

MINUTES OF MEETING
BOARD OF ZONING AND BUILDING APPEALS
MARCH 26, 2026

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

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 26th, 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 26th 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.

- 1. PANAGIOTIS ANGELOKOSTOPOULOS – 22822 Lake Rd – PUBLIC HEARING**
Variance: To construct a new single-family residence with an attached four-car garage vs the total number of accessory parking spaces provided for any dwelling unit shall not exceed the spaces required by more than 50 percent (50%). Per Section: 1187.21(a).

Mr. Christ introduced the variance request, and Mr. Farrell swore in Panagiotis Angelokostopoulos, property owner, and Ted Otero, Otero Signature Homes. Mrs. Martinez said she had to recuse herself.

Mr. Otero said they are proposing a 4,000-square-foot home on Lake Road. The parcel of land is sloped. He said the homeowner wanted a four-car garage to accommodate the growth of the family. Mr. Otero said they are about 280 feet from the road. Mr. Farrell asked where it is relative to the current drop-off on the property. Mr. Otero said the house is essentially the retaining wall to the drop-off, and there will be a lot of infill. Mr. Farrell asked about the flat area in front of the garage. Mr. Otero said there is currently a hump in the property, so they will cut, and there will be a gentle slope all the way up to the house. They are leaving the trees on the right-hand side, so it will slope and belly down based on the site plan. Mr. Farrell asked why they need the four-car garage versus the three-car garage that is allowed. Mr. Otero said they have a three-car garage now. They have young children and want to make sure there is enough space to maintain this as a forever home. He said it is a very narrow lot, so there is no ability to add space down the line. Mr. Farrell said there is no street parking.

Mr. Harpster said it looks like a good design, and he has no additional questions. Mr. Wright said he has no questions. He said that it seems like we are heading in the direction where a three-car garage is the minimum, and he can understand the applicant's predicament. Mr. Christ said he has no issue with it. He would much rather see four tasteful garage doors on a tasteful house than

cars parked out on the street or the driveway. There are usually fewer cars outside when there is a four-car garage rather than when there is a turnaround driveway.

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 this house is on Lake Road, and it is an extremely long property, and they are trying to provide adequate parking at the house.
- B. This would enhance the property's usage.
- C. He does not consider one additional enclosed parking space as substantial.
- D. With the distance from Lake Road and the change in grade, he does not believe it will be noticeable.
- E. He does not believe it will.
- F. He does not believe that will apply.
- G. He does not believe that will apply.
- H. To accommodate parking, he does not think that it reasonably can, especially with the Lake.
- I. He believes it would.
- J. He does not believe it will.
- K. Because of the configuration, he believes it would.

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

Mr. Christ moved to grant a variance to Panagiotis Angelokostopoulos, 22822 Lake Rd, to construct a new single-family residence with an attached four-car garage vs the total number of accessory parking spaces provided for any dwelling unit shall not exceed the spaces required by more than 50 percent (50%). Per Section: 1187.21(a). The applicant has indicated their practical difficulties with providing sufficient parking and functionality to the topography, location, and length of this property, and this is a reasonable solution. Mr. Wright seconded.

4 Ayes – 0 Nays
APPROVED

2. SUZANNE MUYSHONDT – 61 Buckingham Dr – PUBLIC HEARING –

Variance: To construct a detached garage with a side setback of 2'-2" vs the 5' that is permitted. Per Schedule: 1153.15 (1).

Variance: To construct a detached garage with a rear setback of 3'-1" vs the 5' that is permitted. Per Schedule: 1153.15 (1).

Variance: To construct a new single-family house with an attached porte-cochere that has a side setback of 3'-9" vs the 8' that is permitted. Per Schedule: 1153.07 (1)A.

Variance: To construct a new single-family home with an egress window that has a 5' side setback vs the 8' that is permitted. 1153.07 (1)A.

Variance: To install a generator with a side setback of 4'-7" vs the 10' that is permitted. Per Section: 1153.15 (k)(2).

