gertz said that when he did a walkthrough with the contractor from Luxury Heating, he said this was the spot that would work for them because of the windows and the location of the existing unit at the back of the house.

Mr. Farrell asked why they cannot put it behind the house next to the existing unit. He said they can run the lines wherever they need to make it functional. Mr. Gertz said he is unsure if the lines can be run that far. He thinks they can, but is not certain. Mr. Farrell said that behind the house is where they need to put the mini-split. They will still need a variance for the distance from the property line. Mr. Stasiak said as long as it is next to the existing unit and behind the house, they have no concerns. Mr. Christ said they will vote on it behind the house, and if that location doesn't work, they will have to come back and bring documentation demonstrating why.

Mr. Christ moved to close the public hearing. Mr. Wright seconded.

4 Ayes – 0 Nays  
Passed

Mr. Christ read the practical difficulties factors aloud:

- A. The applicant is attempting to get the service from this unit up to the third floor, and there are several restrictions with that. But this seems to accommodate the best configuration.
- B. He does not believe that will apply, other than providing a better heating and cooling system for the third floor.
- C. Based on the Board's discussion, he does not believe that it is substantial as it is behind the house.
- D. With it being behind the house, the only thing showing will be on the wall, and the wall already has multiple utilities on it.
- E. He does not believe that this will affect it.
- F. He does not believe that will apply.
- G. He does not believe that they do.
- H. He does not believe that they can.
- I. He believes it would.
- J. He does not believe that it will.
- K. He believes it would.

The other Board members agreed with Mr. Christ's assessment.

Mr. Christ moved to grant a variance to Robert and Mackenzie Vecchione, 21185 Beachwood Dr, to install a mini-split behind the rear corner of the house with a side setback less than the 10' that is required. Per Section: 1153.15 (k)(1). The Board will not specify a distance from the property line, as that is to be worked out with the Building Department. The applicant has indicated the practical difficulties with trying to provide a location for the mini-split and with providing routing for the lines to get to the third floor. Mr. Wright seconded.

4 Ayes – 0 Nays  
**APPROVED**

**5. JOSEPH AND KRISTIEN VERICIGLIO – 20712 Beaconsfield Blvd – PUBLIC HEARING –**

**Variance:** To construct a second-story addition over the existing first floor that currently has a 7'-7" side setback vs the 8' that is permitted. Per Schedule: 1153.07 (1)A.

**Variance:** To construct a two-story garage addition that matches the current front setback of 37'-6" vs the required 40' front setback that is shown on the setback map, City of Rocky River, May 12, 1975. Per Section: 1153.07 (a).

Mr. Christ introduced the variance request, and Mr. Farrell swore in Jeff Foster, the architect. Mr. Foster said the project is a second-story addition on an existing non-conforming home. With the second-story addition, they are squaring off the corner of the garage. Mr. Foster said they investigated adding on to the rear of the home, but that did not work well. He said the second-story addition fits well with the neighboring properties. Mr. Farrell said other homes in the neighborhood slightly project into the front setback, which is exactly what they are proposing. He also said the 5-inch variance on the side is a reasonable request.

Mr. Harpster had no comments and thought it looked like a nice addition. Mrs. Martinez asked if they were matching the existing roof height. Mr. Foster confirmed. It is also going to be a couple

of feet shorter than the neighboring house. Mr. Wight had no comments or concerns. Mr. Christ said he just noticed that the corner addition is not 7'-7", it is 5'-7", which is not included in the notice. Mr. Reich and Mr. Dever agreed that it was de minimis. Mr. Christ asked if this had been to design review. Mr. Minek said not yet, it will go after this meeting.

Mr. Christ moved to close the public hearing. Mr. Wright seconded.

4 Ayes – 0 Nays  
Passed

Mr. Christ read the practical difficulties factors aloud:

- A. The applicant has indicated the practical difficulties relative to the fact that this is an existing condition for both the garage and the second-floor addition, since they are essentially all existing locations.
- B. He does not believe that will apply; however, this will clearly add significant benefit to the property.
- C. Since it is above the existing and is finishing off the first level, this is not substantial and is the minimum necessary.
- D. He does not believe that it will, since it only deviates 5 inches from the code requirement for the majority of the addition.
- E. He does not believe that it will.
- F. He does not believe that will apply.
- G. He does not believe that will apply.
- H. He does not believe that it can.
- I. He believes it would.
- J. He does not believe that it will.
- K. He believes it would.

