

**ZONING BOARD OF APPEALS
MEETING AGENDA
Mayfield Village**

**Tues
June 19, 2018
7:30 p.m.**

MEMBERS:

Mr. Joseph Prcela	Chairman	Mr. Anthony Coyne	Law Director
Mr. Vetus Syracuse	Chairman Pro-Tem	Mr. John Marrelli	Bldg Commissioner
Mr. Stivo DiFranco		Ms. Deborah Garbo	Secretary
Ms. Alexandra Jeanblanc			
Mr. John Michalko			

ORGANIZATIONAL MEETING

- Election of Chairman
- Election of Chairman Pro-Tem
- Election of Secretary
- Election of Planning & Zoning Representative to the B.O.A. (Vetus Syracuse)

CONSIDERATION OF MEETING MINUTES

Oct 17, 2017 & Nov 21, 2017

CONSIDERATION OF CASE NUMBER #2018-01

Applicant: Santina Shamrock
6824 Thornapple Dr.
PP # 831-25-042
Joseph L. Myers, Architect, Inc

1. A request for a 5.7' side yard setback variance from section 1181.07 (a) to allow for construction of a Residential Building Addition. (**ARB 6/14/18**)

Note: Meetings held at the Mayfield Village Civic Center Main Conference Room at 6622 Wilson Mills Rd, Mayfield Village 44143.

cc: Mayor, Director of Administration, Council, Clerk of Council, Dept. Heads, Law Director, Engineer, P & Z, ARB, B.O.A. & Abutting Property Owners

Abutting Property Owners
Thornapple Dr: 6820, 6814, 6827, 6821, 6815
Robley Ln: 654, 662, 670, 678



6/5/18
 Received \$50 cash
 for B.O.A. Submittal
 Jmey

Board of Zoning Appeals Application

Application Date:

Meeting Date:

B.O.A. 6/19/18

B.O.A. Application Fee: \$50 + 3% State Fee

Pursuant to the Village of Mayfield Charter and Zoning Code, the undersigned hereby submits attached information and requests a hearing before the Board of Zoning Appeals for the following purposes:

(Please Check Request)

AREA VARIANCE

NON-CONFORMING USE

USE VARIANCE

OTHER APPEAL

Owner

Representative at Hearing (if different than Owner)

Name: Santina Shamrock

Name: Myers Architects (JASON)

Address: 6824 Thornapple Dr.

Address: 38030 Secord St.

Phone: 440-461-2694 Fax: -

Phone: 440-975-1800 Fax: 440-975-9191

E-mail: -

E-mail: myersarchitects@gmail.com

Nature of Request (e.g., side yard setback variance)	Code Section	Description
1. Side Yard Setback	1181.07	To continue a 4.3' setback, when a 10' min. is required.
2.		
3.		

NOTE: A narrative is required with the application when applying for "use" variance, demonstrating PRACTICAL DIFFICULTY per Section 1105.02.

APPLICANT'S SIGNATURE:

Joyce Myers

PROPERTY OWNER'S SIGNATURE:

Santina Shamrock

DATE:

6-5-18

DATE:

6-5-18

Use Variance Application Supplemental Information

Application for property located at:

6824 Thornapple Dr.

"Use" Variances from the terms of the Code shall not be granted by the Board of Zoning Appeals unless the "evidence demonstrates that the literal enforcement of this Planning and Zoning Code will result in practical difficulty."

In determining "practical difficulty", the Board of Zoning Appeals will consider the following factors:

1. Do special conditions and circumstances exist which are peculiar to the land or structure involved and which are not applicable generally to other lands or structures in the same zoning district?

Yes, the house is correctly located in this location

2. Will the property in question yield a reasonable return or can there be any economical beneficial use of the property without the variance?

Yes

3. Is the variance substantial and is it the minimum necessary to make possible the economically reasonable use of the land or structures?

Yes

4. Would the essential character of the neighborhood be substantially altered or would adjoining properties suffer substantial detriment as a result of the variance?

No

5. Would the variance adversely affect the delivery of governmental services, such as water, sewer, or trash pickup?

No

6. Can the property owner's predicament feasibly be obviated through some method other than a variance?

No

7. Would the spirit and intent behind the zoning requirement be observed and substantial justice done by granting a variance?

Yes

8. Will the granting of the variance requested confer on the applicant any special privilege that is denied by this regulation to other lands, structures, or buildings in the same district?

No

9. Would a literal interpretation of the provision of this Code deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Code?

Yes it would prevent the addition

10. The Applicant may submit evidence and the Board may also consider whether the property cannot be put to any economically viable use under any of the permitted uses in the zoning district in which the property is located.

The structure would not be any closer than it is now.

SIGNATURE

Jae Myron

DATE

6-5-18

In any district where an apartment house is developed as a part of a group of buildings, or coordinated with a group of existing apartment houses, access may be provided to buildings not fronting on an existing public street by public roads or by a proposed public street if approved under the provisions of a development plan as set forth in Section 1181.07(b). (Ord. 780. Passed 11-19-62.)

