

PLANNING AND ZONING COMMISSION
MINUTES OF **TUESDAY, FEBRUARY 04, 2025**

Pursuant to notice duly given, the regular meeting of the Planning and Zoning Commission, also sitting as the Board of Zoning Appeals, was called and held on **Tuesday, February 04, 2025.**

Members present: Craig Steinbrink; Chair, Chip AuWerter, Scott Broome, Jim Deacon Emily Hamilton, Christine Riley and Jeannine Voinovich.

Members absent: None.

Also present: Chris Courtney, Village Engineer
Todd Hunt, Village Law Director

1. Roll call.
2. The minutes of **Tuesday, November 05, 2024** regular meeting of the Planning and Zoning Commission were submitted for approval.

A motion to approve as submitted was made.

Motion by: S. Broome 2nd: J. Voinovich

Roll Call: Ayes: All.
 Nays: None.

Motion Approved

AuWerter Enters

3. A detached accessory structure variance request for the **WHITNEY** property at **675 Chagrin River Road** was heard. Notice has been provided to adjoining property owners. Al Klauss, Paskevich Architects and Mr. & Mrs. Dick Whitney were present.

Mr. Klauss reviewed the detached accessory structure variance request for the Board. He stated in the last high wind storm, a large tree came down and crushed a portion of the existing barn that is currently located on the property. The structural elements of the barn have been damaged to the point they will need to be replaced. The Whitney's would like to replace the barn in the same location but also include a new greenhouse.

A variance is needed to locate an accessory use building on a property without a main house structure.

Mr. Broome stated this appears to be a use variance not an area variance.

Mr. Hunt agreed and stated the standards that must be met for a use variance are different than an area variance. A use variance is necessary because the property is in a "residential" use district, meaning single family residential. In order to build an accessory structure first on the property, a use variance is necessary because of the accessory use.

After further discussion, a motion was made to approve a use variance for the property in order to locate a new detached accessory structure and restore the existing use of the property.

Motion by: S. Broome 2nd: J. Deacon

Roll Call: Ayes: All.
 Nays: None.

Motion Approved

Refer to audio recording for additional detail.

4. A detached accessory structure side yard setback variance request for the **AKHADOV** residence at **7799 Battles Road** was heard. Notice has been provided to adjoining property owners. Tim Akhadov, Owner was present.

Mr. Akhadov reviewed the side yard setback variance request for the Board. He stated he owns a garage construction company and he would like to build a new detached garage on his property at the end of the existing drive. A 25' side yard setback variance is required.

Mr. AuWerter stated he thought the property is large enough and it appears the detached garage structure could be moved slightly to the north, or some other location, that would not require a setback variance.

Mr. Akhadov stated the proposed location is necessary because any other location will block his view of the rear yard from the house and additional trees would need to be removed.

Mr. Biggert stated Mr. Akhadov needs to prioritize which is more important, having a garage for storage or the view from the house.

Mr. Broome explained one of the factors the Board considers in reviewing a variance request of this type is whether there is an alternate location or architectural solution available that would avoid the need for a variance. He continued by stating, in this case, there is clearly other locations the garage can be located in order to avoid the need for a variance.

Mr. Akhadov stated the existing septic system is currently located slightly to the west of the proposed location of the garage and he is trying to avoid replacing or moving the septic system.

Mr. Steinbrink asked Mr. Andreano if he had any questions. Mr. Andreano stated he was the property to the north behind the Akhadov property. He asked to review the proposed garage location and stated it would not affect his property or view in the proposed location.

After further discussion, the Board felt the property is large enough to locate the detached garage in a different location that would not require a variance.

Mr. Steinbrink reviewed the comments and thoughts of the Board for Mr. Akhadov. He stated the Board can vote on the request, which from all the previous discussion, appears it will fail or he can withdraw the request and resubmit at a later time.

Mr. Akhadov stated he is withdrawing the request.

No Action Taken

Refer to audio recording for additional detail.

There being no further business the meeting was adjourned at **5:48 P.M.**

Craig Steinbrink, Chair

David Biggert, Secretary