Variance: To install two air conditioning condensers with side setbacks of 5'-5" and 5'-9" vs the 10' that is permitted. Per Section: 1153.15 (k)(1).

Variance: To construct a new single-family residence with a covered front stoop that has a 26'-4" front setback vs the required 30' as shown on the setback map, City of Rocky River, May 12, 1975. Per Section: 1153.07 (a).

Variance: To construct a new single-family residence with a height of 29'-5" vs the 25' that is permitted. Per Section: 1153.09 (a).

Variance: To construct a detached garage with a height of 16' -10" vs the 15' that is permitted. Per Section: 1153.09 (b).

Variance: To construct accessory parking directly in front of the dwelling vs accessory off-street parking spaces located in the front yard shall adjoin the driveway between the driveway and the nearest side lot line, provided parking spaces shall not be located directly in front of the dwelling. Per Section: 1153.15 (l)(4).

Variance: To construct accessory parking on a property that has a front setback of 30' vs accessory parking spaces are prohibited in cases of the setback being thirty-five (35) feet or less. Per Section: 1153.15 (l)(4)B.

Variance: To construct accessory parking with a width of 18' vs the 8' that is permitted. Per Section: 1153.15 (l)(4)B.

Variance: To construct a new single-family residence with a detached garage that has a lot coverage of 35.6% vs the 28% that is permitted. Per Schedule: 1153.05 (3).

Mr. Dever said that, since he has been the Assistant Law Director, he has not seen a project with this many variances. He said *Duncan v. Middlefield* states that when there are multiple variances for a single project, the Board evaluates their cumulative impact, weighing all seven factors together, to determine if a practical difficulty exists. Mr. Dever said each variance can be looked at individually; however, at the end, they have to evaluate the entire project itself.

Mr. Christ introduced the variance requests, and Mr. Farrell swore in Antonia Marinucci, the architect, Suzanne Muyshondt, the homeowner, and Tony Visconsi, a resident at the property. Mrs. Marinucci said that Mrs. Muyshondt bought the existing home back in 2016. At the time, she was a single woman. Now, she has a partner with two children that they plan to raise on the property. Thus, they are proposing to tear down the existing home and construct a new home that will fit the needs of their growing family and to create a forever home. Mrs. Marinucci said the existing lot is an unusual shape. She said they were trying to create a home in a Georgian style, being sensitive to the historic context of the neighborhood. She said the desire is to have a detached garage in the rear, rather than an attached garage in front of the house, as most new construction has today. The garage will be more for the storage of historic cars, with only one parking bay that will accommodate a modern-sized vehicle. Mrs. Marinucci said there is a porte-cochere to the north of the home to provide a covered entry to the main entrance of their home, while also giving more breathing room to their neighbor to the north than what exists. She said the existing home is landlocked and has a very small garage that cannot house even the smallest of modern cars. Mrs. Marinucci said they are pretty limited in where they can expand the existing house, and that is why they want to demolish and rebuild. She said she understands that there are a lot of variances on paper, but there are numerous variances assigned to specific elements of the project. If this were an existing home and they were to add a garage or a porte-cochere, they would probably do so piecemeal and ask for these variances one by one. Instead, they are asking for all the variance all at once.

Mr. Farrell said some of the variance requests are minor and are something that they see often. The first two variances relating to the setbacks of the garage are some that they see all the time. Mr. Reich said that a detached garage has to be at least 3 feet from the property line before it needs to be fire-rated. All other structures have to be at least 5 feet from the property line. Mr. Farrell asked Mrs. Marinucci was aware of that. Mrs. Marinucci said they were aware of that. She said the one sheet in their presentation shows the existing setbacks of garages in the vicinity. Mr. Farrell said it is a common request. The neighbors to the north and the east wrote letters in support of the project. He said they have received numerous letters of support; he wondered if they had spoken to the neighbor to the south. Mrs. Muyshondt said numerous times, and they have received verbal support. They have spoken with the neighbors in great detail about the project.

