

**MINUTES OF A REGULAR MEETING OF THE BOARD OF ZONING APPEALS
CITY OF INDEPENDENCE, OHIO
October 21, 2021**

Chairman Moreal stated that at this time he would like to ask the Board if there were any corrections, changes or additions to the September 16, 2021 Minutes.

A motion was made by Pasquale Monteleone, seconded by Councilperson Walchanowicz, to approve the Minutes of the Board of Zoning Appeals Meeting of September 16, 2021.

**ROLL CALL: Yeas: Monteleone, Walchanowicz, Fortlage, Bredt, Moreal
 Nays: None
 MOTION CARRIED**

Mrs. Fortlage asked if there was a notation put in the August Board of Zoning Appeals Minutes.

The Secretary replied yes.

Mrs. Fortlage replied thank you.

Chairman Moreal then proceeded to read the Board of Zoning Appeals opening statement.

The Board of Zoning Appeals is a quasi-judicial body and, as such, its role is similar to a judge in a court case. The Board will hear evidence and testimony that is factual and will make decisions based upon the facts which are presented and the rules as set forth in the Zoning Code principles of Ohio law.

The City of Independence has adopted a Zoning Code and, per the City's Charter, has appointed a five-member Board of Zoning Appeals. This Board is empowered to hear and decide appeals and to authorize variances from the strict terms of the Zoning Code where the variance will not be contrary to the public interest and where, due to special conditions, a literal enforcement of the Zoning Code will result in practical difficulty or undue hardship, depending on the type of variance requested.

With this being stated, the Board's proceedings are relatively informal; but, in order to conduct an orderly meeting and allow all parties of interest, mainly contiguous property owners (or their legal representatives), the opportunity to present the evidence, certain procedures need to be followed:

All interested parties must be sworn in. The applicant will be asked to present evidence to support the requested appeal, the Board will ask questions, and then all interested parties (contiguous property owners) may present evidence concerning the appeal and ask questions regarding previously presented evidence. Any party may ask questions to another party.

It is the applicant's burden to produce evidence to support the application. The Board will not make the applicant's case for them. In order to prepare appropriate meeting minutes, each person who speaks will need to state, for the record, his or her full name and address. The

**MINUTES OF A REGULAR MEETING OF THE BOARD OF ZONING APPEALS
CITY OF INDEPENDENCE, OHIO
October 21, 2021**

meeting may be continued by either the applicant or the Board. The Board must base their decision upon facts and not on expressions of concerns or non-factual matters. The action of the BZA does not become final until 30 days after the date of the meeting that the minutes are approved by the BZA. Any appeal may be made to the Cuyahoga County Court of Common Pleas by an interested party within 30 days of the date the minutes are approved.

Rockside Woods Blvd., PPN 561-25-017, Rockside Woods Visibility, LLC – Michael Christoff of Vocon Architects was in attendance and sworn in.

Chairman Moreal stated that he was not at the previous meeting when Mr. Christoff was before the Zoning Board, but he wanted Mr. Christoff to explain to the Board his request.

Mr. Christoff stated that he was from Vocon, 3142 Prospect Ave., Cleveland, Ohio, and the previous submission was working with a five-story building when they were before the Board last; and so they had asked for a 15 foot height variance to accommodate the five-story building. He stated that since that time, the developer decided that there was enough interest in the market for people to want to be in Independence that they increased the size of the building to a six-story building. He stated that the previously approved variance at 75 feet no longer would accommodate the building that they intend to and would like to build on the site. He stated that he was before the Board showing an 88 foot building that would get them to above 3 feet below the parapet, and there was a portion of the Zoning Code that would allow the parapet to extend 3 feet above the maximum height of the building which would get them exactly what they would need. He stated that was why they were asking for the variance so they could continue forward with a six-story building.

Chairman Moreal asked Mr. Christoff what was the height of the building before that the Zoning Board approved.

Mr. Christoff stated that the variance was for 75 feet, and they would have had a 3 foot parapet above that; so it would have been at 78 feet.

Chairman Moreal stated that they added 13 feet he believed.

Mrs. Fortlage asked if the 3 foot parapet was still part of the plan.

Mr. Christoff stated it was. He stated that at the top of the building the parapet was actually a little taller than that with the maximum height being 88. He stated that their building was 90 feet and 10 ½ inches. He stated that the major wall sections were done so they know exactly where it would land now. He stated that within the Zoning Code, within an 88 foot maximum height, plus a 3 foot variance, that would seem to accommodate the building.

Chairman Moreal stated that it sounded like they were filling up that building.

**MINUTES OF A REGULAR MEETING OF THE BOARD OF ZONING APPEALS
CITY OF INDEPENDENCE, OHIO
October 21, 2021**

Mr. Christoff stated that they were doing a really good job, and he thinks that it would not be too hard to do in Independence. He stated that it has been pretty interesting watching, and he was excited about it.

Mr. Bredt stated that he had two questions. He wanted to know if the parking would be able to accommodate the extra floor.

Mr. Christoff stated that it would. He stated that if they would look at the site plan sheet, the Board would see there were two numbers on there; one was the amount of parking provided, and the variance was approved at a previous meeting for 4 per 1,000; and they were providing more than the variance would acquire by a few spaces.

Mr. Bredt stated that his second question was would it be cast in stone or would the Board be hearing from Mr. Christoff in another two months for another floor.

Mr. Christoff stated that he did not think that they could add another floor before they would be under construction because they intend on starting construction quickly. He stated that he could not 100% guarantee that, he was pretty sure that this would be as tall as the building will be.

Mrs. Fortlage stated that within the context of codes and reasons for granting variances, what was the practical difficulty.

Mr. Christoff stated that the practical difficulty was that with the required heights for a Class A office building; you wouldn't be able to build the building without having this height. He stated that there was nothing that they have done that was out of the ordinary for a Class A office building. He stated that you just wouldn't be able to build the building at six stories.

Mrs. Fortlage stated that Mr. Christoff stated "within the required heights". She asked required by whom? She stated that she didn't understand Mr. Christoff's comment.

Mr. Christoff stated that Class A office buildings that were built now have certain heights that you have to really be able to achieve to call a building a Class A office building, and he stated that the floor to floor, it was really dictated by someone says they have to have a 9 foot ceiling; and they want to be able to get up to 10 foot in certain areas like lobbies, which would be the generally accepted standard for Class A office space. That would result in a floor to floor of about 13'8" or 13'10"; and that would result in the building being the height that it would be.

Mrs. Fortlage asked if the height of each floor changed in the new request.

