

MINUTES
BOARD OF ZONING APPEALS
REVIEW MEETING
LAKWOOD CITY HALL
AUDITORIUM
~~MARCH 21, 2024~~ **APRIL 18, 2024**
6:30 P.M.
MEETING IS RECORDED
<https://www.lakewoodoh.gov/videos-2/>

1. ROLL CALL

Members Present

Michael Alexander, Chair

Jillian Bolino, Vice Chair

Jeffrey Pigott

Anthony Santiago

Administrative Staff

Michelle Nocht, Senior Planner, Secretary

Justin Maskaluk, Property Maintenance Inspector

Andrew Fleck, Assistant Prosecutor

A motion was made by Ms. Bolino, seconded by Mr. Pigott to **EXCUSE** the absence of Matt Markling. All of the members voted yea; the motion passed.

Board members and staff present at the pre-review meeting:

Members Present

Michael Alexander, Chair

Jillian Bolino, Vice Chair

Jeffrey Pigott

Anthony Santiago

Administrative Staff

Michelle Nocht, Senior Planner, Secretary

Justin Maskaluk, Property Maintenance Inspector

Andrew Fleck, Assistant Prosecutor

During the 6:00 p.m. pre-review meeting the applications and minutes were discussed by the board members and board staff. There was some discussion on the topic of what happens procedurally if a decision of the Board is appealed.

2. APPROVE MINUTES OF THE MARCH 21, 2024 MEETING

A motion was made by Mr. Santiago, seconded by Ms. Bolino to **APPROVE the March 21, 2024 meeting minutes**. Mr. Alexander, Ms. Bolino, Mr. Pigott, and Mr. Santiago voted yea; the motion passed.

3. OPENING REMARKS

Ms. Nocht read the Opening Remarks into the record.

OLD BUSINESS

4. Docket No. 10-16-23

12534 Lake Ave.

Shady Cove Townhouses

Applicant Tyler Brummett of Brookside Shady LLC proposes the construction of 16 townhouses. The proposal has been approved at ABR and is now before the Planning Commission for a lot split to

create 16 for sale townhomes on individual parcels, and one remainder parcel for a common driveway or private drive and other common areas. The parcels are smaller than the minimum lot size and frontage guidelines, and the proposed townhomes do not meet the required front, two side and rear setback requirements. Additionally, each townhome has a proposed uncovered rooftop patio which requires a variance because these patios are uncovered. Due to the number of variances being requested it is important to refer to the drawing, as proposed. The property is located in the MH, Multi-Family High Density District. (Page 4)

- Variations for Building A: Proposed Building A will be split into 5 parcels with 5 townhomes that will be sold. The required minimum lot size is 10,000 square feet, minimum frontage for each parcel is 60 feet. The parcels range in size from 1152.11 to 1370.93 square feet, and range in frontage from 21.20- 28.87 feet. Ten variances are required for the parcels, as proposed. The buildings on each parcel exceed maximum permitted lot coverage, and do not have the required front, rear or two side setbacks requirements. Additionally, each townhome has an uncovered rooftop patio with an area of 150 square feet and a height of 34 feet 6 inches. The buildings require 30 variances, as proposed. Pursuant to all applicable sections of Chapter 1127 including sections 1127.03, (91-95. Passed 10-7-1996)1127.06 (91-95. Passed 10-7-1996), 1127.07 (91-95. Passed 10-7-1996),1127.09 (91-95. Passed 10-7-1996), and 1127.10 (39-16. Passed 9-6-2016).
- Variations for Building B: Proposed Building B will be split into 6 parcels with 6 townhomes that will be sold. The required minimum lot size is 10,000 square feet, minimum frontage for each parcel is 60 feet. The parcels range in area from 994.55 to 1,010.05 square feet, and range in frontage on the new private drive from 20.13- 20.44 feet. Ten variances are required for the parcels, as proposed. The buildings on each parcel exceed maximum permitted lot coverage, and do not have the required front, rear or two side setbacks, Additionally, each proposed townhome has an uncovered rooftop patio with an area of 150 square feet and a height of 34 feet 6 inches. The buildings require 36 variances, as proposed. Pursuant to all applicable sections of Chapter 1127 including sections 1127.03, (91-95. Passed 10-7-1996), 1127.06 (91-95.Passed 10-7-1996), 1127.07 (91-95. Passed 10-7-1996), 1127.09 (91-95. Passed 10-7-1996) and 1127.10 (39-16. Passed 9-6-2016).
- Variations for Building C: Proposed Building C will be split into 5 parcels with 5 townhomes that will be sold. The required minimum lot size is 10,000 square feet, minimum frontage for each parcel is 60 feet. The parcels range in area from 994.55 to 1,187.27 square feet, and range in frontage on the new private drive from 20.13- 20.44 feet. Ten variances are required for the parcels, as proposed. The buildings on each parcel exceed maximum permitted lot coverage, and do not have the required front, rear or side setbacks Additionally, each proposed townhome has an uncovered rooftop patio with an area of 150 square feet and a height of 34 feet 6 inches. The buildings require 30 variances, as proposed. Pursuant to all applicable sections of Chapter 1127 including sections 1127.03, (91-95. Passed 10-7-1996), 1127.06 (91-95. Passed 10-7-1996), 1127.07(91-95. Passed 10-7-1996), 1127.09 (91-95. Passed 10-7-1996), and 1127.10 (39-16. Passed 9-6-2016).