1181.06 WIDTH OF LOT FOR DWELLINGS.

In any district where permitted, no single-family dwelling or no two-family dwelling shall be erected on a lot having an average width of less than 125 feet, unless such lot was separately owned at the time of the passage of this section, or unless such lot is a numbered lot in a subdivision that was on record in the office of the County Recorder at the time of the passage of this section, and no apartment house development, hotel or motel shall be erected in any district where permitted on a lot or lots under a single ownership, having an average width of less than 300 feet or less than five acres in area, none of which shall be devoted to nonresidential use. (Ord. 93-32. Approved by voters 11-2-93.)

1181.07 YARDS.

(a) **Side Yards in Residence Districts.** In a Class U-1, U-2 or U-3 District, for every building erected there shall be a side yard along each lot line other than a front line or rear line. Each single-family dwelling, each two-family dwelling and each apartment house shall be deemed a separate building and shall have side yards as above prescribed except that two single-family dwellings may be attached as a double house and be considered a single building in any area other than an area within a portion of a Class U-1 District that is within a Class A-1 District.

In a Class U-1 District, the least dimension of the side yard shall not be less than ten feet and at least thirty-five percent of the average width of the lot at the building line occupied by the main building shall be devoted to side yards.

For a hotel or motel in a U-3 District, the least dimension of each side yard shall be not less than twelve percent of the average width of the lot, but such least dimension need not exceed twelve feet, provided such least dimension shall in no case be less than one-sixth of the height of the building, nor less than six feet. The requirements for side yards for apartment buildings shall be as prescribed in subsection (b) hereof as follows: (Ord. 93-32. Approved by voters 11-2-93.)

(b) **Yards for Apartment Development.** Apartment buildings shall be planned and arranged in a relationship to each other and to the surrounding lot line so as to provide privacy, light and view for each suite and so as to form a coordinated arrangement of buildings and open space. In order to review and evaluate the site plans, preliminary and final site development plans for every proposed apartment house project shall be submitted to the Planning and Zoning Commission by the developer as required in Section 1173.10.

For all yards, the space between any two apartment buildings and the distances between any building and the side or rear lines of the lot shall vary according to the length and height of the buildings. The minimum distance between any two buildings, designated as buildings A and B. their length as L and their height as H. shall be as determined by the formula:

1113.25 VARIANCE.

“Variance” means a modification of the zoning or building regulations, permitted in instances where a literal application of the provisions of the Zoning or Building Code would result in unnecessary hardships or practical difficulties as a result of some peculiar or unique condition or circumstance pertaining only to the zoning lot in question in accordance with procedures and standards set forth in the Zoning Code.
(Ord. 96-10. Passed 3-18-96.)

1113.26 YARDS AND COURTS.

(a) “Yard” means that portion of the open area on a lot extending between a building and the nearest lot line, or certain uses and the nearest lot line as established in the Zoning Code.

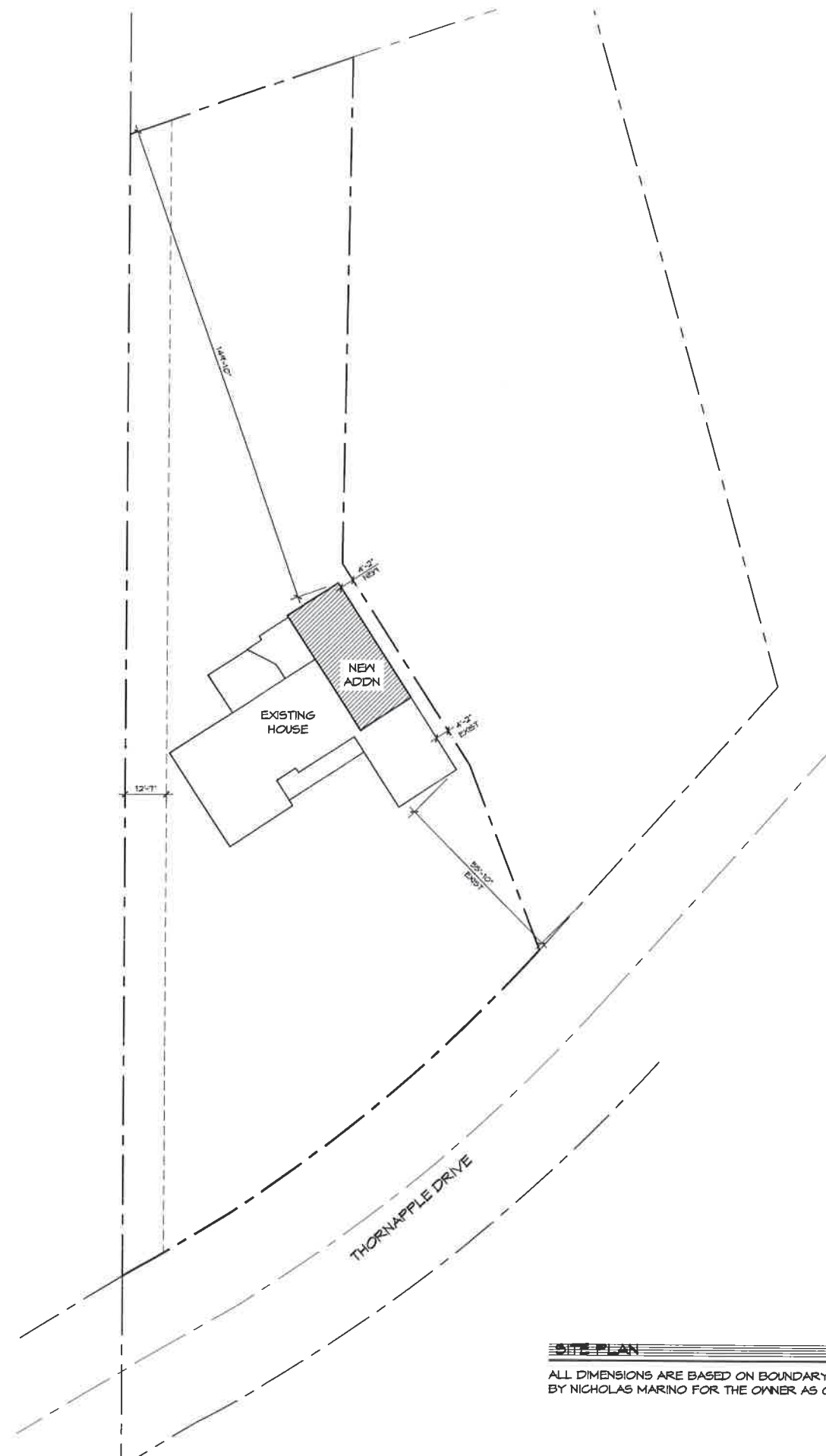
(b) “Front yard” means the yard extending from the front wall of the building to the front lot line across the full width of the lot.