The other Board members agreed with Mr. Christ's assessment.

Mr. Christ moved to grant a variance to Joseph and Kristen Verciglio, 20712 Beaconsfield Blvd, to construct a second-story addition over the existing first floor that currently has a 7'-7" side setback vs the 8' that is permitted. Per Schedule: 1153.07 (1)A. The applicant has indicated their practical difficulties; this is an existing setback for the majority of the house, and this is a reasonable solution to extend that vertically along the same line. In that same vein, a minor addition to the garage that will maintain the existing setback. Mr. Wright seconded.

4 Ayes – 0 Nays  
**APPROVED**

Mr. Christ moved to grant a variance to Joseph and Kristen Verciglio, 20712 Beaconsfield Blvd, to construct a two-story garage addition that matches the current front setback of 37'-6" vs the required 40' front setback that is shown on the setback map, City of Rocky River, May 12, 1975. Per Section: 1153.07 (a). The applicant has indicated their practical difficulties with providing the second-floor addition, and this will maintain the current setback. Mr. Wright seconded.

4 Ayes – 0 Nays  
**APPROVED**

**6. MICHAEL CLARK – 21280 Avalon Dr – PUBLIC HEARING –**

**Variance:** To increase the height of a previously approved stone wall by 18 inches. The wall will have a maximum height of 5' that projects 36' into the rear setback. This property is adjacent to Lake Erie, and the setback is determined by averaging the rear setbacks of the nearest dwellings on either side of the lot, but shall not be less than 25 feet. Per Schedule: 1153.07 (b).

**WITHDRAWN**

**7. KEVIN MAYER – 21273 Aberdeen Rd – PUBLIC HEARING –**

**Variance:** To construct a detached garage with a height of 19' vs the 15' that is permitted. Per Section: 1153.09 (b).

**Variance:** To construct a detached garage with a gross floor area of 699 square feet, vs the 600 square feet that is permitted. Per Section: 1153.15 (c).

Mr. Christ introduced the variance request, and Mr. Farrell swore in Kevin Mayer, the homeowner, and Chuck McGettrick, the architect. Mr. McGettrick said they are proposing to demolish the existing storage shed and garage and erect a new two-and-a-half-car garage with a storage area on the second floor. He said they would like to put a permanent staircase to access the second floor rather than pull-down stairs. He said they would like to have enough space to comfortably park two cars while still having enough space to store the children's stuff, the snow blower, and lawn equipment. Mr. McGettrick said the existing garage has a height of 19 feet.

Mr. Farrell said it has been several years since the Board approached Council about changing the height ordinance for detached garages. He said the reason they called that meeting was that the Board had been receiving numerous variance requests for garage height. He said they had approved many of these garages. However, the ordinance never changed, and the Board felt that they should not be approving these garages and essentially changing the ordinance. Mr. Farrell said he adheres to the allowable height for these garages, and he would not support the 19 feet. Mr. Mayer asked what height he would be comfortable with. Mr. Farrell said they have allowed up to 16 feet. Mr. McGettrick said they are trying to replace the existing garage and maintain its existing height with the goal of being able to stand up fully on the second floor. Mr. Farrell said he understands that. However, the city is trying to prevent these spaces from being habitable.

Mr. Harpster agreed with Mr. Farrell. He believes that they should follow the ordinances as closely as possible. He said that the Council should be the ones deciding if the ordinance should be changed or not. Mr. Harpster said the size is 17% more than what the code allows for. He said his garage is smaller than the garage they already have, and he can pack a lot of stuff into the garage. So, he would not be in favor of that variance. Mrs. Martinez said she shares similar concerns. The fact that the existing garage is 19 feet tall is in their favor. However, she said the proposed garage is substantially longer and larger than the existing garage. Mrs. Martinez said they could gain more useful storage space on the first floor if they did not have the permanent stairs, which would limit their need to go on the second floor. Mr. Mayer asked if they were to take the height down to 16 feet, would they be more amenable to the square footage. Mr. Harpster said the 17% is pretty significant to him. 650 square feet is an 8% increase from what is allowed, which is a much more reasonable request. Mr. Mayer said there are three-car detached

garages at the end of his street. Although he is unsure of when those garages were built and what ordinances were in place, he said numerous garages in the city exceed the 600 square feet that the code allows. Mr. Mayer said the garage and shed are in poor condition, and this new garage would be an improvement to the two structures.