The remainder lot of approx. 17,181.38 square feet will be used for the creation of a private drive and common areas, and because it meets the requirements for minimum area and frontage does not require any variances. Ownership, easements, and maintenance responsibilities will be established by deed, and mailing address and contact information of the common areas/private drive will be provided to all applicable city departments and updated regularly.

Greg Soltis, RDL Architects and Tyler Brummett, Brookside Shady LLC, applicant, were present to explain the request. Discussion ensued about the zoning history and definitions, public noticing requirements, and process to determine the development's setbacks. Staff advised the members that the item before the board was for area variances, safety forces were consulted, and the plat map was in the process of being reviewed. Public comment was given, and a document of opposition was provided by city resident Mike Pascoe to the members and staff (made part of record). The members agreed that under 2506, cross-examination of the applicant did not apply to the situation, although any questions the resident had could be asked. Mr. Pascoe declined to ask any questions. Staff relayed that no public comment had been received for this item prior to the meeting. Staff provided administrative comments. Mr. Fleck stated that the members could but were not required to consider the points delineated by the public commenter and advised the applicant Mr. Brummett of his right to defer as there was not a full board (four out of five members). Mr. Brummett asked to move forward to a vote.

A motion was made by Mr. Santiago, seconded by Ms. Bolino to **APPROVE Docket No. 10-16-23, the request for three variance groupings, as proposed**. Mr. Alexander, Ms. Bolino, Mr. Pigott, and Mr. Santiago voted yea; the motion passed.

NEW BUSINESS

5. Docket No. 04-07-24 1246 Manor Park Ave.

Applicant Charles McGettrick of C.A. McGettrick LLC, for homeowner Charles Essi, proposes the demolition of the existing single car detached garage and the construction of a two-story addition to the primary structure including an attached two car garage. The proposal does not meet the minimum side yard requirement of 5 ft nor the combined side yard requirement of 15 feet. The property is located in the R1H, Single Family High-Density Zoning District. (Page 22)

- Variance 1: Propose the construction of an attached two car garage which will reduce the side setback on the south side of the property to 2 feet, minimum required is 5 ft.. Request a variance of 3 ft. to construct the addition at 2 ft. from the side lot line, as proposed. Pursuant to Schedule 1121.07 Minimum Yard Requirements (Ord. 91-95. Passed 10-7-1996.)
- Variance 2: Propose the construction of an attached two garage which will reduce the combined side yard setback to 7.3 ft., required combined side yard setback is 15 feet. Request a variance of 7.7 ft. to construct the addition at 2 ft from the south side lot line, as proposed. . Pursuant to Schedule 1121.07 Minimum Yard Requirements (Ord. 91-95. Passed 10-7-1996.)

