

**CITY OF MACEDONIA
BOARD OF ZONING AND BUILDING CODE APPEALS
MEETING AGENDA
May 18, 2022**

Time: 6:30 p.m.

1. Call to Order
2. Roll Call: Mr. Shellko, Ms. Metzler, Mr. Pilato, Mr. Ferraro, Mr. Ioffreda
3. Approval of Minutes
 - a. Cases 668-672
4. NEW BUSINESS:
Case #673

LDA Builders, Inc
on behalf of owners Brian & Amanda Hromco
917 Whispering Woods
Macedonia, OH 44056

The Board of Zoning and Building Code Appeals will hear a request for a variance at 917 Whispering Woods Drive. The variance request is to section 1163.02(c)(1): the minimum setback line for any building or structure erected upon a lot shall be 100 feet from the center line of the road or street. The applicant is requesting a variance of 30 ft. to have the building setback 70 ft.

If you approve of the above-mentioned use of said property, or, if such use is thought by you to be injurious to your premises or contrary to the public interest, please file a statement by letter or email stating your viewpoint to the Building Department no later than **two** business days before the meeting. You may also contact the Building Department at 330-468-8364. All public comments received to the City will be discussed during the conference call.

If you know of any affected property owners who may be interested, but who may not have read this notice, please inform them of this meeting.

If you are not interested in this matter, please disregard this notice.

-Macedonia Board of Zoning and Building Code Appeals



City of Macedonia

The Crossroads of Northeast Ohio

9691 Valley View Road • Macedonia, Ohio 44056
(330) 468-8360 • FAX (330) 468-8396

INTEROFFICE MEMO

To: Zoning Board of Appeals
From: Chris Hall
Subject: Variance Request for Building Setback from the Street
For Consideration by the Board on May 18, 2022
Cc: Mayor Molnar, Bob Rodic, Rachael Gambatese
Date: April 22, 2022

Applicant: LDA Builders, representing Brian and Amanda Hromco, property owners
Location: 917 Whispering Woods Drive S/L 119
Zoning: R-1 Residence District
Request: Applicant is requesting an “*area variance*” reducing the 100-foot minimum building setback from the center line of the road or street.
Standards: **1163.02 R-1 RESIDENCE DISTRICT.**
(c) Setback Lines.
(1) The minimum setback line for any building or structure erected upon a lot shall be 100 feet from the center line of the road or street.
Findings: Original variance request of 30 feet was granted by the Zoning Board of Appeals on November 20, 2019 (see attached BZA minutes). The building setback approved was 70 feet as measured from the centerline of the road, or 40 feet as measured from the right-of-way.
Board’s Action: The Board of Zoning Appeals is to consider the applicant’s request for an “*area variance*” to 1163.02(c)(1) reducing the building setback from 100 feet to 70 feet as measured from the center line of the road.



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APR 22 2022

CITY OF MACEDONIA
 BUILDING DEPARTMENT

Building/Engineering/Zoning/Planning Department

**APPLICATION FOR HEARING BEFORE THE
 MACEDONIA ZONING BOARD OF APPEALS**

See instruction page for more information. Appellant is to provide NINE (9) copies of site plans, pictures, etc., and a written statement. (Residential fee: \$100.00; Commercial fee: \$200.00)

Address of Property Involved: 917 Whispering Woods Dr.

Nature of Request: Setback variance

Applicant Name or Agent Therefore: LDA Builders, Inc.

Applicant Address: 4483 Olde Eight Rd

Applicant Phone: 330-528-3800 Applicant Email: Tony@LDABuilders.com

Property Owner Name: Brian Tromco + Amanda Tromco
 (if different from applicant)

Property Owner Address: _____

Property Owner Phone: _____ Property Owner Email: _____

SIGNATURE OF APPELLANT. (AUTHORIZATION OF PROPERTY OWNER REQUIRED IF DIFFERENT FROM APPLICANT)

[Handwritten Signature]

Date: 4-22-2022

By my signature, I attest to the accuracy of all statement on this form

OFFICIAL USE ONLY

Received Date: _____

Case Number: _____

Variance Requested: _____

The Zoning Board of Appeals meets at 6:30 p.m. on the third Wednesday of each month in Council Chambers at Macedonia City Hall located at 9691 Valley View Road. Meeting dates are subject to change.

Contact the Building Department at (330) 468-8364.

