

Sheffield Lake Zoning Board of Appeals Minutes  
Held March 17, 2022

The regular meeting of the Sheffield Lake Zoning Board of Appeals was called to order on Thursday, March 17, 2022 at 7:00pm in Council Chambers with Chairwoman Jancura presiding.

ROLL CALL:

Present: Jancura, DeBottis, Siebenhar, Building Inspector Melbar, Council Representative Erdei.  
Absent: Mayor Bring, Harper.  
Attending: Applicant, citizens.

APPROVAL OF MINUTES: Nov. 18, 2021. \*Motion by Siebenhar/Second by DeBottis to approve the minutes with noted corrections. Yeas All.

Correspondence: None

Council Representative Erdei report: Representative Erdei reports we had a presentation by Josh Siebenhar about his storage condos. It had it's second reading.

Planning Commission Member Siebenhar report: Member Siebenhar reports Treadway Ponds presented and the plans were approved.

OATH ADMINISTERED

As provided in 1353.37 of the Sheffield Lake Building Code, procedure at hearings, an oath was administered by Chairwoman Jancura to all members of the audience who would be speaking at this meeting.

CASE#22SFL-VAR003

Joe Schill, property at 3913 Lake Rd. requesting multiple variances.

Joe Schill of Green Impressions Landscaping on behalf of the owner Amy Bell.

Chairwoman Jancura states you are looking for relief from compliance with code 1151.06 Accessory Buildings. The first request is for three accessory buildings. The second is for a total of 816sq. ft. and a height of 26ft. The third is for a maximum sq. footage of 1,941.

Mr. Schill states there are two combined lots which they are in the process of consolidating together. Two historic buildings are on the property that were built in 1905, in trying to preserve the historic value, they chose to improve the units instead of tearing down. There was also an existing pool that was deteriorating. Part of the big master plan was to put together this complete layout of the property that is fully landscaped in phases. The back yard is the first phase, it includes the new pool and pool house. We want to improve the property. It's an estate lot with a lot of frontage and green space still. When you look at the size of the lot, we aren't looking for anything extensive. Member Siebenhar says you are looking to have three

accessory buildings but looking at the print there is four. Building Inspector Melbar says the detached garage does not count as one. Chairwoman Jancura says from the drawings it looks like you want to relocate the pool. Mr. Schill replies yes, that is already under construction. Chairwoman Jancura asks what is the reason the pool is so far from the pool house? Mr. Schill responds to try and maximize the entertainment space and not cluster everything together. Member DeBottis asks on the extra lot, that is going to be combined with one new structure on that, correct? Mr. Schill replies yes. Member DeBottis asks on the existing lot, there is the pool and one more structure, the pavilion? Mr. Schill replies yes. Chairwoman Jancura asks other than entertaining for the business, is there any other reason for the pool, etc.? Mr. Schill replies no, not for the pool. Member Siebenhar says I know the lot well and I think it's good you are keeping those buildings. I know these structures sound big, but with the size of the lot, they won't be out of place. Law Director Graves states we did receive the letter from Attorney Resar that if the variances were granted, there would be a consolidation of the two lots, so it would be on one very large lot. I see the proposed pool house is to be 816sq.ft., that seems large, can you explain why it is that big? Mr. Schill replies there is a sitting area, bar area, the bathrooms and a transition space to move in and out. Law Director Graves how many feet setback from Lake Rd. would you say this is? A couple hundred feet? Mr. Schill replies sure, maybe more. Chairwoman Jancura asks what will the boathouse consist of, electricity, plumbing, etc.? Mr. Schill replies the boat house is already existing and is current. Law Director Graves states this is a very old structure and is existing non-conforming. It predates the zoning code. These structures are allowed to continue as existing non-conforming structures. There is no issue per se of the boathouse or other existing structures. We just revised the entire planning and zoning code and we tried to decide what is most appropriate for Sheffield Lake. Chairwoman Jancura asks will the new code allow for this circumstance? Will there be less of a variance with the new code? Law Director Graves replies I don't think so. In the rare circumstance where we have a larger lot, we just have to deal with them on a case by case basis through the variance process. Member DeBottis asks in the new code, is there a percentage of a property that is allowed to be built on? Building Inspector Melbar replies yes, 35% of the total lot area. Member DeBottis asks did we do a percentage on this? Building Inspector Melbar says no, it's not even close.

*Danny Biller*, 3890 East Lake Rd. (sworn in) says I live across the street and before they moved in the property was run down and since they have moved in, it has been improved dramatically. I don't see a problem with them having anything they need or want. I have no concerns.

*Kuno Bell*, 3913 East Lake Rd. (sworn in) states when we bought the house, the original lot was the main house plus the vacant lot plus the lot immediately to our west. The vacant lot was divided out in 2004, it has 90ft. of frontage and is approved to build a house on. Instead, we bought it and simply because we own the neighboring lot, we have to go through this variance process. If we didn't own the house next door, I'm sure we could just build a house because it is a buildable lot. Law Director Graves says the issue is you can't have a stand alone accessory building on a lot without a primary, that's why you need the consolidation. Mr. Bell says the point I'm trying to make is that building is 25 by 35, I could build a 100 by

200ft. house on it. When we talk about this taking up a lake view, I could build a full-size house on this. (Inaudible, lots of side bar talking) Chairwoman Jancura asks if the variance is not granted, what would you do? Mr. Bell replies I don't know. The plan when we bought the house was always to bring this together. I think it would look nice.

