MAYOR LICASTRO: Okay. It's 5:30. I will call this meeting to order, a meeting of the Bratenahl Board of Zoning Appeals. And I'll call the roll.

Mr. Benjamin?

MR. BENJAMIN: Present.

MAYOR LICASTRO: Mr. Kreiner?

MR. KREINER: Here.

MAYOR LICASTRO: And I'm here myself, John Licastro.

We are recording this for posterity, so if you speak and you're not one of us, please identify yourself the first time you speak for the record.

We also have Ms. Hopkins here, our village planner, Mary Ranney, our building department administrator, and several people in the audience. If you speak, we'll find out who you are.

I'm assuming you're the applicant, ma'am?

MS. SUTTON: I'm Juliann Sutton.

MAYOR LICASTRO: Nice to meet you.

Welcome.

MS. SUTTON: Nice to meet you.
So with those factors, and also given the fact that the applicant has said it can’t go anywhere else, I think that the practical difficulty warrants of a granting of the variance.

MAYOR LICASTRO: So for clarity, Kris, it's two variances: The side yard setback for this and the side yard location for the generator?

MS. HOPKINS: Absolutely. You are right. I did miss that. Yes. So right now, in an R2 district, the variance -- generators are required to be in the rear yard only, so yes.

MAYOR LICASTRO: It's two-fold. The setback of 15 feet and the location in the side yard?

MS. HOPKINS: That's correct. Thank you.

MAYOR LICASTRO: Board members, any question or concerns? You've got documents you're perusing.

MR. KREINER: Yes. Two questions. Have we heard from any neighbors?

MAYOR LICASTRO: We do. I have a statement from a Miss Karen O'Hare who states "I am unable to attend. I do not have any objections for a generator location on the side of 110 Haskell Drive." That's the only response we had.

I should also note for the record that Mr. Molchan, who is a member of this board, recused himself since he is president of the HOA on Haskell too.

MR. KREINER: Have you spoken with your neighbor?

MS. SUTTON: I have not. They are in Florida. They have a place in Key West so I have not seen them since November --

MR. BENJAMIN: Okay.

MS. SUTTON: -- of last year.

MR. BENJAMIN: All right. Good for them.

MS. SUTTON: I know, right?

MR. BENJAMIN: I'm assuming they probably would have received notification and -- okay. I'm sure there is a logical reason, and I really can't tell from the GIS, but is there any reason why the generator could not go, I see the driveway right here, could not go there --

MS. SUTTON: Because there's the garage and it would just be extremely expensive to run all the --

MR. BENJAMIN: The conduit --

MS. SUTTON: -- everything that needs to go with that and I just couldn't do it then.

MR. BENJAMIN: Okay. All right.

MR. KREINER: I do have another --

MAYOR LICASTRO: Please.

MR. KREINER: I'm looking at these three photos. In one of those is the actual location, proposed location?

MS. SUTTON: May I --

MR. KREINER: Please.

MS. SUTTON: This is my neighbor's house.

MR. KREINER: Okay.

MS. SUTTON: And this is where it would go.

MR. KREINER: And this is your house?

MS. SUTTON: This is mine.

MR. KREINER: Okay. So I guess for Miss Hopkins, I would just ask so this is a natural gas?

MS. HOPKINS: Yes.

MR. KREINER: Is proximity to that window an issue?

MS. HOPKINS: There are some regulations in the specs that will require it to be located a certain distance away from the window. From what I could tell, it looked like there was sufficient room to position it over to --

MR. KREINER: Push it left, Okay.

So neighbors, HOA, that's all the questions I have.

MAYOR LICASTRO: Thank you. Miss Sutton has spoken to the practical difficulty created with location elsewhere. Miss Hopkins has offered her opinion and also notes the practical difficulty as stated in a memo and verbally as well. Again, we are looking at two variances, one a 15-foot setback for this generator and location in side not rear yard.

Any further questions from members of the board?

MR. KREINER: No.