Michael McGettrick, C.A McGettrick LLC, representative for the applicant, Abbie Marquard, spouse of owner, and Brian Essi, father of the applicant, were present to explain the request. Location of the new garage was clarified. Public comment was closed as no one addressed the item. Public comment was taken prior to the meeting (via telephone conversation). Administrative comment was given.

A motion was made by Ms. Bolino, seconded by Mr. Pigott to **APPROVE Docket No. 04-07-24 for Variance 1 and Variance 2 as proposed**. Mr. Alexander, Ms. Bolino, Mr. Pigott, and Mr. Santiago voted yea; the motion passed.

6. Docket No. 04-08-24

1047 Kirtland Ln.

Applicant Brandon Young of Young Design Studio LLC, for homeowners Meredith Ross and Trevor Dasch, proposes a modification to an approved plan. The addition on the rear of their home has been modified to include an unroofed patio deck the is 257 sq. feet on the third story at an elevation of 27 feet 4 3/8 inches, in addition to the previously approved second story unroofed patio deck. The property is located in the R1M Single Family Medium Density District. (Page 37)

- Variance 1: Addition proposed on rear of house, with the addition of a third story unroofed patio deck that is 257 sq ft in area and at an elevation of 27 ft. 4 3/8 inches. The maximum height permitted is 42 inches and the maximum area is 300 sq ft. Request a variance of 286 inches to build a 257 sq. ft unroofed patio deck is proposed. Pursuant to section 1121.03(d) Permitted Accessory Uses (Ord. 24-98 Passed 5-18-1998)

Applicant Brandon Young of Young Design Studio LLC was present to explain the request. the sunroom above the garage would be removed, and a two-story addition would be built on top of the existing garage. Administrative comments were presented. Public comment was taken prior to the meeting (via telephone conversation).

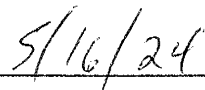
A motion was made by Mr. Pigott, seconded by Mr. Santiago to **APPROVE Docket No. 04-08-24 for Variance 1 as proposed**. Mr. Alexander, Ms. Bolino, Mr. Pigott, and Mr. Santiago voted yea; the motion passed.

ADJOURN

A motion was made by Ms. Bolino, seconded by Mr. Santiago to **ADJOURN** the meeting at 7:22 p.m. Mr. Alexander, Ms. Bolino, Mr. Pigott, and Mr. Santiago voted yea; the motion passed.



Signature



Date

[Handwritten scribble]



Oath

(You need not give an oath if you object. If you object to giving an oath, please notify the hearing officer or secretary before signing below.)

I, the undersigned, hereby solemnly swear that the testimony I give at this proceeding will be the truth, the whole truth and nothing but the truth:

PRINT NAME:

SIGN NAME:

- 1. Tyler Brunner A
- 2. GREGORY SJ SOLTIS
- 3. Michael Pascoe
- 4. Michael McGowan
- 5. Abbie Marquard
- 6. Brian Essi
- 7. Brandon Young
- 8. _____
- 9. _____
- 10. _____
- 11. _____

- [Signature]
- [Signature]
- [Signature]
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- [Signature]
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- [Signature]
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- _____
- _____

Prepared by: The City of Lakewood Law Department, 12650 Detroit Ave., Lakewood, Ohio 44107

FOR CITY USE ONLY

Lakewood Administrative Procedure: ABR/BBS Citizens Advisory Civil Svc. Dangerous Dog Income Tax Appeals Loan Approval Nuisance Abatement Appeals Parking Planning Zoning Appeals Other:

Date of Proceeding: Thursday April 18, 2024

Page 1 of 1

CITY OF LAKEWOOD, OHIO
BOARD OF ZONING APPEALS

April 18, 2024 – Meeting

Docket No. 10-16-23

**MICHAEL AND MOLLY PASCOE OF 12543 LAKE AVE.'S OBJECTIONS TO
DEMOLITION AND REDEVELOPMENT PROPOSED BY TYLER BRUMMET OF
BROOKSIDE SHADY, LLC**

In response to the Public Notice served by the City of Lakewood, Ohio on me, I am submitting the attached supplemental written objections to the proposal by Applicant Tyler Brummet of Brookside Shady, LLC. The proposal violates almost every conceivable requirement for Lake Ave: usage, frontage, parcel size, lot coverage, setback, etc. and would detrimentally impact my property and the character of the neighborhood.