(c) “Rear yard” means the yard extending from the rear wall of the building to the rear lot line across the full width of the lot.

(d) “Side yard” means the yard extending between a side lot line and the nearest wall of the building, and from the front yard to the rear yard, provided that for a corner lot, the side yard extends from the front yard to the rear lot line on the street side.

(e) “Required yard” means the minimum yard required between a lot line and building line or the line of any parking area or any other use requiring a yard in order to comply with the zoning regulations of the district in which the zoning lot is located. A required yard shall be open and unobstructed from the ground upward except for projections on buildings as permitted in the Zoning Code and except for walks, landscaping and other yard or site features.

(f) “Court” means an open space other than a yard, bounded on two or more sides by exterior walls of the building, or bounded by exterior walls of a building and lot lines.
(Ord. 69-38. Passed 4-20-70.)



PRINTED
 JUN 4 - 2018
 J.L. Myers Architect

SITE PLAN
 ALL DIMENSIONS ARE BASED ON BOUNDARY & LOCATION SURVEY PROVIDED BY NICHOLAS MARINO FOR THE OWNER AS OF SEPTEMBER, 2011.



REVISIONS	BY
FOR CONSTRUCTION 5.25.2018	JP

JOSEPH L MYERS, ARCHITECT, INC.
 38030 Second Street Willoughby, Ohio 44094
 (440) 975-1800

SHAMROCK REMODEL
 6824 THORNAPPLE DR.
 GATES MILLS, OHIO
 SITE PLAN

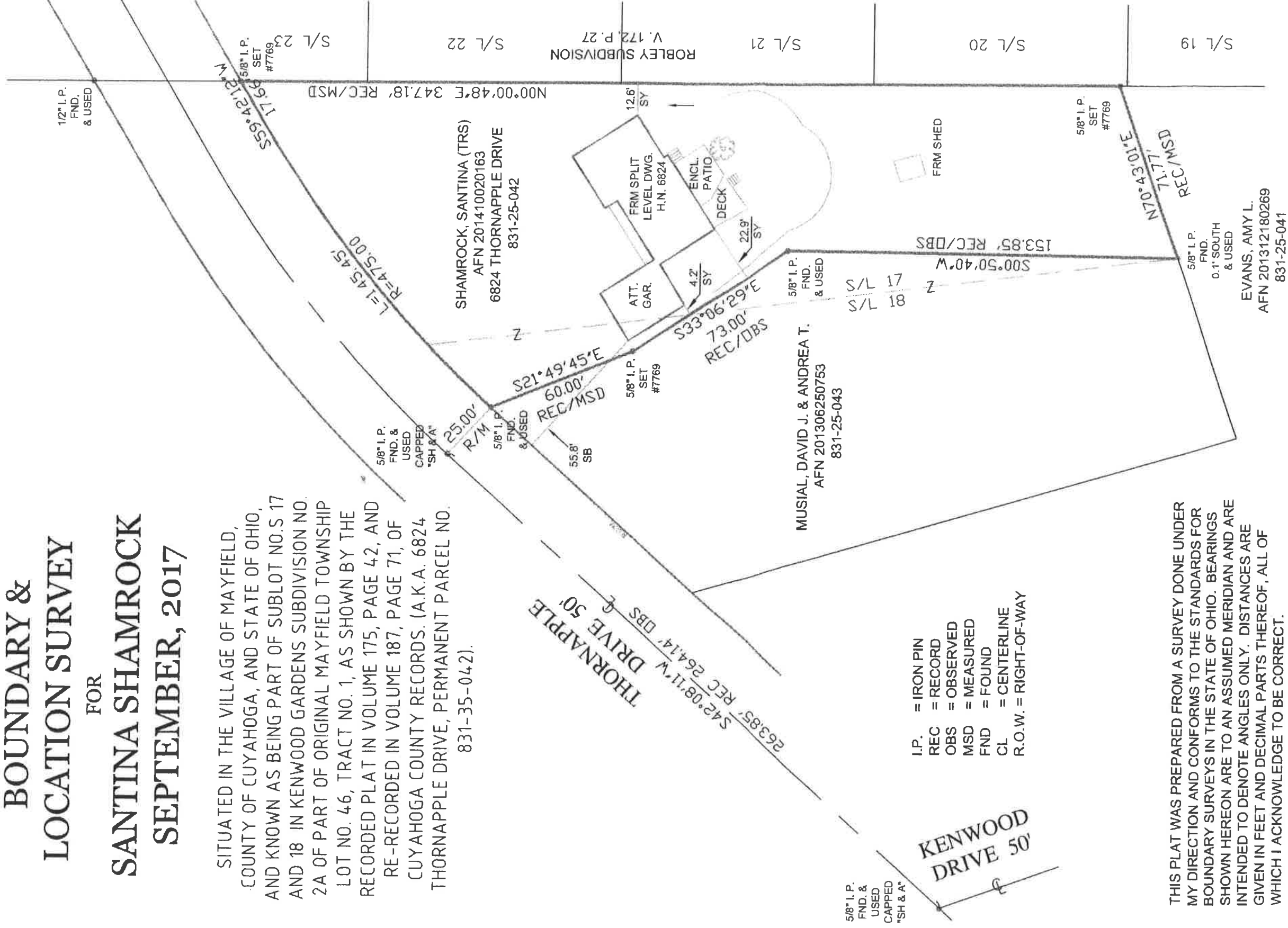
DRAWN
JP
 DATE
AUGUST 2011
 SCALE
1" = 20'-0"
 JOB NO.
17064
 SHEET