Mr. Farrell said the rear setback of the garage, with the saw tooth design and angled property line, is only 3'-1" in two locations, and he does not see that as an issue. He also said the front of the garage is tight to the rear of their proposed home. Mrs. Marinucci said they created just enough space for a car. Mrs. Muyshondt said the second bay is the only one large enough for a modern car. Mr. Farrell asked about the lifts in the garage and if that has something to do with the height of the garage. Mr. Visconsi said yes, it is to be able to park one car over the other. Mr. Farrell asked if it was only for parking and if there was a service pit in there. Mrs. Muyshondt said no, it is only for parking. Mr. Farrell asked about shifting the garage over to get a 3-foot side setback. Mrs. Marinucci and Mrs. Muyshondt said that when you do that, you do not have enough space to pull a car out of the second bay. Mr. Farrell said that they have at least 2 feet, which still allows for enough space to maintain around the garage.

Mr. Harpster asked if they had considered making the garage and that side of the house parallel with the property line. He said a slight pivot and the outside edge of the garage would be parallel to the property line. He said the concrete could go to the outside edge of the garage all the way to the street. This would help pull the concrete over, and there would not be a lot of concrete in front of the house. Doing that would bring that house over and align with the property line. Mrs. Marinucci said that when they had the garage parallel to the property line, it did not add anything to their needs. The garage is already a substandard depth. In their initial study of the site, they had an angle to the garage. Mrs. Muyshondt said that when they had the garage angled, the driveway went more into the backyard to align with the garage, losing more grass in the rear yard. Mrs. Marinucci said the garage is 18 feet deep at the narrower bay and goes to 21 feet at the deeper bay; angling it did not improve those conditions. Mr. Harpster said it gives them a little bit of a twist, so when they are backing out, it is a little easier. Mrs. Marinucci said they would still be in front of this Board for setbacks, even if the garage is aligned with the property line. Mr. Harpster asked why they did not keep the driveway parallel with the property line. Mrs. Marinucci said they are maintaining the existing curb cut, so they are trying to prevent further distribution to that. She said that with the infrastructure work on the road, they want to maintain that curb cut. They even explored flipping the plans, so the driveway is on the other side of the property, and that required the same variances.

Mr. Harpster said he has no concerns with the garage setbacks; he was just more curious about the orientation of the project on the property. Mrs. Martinez asked if they had explored a double garage door, which would allow them to park the cars closer to one another. Mrs. Muyshondt said they can't park the cars much closer to one another with the car lifts. Mrs. Marinucci said

the lifts are what drove that dimension, and it made sense to do two separate doors rather than one wider door. Mr. Wright said when he saw the lifts, he assumed they were for parking, and he appreciates that because it allows them to park more cars in the garage rather than them being parked on the driveway. He said those lifts are also what is driving the extra height of the garage, and he has no issue with that either. Mr. Christ said the garage setbacks are not atypical; they see 3 feet as substandard. He said in their review of the practical difficulties, one of their evaluations is whether or not the applicant is creating their own hardship, and he said in this case, they are. Mr. Christ said this is essentially a new lot that they can build on, and there will not be anything on the lot that is in the way and is driving these variances. He said 13 variances are way more than what they have seen in the past. Mr. Christ said he understands what Mr. Harpster is saying by having the garage parallel to the property line. He also agrees with Mr. Farrell that the garage will not be that close to the rear property line because of how the garage steps out and how the property line is skewed. Mr. Christ said he would have the garage not parallel to the property line, but more so angled, so they could enter the garage at an angle. He said the house could be more in line with the opposite side's property line, which would create 3, 4, or 5 more feet of space to maneuver into the garage. The house rotates clockwise, then the distance between the house and the garage would increase. He said it would create more of an issue with the other variances, but the condensers and generator could go on the opposite side of the home.