Respectfully submitted,

/s/ Michael B. Pascoe

Michael B. Pascoe

Molly E. Pascoe

12543 Lake Ave

Lakewood, Ohio 44107

Email: mpascoe@hahnlaw.com

Neighbors Impacted by Proposed Development.

I. INTRODUCTION

The applicant's proposal adopts a mindset and approach that is diametrically opposed to the stated goals of the City of Lakewood ("City"). Specifically, the City has identified that its residential neighborhoods are recognizable by their characteristics such as height, setback, and side yards. This is extremely evident in the drive down Lake Avenue. Starting at Cove we have the beautiful new Community Center. Every house on the street is set well back from the street with a large front yard. Even the higher density detached homes that replaced the gas station have maintained that. The current property has a wide rolling lawn with the home well back from the historic stone fence. The applicant wants to place tall townhomes that essentially abut that fence.

In addition, the applicant has not met their burden to show that the property is not salvageable. They contend it is worthless. So filled with mold that it is unusable. I offered to buy it from them for \$10,000. A 10:1 return on the value they assigned it in their recent transaction – see Appendix A. Certainly the applicant was truthful as to the assessed value of the property at time of transfer when they certified that value to the County and paid only \$4 for the conveyance fee. This offer would constitute a significant return on their investment. Furthermore, the offhand remark from a self-interested and untrained applicant's representative is not sufficient to demonstrate that the property cannot be salvaged.

Finally, the applicant cannot meet the requirements of the relevant code section and it would be an abuse of discretion to grant the permit given this failure. In addition, even if this board passes on the design—and it should not—the applicant must still obtain multiple variances and they cannot demonstrate the necessary hardship to do so.

II. THE APPLICANT COULD BUILD THREE SINGLE FAMILY HOMES ON THE PARCEL WITHOUT NEEDING ANY VARIANCES

As anyone who has been involved in real estate knows, an acre is 43,560 square feet. Thus the .7 acre parcel is just over 30,000 square feet. The area is zoned MH – Multi-family High Density. Therefore, they could build single family homes:

1127.02 PERMITTED PRINCIPAL USES.



(a) In the ML District no building or premises shall be used or established which is designed, arranged, or intended for other than a low density multiple-family residential building, a single- or two-family dwelling, adult family home, adult group home, or cluster house development.

(b) In the MH District no building or premises shall be used or established which is designed, arranged, or intended for other than a medium density multiple-family residential building, a low density multiple-family residential building, a single- or two-family dwelling, adult family home, adult group home, or cluster house development.

(Ord. 91-95. Passed 10-7-1996.)

(c) A single- or two-family dwelling in the ML and MH Districts shall meet all the requirements of the R2 District. Cluster house developments in the ML and MH Districts shall meet all the requirements of Section [1121.12](#).

In keeping with the required minimum lot size of 10,000 square feet, and the necessary set back, they could build three homes on the parcel without needing any variances. At the previous meeting there was a question asked about whether the existing home could be re-built on the property. Pursuant to 1149.06, any single-family or two-family home can be rebuilt to the previous non-conforming use.

III. THE APPLICANT CANNOT MEET THE STANDARD OF PRACTICAL DIFFICULTY

As the applicant, they bear the burden of proof of showing a practical difficulty. *ProTerra, Inc. v. Cleveland Bd. of Zoning Appeals*, 2020-Ohio-6739, 164 N.E.3d 1086. The key to the “practical difficulties” standard determining whether a property owner is entitled to an area variance is whether the area zoning requirement, as applied to the property owner in question, is reasonable. *Id.* Note that this is from the Eighth District, who would hear an appeal from the trial Court here, and is quoting the Ohio Supreme Court.