MR. BENJAMIN: Just clarification that the generator is for emergency only, correct?

It's not going to be running for any other purpose?

MS. SUTTON: Oh, no. I mean, I have no
MR. BENJAMIN: I just want to make sure because sometimes people buy generators --
MS. SUTTON: I have nothing else going on in my home that I would need it for.
MS. HOPKINS: In the specs that were provided, it does refer to it as a residential stand-by generator.
MAYOR LICASTRO: Typically they cycle once a week just to keep --
MS. HOPKINS: Correct.
MR. BENJAMIN: No other questions from me.
MAYOR LICASTRO: Any comments from the general public? All two of you?
MR. O'ROURKE: I think it's a good thing.
MAYOR LICASTRO: And you are, sir? I'm sorry. I'm Russell O'Rourke. I live at 95 Nantucket.
MAYOR LICASTRO: Okay. Thank you, Mr. O'Rourke.
All right. Can I entertain a motion from board members to recommend both variances be granted, one of which is for a 15-foot setback in lieu of the 20-foot zoning code and location of this generator in side not rear yard?
MR. KREINER: I move that we recommend that both variances be granted as requested.
MAYOR LICASTRO: Is there a second?
MR. BENJAMIN: Second.
MAYOR LICASTRO: A discussion? All in favor of the motion?
MR. BENJAMIN: Aye.
MR. KREINER: Aye.
MAYOR LICASTRO: It carries unanimously.
MAYOR LICASTRO: Discussion? All in favor of adjournment?
MR. BENJAMIN: Aye.
MR. KREINER: Aye.
MAYOR LICASTRO: All right. Thank you very much. Miss Sutton, nice meeting you.

MAYOR LICASTRO: Yeah. Just give us a couple -- it's really not official until council passes it.
MS. SUTTON: Okay. Thank you.
MAYOR LICASTRO: All right. That ends this agenda. Any other comments? There being none, a motion to adjourn, please.
MS. RANNEY: I'm sorry, I just want to clarify, I thought I heard Miss Hopkins say 14 foot --
MS. HOPKINS: 14 feet.
MS. RANNEY: And I thought you --
MAYOR LICASTRO: I thought I heard 15.
MS. HOPKINS: 6 feet from the property line. Then it's 20 minus the 6 is a 14-foot variance. The 15 feet, you were giving her an extra foot.
MAYOR LICASTRO: All right. So the variance is 14 feet. Okay. So let's amend the motion to reflect that detail. It's a 14-foot setback, not 15. Would someone offer that motion as amended?
MR. KREINER: I move that as amended 14-foot rather than 15.
MR. BENJAMIN: Second.
MAYOR LICASTRO: Discussion? All in favor?
MR. BENJAMIN: Aye.
MR. KREINER: Aye.
MAYOR LICASTRO: All right. So the variance is 14 feet. Okay. So let's amend the motion to reflect that detail. It's a 14-foot setback, not 15. Would someone offer that motion as amended?
MR. KREINER: I move that as amended 14-foot rather than 15.
MR. BENJAMIN: Second.
MAYOR LICASTRO: Discussion? All in favor of adjournment?
MR. BENJAMIN: Aye.
MR. KREINER: Aye.
MAYOR LICASTRO: All right. Thank you very much. Miss Sutton, nice meeting you.

MAYOR LICASTRO: Discussion? All in favor of adjournment?
MR. BENJAMIN: Aye.
MR. KREINER: Aye.
MAYOR LICASTRO: All right. Thank you very much. Miss Sutton, nice meeting you.

(Thereupon, the meeting was adjourned.)

[Signatures]
I, Lorraine J. Klodnick, do hereby certify that as such Reporter I took down in Stenotype all of the audio-taped proceedings had in the foregoing transcript; that I have transcribed my said Stenotype notes into typewritten form as appears in the foregoing transcript; that said transcript is the complete form of the proceedings had in said cause and constitutes a true and correct transcript therein.

Lorraine J. Klodnick, RDR, CRR

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