Mr. Christoff stated that the height of the floor to floor will stay the same.

**MINUTES OF A REGULAR MEETING OF THE BOARD OF ZONING APPEALS
CITY OF INDEPENDENCE, OHIO
October 21, 2021**

Mrs. Fortlage asked how was it not known all these things that Mr. Christoff just described when the request was made several months ago.

Mr. Christoff stated that all of the things were known when the request was made, the only change was that they were able to accommodate an additional floor and additional tenants in the building because of that. He stated that it was the additional floor that generated the additional height requirement.

Mrs. Fortlage stated that it seemed to her that the ability to make more money was not a practical difficulty. She stated that she has trouble supporting this because it was one third again as much as what would be allowed. She stated that she thought she would mention that.

Mr. Christoff stated that he understood.

Mr. Bredt stated that he had a question. He stated that the additional interest, would that be coming from outside Independence proper geography or would they be taking potential tenants from other buildings in the area?

Mr. Christoff stated that he was actually not sure. He stated that he has not been a part of those conversations with the developer. He stated that the developer was having those conversations with additional tenants.

Councilperson Walchanowicz stated that if he could make mention. There was a couple of pretty big companies that want to move into that building that Council discussed in a Special Council meeting.

Mrs. Fortlage stated that Mr. Bredt's question was whether they were already in Independence.

Councilperson Walchanowicz stated that they were not already in Independence. They were coming from some place else. He stated that he was not at liberty to mention names.

Mr. Bredt stated that he understood, but what he didn't want to see now or setting the ground work for the future that they were taking tenants from other properties and then leaving those buildings with a greater vacancy rate, not that they have concerns at this point; but if they were to put to six-story buildings up or a five-story and a seven-story building, it would stand to reason that people in the area looking at Class A officed space brand new would be very interested in examining the potential to move into that building. He stated that he didn't want to be robbing Peter to pay Paul.

Councilperson Walchanowicz stated that he did. He stated that the whole sixth floor addition to that building would be because of a company that wants to move to Independence that would need quite a bit of space.

**MINUTES OF A REGULAR MEETING OF THE BOARD OF ZONING APPEALS
CITY OF INDEPENDENCE, OHIO
October 21, 2021**

Mr. Bredt replied thank you.

Mrs. Fortlage asked how much of the building was leased or accounted for?

Mr. Christoff stated that was another answer that he does not know the answer to. He stated that the developer would certainly be able to answer that question, but he did not know.

Mrs. Fortlage stated that she was hearing a reason that some company would want the top floor. She asked if that said it was 100% committed, or somebody just wanted to be up high.

Mr. Christoff stated that the top two floors and a little bit more than that was actually still CBIZ; so the additional floor would be a slot in the middle.

Chairman Moreal stated that if he remembered right, he thought he heard last time prior to the meeting that the building as it was two months ago was almost 100% full at that point. He asked if that was correct.

Mrs. Christoff stated that he was not sure what was said at the meeting. He stated that he knows that they would not have added another floor if they were not seeing that kind of interest.

Mr. Bredt asked if the structural capacity of the improvements to the property confirmed at this point.

Mr. Christoff replied yes. He stated that the geo technical engineering has been confirmed. The geo technical for soil enhancement to support the foundation system is confirmed, and that was final.

Chairman Moreal asked when they were breaking ground.

Mr. Christoff stated that at the moment, the only approvals they were waiting on, they have an approval from the Northeast Ohio Regional District. They have been in conversations with water and the Cuyahoga Soil and Water Department. Those approvals were all in, they were just waiting on Northeast Ohio Sewer District; and then once they get that approval, the Independence Building Department can conclude their review. He stated that assuming they have answered any questions, and assuming the Board would feel that this would be an appropriate request, they would be able to start construction immediately.

Councilperson Walchanowicz stated that they wanted to start construction a couple of months ago because CBIZ's current lease would be up in the spring. He stated that the building will not be on time, and they were actually going to put several different employees in part of the Cleveland Clinic building across from City Hall temporarily because the building needed to be

**MINUTES OF A REGULAR MEETING OF THE BOARD OF ZONING APPEALS
CITY OF INDEPENDENCE, OHIO
October 21, 2021**

done by spring and it will not be done in time. He stated that they were going to move very quickly.

Mrs. Fortlage stated that she wanted to state that she misspoke earlier. She stated that the variance request was a 50% request, not a third, going from 60 feet to 90 feet. She stated that was 50%.

A motion was made by Pasquale Monteleone, seconded by Councilperson Walchanowicz, to approve the 28 ft. variance to permit a building to be 88 ft. in height.

**ROLL CALL: Yeas: Monteleone, Walchanowicz, Moreal, Brett
Nays: Fortlage
MOTION CARRIED**

5207 East Sprague Road, James Crooks, Jr. – Homeowner James Crooks, Jr. was in attendance and sworn in. There were no neighbors present.

Chairman Moreal stated to Mr. Crooks to explain to the Board why he would need the request.

Mr. Crooks stated that he was asking for a variance for the height restriction that was outlined in the Code to accommodate for a two-story detached garage. He stated that the current Code permitted 15 feet; and he was asking for a variance so that the finished height of the reconstructed detached garage would be approximately 21 ½ feet. He stated that the variance was for approximately 6 ½ feet. He stated that it would be a detached garage that he was looking to reconstruct. He stated that the current detached garage would be razed, and that same current garage was approximately 90 years old. He stated that as many of the Board members know, the home was about 107 years old. He stated that quite frankly both the home and the garage were built for standards or for a family way of life that was way outdated.

Mr. Crooks stated that he has designed a structure as the Board could tell in the plans that will be tasteful aesthetically, and that will match the major renovations that have been done to bring the home up to contemporary standards for his family over the last 17 years. He stated that he has been able to avoid the need side variance because of the current footprint will be off the side yard boundary. He stated that he was compliant with the dimensions so he doesn't have an unusual size. It will be a three-car garage. He stated that the request that was being made was for a height to accommodate a second story for storage.

Chairman Moreal asked Mr. Crooks if he changed the footprint for the side yard. Was that why he was not following the same footprint. He made it parallel with the house.

Mr. Crooks stated that if the Board would take a look at the last page of the package, they will see that the current configuration of the garage was angled. He stated that it was the image to the

**MINUTES OF A REGULAR MEETING OF THE BOARD OF ZONING APPEALS
CITY OF INDEPENDENCE, OHIO
October 21, 2021**

left. He stated that the very back corner, his sense was that the garage was constructed prior to the establishment of the side yard. It was part of the old Hill property where Jerry Narduzzi lives right now. He stated that he has talked to Mr. Narduzzi and has his consent and agreement with the variance. Mr. Crooks stated that he will take that back corner away altogether by reorienting the garage to line up with the front façade of the house.