They have done nothing to establish this.

The relevant code section at issue confirms these townhomes cannot be built.

(c) The following factors shall be considered and weighed by the Commissioner and/or Board, whichever is applicable, when determining whether an applicant will experience practical difficulty:

(1) Whether there exist site conditions, such as narrowness, shallowness, or topography, unique to the property in question that are not applicable generally to other lands or structures in the same zoning district;

As noted above, the property could be developed into a large, single-family estate home consistent with the other structures on Lake Avenue

(2) Whether the property in question is located near a non-conforming or non-harmonious use, structure, or site conditions, or whether the property in question abuts a less restrictive zoning district;

It does not abut a less restrictive zoning district nor is it located near a non-conforming use.

(3) Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the variance(s);

There can absolutely be a reasonable return. While the applicant protests that he paid more than \$1,000 for the lot, the transfer is made pursuant to a certification and allocation of value. Selling the lot, as is, for the \$10,000 I offered would yield a 1,000% return. Building a single-family home with a \$100,000 profit would yield a 10,000% return. Building three single-family homes with a \$300,000 profit would yield a 30,000% return.

(4) Whether the variance(s) is substantial;

It is substantial. 40 variances for each unit. In addition, the area variance percentage chart that was part of the city’s analysis shows variances that are off the charts.

(5) Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance(s);

Building multiple high density townhomes would violate the essential character of the neighborhood and substantially negatively affect the value of our property. It would add extensive traffic and congest an already mostly unavailable street parking situation.

(6) Whether the variance(s) would adversely affect the delivery of governmental services (e.g., water, sewer, refuse removal);

The applicant has acknowledged this. There is nowhere to take trash cans, water delivery and sewage would be difficult.

(7) Whether the property owner purchased the property with knowledge of the zoning restriction;

Absolutely. They knew that they had to restore the building. This is admitted by their testimony in front of the architectural review board. They now claim they can't do that but have no evidence to that effect.

(8) Whether the property owner's predicament feasibly can be obviated through some method other than a variance(s); and

There is no predicament. Build a single family home...build three single family homes.

(9) Whether the spirit and intent of the **Code** would be observed and substantial justice done by granting the variance(s).

Absolutely not. This is zoning by variance. The applicant seeks 40 variances per unit. The lot size alone is over 1,000% different.

The Ohio Supreme Court addressed almost exactly this situation. In *Duncan v. Village of Middlefield* the Property Owner sought only an area variance to build an eight unit building. The Supreme Court noted that the Duncans did not show a practical difficulty because they could have built a duplex, that did not require a variance, and still sell it for a profit. *Duncan v. Vill. of Middlefield*, 23 Ohio St. 3d 83, 87, 491 N.E.2d 692, 696 (1986). The Supreme Court noted that "substantial justice" required consideration of the adjoining landowners' interests. Other courts considering the exact situation have uniformly either upheld the denial of a variance or reversed the granting of one. The applicant can unquestionably build a very nice, and code compliant, single family home on the current property. He could easily divide it into two parcels and build two homes. The fact that the applicant could make more money building more units is not grounds to grant a variance.

IV. IF GRANTED I WILL CHALLENGE THIS IN A 2506 APPEAL WITH COUNSEL

The applicant has not demonstrated practical difficulty. They want to develop high density, tiny, townhomes to sell more units and make more money. They're literally seeking a 1000% variance to lot size for that very purpose. Making more money is not a hardship as required by the Code. *Consol. Mgmt., Inc. v. City of Cleveland*, 6 Ohio St. 3d 238, 242, 452 N.E.2d 1287, 1291 (1983)