*Phil Zollos, 3921 Lake Rd. (sworn in)* says the Bell's are great neighbors and have done phenomenal things with the property. My concern is with the pool house being segregated out onto the new lot. It's more the size of a pavilion than a pool house. To me, based off the plans, it looks like it is over 100ft. from the pool. I hate to try to stop their dream and we have had no issues with them, and they have put a lot of money into it. My concern is the property value of my home having basically the view of the back side of a garage. I would personally rather see a home built than this structure. I think it will set a bad precedence in the city. Member Siebenhar says it would increase the value of your property because their property would be worth more and that's what comps go by.

Mr. Bell says we are going to landscape it all and there will be patios and walkways, etc., it's not going to look like something random. Chairwoman Jancura says this is a significant variance. Law Director Graves asks once the lots are consolidated and this is an additional accessory building, do you understand that this can not be an additional dwelling place? Mr. Bell replies yes.

#### Internal Discussion

Member DeBottis says do we have a way to oversee that these lots are consolidated? Law Director Graves replies if a motion is made to grant the variance, I suggest it be contingent on consolidation. Chairwoman Jancura says my concern is they are creating their own practical difficulty. By their own admission, they are looking to entertain a lot of people and I have concerns this is the new party house and could become a nuisance. This is the biggest variance I have ever encountered, and it concerns me. It would be different if it was something a family needed, etc., but this is for entertaining and to me it does not rise to meet practical difficulty. They could build a smaller pool house that wouldn't require this large of a variance. Member Siebenhar says I look at it more of a numbers/percentage size. If you took the standard 192sq.ft. on a standard lot, the percentage of the lot covered by that building, would be more than even something of this size. Percentage wise, I see it. It fits in on the 3.5 acre lot. Chairwoman Jancura says I am also concerned with the neighbor who is concerned of the location of the new pool house. It is really far from the home/pool. It doesn't make sense to have it so far away. It becomes a strange building that is stuck out there. Member DeBottis says I was at the property today and spoke with the owner. I'm one of those people who would usually agree, but with this one and the way he is bringing back the property, the way he has things laid out, etc., I am ok with this. It is such a long and wide lot, that I don't think it is out of touch with the size of the home and other structures. Member Siebenhar says we have so few of these size lots that I fear if we turn these types of things down, where they are putting beautiful structures and enhancing it, you set a precedent down the road where people potentially aren't going to want to come here and build here and will go on to the next big city. I am for this. Member DeBottis says if I remember correctly that extra lot was part of that estate at one time. Building Inspector Melbar replies yes. Chairwoman Jancura asks the fence

around the pool, is it just around the pool or more? Building Inspector Melbar replies that wasn't really on the plans yet. Law Director Graves says that's not an issue at this point, any fence built will have to meet our code. If they deviate from it, they will have to come back with another variance.

\*Motion by DeBottis/Second by Siebenhar to approve on the condition the properties are formally consolidated.

Internal Discussion

Member Siebenhar says 800+ sq. ft. is a typical deck. Chairwoman Jancura says this is huge and doesn't rise to practical difficulty, it's for entertainment. Law Director Graves states one of the factors is irregularity of the land. The quite unusual size of the land can be used as an irregularity and whether it is not out of character with the neighborhood. It's not so much about the reasons why they want too, it's the reasons related to the land that they don't feel that a literal application of the code should be applied to the circumstance. Member Siebenhar says the doctor's home has multiple buildings on it and is beautiful and you would never know it from the street. Precedence has almost been set on those large lots.

ROLL CALL FOR APPROVAL: Yeas: DeBottis, Siebenhar.

Nays: Jancura

Application will be continued at the next meeting.

**OLD BUSINESS: None.**

**NEW BUSINESS:** Law Director Graves says the entire new code will be on the agenda Tuesday for a first reading.

**CITIZENS COMMENTARY:** None.

**MEETING ADJOURNED:** With no further business before this board, \*Motion by Siebenhar/Second by DeBottis to adjourn at 7:56 PM. Yeas All.

**CLERK OF COMMITTEE AFFIRMATION:** This Meeting Of The City Committee Of The City of Sheffield Lake, Ohio Was Held and Conducted Under All Rules and Regulations Governing The Sunshine Laws Of The State Of Ohio As They May Apply. All meetings are recorded and available in council's office.

---

CLERK OF COUNCIL

*Brandy Randolph*

I, Brandy Randolph, duly appointed Clerk of the Zoning Board of Sheffield Lake DO HEREBY CERTIFY that this is a true and exact copy of the Minutes of the Zoning Board of Appeals meeting of Mar. 17, 2022.

---

CHAIRPERSON

*Diana Jancura*

---

PRESIDENT OF COUNCIL

*Rick Rosso*