SP
 OF 5 SHEETS

APR 18 10 11 AM '17

BOUNDARY & LOCATION SURVEY FOR SANTINA SHAMROCK SEPTEMBER, 2017

SITUATED IN THE VILLAGE OF MAYFIELD, COUNTY OF CUYAHOGA, AND STATE OF OHIO, AND KNOWN AS BEING PART OF SUBLOT NO. S 17 AND 18 IN KENWOOD GARDENS SUBDIVISION NO. 2A OF PART OF ORIGINAL MAYFIELD TOWNSHIP LOT NO. 46, TRACT NO. 1, AS SHOWN BY THE RECORDED PLAT IN VOLUME 175, PAGE 42, AND RE-RECORDED IN VOLUME 187, PAGE 71, OF CUYAHOGA COUNTY RECORDS. (A.K.A. 6824 THORNAPPLE DRIVE, PERMANENT PARCEL NO. 831-35-042).



5/8" I.P.
FND. &
USED
CAPPED
"SH & A"

I.P. = IRON PIN
REC = RECORD
OBS = OBSERVED
MSD = MEASURED
FND = FOUND
CL = CENTERLINE
R.O.W. = RIGHT-OF-WAY

KENWOOD
DRIVE 50'

THIS PLAT WAS PREPARED FROM A SURVEY DONE UNDER MY DIRECTION AND CONFORMS TO THE STANDARDS FOR BOUNDARY SURVEYS IN THE STATE OF OHIO. BEARINGS SHOWN HEREON ARE TO AN ASSUMED MERIDIAN AND ARE INTENDED TO DENOTE ANGLES ONLY. DISTANCES ARE GIVEN IN FEET AND DECIMAL PARTS THEREOF, ALL OF WHICH I ACKNOWLEDGE TO BE CORRECT.

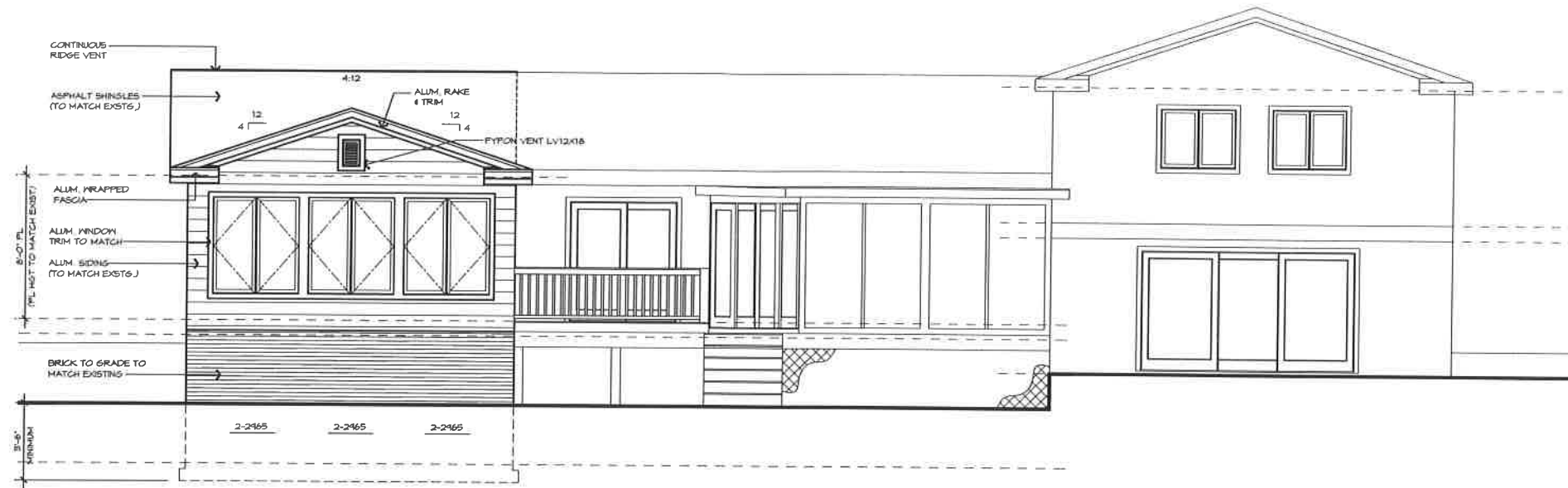
Nicholas Marino
NICHOLAS MARINO, P.S.
OHIO REGISTERED SURVEYOR #7769
216-571-4214
www.marinosurveying.com