We suffer a unique harm because our property faces the entirety of the proposed rezoned area. *Meziane v. Munson Twp. Bd. of Trustees*, 2020-Ohio-5142, ¶ 19, 162 N.E.3d 103, 108. Property

owner across the street had unique harm in that her property faced the entire length of the property at issue. Indeed, Courts have determined that contiguous property owners state a unique harm. Schomaeker, supra, at 312, 421 N.E.2d 530; see also Groffre Invests. v. Canton Bd. of Zoning Appeals, 5th Dist. Stark, 2013-Ohio-1227, 989 N.E.2d 583, ¶22

V. PEOPLE OPPOSING THE VARIANCE MUST BE PERMITTED CROSS-EXAMINATION

In addition, Ohio Revised Code 2506.03 permits the following at the hearing:

(2) The appellant was not permitted to appear and be heard in person, or by the appellant's attorney, in opposition to the final order, adjudication, or decision, and to do any of the following:

- (a) Present the appellant's position, arguments, and contentions;
- (b) Offer and examine witnesses and present evidence in support;
- (c) Cross-examine witnesses purporting to refute the appellant's position, arguments, and contentions;
- (d) Offer evidence to refute evidence and testimony offered in opposition to the appellant's position, arguments, and contentions;
- (e) Proffer any such evidence into the record, if the admission of it is denied by the officer or body appealed from.

VI. CONCLUSION

Even the new construction on Lake maintains the current setbacks against the adjacent properties. See Appendix E. Now, compare that to Appendix F that shows the standard set back in the area in red and the proposed set back by applicant in blue (admittedly these are approximate).

By ordinance Lakewood has stated it consists of “very distinctive” neighborhoods and, as of May 5, 1992, the **entire City** constitutes a single historic district. It is an “late nineteenth and early twentieth century streetcar suburb.” The prominent styles of the relevant historic period are Colonial Revival and Classical Revival not 1960s to 1970s art deco. And even if the design were stylistically appropriate—and it is not—the setbacks necessary to maintain the nature of Lake Avenue must be preserved. The City of Cleveland may permit high-density street front townhomes (e.g. 117th street and Lake), the City of Lakewood must not.

APPENDIX A

312-10-017
VL FREELAND LLC
12534 LAKE AVE
LAKEWOOD, OH. 44107

Transfer History

— Transfer Date: 12/30/2021

Transfer Date: 12/30/2021 10:31:00 AM

AF Number:

Receipt:

Parcel	Deed Type	Vol / Page	Sales Amt	Convey Fee	Convey No	Multiple Sale / No of Parcels
312-10-017	Limited Warranty	/	\$1,000.00	\$4.00	528074	0 / 1

Grantee(s)

VL FREELAND LLC

Grantor(s)