★ Service ★ Commitment ★ Pride ★

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LDA BUILDERS
INCORPORATED

APR 22 2022

6683 Olde Eight Road * Peninsula, Ohio 44264 * Phone & fax from Cleveland (330) 528-3800

CITY OF MACEDONIA
BUILDING DEPARTMENT



April 22, 2022

City of Macedonia Board of Zoning Appeals
9691 Valley View Road
Macedonia, Ohio 44056

RE: S/L 119- 917 Whispering Woods Drive



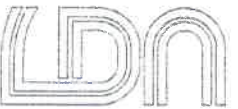
Dear Board of Zoning Appeals,



We are requesting a 30' variance to bring the proposed new home to be built at 917 Whispering Woods Drive in Lake Forest closer to the road than the current required 70'. We are requesting this due to a few reasons. First, due to the back yard having a substantial drop off. Second, when the lot was purchased it had an existing 30' variance already approved and we were unaware that the variance would expire at the end of 2021 and therefore planned accordingly when designing the proposed home. Third, due to the fact that when and if a home were to be built on lot 120 to the right of our lot, due to that lots steep drop off a variance will also most likely be needed there as well.



If the house were to be built at the current required 70' setback it would cause the house to be very close and partially over the rear drop off causing erosion and other safety issues. If we were to move the house forward it would allow for an area of back yard for the homeowner to use while eliminating these issues. The house plans that we submitted to the city and that the owners currently set up bank financing for is only 54' wide and just barley fits the lot when at the proposed setback. Because the lot narrows slightly as you go back the house will not fit width wise and would need redesigned.



There would be a hardship on the owners if they had to pay for revised house plans, pay to redo their financing, home appraisal, and having added foundation costs for building over the steep slope, etc. This would also cause a delay in the start time for the construction of the home.



Because the house is still harmonious with the rest of the development and because it is situated by itself on the corner, we see no reason why this variance would negatively affect the development or city. Additionally other set back variances within the development on Whispering Woods and Prairie Crossing have been granted.



Thank you for you time and consideration of our request.

Sincerely,

Anthony Lunardi, president
LDA Builders, Inc.



wp\lda\21\L119BZAletter.wpd



PFR

Land Company A Subsidiary of TransCon Builders, Inc.

25250 Rockside Road, Cleveland, Ohio 44146

440/439-2100

440/439-3400 FAX 440/439-6710

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APR 22 2022
CITY OF MACEDONIA
BUILDING DEPARTMENT

March 15, 2022

Tony Lunardi
LDA Builders, Inc.
6683 Olde Eight Road
Peninsula, Ohio 44056

RE: Lake Forest Estates Subdivision
S/L 119 - 917 Whispering Woods Drive
PP # 33-12068
Macedonia, Ohio

Dear Tony:

PFR Land Company hereby approves the blue prints and the ^{*}topographic survey and site plan as submitted for the above captioned property.

Please remember the fact that no dirt is to be removed from the Lake Forest Estates Subdivision. Contact our office to find out where excess dirt should be dumped within the subdivision.

Congratulations and good luck!

Very truly yours,

PFR LAND COMPANY

Stanley Freeman (pc)
Stanley Freeman
Vice President

* please note plan was submitted and approved by PFR with the 30 Variance shown.

SF/pc
Enclosure

P.S. The above referenced prints are on file in our office.

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APR 22 2022

CITY OF MACEDONIA
BUILDING DEPARTMENT

STATE OF OHIO
SS
SUMMIT COUNTY

IN THE MACEDONIA BOARD OF ZONING
AND BUILDING CODE APPEALS
CASE 610

CHRIS CHUBBUCK, ROYCE ALLEN CONSTRUCTION
946 ELMWOOD DRIVE
MACEDONIA, OH 44056
Appellant

-vs-

ZONING INSPECTOR OF
THE CITY OF MACEDONIA and
THE CITY OF MACEDONIA
9691 VALLEY VIEW ROAD
MACEDONIA, OH 44056
Appellee

The Board of Zoning Appeals met on Wednesday, November 20, 2019. Board members present were Mark Farley, Sue Metzler, Kent Shellko, and Terry Repak. Chris Hall from the Building Department represented Macedonia. Building Commissioner, Nino Monaco, and Law Director, Mark Guidetti, were also present. Discussions and voting were all conducted in accordance with the Ohio "Sunshine Law".

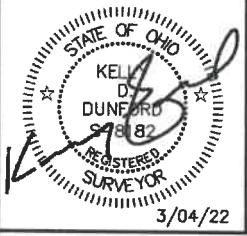
Chris Hall stated that the applicant is requesting a variance to section 1163.02(c)(1): the minimum setback line for any building or structure erected upon a lot shall be 100 feet from the center line of the road or street. The applicant is requesting a 30 foot variance.