Mrs. Marinucci said she can appreciate what Mr. Christ is saying. However, with the style of architecture, she is not sure that it would be as aesthetically pleasing. Mr. Christ said the street is not straight. Mrs. Marinucci said she is curious if the Design Board would be in support of angling the garage towards the home. Mr. Christ said it is a detached garage, and they are already "sawtoothed" it in there. He said the roof is going to be unusual. Mrs. Marinucci said they are trying to maintain a normal roofline from the street side. Mr. Farrell asked Mr. Christ if he was saying to orient the house with the home to the south. Mr. Christ said he is putting that out there because there are some variances that he thinks are going to be an issue with this Board, and he wants to give them a potential option if they need to reconfigure the project. He said he is not going to disagree with the proposed setbacks of the garage, since they are not atypical. Mr. Farrell would agree that the setbacks for the garage are not much of an issue.

Mr. Farrell said that for the garage height, they have had issues in the past with garages where the Board was allowing heights well over the allowed 15 feet. They had a meeting with the Council in an attempt to get the ordinance changed, and that has not happened. He said this Board has decided to allow variances, but only for 16 feet even. Mr. Farrell said he did not study the sections, but wonders if there is the ability to drop the height by 10 inches to make it 16 feet. He asked if the ceiling is flat or if it is vaulted so they could lift cars. Mrs. Marinucci and Mrs. Muyshondt confirmed that it is vaulted. Mr. Farrell asked if they could reduce the height by 10 inches. Mrs. Muyshondt said they could, but they wanted to keep a similar roof pitch to the home. Mr. Farrell asked what the roof pitch is. Mrs. Marinucci said it is not noted on her plans, but she thinks it's 7/12. Mr. Farrell said that it is not that steep. Mrs. Marinucci said to her clients, if they are comfortable with reducing the height, they could do that. She said there was an iteration that was 15 feet 11 inches. Mr. Farrell asked what the door heights are. Mrs. Marinucci said they are 7 feet tall door heights.

Mr. Farrell said regarding the porte-cochere, it looks like the only issue with that is the side setback. Mrs. Marinucci said that is correct, but it also plays into the lot coverage. Mr. Farrell

asked Mr. Reich what the fire-rating requirements for that would be. Mr. Reich said they have to fire-rate it somehow. Any structure within 5 feet of the property line, except for detached garages, which can be 3 feet from the property line, has to be fire-rated. Mrs. Marinucci said they are aware that it needs to be fire-rated. Mr. Farrell asked about how they attempted to meet the setbacks for that. Mrs. Marinucci said when they were designing the project, their interpretation of the code was different than how the City interprets the code. They thought that the porte-cochere would not be included in the setback requirements, similar to other jurisdictions' requirements. When they submitted, it was explained to them how it would be considered towards the side setback. Mrs. Marinucci said the width of it is driven by the width needed for a car. There is 10' of driveway between the columns. Mr. Farrell said it brings up the conversation about the driveway. If they pull the driveway over, they can pull the porte-cochere over.

Mr. Harpster said he did not have an issue with the porte-cochere by itself. Mrs. Martinez said she had no specific concern with the variance for the porte-cochere. Her main concern is the number of variances, rather than one single variance. Mr. Wright had no comment. Mr. Farrell asked if it is a solid roof. Mrs. Marinucci said it does have a solid roof, but it is open air on all three sides. Mr. Christ said that they are already overlapping the portico and porte-cochere; he wondered if they could overlap that more to achieve a 5-foot setback from the property line. He said a detached enclosed garage requires a 5-foot side setback, and he could almost consider this as an unenclosed garage, and the 5 feet would be more appropriate than the proposed 3 feet 9 inches. Mr. Christ said they could achieve the 5 feet by shifting it towards the south. Mrs. Marinucci said it is 3 feet 9 inches to the closest column, 10 feet of driveway, and then 30 inches to the wall of the house. She said there is an elongated step off the mudroom door. Mrs. Marinucci said she is trying to provide enough space to open up a car door and not be so close to the wall of the house. Mr. Farrell asked if the stoop is necessary there. Mrs. Marinucci said the goal was to have a flush entry into the garage, rather than stepping up into the house. Mr. Farrell asked the Building Department if the front piers in front of the porte-cochere need a setback variance. Mr. Reich does not believe so. Mr. Farrell wanted to point out that to the post, it is 3 feet 9 inches from the property line; however, with the overhang, it may be closer to 3 feet. Mrs. Marinucci said that was confusing for them because the setback measurement would be to the exterior wall, which, to them, would be the column. Mr. Farrell said he is just pointing out that the roof would project into that setback even greater than the columns. Mrs. Martinez asked if there is enough coverage that the driver wouldn't step on the grass when they get out of the car to make this practical. Mrs. Marinucci said they were planning to have a gravel maintenance strip on the north side of the driveway. Mrs. Martinez asked if there were any regulations regarding the gravel. Mr. Reich said only when it comes to the right-of-way or sidewalk. Mrs. Marinucci said hopefully, the car would hug the stoop side, and the driveway is 10 feet, which is a more generous parking space. The 30 inches is to give some breathing room on the house side.