Kenilworth Estates Inc

APPENDIX B



12534 Lake Ave Street View

APPENDIX C



12543 Lake Ave – Street View from the Left



12543 Lake Ave – Street View from the Right

APPENDIX D

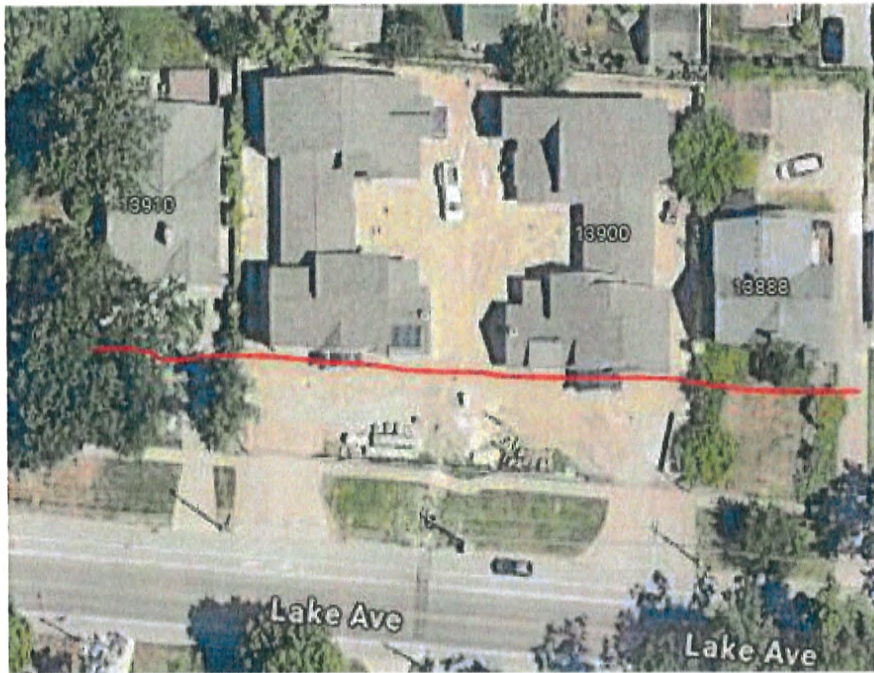


12576 Lake and 12586 Lake



12966 Lake and 12970 Lake

APPENDIX E



APPENDIX F





Board of Zoning Appeals

1173.04 Variances

Factors to be considered and weighed when determining whether an applicant will experience practical difficulty:

1. Whether there exist site conditions (narrowness, shallowness, or topography) unique to property in question that are not applicable generally to other lands or structures in same zoning district;
2. Whether property in question is located near a non-conforming or non-harmonious use, structure, or site conditions, or whether property in question abuts a less restrictive zoning district;
3. Whether property in question will yield a reasonable return or whether there can be any beneficial use of property without the variance(s);
4. Whether variance(s) is substantial;
5. Whether essential character of neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance(s);
6. Whether variance(s) would adversely affect delivery of governmental services (e.g., water, sewer, refuse removal);
7. Whether property owner purchased property with knowledge of zoning restriction;
8. Whether property owner's predicament feasibly can be obviated through some method other than a variance(s); and
9. Whether spirit/intent of Code would be observed, and substantial justice done by granting the variance(s).

(Ord. 91-95. Passed 10-7-1996.)





Board of Zoning Appeals-

Pre-review: 6:00-6:30 p.m.

Regular Meeting: 6:30 p.m.

Members

Chair: Michael Alexander

Vice Chair: Jillian Bolino

Matt Markling

Jeffrey Pigott

Anthony Santiago

Staff

Board Secretary: Michelle Nochta

Legal Counsel: Andrew Fleck

Building Department: Justin Maskaluk

Board of Zoning Appeals

April 18, 2024
Agenda

1. Roll Call
2. Vote to approve the *March 21*, meeting minutes
3. Opening Remarks

OLD BUSINESS

4. Docket No. 10-16-23 , Shady Cove Townhomes, 12534 Lake Ave

NEW BUSINESS

5. Docket No. 04-07-24, 1246 Manor Park
6. Docket No. 04-08-24, 1047 Kirtland Lane

A detailed zoning map of a city, showing a grid of streets and various colored zones. The colors include yellow, blue, green, orange, purple, and pink. A white rectangular box with a black border is centered over the map.