No persons from the audience were there to testify. Mr. Farley first began by clarifying with Mr. Hall that they were to discuss lot 119, and the lot right next to it, lot 120, is empty. Mr. Farley asked about the applicant's claim that no homes are to be built there, and Mr. Hall replied that he is unsure because of the conservation easement. Mr. Repak explained that the sketch they were provided and the plat from the Summit County GIS website do not match. Ms. Metzler questioned if granting this variance would make the house look out of place and not match the rest of the development. Mr. Farley stated that it wouldn't be the case since it has empty lots next to it and is sort of a "lone wolf" with its location. Mr. Repak did mention that it would crowd the corner.

There was some back and forth discussion about the lot and how it would look being up closer, and the idea that maybe a 15 foot setback would look better than a 30 foot setback. Mr. Repak mentioned that the request isn't ideal, but it's not an ideal property either. Ms. Metzler moved to make a motion stating that since the lot is by itself, she moves to grant approval of the variance for 30 feet, and Mr. Shellko seconded. Mr. Farley commented again that he kind of wants to make the approval for 15 feet, but there was no further discussion since the applicant was not present to discuss. Mr. Farley: yes; Ms. Metzler: yes; Mr. Shellko: yes; Mr. Repak: no. The variance was granted approval.


Rachael Gambatese – Secretary


MARK FARLEY – President



REVISIONS:
1.)

TOPOGRAPHIC SURVEY & SITE PLAN

for
~The Hromco Residence~
to be built by
LDA Builder, Inc.

Situated in the City of Macedonia, County of Summit
and State of Ohio: And known as being Sublot 119
in the Lake Forest Estates Subdivision,
as recorded in Rec. #54486550.

LEGEND

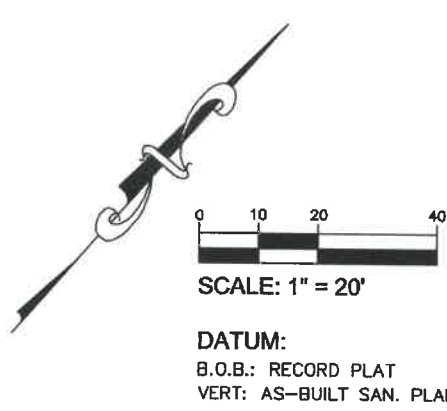
- Ex. Contour
- PR. CONTOUR
- Ex. Tree Line
- PR. CLEARING LIMITS
- TREE TO BE REMOVED
- AS-BUILT PR-GRADE
- PR. DRAINAGE DIRECTION/SWALE
- PR. SILT FENCE
- PR. CONC. WASHOUT PIT (TO BE MAINT'N'D. DURING CONSTRUCTION).
- PR. CONST. ENTRANCE
- PR. DOWNSPOUT LOCATION
- Ex. = Existing PR. = PROPOSED
- Ex. Utility Pole & Pedestals
- Ex. Mailbox
- Ex. Well
- Ex. San./Stm. MH.
- Ex. Strm. Inlets
- Ex. Hyd./Valve & Shutoff
- Ex. Gas Valve & Shutoff
- Iron/Steel Pin Fnd.
- Iron/Steel Pipe Fnd.
- Mon. Fnd.