DATE
10/8/2017



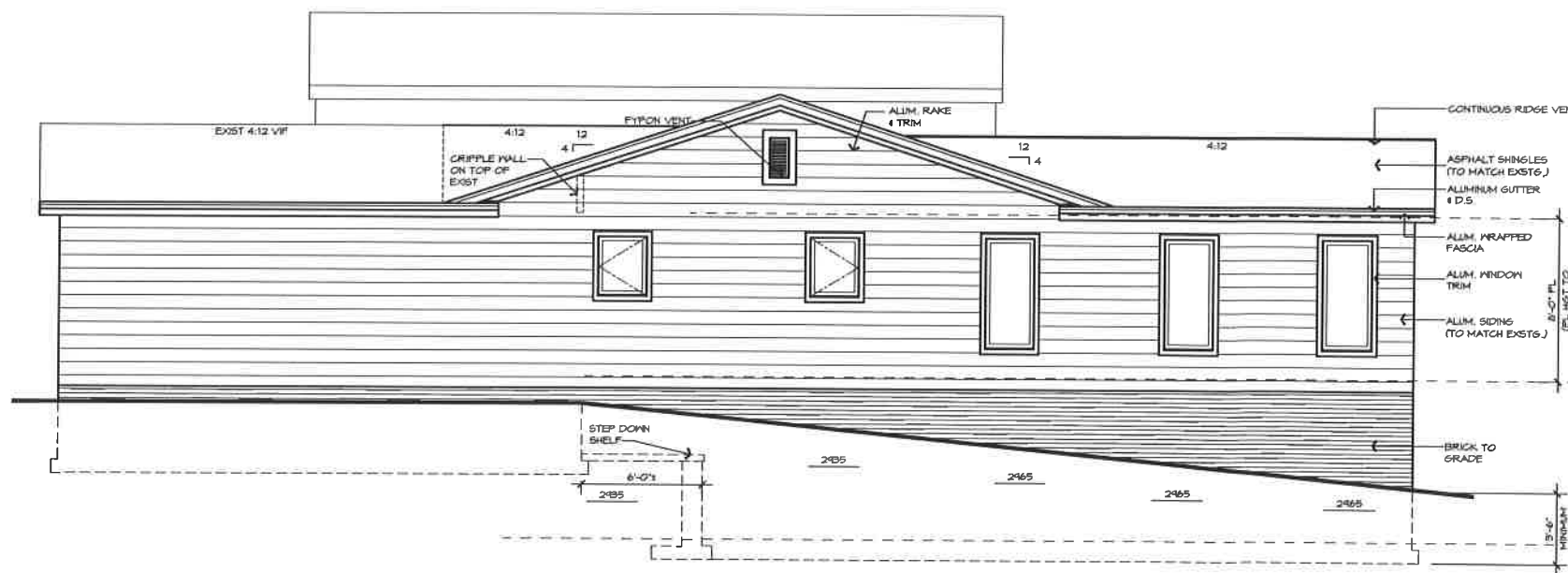
SCALE - 1" = 40'

REVISIONS	BY
FOR CONSTRUCTION 5.25.2018	JF

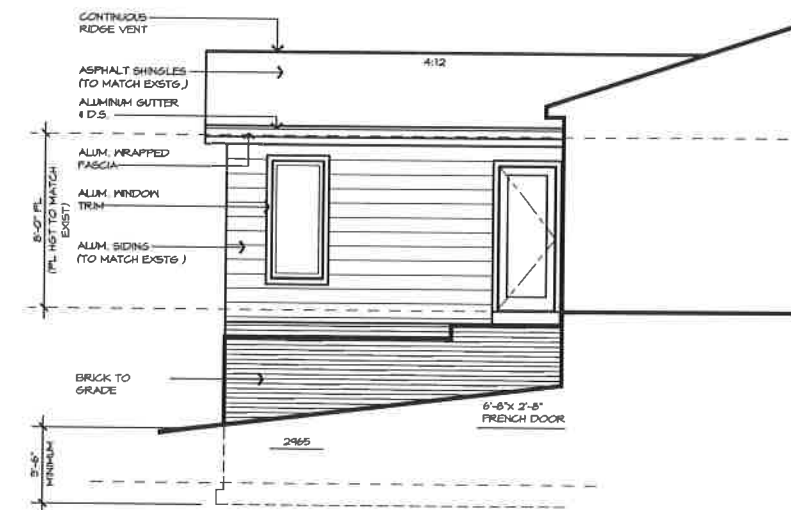


WINDOW NOTE:
WINDOW DESIGNATIONS ARE
PELLA PROLINE® CASEMENT
WINDOWS.