Mr. McGettrick said they are removing one structure. The existing two structures sit at 660 square feet, which is very close to what they are asking for. He said he thinks if they can get the size of structure they want, then they could get the height down to 16 feet. Mr. McGettrick said that at 16 feet, they could possibly stand up fully in the ridge of the attic space of the garage while still maintaining the permanent stairs. Mr. Wright said he can sympathize with what they are asking for tonight. He said they get this request at least 2-3 times a year. So, he is not sure why Council has not considered that when it comes to rewriting the ordinances. Mr. Wright said he has no issue with the 699 square feet, especially since there are two existing structures on the property that sit at 660 square feet. Going from two structures to one structure is basically reducing their footprint on the property, in his opinion. He said if the height of 16 feet is something they can entertain, it makes it a lot easier for the Board to say yes.

Mr. Christ said he is going to echo some of Mrs. Martinez's comments. He said making something 30 feet wide and 19 feet tall is completely off the table. Mr. Christ said that the second floor is not meant to be habitable and it is to be used only for storage. So, restricting the height helps to prevent that. Reconfiguring the building section of the garage could help to reduce the garage height to 16 feet without altering the plans drastically. Mr. Christ said this Board's goal is to bring things more into compliance with the code. He can understand the safety concerns relating to pull-down stairs. Mr. Mayer said they are okay with having the garage at 16 feet as long as they can maintain the 699 square feet. Mr. McGettrick said the revised building section will have ceiling heights less than 7 feet on the second floor to prevent the habitable space. Mr. Christ said that space cannot be habitable regardless. Mr. Farrell said it is in their favor that they are maintaining the side setback, rear setback, and lot coverage.

Mr. Christ moved to close the public hearing. Mr. Wright seconded.

4 Ayes – 0 Nays  
Passed

Mr. Christ read the practical difficulties factors aloud:

- A. The applicant currently has two structures on-site that do not conform to the current code, and they are looking to replace them with one structure that is in more conformance with the code. That is the special condition the Board is looking at.
- B. He believes the new structure will enhance the usage of this property.
- C. He believes the Board and the applicant have discussed what is a reasonable area and height to make good use of this structure.
- D. He believes that this change will be a more reasonable visual building.
- E. He does not believe that it will.
- F. He does not believe that will apply.
- G. He does not believe that they will.
- H. He does not believe that it can.
- I. He believes that with the changes discussed, it would be.

**J.** With the changes discussed, he believes this will not confer any special privileges.

**K.** Without the changes discussed, he believes it would.

The other Board members agreed with Mr. Christ's assessment.

Mr. Dever said it will be an amendment to the variance request, reducing the height from 19 feet to 16 feet. He also wanted to reiterate that the shed will be removed and will not be replaced when the new garage is constructed.

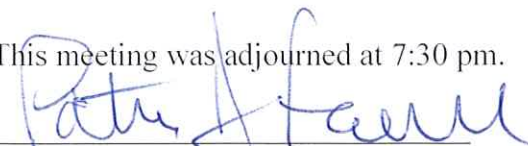
Mr. Christ moved to grant a variance to Kevin Mayer, 21273 Aberdeen Rd, to construct a detached garage with a height of 16' vs the 15' that is permitted. Per Section: 1153.09 (b). The applicant has indicated their practical difficulties with demolishing the existing deteriorating structures and providing a new garage with attached storage, which is essentially a two-and-a-half-car garage. This configuration will best meet the applicant's goals and the city's code, and this is a reasonable solution. Mr. Wright seconded.

4 Ayes – 0 Nays  
**APPROVED**

Mr. Christ moved to grant a variance to Kevin Mayer, 21273 Aberdeen Rd, to construct a detached garage with a gross floor area of 699 square feet, vs the 600 square feet that is permitted. Per Section: 1153.15 (c). The applicant has indicated their practical difficulties with trying to provide sufficient storage, both new and existing. The existing shed will be demolished, and the new garage will have storage on both the first and second floors. The storage on the second floor will fit in the height that was granted. The total square footage of 699 square feet is a reasonable adjustment to the existing 660 square feet. Mr. Wright seconded.

4 Ayes – 0 Nays  
**APPROVED**

This meeting was adjourned at 7:30 pm.

  
Patrick Farrell, Chairman

  
Richard Christ, Secretary

Date: 04/16/26