Mr. Farrell asked where the egress window is going. Mrs. Marinucci said on the south side of the home, towards the front. Mr. Christ asked if there would be a flush lid on it. Mrs. Marinucci said ideally, they would have a cover on it. Mr. Christ said these egress windows have been in front of them lately, and they are extremely close to the property line because of how close the existing home is to the property line. So, they were going to put a manufacturer's cover on it, so they did not have to put a railing up. Mr. Christ said if they are going to put a cover over it, he does not see it as an issue because it is a fire exit and is important for life safety. Mrs. Marinucci said as long as it meets the fire code, they will have the cover on it. Mrs. Martinez asked if they

had thought about putting it on the north side of the home between the house and the driveway. Mrs. Marinucci said their concern was that the driveway side would see more people and children, and to prevent any falls, it would be better on the south side. Mr. Farrell said personally, he does not believe that it would affect the adjacent neighbor greatly. Mrs. Martinez said she agrees, but it is one of thirteen variances. Mrs. Muyshondt said they did speak with the neighbor to the south, and they had no issue with it. Mr. Farrell asked if the property to the south sits higher than them. Mrs. Muyshondt said the neighbor sits slightly higher.

Mr. Farrell asked if the generator could go along the screened-in porch and put the vegetation between it and the property line. He said it might get them to the 10-foot required setback. Mrs. Marinucci said they would violate the noncombustible requirement by the manufacturer. Mr. Christ said he believes it is 12 inches from the backside of the generator. He said there is a difference between air flow and service. He is not sure about the fire-rating, but he believes he has seen them go up against sided houses. Mr. Farrell said they have seen them much closer than what they are proposing. Mrs. Marinucci was looking at the spec sheet for the generator and could not find the requirement between the generator and combustible materials. She said it was a Kohler generator. Mr. Christ said there are typically four sides to the generator: one side is service access, which allows someone to open the generator; one side is for air intake, which is typically a pretty minimal requirement; the exhaust side is usually the larger requirement; and then the front side is enough access to be able to walk up to the generator. Mrs. Marinucci said they were just going off of the noncombustible zone that was provided to them. Mr. Farrell said they have had people put generators closer to the house. Mr. Reich said they should provide the stat sheet when they are coming in front of this Board for a generator and/or condenser. Mr. Farrell said they should be able to put the generator closer to the house or behind the house/porch and get to the required 10-foot setback. Mrs. Marinucci said they could revisit that. Mr. Farrell asked how large the generator is. Mrs. Marinucci said it is 74 inches by 32.9 inches, and it is 46 inches tall. Mr. Reich said, regardless of location, the generator needs to meet the 70 decibels at the property line. Mrs. Marinucci said she is aware, and that is why they chose this generator, because it is the quietest. Mr. Reich said he would like to see that variance go away and believes there is enough room to do so. Mr. Christ said in their evaluation that one of the questions is regarding whether this is the least required. He said if they push the generator towards the east, they are beyond their porch and can meet the 10-foot requirement. There is a solution to this variance about 6 feet away.