REAR ELEVATION 1/4"



RIGHT ELEVATION 1/4"



LEFT ELEVATION 1/4"

JOSEPH L MYERS, ARCHITECT, INC.
38030 Second Street Willoughby, Ohio 44094
(440) 975-1800

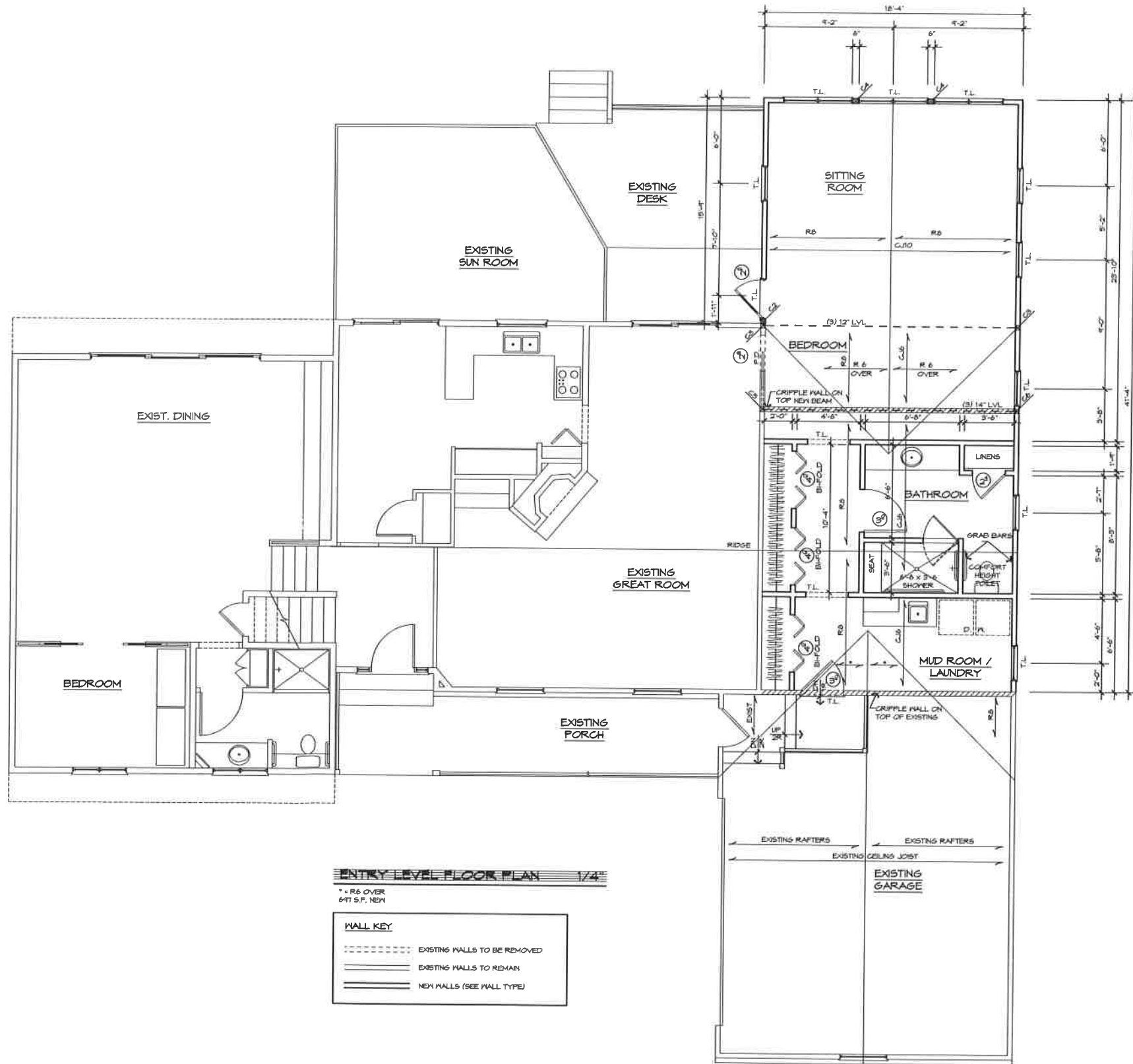
SHAMROCK REMODEL
6824 THORNAPPLE DR.
GATES MILLS, OHIO
ELEVATIONS

DRAWN
DA
DATE
AUGUST 2011
SCALE
1/4" = 1'-0"
JOB NO.
11064
SHEET
1
OF 5 SHEETS

ENERGY COMPLIANCE NOTES

NEW AREA OF THIS STRUCTURE IS TO BE IN COMPLIANCE WITH 2013 RGO SECTION 1105 "OHIO HOME BUILDERS' ASSOCIATION (OHBA) ALTERNATIVE ENERGY CODE" OPTION PATH 12.