Mr. Bredt stated that he thought Mr. Crooks has done a nice job with trying to blend this new building with the existing home and recognizing the fact that the amount of space around his existing home and the location; he doesn't see any problem with it. He does want to get on the record, there was no intention of living above the garage or anything like that.

Mr. Crooks stated for the record, absolutely not. It will be intended for 100% storage.

Mrs. Fortlage asked will it have electricity and/or plumbing?

Mr. Crooks stated that it will have the former and not the latter.

Mrs. Fortlage stated to the Building Official that she needs to be reminded was there any issue about having a detached garage and a shed as well?

Building Official Gero stated that Mr. Crooks currently has a garage there.

Mrs. Fortlage stated that there was also a shed.

Building Official Gero asked Mr. Crooks if he was going to maintain the shed.

Mr. Crooks stated that he would.

Mrs. Fortlage asked with the knock down of a building, would there be a variance for two outbuildings?

Building Official Gero stated that they have done that in the past.

Mr. Crooks stated that it was his understanding with a detached garage, you would be permitted one accessory building.

Building Official Gero stated that you are.

Mrs. Fortlage stated that her question was to be reminded of that.

Building Official Gero stated that Mr. Crooks was legitimate per the code.

**MINUTES OF A REGULAR MEETING OF THE BOARD OF ZONING APPEALS
CITY OF INDEPENDENCE, OHIO
October 21, 2021**

Mrs. Fortlage stated that within the code was what she wanted to know. She thanked him for the reminder.

Mr. Monteleone asked the Secretary to pull up the picture of the proposed garage.

Mr. Crooks stated that it would be in line with the current height of the homestead.

The Chairman stated it would be five feet lower.

Mr. Crooks agreed.

Mr. Bredt stated that he knows where Mrs. Fortlage was going to go next. He stated that he initially looked at the pitch of the roof of the new building, and if Mr. Crooks made that any flatter, it would make it less aesthetically pleasing relative to the existing home in his opinion.

Mr. Crooks stated that he has spent his entire existence trying to make the property aesthetically pleasing to breathe life back into the property. He stated that again it was constructed in 1857, not an easy thing to do; but he has done it and it has been a labor of love. He stated that his intent was to make the garage look as good as he hoped he made the house.

Mr. Monteleone stated congratulations, Mr. Crooks has done a great job.

Mr. Crooks replied thank you.

A motion was made by Charles Bredt, seconded by Pasquale Monteleone, to approve the height variance.

**ROLL CALL: Yeas: Bredt, Monteleone, Moreal, Walchanowicz, Fortlage
Nays: None
MOTION CARRIED**

6870 Linden Lane, Petek, Kaylee & Cory – Homeowners Kaylee and Cory Petek and contractor Jody Morgan were all in attendance and sworn in.

Chairman Moreal asked if there were any neighbors present. Neighbor Sam Cappas was in attendance and sworn in.

Chairman Moreal asked Mr. Morgan to explain the reason for the request.

Mr. Morgan stated that the deck being put on the home, the homeowner required a second way of removing themselves from the deck in case of emergency, so it required a staircase to the outside because there was only one door going inside. He stated that if they put the staircase any

**MINUTES OF A REGULAR MEETING OF THE BOARD OF ZONING APPEALS
CITY OF INDEPENDENCE, OHIO
October 21, 2021**

differently, it would either be obtrusive to the windows below the deck and also require the turning of the stairs across the build line in the back, requiring a variance to the back. He stated that they decided the best way to do it because of the window situation was to request a variance to the side rather than the back because the side yard area was not used and it was difficult to do anything in there anyhow. He stated that they put the staircase where it would be least obtrusive for any variance.

Chairman Moreal stated that he was out there the other day, and if they kept the stairway going in line with the house, there was a window there where it just wouldn't work. He stated that he saw why they were doing it this way. He asked if everyone else on the Board had a chance to go out there.

Mr. Bredt stated that he had a question. He stated that he was curious about the Association's comments where they approved it contingent upon no use of Lowe's white materials.

Mr. Morgan stated that he could speak to that. He stated that they have a very particular color branding, and there was a lot of fascia they like to sell. He stated that he was not a Lowe's employee; he was just a subcontractor that contracts with them to build decks. He stated that they use the Trex coloring that would be required to match with the black railing.

Chairman Moreal stated to the Building Official that it said easement. He stated that if you look on the drawing, it showed an easement in the back. He stated that it didn't show on the side, but was the circle line representative of the storm sewer. He stated that it didn't say easement. Why were they saying there was an easement there?

Building Official Gero stated that first off they were encroaching into the side yard, and that is what the Board of Zoning was hearing their appeal for. It would be for encroaching into the side yard. He stated that there was an access easement that runs between the houses. He stated that this house happens to be right on the 10 foot side yard line, and that was a 10 foot access easement. The areas that the Chairman was talking about the circles, that was the area that the silt fence was supposed to be put up there, that was the lot line. He stated that on that lot there was a 10 foot access easement which Engineering will have to approve; and then they will have to have a revocable license agreement prepared by the Law Department which will be executed, and then they will be able to issue the permit.

Chairman Moreal asked if the 10 foot access was on this property or a split between the two properties?

Building Official Gero stated that it was a 20 foot easement between the two properties, it would be 10 foot on either side. He stated that if the Chairman would look at a larger site plan, he will see the details.

**MINUTES OF A REGULAR MEETING OF THE BOARD OF ZONING APPEALS
CITY OF INDEPENDENCE, OHIO
October 21, 2021**

The Chairman stated that he saw it. He stated that they would be coming off the property by 3 foot.

Mr. Morgan stated that he wanted to inform the Board what was also going on there. He stated that after the submitting of the request, they discussed with the homeowners stairs options; and one was a circular staircase which would contain them completely in the build line; but until they got approval back from Lowe's as to whether or not they would approve that construction, he couldn't do that. So, they wanted to go ahead and go with the approval if possible, and this would then be a secondary option if the circular staircase was a no go from Lowe's if that would make sense.

Building Official Gero asked which plan were they going with.