Mr. Farrell asked if the condensers could go on the driveway side. Mrs. Marinucci said the placement of those units is based on the adjacency to the mechanical room, which is in the basement right by their proposed location. She said that was the original driver. Mrs. Marinucci said they are out of the way in terms of the program. The neighbors to the south have a fence line, and that would help naturally screen those units, in addition to the screening they are planning to add to their property around those units. Mr. Farrell said that the lines for those units can be run to the other side of the property if need be. Mr. Harpster would agree that the lines could be run to another area of the yard that would not require a variance. Mrs. Marinucci said if they were to move the condensers to the north side of the house, they would actually be closer to that neighbor rather than if they were to keep the units on the south side. Mr. Farrell can see what she is saying because the neighbor to the south is pretty far from the property line. Mrs. Martinez feels similarly about the condensers as she does the generator. It is a new construction, and these units can be placed virtually anywhere on the property. She said they are pretty close to that

south property line, and the neighbor to the south could expand their property to the north, and now those units could become an issue. Mr. Wright would agree that it would be nice to get rid of some of these variances. However, he also understands that the location of these units on the south side of the property would actually be further away from the neighboring home, versus if they were on the north side of the property. Mr. Wright said his other thought is that they could be pushed more towards the east, towards the rear of the property, as the only thing that would be affected is the neighbor's garage. Mr. Christ said if they took the condensers and put them in the rear with the generator, they could create a slight enclosure that would screen them from the neighbor. His concern is having a condenser extremely close to a neighbor's home. He understands there is a driveway between the two homes, but he does not like utilizing someone else's property to create the space that they should be providing. Mr. Christ said the more of these variances they can eliminate, the number of variances goes from thirteen to five or six.

Mr. Farrell said the front stoop is a common variance that the Board sees. The house itself maintains the proper setback, so to him, the stoop projecting into the front setback is not a major request. The other members agreed with him. Mrs. Martinez said she likes the front stoop and thinks the front elevation is extremely elegant. Mr. Christ said they did not want to piecemeal the variances over time. He just wanted to point out that if they did not have a roof over the stoop, they would not need a variance.

Mr. Farrell asked them to explain their reasoning for the height variance. Mrs. Marinucci said the first floor plate is 18" above grade. The first floor ceiling is 10 feet, the second floor ceiling is 9 feet, and the third floor ceiling is 8 feet. Mr. Christ said the pitch of the roof is not steep; it is just how long the house is. Mr. Farrell said that, and the ceiling heights. Mrs. Marinucci said the roof pitch is 7/12, which is very consistent with a traditional Georgian-style home. Mrs. Muyschondt has a gable roof that faces the street with a height of 35 feet. The proposed house will pull that massing back off the street. Mr. Farrell said the new house will be taller than the existing house. Mrs. Marinucci said just a little bit taller. She said to Mrs. Muyschondt's point, the current home has a gable that faces the street with a very steep roof. The new home will have a much different feel from the street.

Mr. Harpster had no comments on the height. Mr. Farrell said a 7/12 pitch is not excessive. Mrs. Martinez agreed, it's just the overall length of the house. She asked if they had looked at any alternatives to bring down the foot height to get it more in compliance. Mrs. Marinucci said when they lowered the plate and ceiling heights, they still required the variance, so they decided to go for what was more desirable from the design side. Mr. Farrell said in some way, when they look at the existing house, the high pitch and dormer coming out to the front of the house is possibly more obtrusive than the new home. Mr. Wright said the only way they could reduce the height is by pinching the ceiling heights on the first and second floors. He said they only have the first floor plan and not the second or third floor plans, so they cannot see what is driving the height and the massing. Mrs. Muyschondt said she likes the window and door heights being 8 feet on the first floor, and then they wanted 2 feet between the frame and the finished ceiling. Mrs. Marinucci said on the second floor the window and door heights are 7 feet on the second floor with 2 feet between the frame and the finished ceiling, keeping the consistent proportions. Mrs. Marinucci also said that if they have to come in front of the Board again, they will provide the floor plans for the other floors. She said it is a traditional center hall style.