- CEILING WITH ATTIC SPACES SHALL HAVE R-41 IN THE CEILING. (R-38 SHALL BE DEEMED TO SATISFY THE REQUIREMENT FOR R-41 WHEREVER THE FULL HEIGHT OF UNCOMPRESSED R-38 INSULATION EXTENDS OVER THE WALL TOP PLATE AT THE EAVES) IN ACCORDANCE WITH RGO SECTION 1105.2.2.1.
- CEILING WITHOUT ATTIC SPACES SHALL HAVE INSULATION LEVELS ABOVE R-30 AND SHALL BE LIMITED TO 300 SQUARE FEET OR TWENTY PERCENT OF THE TOTAL INSULATED CEILING AREA, WHICHEVER IS LESS IN ACCORDANCE WITH RGO SECTION 1105.2.2.2.
- ACCESS HATCHES AND DOORS SHALL BE WEATHERSTRIPPED AND INSULATED TO A LEVEL EQUIVALENT TO THE INSULATION ON THE SURROUNDING SURFACES IN ACCORDANCE WITH RGO SECTION 1105.2.2.3.
- BASEMENT WALLS IN CONDITIONED BASEMENTS SHALL BE INSULATED FROM THE TOP OF THE BASEMENT WALL DOWN TO A MIN. OF 4'-0" BELOW GRADE WITH R-19 IN ACCORDANCE WITH RGO SECTION 1105.2.2.1.
- GLAZED PENETRATION SHSG, AN AREA-WEIGHTED AVERAGE OF PENETRATION PRODUCTS MORE THAN 50 PERCENT GLAZED SHALL BE PERMITTED TO SATISFY THE SOLAR HEAT GAIN COEFFICIENT (SHGC) REQUIREMENTS IN ACCORDANCE WITH RGO SECTION 1105.2.3.2. PENETRATION U-VALUE: 0.32. SKYLIGHTS U-VALUE: 0.60.
- BUILDING THERMAL ENVELOPE SHALL BE DURABLE SEALED TO LIMIT INFILTRATION. THE FOLLOWING SHALL BE CAULKED, GASKETED, WEATHERSTRIPPED OR OTHERWISE SEALED WITH AN AIR BARRIER MATERIAL, SUITABLE FILM OR SOLID MATERIAL: ALL JOINTS, SEAMS AND PENETRATIONS; SITE-BUILT WINDOWS, DOORS AND SKYLIGHTS; OPENINGS BETWEEN WINDOW AND DOOR ASSEMBLIES AND THEIR RESPECTIVE JAMBS AND FRAMING; UTILITY PENETRATIONS; DROPPED CEILINGS OR CHASES ADJACENT TO THE THERMAL ENVELOPE; KNEE WALLS, WALLS AND CEILING SEPARATING THE GARAGE FROM CONDITIONED SPACES; BEHIND TUBS AND SHOWERS ON EXTERIOR WALLS; COMMON WALLS BETWEEN DWELLING UNITS; ATTIC ACCESS OPENINGS; RIM JOISTS JUNCTION; OTHER SOURCES OF INFILTRATION IN ACCORDANCE WITH RGO SECTION 1105.2.4.1.
- AIR SEALING AND INSULATION: BUILDING ENVELOPE AIR TIGHTNESS AND INSULATION INSTALLATION SHALL BE DEMONSTRATED TO COMPLY BY VISUAL INSPECTION IN ACCORDANCE WITH RGO SECTION 1105.2.4.2.
 - CEILING/ATTIC:
 - ATTIC ACCESS, KNEE WALL DOOR, OR DROP DOWN STAIR TO BE SEALED.
 - WALLS:
 - CORNERS AND HEADERS TO BE INSULATED
 - JUNCTION OF FOUNDATION AND SILL PLATE TO BE SEALED
 - WINDOWS AND DOORS:
 - SPACE BETWEEN WINDOW/DOOR JAMBS AND FRAMING TO BE SEALED
 - RIM JOISTS:
 - RIM JOISTS TO BE INSULATED AND INCLUDE AN AIR BARRIER.
 - CRACKSPACE WALLS:
 - INSULATION TO BE PERMANENTLY ATTACHED TO WALLS.
 - SHAFTS, PENETRATIONS:
 - DUCT SHAFTS, UTILITY PENETRATIONS, KNEE WALLS AND FLUE SHAFTS OPENING TO EXTERIOR OR UNCONDITIONED SPACE ARE TO BE SEALED.
 - GARAGE SEPARATION:
 - AIR SEALING TO BE PROVIDED BETWEEN THE GARAGE AND CONDITIONED SPACES.
 - RECESSED LIGHTING:
 - RECESSED LIGHT FIXTURES IN UNCONDITIONED ARE TO BE AIR TIGHT, IC RATED AND SEALED TO DRY WALL. EXCEPTION- FIXTURES IN CONDITIONED SPACE.
 - PLUMBING AND WIRING:
 - INSULATION IS TO BE PLACED BETWEEN OUTSIDE PIPES. BATT INSULATION TO BE CUT TO FIT AROUND PIPING AND PLUMBING, OR SPRAYED/ BLOWN INSULATION EXTENDS BEHIND PIPING AND WIRING.
 - SHOWER TUB ON EXTERIOR WALL:
 - SHOWERS AND TUBS ON EXTERIOR WALLS TO HAVE INSULATION AND AIR BARRIER SEPARATING THEM FROM THE EXTERIOR WALL.
