

11551 Valley View Road • Sagamore Hills, Ohio 44067-1099  
Office: 330.467.0900 • Fax: 330.655.7899  
MySagamoreHills.com

BZA Hearing June 29, 2022

Edward Ostry and Christine Drabicki

7804 Nakita Court

Sagamore Hills, Ohio 44067

Permit Applied for: Accessory Building /Structure                      12' x 10' x 8'H

Date Applied: May 16, 2022

Date Denied: May 26, 2022

Reason for Appeal: Resident is requesting a second Accessory Structure which is not allowed, and an additional 120 square feet, which is over the 195 allowable square feet.

Notes: Residence located in Red Hawk Sub division Cluster Community. PPN #4505337. Resident applied to BZA to finish constructing a 12' x 16' x 12' (192 square feet) Pavilion in November 2021 which did not meet the existing SHZR. The appeal was granted. They now want to construct a storage lean to which would add 120 square feet to the footprint of the pavilion, and also add a second structure.

**SHZR Chapter 3 Section V**

**5.11 a.** *ONE (1) accessory structure not to exceed: (i) twelve (12) feet in height, and (ii) one and one half (1.5%) of the area of the lot upon which the accessory structure is to be placed. In no case shall the aggregate area of the accessory structure exceed one-hundred ninety-five (195) square feet in area. (Amended effective 1-6-21)*

**5.11b.** *The accessory structure shall be in the rear lot, be a minimum of (10) feet from the rear lot lines, a minimum of ten (10) feet from the side lot line and confined completely within the sight line of the rear lot as defined by the front and rear corners of the widest section of the residence (see attached drawings). (Amended effective 1-6-21)*

**Reason for Denial: 5.11a allows for 1 Accessory Structure not greater than 192 square feet in a Cluster Development. This additional "lean to storage" would make 2 structures greater than the allowable 195 square feet ( a total of 312 square feet 192 existing + 120 new)**



11551 Valley View Rd. ♦ Sagamore Hills, OH 44067

Phone: 330.467.0900 ♦ Fax: 330.655.7899

[www.mysagamorehills.com](http://www.mysagamorehills.com)

[zoninginspector@mysagamorehills.com](mailto:zoninginspector@mysagamorehills.com)

8:15 PM  
6-29-22

## GENERAL PERMIT APPLICATION

PERMIT MUST BE OBTAINED PRIOR TO PROJECT. FAILURE TO OBTAIN PERMIT PRIOR TO PROJECT WILL RESULT IN A MONETARY PENALTY FEE

PROPERTY INFORMATION	
Site Address: 1804 NAVITA COURT	Parcel No.: 45-05337
Owner(s): EDUARDO OSTRY / CHRISTINE DEABICKI	Contact Name: CHRISTINE DEABICKI
Owner Address: 1804 NAVITA COURT, SAGAMORE HILLS, OHIO 44067	
Owner Telephone No.: 216.406.6840	
Owner Email Address: WASTAL95@OUTLOOK.COM	
Primary Homeowners Association (HOA): <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (attach HOA approval if applicable) If yes, Name of HOA: REDRAW HOMEOWNERS ASSOCIATION	
Sub HOA (if applicable): <input type="checkbox"/> Yes <input type="checkbox"/> No (attach HOA approval if applicable) If yes, Name of HOA:	

CONTRACTOR INFORMATION	
Contact Name: DAVE KUKWA	
Company Name: AMERICAN POST CONSTRUCTION INC.	
Address:	
Telephone No.: 330.659.3659	Email Address:

SCOPE OF WORK
Description of Project: CONSTRUCTION FOR LEAD-TO STORAGE ADJACENT TO HOUD BACK WALK OF APPROVED PAVILLON PERMIT (NOVEMBER 2021).
OVERALL DIMENSIONS: 12'-0" WIDTH X 10'-0" DEEP; HEIGHT: 8'-0" AGAINST HOUD WALK, 1'-0" ± FRONT OF STORAGE (SEE ATTACHMENT A # 15)

The application will be reviewed and the applicant will be contacted when the permit is processed. The Ohio Revised Code sets forth a maximum of thirty (30) days for review of all applications. No application will be reviewed at the time of submittal.

*The review process begins once a "completed" application and payment are received  
Incomplete applications will delay the review process  
\*\*MINIMUM SEVEN (7) DAY PROCESSING OF ALL APPLICATIONS\*\**

**Applicant Certification**

By signing below, the owner has read, understands, and agrees to the following:

- Right of Revocation – It is understood and agreed by this applicant that any error, misstatement, misrepresentation of any fact, with or without intent, such as might and/or would cause a refusal of this application, or any alteration in the accompanying plans made subsequent to the issuance of a Zoning Certificate without approval of the Zoning Inspector or Zoning Board of Appeals, shall constitute sufficient grounds for the revocation of such certificate.
- The owner agrees to allow the Zoning Inspector access to the property for on-site inspection(s) from application submittal through final approval.
- The owner agrees to abide by the Ohio Revised Code Sections §5589.08, §5589.10 and §5589.22 in that no dirt or mud is permitted on the road right-of-way during construction and that any repair costs for damage to the roadway or parts thereof will be paid by the applicant.
- There may be deed restrictions on the property that differ from the Sagamore Hills Township Zoning Resolution. The owner is solely responsible in ensuring compliance with any deed restriction, covenants or HOA restrictions.
- The zoning certificate shall become void at the expiration of one (1) year after date of issuance.

Property Owner Signature: Edna Oates / Christine Nalubeki Date: 5.16.2022

**FEE - check (only) payable to Sagamore Hills Township**

TBD (depending on scope of work)

<b>FOR OFFICIAL USE ONLY</b>	
Zoning District: <input type="checkbox"/> Residential <input checked="" type="checkbox"/> Residential Cluster <input type="checkbox"/> PUD (Greenwood) <input type="checkbox"/> PUD (Eaton Estates) <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial	<i>Red Hawk</i>
Zoning Certificate Permit No.: _____	<input type="checkbox"/> Approved <input checked="" type="checkbox"/> Denied*
Zoning Inspector Signature: <u>Ryan H. King</u>	Date: <u>5/26/22</u>
*Reason for Denial: <u>SHZR - Pg. 3-5 Section 6.11A</u>	

*Pertaining to Cluster Development -  
Necessary structure is allowed up to 195 sq ft. You have constructed a 192 sq ft pavilion which puts you at the limit.*



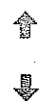
4505339

4505338

4505337

NAKITA CT

Maxar, Microsoft | Esri, HERE, Garmin, GeoTechnologies, Inc.



-81.564 41.321 Degrees