Mr. Christ said appearance is hard to judge from flat drawings. He thinks this project would require a three-dimensional mode. Mr. Christ said a low pitch such as this should not be so massive. It should recede and disappear. He said they are at 29.5 feet tall, and they should be 25 feet tall. Maybe his math is wrong, but that would mean they are 8 feet taller than they are supposed to be, because the height is determined by the average. Mr. Farrell wonders if this should be more of a question for the Design Review Board. Mr. Christ said he understands the front roof because they are after a certain appearance for the house. However, he wonders if the dormer should be pulled to the front so it can be lower. He does want to approve the height of the house with an occupiable third floor, and he does not even know what is on that third floor. Mrs. Marinucci said even without the occupiable third floor, it's the proportions of the roof that are driving the height. She understands that is a Design Review question. Mr. Christ said, looking at the north elevation, he understands they are trying to align the ridge to the center of the porte-cochere. However, that means the low slope has to travel a substantial distance to get there, and that is what is driving the height. Mr. Christ said this should be reviewed by Design Review because, to him, it is a large number, but he could get behind that large number if it is going to be reviewed by someone and they are going to get behind that number on an architectural basis.

Mrs. Marinucci asked if they knew why the height is measured to the mean of the roof, rather than to the highest point of the ridge. Mr. Reich said it is to be able to keep the floor heights and the massing down. He said the floor heights are what are driving this massive height variance. Mrs. Farrell said this needs to be a Design Review discussion.

Mr. Farrell asked if they could explain the need for the accessory parking in front of the house. Mrs. Marinucci said the current house has a parking pad in front of the house. She said all over the city, garages in front of the homes, often in an L-shaped condition, result in not a front yard condition but a driveway condition. So, they were trying to create an elegant way to both turn around safely and to address the issue that they have had with overnight guests not being able to park in the street. Mr. Farrell said that, with the detached garage and the length of the driveway, he cannot support the variances for this. Mr. Harpster said this goes back to his previous point about shifting the driveway to create more space towards the property line. He said that his driveway starts at his garage and goes all the way to the street, and is 16 feet wide where it meets the street. Which is enough space to park two cars next to one another if need be. Mrs. Marinucci said she can appreciate that, but her clients' goals were not to have the garage in the front like most new construction. She said they were trying to maintain the existing curb cut and be minimally invasive. Mrs. Muyschondt said that the proposed driveway is only wide enough for one car, and there is no turnaround location, so they would have to shuffle cars around. She also said there are typically a lot of cars parked on Buckingham, and they were trying to minimize the number of cars by keeping their cars off the street. Mr. Harpster asked if there is enough room to park a car to the southeast of the porte-cochere, right next to the house, before you hit the covered porch. Mrs. Muyschondt does not believe that there is enough space. Mr. Farrell said he thinks any maneuvering of vehicles could occur in the space in front of the garage. He said they are trying to make some compromises as a Board. They talked about a taller garage so they can essentially park 4 cars in the garage. They have room in front of the garage to do some maneuvering and parking. They also have the length of the driveway to park. Mr. Farrell said he just does not see the need to grant variances to have more parking in the front yard. Mr. Harpster said he agrees with that. Mrs. Martinez would also echo Mr. Farrell's comments. She said she appreciates them pushing the garage behind the home and keeping off the street; it definitely

creates a more pedestrian-friendly feel. However, she thinks it's a bit excessive that this parking area requires three variances by itself. Mr. Wright said he can live with the additional height of the garage to be able to get four cars in the garage. He said they also have a large concrete area in front of the garage, and believes that negates the need for the auto court. Mr. Wright does not support the variances for the parking in front of the house. Mr. Christ does not support the variances either. He recommended speaking with the Building Department because the city wants the accessory parking space to go to the opposite side of the home. He said they could look at 16-18 feet back behind the front of the house and have the Building Department interpret whether that would meet the spirit and intent of the code. If the accessory parking space were between the driveway and the property line. Mr. Christ said there was an auto court a few months back, and they had turned them away. Mr. Farrell said those are hard variances for them to get behind. Mrs. Marinucci said they could definitely look into it and find a possible solution.