 - ELECTRICAL/ PHONE BOX ON EXTERIOR:
 - AIR BARRIER EXTEND BEHIND BOXES OR AIR SEALED TYPE BOXES ARE TO BE INSTALLED.
- FIREPLACES: WOOD-BURNING FIREPLACES SHALL HAVE GASKETED DOORS AND OUTDOOR COMBUSTION AIR IN ACCORDANCE WITH RGO SECTION 1105.2.4.3.
- FENESTRATION AIR LEAKAGE: WINDOWS, SKYLIGHTS AND SLIDING GLASS DOORS SHALL HAVE AN AIR INFILTRATION RATE OF NO MORE THAN 0.3 CUBIC FOOT PER MINUTE PER SQUARE FOOT, AND SWINGING DOORS NO MORE THAN 0.5 CUBIC FOOT PER MINUTE PER SQUARE FOOT IN ACCORDANCE WITH RGO SECTION 1105.2.4.4.
- RECESSED LIGHTING: RECESSED LUMINAIRE INSTALLED IN THE BUILDING THERMAL ENVELOPE SHALL BE SEALED TO LIMIT AIR LEAKAGE BETWEEN CONDITIONED AND UNCONDITIONED SPACES IN ACCORDANCE WITH RGO SECTION 1105.2.4.5.
- PROGRAMMABLE THERMOSTAT: WHERE THE PRIMARY HEATING SYSTEM IS A FORCED AIR FURNACE, AT LEAST ONE THERMOSTAT PER DWELLING UNIT SHALL BE CAPABLE OF CONTROLLING THE HEATING AND COOLING SYSTEM ON A DAILY SCHEDULE IN ACCORDANCE WITH RGO SECTION 1105.3.1.1. PROVIDE R-2 INSULATION ON FIRST 5'-0" OF EXPOSED PIPE FROM THE WATER HEATER.
- DUCTS OR PORTIONS NOT LOCATED COMPLETELY INSIDE THE BUILDING THERMAL ENVELOPE SHALL HAVE INSULATION. SUPPLY DUCTS IN ATTICS SHALL BE INSULATED TO A MINIMUM OF R-8. ALL OTHER DUCTS SHALL BE INSULATED TO A MINIMUM OF R-6 IN ACCORDANCE WITH RGO SECTION 1105.3.2.1.
- DUCTS, AIR HANDLERS, FILTER BOXES AND BUILDING CAVITIES USED AS DUCTS SHALL BE SEALED IN ACCORDANCE WITH RGO SECTION 1105.3.2.2. ALL DUCT WORK SHALL BE WITHIN THE CONDITIONED SPACE.
- MECHANICAL VENTILATION: OUTDOOR AIR INTAKES AND EXHAUSTS SHALL HAVE AUTOMATIC OR GRAVITY DAMPERS THAT CLOSE WHEN THE VENTILATION SYSTEM IS NOT OPERATING IN ACCORDANCE WITH RGO SECTION 1105.3.4.
- LIGHTING EQUIPMENT: A MINIMUM OF 75 PERCENT OF THE LAMPS IN PERMANENTLY INSTALLED LIGHTING FIXTURES SHALL BE HIGH-EFFICACY LAMPS IN ACCORDANCE WITH RGO SECTION 1105.4.1.
- THE INSULATION INSTALLERS SHALL PROVIDE A CERTIFICATION LISTING THE TYPE, MANUFACTURER AND R-VALUE OF INSULATION INSTALLED IN EACH ELEMENT OF THE BUILDING THERMAL ENVELOPE.
- THE INSULATION INSTALLER SHALL SIGN, DATE AND POST A PERMANENT CERTIFICATE ON OR IN THE ELECTRICAL DISTRIBUTION PANEL. THE CERTIFICATE SHALL LIST THE PREDOMINANT R-VALUES OF INSULATION INSTALLED IN OR ON CEILING/ROOF, WALLS, FOUNDATION AND DUCTS OUTSIDE CONDITIONED SPACES.
- THE THICKNESS OF BLOWN IN ROOF/CEILING INSULATION SHALL BE WRITTEN IN INCHES ON MARKERS THAT ARE INSTALLED AT LEAST ONE FOR EVERY 350 S.F. THROUGHOUT THE ATTIC SPACE.
- U-FACTORS OF FENESTRATION PRODUCTS (WINDOWS, DOORS AND SKYLIGHTS) SHALL BE DETERMINED IN ACCORDANCE WITH NFRC 100 BY AN ACCREDITED, INDEPENDENT LABORATORY, AND LABELED AND CERTIFIED BY THE MANUFACTURER.



ENTRY LEVEL FLOOR PLAN 1/4"

* R6 OVER
641 S.F. NEW

WALL KEY	
-----	EXISTING WALLS TO BE REMOVED
=====	EXISTING WALLS TO REMAIN
=====	NEW WALLS (SEE WALL TYPE)

REVISIONS	BY
FOR CONSTRUCTION 5.25.2018	J.P.

JOSEPH L. MYERS, ARCHITECT, INC.
38030 Second Street Willoughby, Ohio 44094
(440) 975-1800

SHAMROCK REMODEL
6824 THORNAPPLE DR.
GATES MILLS, OHIO
ENTRY LEVEL PLAN

DRAWN J.P. / E.E.H. / J.L.H.
DATE AUGUST 2011
SCALE 1/4" = 1'-0"
JOB NO. 11064
SHEET 3