Mr. Morgan stated that right now he would have to resubmit the partial drawing to show the circular staircase. He hasn't submitted that yet because Trex has not sent him their drawing specs on that circular staircase; so he hasn't resubmitted that yet. He stated that he was working on the next door neighbor's deck right now. He stated that he wanted the Board to be fully informed. He stated that the 6 foot spiral staircase would go inside the building line completely, but if Lowe's doesn't approve that because of whatever reason, then they want the original plan to be the back up.

Building Official Gero stated that he wanted to explain to Mr. Morgan, that there were costs and fees involved preparing the revocable license agreement by the City's Legal Department. He stated that he will not give the Legal Department the go ahead to do that until he would hear from Mr. Morgan if it would be necessary or not.

Mr. Morgan stated that was completely fair.

The Building Official stated that whatever approvals that would be given this evening, he will hold it until he hears from Mr. Morgan whether it would be a go or there will be a different plan.

Mr. Morgan stated that he understood completely.

Mrs. Fortlage asked if the same variance would be needed for either plan.

Mr. Morgan replied no. He stated that with the other one, it would stay completely inside the building line because the circular staircase would come out of the corner of the deck and go down inside where you would see the purple triangle at the bottom where the cutout was for the deck. It would fit right inside there completely by about 8 inches all around.

Mrs. Fortlage stated that one of three principles the Board follows was can the situation be handled a different way, and she thinks that Mr. Morgan told the Board that it could be.

**MINUTES OF A REGULAR MEETING OF THE BOARD OF ZONING APPEALS
CITY OF INDEPENDENCE, OHIO**

October 21, 2021

Mr. Morgan replied maybe. It would depend on Lowe's. He stated that it would be up to Lowe's if they approve the circular staircase or not because of contracts and things like that with the customer. Mr. Morgan stated that he went back to them and stated that there was a loophole, and could they do this instead. So, that is what they are trying to find out. He stated that he has gone up the chain to the Manager of Lowe's, and she was working through it right now. He stated that she felt very confident that it would be a go, but until he would hear 100% back from her and get the drawings from Trex, he could not submit those plans.

Mrs. Fortlage stated that she was not comfortable approving a variance when this is there in the wings.

Mr. Morgan stated that his problem was the fact that it would put this customer who ordered the deck in March another month behind. He stated that it would put him working in the winter digging those holes and things. He was trying to avoid it if possible.

Building Official Gero asked how long would it be before Mr. Morgan would find out.

Mr. Morgan stated that it should be no later than Friday or Monday because he has been pushing this for some time.

Chairman Moreal stated that in a perfect world the homeowner wants the spiral staircase.

Mr. Morgan agreed.

The Chairman stated that Mr. Morgan didn't know if the manufacturer could do that yet.

Mr. Morgan stated that he didn't know if Lowe's would approve a contract that was sold to a client, and that was what they were trying to find out and get approved. The contract was made back in March, but there was some wording that the customer could pick any kind of staircase they wanted; and so he brought that up with Lowe's, and even though they had to bite their lip, they have to stand by the contract; and the customer wants the spiral staircase made by Trex, so that is what they were trying to figure out. He stated that if they could not get that for some reason; he would then have to wait another month to go back to the Zoning Board.

Mr. Monteleone stated that it made sense to him. He stated that other one would not need variances if they would get. He stated that he thought it was a good idea.

Mrs. Fortlage stated that there were a lot of supply chain disruptions at this time, and they will probably last a while. She does not believe the Board should be doing variances based on a temporary situation such as a supply chain issue.

**MINUTES OF A REGULAR MEETING OF THE BOARD OF ZONING APPEALS
CITY OF INDEPENDENCE, OHIO
October 21, 2021**

Mr. Morgan stated that he could address that as well. He stated that he actually considered if they could not get that in but could build a deck. He stated that in that case, they would just seal the deck off the top of the railing until the actual staircase would come in. He stated that they would prep the groundwork for the posts and everything because it would be a single post staircase; and when it would come in they could attach it to the ground and deck.

Mr. Bredt stated to Mrs. Fortlage that he could assure her that this was happening in the industry across the board, across the United States, North America, that many of the builders that he was dealing with were prepping the property, whether it would be commercial or residential, for the best case scenario, recognizing that winter will be coming. He stated that he would suggest that there would be quite a few holes and tubes that have been put in place that may never be exposed again, but they were taking a chance; which is an expensive chance, to prepare something. He stated that he didn't know the ins and outs of Lowe's construction and contractor practices, but he would be willing to suggest that the likelihood of the circular staircase being approved would be very high. He stated that he has been involved in those sort of things in the past, not so much Trex or the builder, it would be the structure that it would sit on, but if Lowe's has a pre-approved contractor that is not able to do this, then he could see the reluctance of Mr. Morgan and the homeowners to not move forward until they know for sure. Given the fact that they will know within a couple of days, he doesn't see any reason not to approve it.

Chairman Moreal stated that until Mr. Morgan said that as far as the circular, when he brought that into the equation, he didn't have a problem with the 3 foot because he viewed the site, and he knew what Mr. Morgan was up against. He stated that he understood they were in a little easement, but 3 foot. He stated that until Mr. Morgan said that, he was for it, and he still is; but it does sound like the homeowners really want to put in the spiral staircase. He stated that if the spiral staircase would happen, the variance would go away.

Mrs. Fortlage replied no it doesn't, it last with the property.

Mr. Morgan stated that he wouldn't have the variance until he would give the word that they could do the spiral staircase or not because of the cost involved.

Mrs. Fortlage asked Building Official Gero how long would the variance last.

Building Official Gero stated that what he would recommend, as the Board has given variances in the past for specific items, the Board could put a contingency on the variance that if they were to put up a circular staircase and not encroach into the side yard, the variance for the stairs specifically the stairs to the deck, would become null and void. He stated that he would assume the Law Director would agree that it could be done that way.

**MINUTES OF A REGULAR MEETING OF THE BOARD OF ZONING APPEALS
CITY OF INDEPENDENCE, OHIO
October 21, 2021**

Assistant Law Director Doyle stated that was correct, and he was playing with language to put together a motion for the Board; but he didn't finish it until the Building Official came up with that good point.

Mrs. Fortlage stated that she knows the neighbor was present. She asked if Mr. Cappas would have a reason to speak to it.

Mr. Cappas stated that he had no objection.

Mrs. Fortlage stated that the technology took away his comment, she did not know what he said.

Mr. Cappas stated that there was no objection on his part.

Chairman Moreal stated that the word he heard before was that Mr. Morgan would know in a couple of days with regard to the spiral staircase. He stated that he was thinking within a week they should know if Lowe's could do the spiral staircase. If they can't, then the variance would run with the request. He stated that if the spiral staircase would be a go, then this would be null and void at the end of October or something. He asked if that would be more practical. He asked Mrs. Fortlage what would she think.