Mr. Farrell said they are going to focus on the lot coverage now. He said the covered porch, portico, and porte-cochere are all open-sided. He asked what the lot coverage would be without those structures. Mrs. Marinucci said that the garage, house, and screened-in porch would be 30.8% lot coverage. She said just the house and garage are 27.5%. Mr. Farrell said that is good to know, but to him the screen-in porch is a volume. Mrs. Marinucci asked if they interpret coverage as light and airflow rather than fire. Mr. Farrell confirmed. Mrs. Marinucci said Rocky River is the only jurisdiction she has worked with that interprets it that way. She said usually it is enclosed structures. Mr. Farrell said the issue with this community is the small lots. They try to accommodate variances because it is what people want, but they still try to respect light and airflow. Mr. Christ said it used to be 25%, and they increased it to 28% to try to accommodate the smaller lots. He said that the lot coverage helps control density.

Mrs. Martinez wanted to clarify that the covered porch has a second story above it. Mrs. Marinucci confirmed. Mrs. Martinez said that the lot coverage and building height are tied together in terms of how big it is and how massive it is on the site. She said that it is a balance for her. Mr. Farrell said that is why they will request floor plans so they can see if there is anything excessive that is driving the lot coverage. He said just looking at the first floor plan, there does not appear to be any oversized rooms. He said 30.8% versus the 35.6% is a big difference in terms of the massing. Mr. Wright said he would echo Mr. Farrell's comments. He said having all three floor plans with the spaces labeled would help a lot. Mr. Wright said when you add all of these things together, you get a large house on a small lot. Mr. Martinez said that she can only remember a lot coverage this high, and during their evaluation, they looked at ways to trim down the coverage, and the home was bare minimum. Mr. Minek said that was the house on Telbir. Mr. Farrell said that it was also a corner lot and it had a large right-of-way, so it was not between two other houses. Mr. Christ said he appreciates the lot coverage breakdown of the different elements of the home. Each of the percentages has a different meaning when it comes to their evaluation. He said they are deducting the covered porch, but there is building over it, and that has come up in the past. The definition of lot coverage includes covered porches. In the past, they could not be deducted, and they had to be accommodated in their evaluation. Mr. Christ said that when they start getting into the 30% lot coverage, it starts to become a lot of house. He said it does not just affect them, but it affects all of the neighbors. Over all of the years he has sat on the Board, there have been numerous people who have questioned how certain things have gotten approved. He said it affects the views and the feel of the neighborhood. Mr. Christ said he is more troubled with the lot coverage. Even deducting the porte-cochere, the lot

coverage is 32%, which he is troubled with. Mr. Farrell asked if they would be able to adjust the floor plan to reduce the coverage. Mrs. Marinucci said their rooms are not that large. She thinks the largest room they have is 14 feet by 16 feet. Mr. Christ said they should provide the floor plans so the Board can get a better idea of what is being requested. Mrs. Marinucci said they can provide those next time, because she is reading the room and believes they will have to come back.

Mr. Dever suggested that the applicant take the comments from this Board and read over the minutes when they are available, go back to the drawing board, and determine whether or not all of these variances are needed. Then go in front of the Design Review Board before coming back to the Board to get their feel on the height and the lot coverage. Mr. Dever said they would table the variance requests today, modify the plans, and come back with hopefully fewer variances.

Mr. Farrell said, for clarification, they do not like the accessory parking, and removing that would eliminate three parking spaces.

Mr. Wright moved to table the variance requests for a period of 90 days, with the stipulation that they go back and revisit these items and go to the Design Review for their input, because that will be beneficial for the Board to have for their evaluation. They should also provide all of the floor plans and rough sketches of building sections. Mr. Christ seconded.

5 Ayes – 0 Nays
TABLED

This meeting was adjourned at 7:45 pm.

Patrick Farrell, Chairman

Richard Christ, Secretary

Date: _____