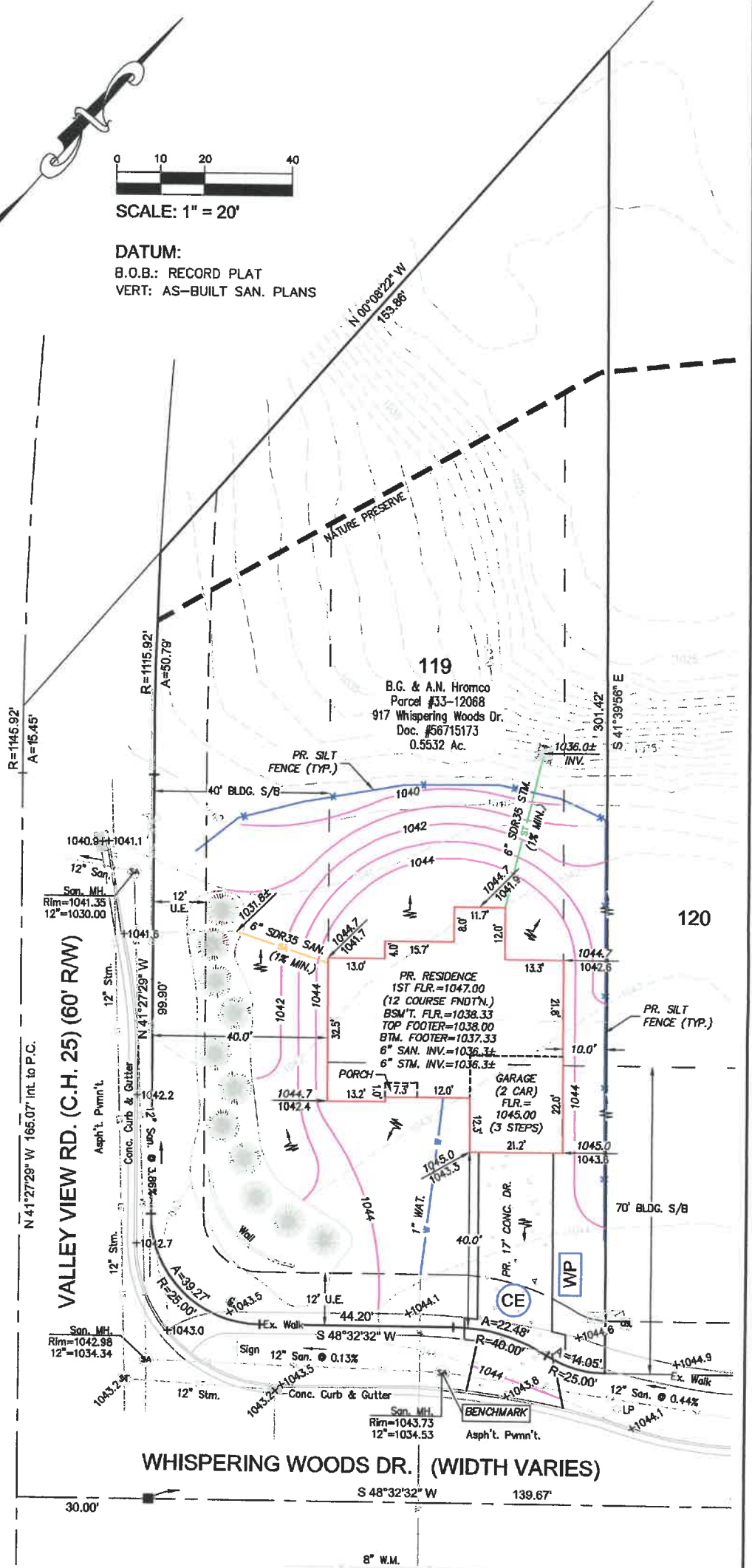
Know what's below.
Call before you dig.

CONSTRUCTION NOTES:

1. Contractor must verify all foundation dimensions and proposed grades shown on this plan. Any errors resulting from failure to check or to notify the surveyor of any changes shall not be the responsibility of Apex Land Surveying.
2. Contractor to notify utilities protection services/ O.U.P.S. prior to construction.
3. Silt fence must surround all excavation areas so that no silt escapes site.
4. All grades shall comply w/corresponding government office.
5. Maintain positive yard drainage away from house and a minimum slope of 1% along all swales.
6. Contractor shall verify location and depths of existing laterals & verify if proper connections can be made to house. Contact corresponding government office or utility owner if discrepancies occur.
7. All sewer connections must maintain a minimum slope of 1%.
8. Footer drain & downspouts are to be tied into storm drain. Refer to house plans for downspout locations.
9. Contractor to determine if a foundation sump pump is required.
10. The location of utilities shown hereon are based on observed evidence of above ground appurtenances used along with plan information provided to the surveyor. The location of these utilities may vary and are subject to field verification prior to construction. Additional utilities may be encountered.
11. This plan does not represent a boundary survey, pursuant to ORC 4733-37.
12. There was no search for easements of record, right-of-ways, restrictive covenants, encumbrances, ownership title evidence, or any other facts that a title search may disclose.



DATUM:
B.O.B.: RECORD PLAT
VERT: AS-BUILT SAN. PLANS



SURVEYED BY:



APEX LAND SURVEYING
KELLY D. DUNFORD, P.S. 8182
2858 FULMER DR., SILVER LAKE, OH
(330) 928-7750
ps8182@bcglobal.net
www.apexlandsurveying.com

TITLE: TOPO & SITE PLAN	DATE: MAR. 2022
CLIENT: LDA BUILDERS	PROJ.: 2021100
SCALE: 1" = 20'	FILE: 2021100.dwg
DRAWN BY: KDD	CHECKED BY: KDD
CREW: KDD	SHEET: 1 OF 1
SHEET SIZE: 17" X 22"	

CITY OF MACEDONIA
BUILDING DEPARTMENT

APR 29 2022

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