Mrs. Fortlage stated that she thought it fit the situation described more closely, yes.

Mr. Monteleone stated that he was just considering the winter months coming if something doesn't happen quickly. He stated that he thought they should give it some more time.

Mr. Morgan stated that part of the time crunch for him was there was a patio going in a few weeks, so he would have to have his holes dug and filled in two weeks anyhow.

The Chairman stated that Mr. Morgan would know soon.

Mr. Morgan agreed.

The Chairman stated that he thought the Board should run it to the end of October, that would be two weeks.

A motion was made by Councilperson Walchanowicz, seconded by Pasquale Monteleone, to approve the variance to 1165.01 to permit a portion of the proposed deck to extend into the side building line and easement conditioned upon the inability of the homeowners to have a spiral staircase approved by the end of October of 2021.

**MINUTES OF A REGULAR MEETING OF THE BOARD OF ZONING APPEALS
CITY OF INDEPENDENCE, OHIO
October 21, 2021**

**ROLL CALL: Yeas: Walchanowicz, Monteleone, Bredt, Moreal
Nays: Fortlage
MOTION CARRIED**

5100 Chestnut Road, Daniel Dulik – Homeowner Daniel Dulik was in attendance and sworn in along with neighbor Michelle Grande and Cecil Moore.

Chairman Moreal asked Mr. Dulik to explain to the Board why he would need the variance request.

Mr. Dulik stated that he was requesting a variance of 3 feet to build a fence 2 feet away from an existing fence for two reasons. He stated that the first reason being there was not adequate space between the current existing fence and his garage; and the second one is to (inaudible) avoid cutting down his already narrow lot.

Chairman Moreal stated that he visited Mr. Dulik's property last night. He stated that 2 feet, there was really no way to maintain the fence, whether it be his fence or his neighbor's fence in a 2 foot area. He stated that he didn't know if Mr. Dulik agreed with it or not, but it would be kind of tight. There was no doubt about it.

Mr. Dulik stated that he thought it was possible, but he understood.

Chairman Moreal asked if the rest of the Board got a chance to view the property.

Mr. Bredt replied yes.

Mr. Monteleone stated that he did also.

Chairman Moreal stated that the neighbor's fence was a little, there were parts of it that were kind of, he will talk to the neighbors in a little bit. He stated that he couldn't see doing it at 2 feet; it was just too tight, he doesn't think it would be doable for both parties involved at that point.

He stated that 3 feet would give Mr. Dulik another foot. He asked what would be wrong with tying the fence into his garage. He stated that he didn't know what the dimension would be. He stated that if Mr. Dulik would take the line at his garage and went parallel with the property line, where would Mr. Dulik feel that he would be dimension wise.

Mr. Dulik stated that 5.4 feet from his property line, the neighbor's fence was about a foot in of their property line; so that would be 6.4 feet. He would be cutting down 10% of his property at that point.

**MINUTES OF A REGULAR MEETING OF THE BOARD OF ZONING APPEALS
CITY OF INDEPENDENCE, OHIO
October 21, 2021**

The Chairman replied okay. He stated that Mr. Dulik's goal was to enclose his property.

Mr. Dulik agreed. He stated that it was Chestnut Road, he has two young children and a dog.

Chairman Moreal stated that the way that Mr. Dulik was now, what his request was, where would he be taking the fence to, the back of the property and then return it? He wouldn't be tying into his garage.

Mr. Dulik agreed. He stated that it was drawn out in a blue marker.

The Chairman stated that he saw that.

Mr. Bredt asked if Mr. Dulik's neighbor indicated any willingness to remove their fence, or at the very least repair it?

Mr. Dulik replied no. He asked to remove it, and it was at his expense, his labor; and the neighbor said no because he would not have a fence then. Mr. Dulik told them that he was putting up a fence, and he didn't want to do that because it didn't match the other side. He stated that the neighbor's fence was a shadow box fence, and the other side was a board-on-board; and it already didn't match. The neighbor didn't want to, so Mr. Dulik stated that he would stop there. He wasn't trying to get into an argument with anyone, he wanted to be neighborly with people.

Mr. Bredt stated he was concerned with only 2 feet between the fences, the ability to maintain that no-man's land between the two. He stated that he supposed that Mr. Dulik could use a weedwhacker back and forth since it would probably be Mr. Dulik maintaining it from what he could see. He stated that it was just a guess, but it would not be wide enough for a lawnmower.

Mr. Dulik stated that it would fit through, and then when Mr. Monteleone was over yesterday, he suggested just doing river rock in between which he has on other areas of his property which would alleviate that. He stated that with 2 feet there was not a lot of space to spray a new coat of sealer on it.

Mr. Bredt stated that he thought the river rock was a great idea, but wouldn't Mr. Dulik be putting it on his neighbor's property then.

Mr. Dulik stated that the one foot would have to be, yes. They would have to be okay with that.

Councilperson Walchanowicz informed the Chairman that the neighbor would like to speak.

**MINUTES OF A REGULAR MEETING OF THE BOARD OF ZONING APPEALS
CITY OF INDEPENDENCE, OHIO
October 21, 2021**

Chairman Moreal stated to the neighbor that he stopped there last night, but he didn't get a chance to talk to her. He asked her what were her thoughts. He stated that the Board had some ideas.

Michelle Grande stated that she feels the 2 feet would not be sufficient enough for him to maintain both properties, both fences. She stated that ultimately they did fix the fence; the bottom line was that it needs to be repaired again due to certain situations. She stated that it looked like somebody was playing with it, so they definitely need to get that fixed again. She stated that they intend to get that fixed again. She stated that ultimately that would be sooner rather than later, but there was no timetable.

She stated that the fence in her backyard, the one that goes across her property line was the same fence that she put up over there, only a little later. She stated that she was trying to match both of her fences, and she doesn't see a purpose for 2 feet or 3 feet, that was not enough to maintain it. She stated that safety wise, you can't get in there with a weedwhacker. She stated that first of all, the reason that her fence has a little issue was because a deer jumped over it and got caught. She stated that if a deer goes jumping on either side that would be another problem because they don't know what critters would get in between because when the snow comes, the rain. She stated that she could also remember, someone brought this to her attention, that on the other side, one parcel around there, on the other side of her 1 foot back in the day, the homeowner had put some type of a drain there because he had an issue with what he thought was a runoff. She stated that the City suggested that he put it there. So, she doesn't know what piping was there past her 1 foot property line as well. Ms. Grande stated that basically it was the maintenance of it and safety.

Chairman Moreal stated that he heard that the neighbor mentioned that he would, if it came to that, removing her fence and utilizing his fence. He asked if that was any option for her?

Ms. Grande replied no.

The Chairman stated that he walked along her fence. He stated that it definitely needs some help.

Ms. Grande stated that it was going to be taken care. She stated that she also has Cecil here with her who lives with her; and he has been the person conversing with Mr. Dulik.

Cecil Moore stated that he does the landscaping.

Mrs. Fortlage asked if he needed to be sworn in.

Ms. Grande stated that he was with her earlier and was sworn in.

Chairman Moreal then swore Mr. Moore in.

**MINUTES OF A REGULAR MEETING OF THE BOARD OF ZONING APPEALS
CITY OF INDEPENDENCE, OHIO
October 21, 2021**

Mr. Moore stated that he does the tree trimming, he does the landscaping, he cuts the grass, he maintains the property. He stated that he makes the repairs here. He stated that 2 or 3 feet would not be enough to maintain the property in between the fence, around the fence. He stated that the part of the fence that was leaning, he was there when a deer leaped over. He stated that he went in the backyard, and the deer got startled, leaped over the fence, hit the fence. He stated that mysteriously after that, someone came and pried that part of the fence loose. He stated that he saw the part of the wood, pieces that were gouged out of the wood, and it was just laying up against it. He stated that when he went into the backyard, and you could see the fresh wood because the old part was broken off and gouged out. He stated that he saw the scrape marks where it was pried loose. He stated that he went and grabbed it, and it fell over. It was pulled all the way apart. He had to go and get some screws and put it back together. He stated that he brought that to his neighbor's attention which came into the backyard; he was on the property several times without his permission doing something in their backyard on the property. He stated that him saying this, the necessary repairs that need to be made to that fence, if there was a deer to come over and leap over his new fence; he would be in the same situation that they were in.

He stated that if you put a fence that would be only a few feet away from another fence, it would create a trap for a deer if he was to leap over that first fence; and he would get injured on the second fence because it would be too close. He stated that him doing the maintenance and landscaping and the yard work, there would not be enough room for him to get in there and maintain without hitting Mr. Dulik's fence, trying to maneuver the lawnmower. There would not be enough room to do anything there. He stated that he thought Mr. Dulik would need enough room as well as they need enough room to maintain the fence and maintain the property in between there without any type of problems whatsoever. If Mr. Dulik would do it a couple of feet away, he believes that it would be a recipe for disaster, and once the fence was up, it would be up.

Mr. Moore asked who would be fined if the weeds would start getting out of hand and so on and so forth. He stated that they had a situation where the weed killer was sprayed on the gates, and the overspray got in between there and over to the outside which was Ms. Grande's property; and that was done without permission. Mr. Moore stated that if Mr. Dulik would have his within the ordinance, then he would not have to worry about any type of weed killer or poisoning going over to where his dogs got sick, Mr. Dulik wouldn't have to worry about that. Mr. Moore stated that Mr. Dulik could maintain his and spray whatever he wanted on his fence without any problem. He stated that he thought the ordinance should be left the way that it is. He thinks that 2 or 3 feet would be definitely too close to another fence to maintain.

Mr. Moore asked how was he supposed to get in there and maintain and make the repairs or anyone get in there to make the necessary repairs to Ms. Grande's fence if there would only be 3 feet without damaging Mr. Dulik's fence or hitting his fence. He asked the Chairman if he understood what Mr. Moore was getting at.

**MINUTES OF A REGULAR MEETING OF THE BOARD OF ZONING APPEALS
CITY OF INDEPENDENCE, OHIO
October 21, 2021**

Mr. Monteleone stated that he agreed. He stated that he was there yesterday, and he would love to see the fence connected to the garage like the Chairman was saying; and that was his opinion.

He stated that the other opinion for the neighbor, a 36 inch wide path, he does landscaping for a living, and usually and most likely all gates to backyards were 36 inches because that was the size of a feasible lawnmower to mow the area, that would be a 36 inch pass. He stated that 3 feet would not be out of the ordinary, it would be where it would need to be to get easy access with a machine, weedwhacker and working conditions. He stated that those were his opinions. He was there yesterday on site with Chairman Moreal. He stated that he would love to see it connected to the garage, but 3 feet off the other fence would probably be feasible.

Ms. Grande stated that here was the thing. She stated that 3 feet was not his, 2 feet was his. She stated that 1 foot was her; therefore, if the lawnmower would be 3 feet, how would Mr. Dulik get his lawnmower down 2 feet?

Mr. Monteleone stated that it would also be off of Ms. Grande's 1 foot. He stated that it would almost put it like a foot off Mr. Dulik's garage so that's why he suggested that he put it to his garage.

Ms. Grande replied thank you.

Mr. Moore stated that Mr. Dulik also complained about the fence. He was saying that if something was to happen to Ms. Grande's fence, and it fell over; he didn't want it to hit his fence when he came over to the property where they live. He was trying to figure out why someone would want to put it that close. He stated that if someone was in fear of something falling on your fence, wouldn't you want to place that as far away as possible or within the ordinance?

Chairman Moreal stated that he thinks that they were hoping Mr. Moore made a comment, or Ms. Grande did, that they were going to fix their fence; so hopefully that gets all taken care of.

Ms. Grande stated that they were.

Mr. Bredt stated that his question was that he actually understood the concern about deer jumping over fences. He asked how long ago did that happen? When did that deer jump over Ms. Grande's fence?

Mr. Moore stated that it was in the back, probably about a year or a year and a half ago, something to that effect.

Ms. Grande stated that then they fixed it.

**MINUTES OF A REGULAR MEETING OF THE BOARD OF ZONING APPEALS
CITY OF INDEPENDENCE, OHIO
October 21, 2021**

Mr. Moore stated that then someone came and made it loose. He fixed it, and someone came and pried the fence loose all the way around. They pulled all the nails out of it with like a crowbar or claw hammer and sort of had it leaning up against the other part of the fence. Mr. Moore stated that they didn't do it, it was someone without their permission, without any say so. He stated that he spoke to Mr. Dulik, and he said he was about to put up a new fence. Mr. Moore told him that it wasn't Mr. Dulik's property.

Mr. Bredt asked somebody pulled apart Ms. Grande's fence all the way? Did they file a Police report?

Mr. Moore stated that he thought they spoke to a Police officer about it. He stated that he took pictures, and he had the pictures on his phone. He stated that he took pictures where you could see where the wood is gouged out.

Mr. Bredt stated that he understood that. He was trying to get an idea of how quickly the damage was responded to.

Ms. Grande stated that as soon as the snow went down, he went out there to fix it.

Mr. Moore stated that as soon as he saw it, he went to Ace Hardware and he bought some wood screws and the necessary supplies to make the repairs to put the fence back the way that it was.

Mr. Bredt stated that he was more concerned about the fact that somebody came in and vandalized their fence all the way around the perimeter.

Mr. Moore stated that he was as well. He was upset about it, but then again at the same time, what do you do? He stated that he made the repairs. He stated that it was kind of an old fence; so he made the repairs to it and looked for someone to do damage to it again. He stated that he made sure that everything was set up where that person would be caught in the act doing it.

Chairman Moreal stated that they could talk about this, and who did what; they were before the Board for the fence. He stated that the Board would like to move forward and try to get this resolved. He stated that the Board wants them to be neighborly and get everything worked out; so they were trying to do the best here to get this thing resolved.

Mr. Monteleone asked where do they go from here? Does the Chairman have to request them? He stated that he didn't think the Board would approve the 2 foot.

The Chairman stated that 2 foot was not enough.

Mr. Dulik stated that he would be fine with tying his fence into the existing fence if it wasn't a safety concern. He would like to see the pictures of the damage that was done. He stated that

**MINUTES OF A REGULAR MEETING OF THE BOARD OF ZONING APPEALS
CITY OF INDEPENDENCE, OHIO
October 21, 2021**

someone would have come onto his property to damage the neighbor's fence, and he doesn't think he ever saw somebody doing that.

Chairman Moreal stated that Ms. Grande's fence, she is aware of it, it is old. There are nails sticking out all over that are just loose from old, rotten wood; and the piece that is broken where the deer hit, the post is rotten. He stated that until they take the post down and put a new post in, you aren't fixing that piece. He stated that it was a rotten post. He stated that the fence needs some help, but it was Ms. Grande's fenced, and she stated that she would take care of it.

Mr. Monteleone stated that he wanted to talk about Mr. Dulik's situation. He asked if the Board would make a motion on the 2 foot or does Mr. Dulik want to come back to the Board with a different request. He could hook it up to the garage or going with a 3 foot.

Mr. Dulik asked if a 3 foot was okay?

The Chairman asked Mr. Dulik what 3 foot would do for him. He stated that it was 1 foot along Mr. Dulik's garage. Would he not feel that tying into the garage, it was 1 more foot. He won't be walking by his garage and fence 1 foot away.

Mr. Dulik stated that it would be 2.4 feet at the narrowest part, and 3.4 feet from his garage and the other section.

Chairman Moreal stated that like he stated yesterday, 2 foot would not be doable; he would be okay with 3 feet. It would give Mr. Dulik 2 feet on his property to maintain his. He stated that technically the neighbor only has a foot to maintain theirs; so they would be stepping on Mr. Dulik's property no matter how they look at it.

Mrs. Fortlage stated that the Board has a request before them that they should vote on, and any remedy or changes should come from the homeowner. She asked the Chairman if that is what he thought.

Chairman Moreal stated that if the Board votes on the variance, and it gets voted down, Mr. Dulik cannot come back to the Board for the same thing. He stated that Mr. Dulik could come back for something else. He asked the Assistant Law Director if that was correct.

Assistant Law Director Doyle stated that was correct. He stated that he was going to stated that it should probably be subject to a new application.

The Chairman stated that in the past everyone before the Board was trying to get stuff done before winter. He stated that it would put Mr. Dulik off for another month if he would come back to the Board for something else if it could be resolved tonight. He stated that the Board would have to amend Mr. Dulik's request, but they can't do that for Mr. Dulik.

**MINUTES OF A REGULAR MEETING OF THE BOARD OF ZONING APPEALS
CITY OF INDEPENDENCE, OHIO
October 21, 2021**

Mr. Monteleone stated that Mr. Dulik would have to amend his own request.

Mr. Dulik asked how would he amend the request.

Assistant Law Director Doyle stated that he would need to submit a new application.

Mr. Dulik asked if that would be next month.

Chairman Moreal stated that he guessed so, or the Board could vote on it tonight as requested.

Mr. Dulik stated that the Board could vote on it tonight as requested, and then he will amend his request to 3 feet and try it again next month.

Mrs. Fortlage stated that she would move a vote on the variance, knowing that she will vote against it.

A motion was made by Carol Fortlage, seconded by Pasquale Monteleone, to approve the variance to permit a fence to be built 2 feet away from an existing fence.

**ROLL CALL: Yeas: None
 Nays: Fortlage, Monteleone, Bredt, Walchanowicz, Moreal
 MOTION DENIED**

Mr. Bredt stated that before the applicant and the neighbors get away, he asked if there was any remedy that could be used with the Building Department to inspect the existing fence to make certain that it will be repaired properly within a certain period of time.

Chairman Moreal stated that he would like to think they could because that could change a lot of things really.

Mr. Bredt replied absolutely. He stated that he knows that the Building Official has a time situation, but if he was still on the call, would that be something that could be asked of him to do.

The Secretary stated that the Building Official left the meeting.

Mr. Bredt stated that he would suggest that in the morning, the Building Official be advised of the Board's thoughts.

The Secretary agreed.

6977 North Renwood, Connor Suba & Ellen Day – Homeowners Connor Suba and Ellen Day was in attendance and sworn in.

**MINUTES OF A REGULAR MEETING OF THE BOARD OF ZONING APPEALS
CITY OF INDEPENDENCE, OHIO
October 21, 2021**

Chairman Moreal asked if there were any neighbors present. There were no neighbors in attendance.

Chairman Moreal asked the homeowners to explain to the Board why they need the variance.

Mr. Suba stated that they were looking to extend a fence on the east side of their property. He stated that it was a corner lot that juts out pretty far to the north; so that would extend beyond their neighbor on the east at 6952, beyond their front setback. They would be requesting an additional 34 feet to enclose their patio so their dog could go out and use the restroom.

The Chairman asked if it was their backyard.

Mr. Suba agreed.

Mr. Monteleone asked if the fence would be going along the sidewalk. He stated that he couldn't tell from all the pictures. He asked how far off the sidewalk would the fence be?

Mr. Suba stated that they would attach the fence basically where the brick structure ended. He stated that he measured it at about 17 feet, and then they would probably try to do it parallel to the sidewalk. So, again it would probably be about 17 feet in.

The Chairman stated that the yellow line they were looking at was not correct. That would not be parallel, that was 18 feet. He asked Mr. Suba if he was saying it would be 18 feet all the way?

Mr. Suba agreed.

Mr. Monteleone asked if the fence would go to the driveway, or would it be off the driveway.

Mr. Suba stated that it would be off the driveway connecting to the corner of their house.

Several people began speaking at once.

Mr. Bredt stated that the eastern corner would become 17 or 18 feet.

Mr. Suba agreed.

Mr. Monteleone stated that Mr. Suba would be going from the corner of his house.

Mr. Suba agreed.

Mr. Monteleone stated that Mr. Suba's dog would be going out the back door, not the side door.

**MINUTES OF A REGULAR MEETING OF THE BOARD OF ZONING APPEALS
CITY OF INDEPENDENCE, OHIO
October 21, 2021**

Mr. Suba stated that was connected to their garage; so it would be off the side door that would be connected to the deck.

The Chairman asked Mr. Suba if it would change his 34 feet number, if the 10 feet would get moved back to 8, does the 34 feet go down to 26 feet?

Mr. Suba replied no. He stated that it would still be the 34 feet beyond the neighbor's garage.

The Chairman asked who drew the line, the City or Mr. Suba?

Mr. Suba stated that he believed the City did.

The Chairman stated that it was not right really.

Mr. Suba stated that the measurement he had was 71 feet from the sidewalk over to the neighbor's property, and then it would go 57 feet in total from basically their tree connecting to his south side neighbor's existing fence.

The Chairman asked the Secretary if the neighbor was notified.

The Secretary replied yes.

Mrs. Fortlage stated that the issue before the Board was how far it goes toward the north, which was the amount it would be forward of the neighbor's building line? She asked if she was correct.

Mr. Suba stated that was correct.

Mrs. Fortlage asked and what was that number?

Mr. Suba stated that it was 34.

Mrs. Fortlage stated that 34 was not apparently, if that would match the drawing that the Board was given; but Mr. Suba stated that he was not going to be what was on the drawing that the Board was given, there was a difference in the number; so which was it?

Mr. Suba stated that it was 34; he was not sure where the yellow line drawing came from, but he was planning to go parallel with the sidewalk.

The Chairman stated that if Mr. Suba was parallel with the sidewalk, he would be 34 feet which was his request.

**MINUTES OF A REGULAR MEETING OF THE BOARD OF ZONING APPEALS
CITY OF INDEPENDENCE, OHIO
October 21, 2021**

Mr. Suba replied correct.

The Chairman stated that it would look right parallel with the sidewalk. It wouldn't look right the other way.

Mr. Suba stated that was kind of their thought process.

Mr. Bredt asked the Secretary to go back one picture where the adjacent neighbor was shown. He stated that he wanted to see the dimension that would run north to south relative to the neighbor. He stated that what he wanted to point out was the drawing said 67.023 north and south, just like the subplot the Board was looking at right now. He asked if the 67 would become 49 if he would make that 10 foot 18 feet?

Mr. Suba replied correct.

Mr. Bredt stated that having said that, he asked if there was any height issue on the fence relative to a variance?

Mr. Suba replied no. He stated that the quote they had was for 6 feet vinyl.

Mr. Bredt stated that since it was a solid vinyl fence, he will move approval of the application as Mr. Suba stipulated, with a qualification that the sidewalk side of that solid vinyl fence has shrubbery planted all along to soften that white wall.

Ms. Day stated that was fair.

Mr. Suba stated that was acceptable.

Mrs. Fortlage asked if the Board had a view that would show them the impact when you would be gazing westward, how far forward of the neighbor's building line was it? She stated that the picture has flown by them a few times, but she thinks the Board needs to see it.

Mr. Bredt stated that it actually shows up well in the one picture that keeps skipping, but he walked down there a couple of times to look at it. He thinks that if it would come parallel to the sidewalk, 18 feet at the northeast corner, he thinks it will look fine.

Mrs. Fortlage stated that she was there too, and it was pretty tough to go from these pages to know exactly what would happen.

The Chairman stated that as long as it was parallel off the corner of the house.

**MINUTES OF A REGULAR MEETING OF THE BOARD OF ZONING APPEALS
CITY OF INDEPENDENCE, OHIO
October 21, 2021**

Mr. Bredt stated that parallel to the sidewalk would actually tie it in nicely with the trees that are already there. He was just concerned, that was why he made the contingency with the softening of the sidewalk side of that fence with shrubbery, not a flower garden, but shrubbery. He stated that he thinks it will serve the neighborhood very well.

Mrs. Fortlage stated that the one that concerns her actually would be east face of the fence.

The Chairman stated that would be the one that would marry up to the neighbor's trees, if there was a picture there of the neighbor's house. He asked the Secretary if it was there.

Mr. Bredt asked the Board if they saw where it would say 67.23; if he understood it correctly, it would get reduced by 18 feet.

The Chairman agreed.

Mr. Bredt stated that it would be parallel to the sidewalk and takes it in to the edge of the trees.

The Chairman stated that he thinks it will work good.

A motion was made by Pasquale Monteleone, seconded by Charles Bredt, to approve the variance to permit a fence to extend past the front building line of the adjacent property, subject to softening of the sidewalk fence line with shrubbery.

**ROLL CALL: Yeas: Monteleone, Bredt, Fortlage, Moreal, Walchanowicz
 Nays: None
 MOTION CARRIED**

7800 Brookside Road, St. Maron's Church – No one was in attendance.

A motion was made by Charles Bredt, seconded by Carol Fortlage, to table the matter.

**ROLL CALL: Yeas: Bredt, Fortlage, Monteleone, Walchanowicz, Moreal
 Nays: None
 MOTION CARRIED**

A motion was made by Chairman Moreal, seconded by Councilperson Walchanowicz, to adjourn the meeting.

**ROLL CALL: Yeas: Moreal, Walchanowicz, Monteleone, Fortlage, Bredt
 Nays: None
 MOTION CARRIED**

**MINUTES OF A REGULAR MEETING OF THE BOARD OF ZONING APPEALS
CITY OF INDEPENDENCE, OHIO
October 21, 2021**

There being no further business, the Board of Zoning Appeals meeting of October 21, 2021 was adjourned at 6:49 p.m.

Chairman Mark Moreal

Debi Beal, Secretary
Minutes Unapproved at Time of Release 11/02/21