Roll Call



Board of Zoning Appeals



Approve Meeting Minutes for
March 21, 2024



Board of Zoning Appeals



Opening Remarks



Board of Zoning Appeals

1. Docket No. 10-16-23
12534 Lake Ave.
Shady Cove Townhouses

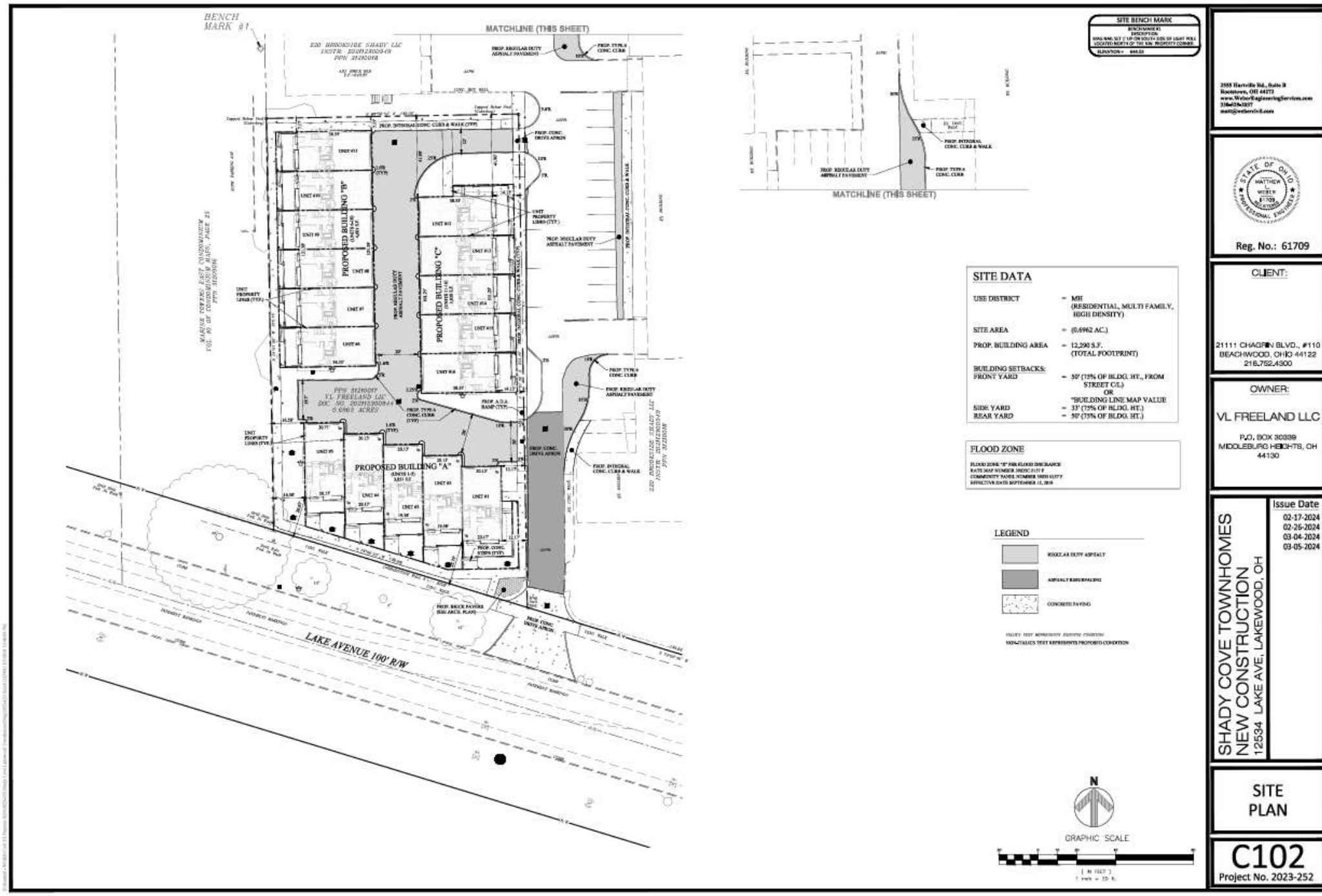
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12534 Lake Ave



SITE BENCHMARK
 BENCHMARK ELEVATION
 BENCHMARK SET 1 UP ON SOUTH SIDE OF STREET POLE
 LOCATED SOUTH OF THE SW PROPERTY CORNER.
 ELEVATION = 84.55

SITE DATA

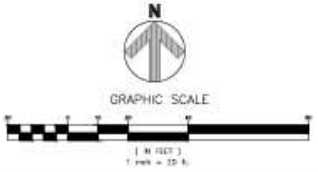
USE DISTRICT	= MH (RESIDENTIAL, MULTI FAMILY, HIGH DENSITY)
SITE AREA	= (0.6962 AC.)
PROP. BUILDING AREA	= 12,298 S.F. (TOTAL FOOTPRINT)
BUILDING SETBACKS:	
FRONT YARD	= 30' (15% OF BLDG. HT., FROM STREET CL.) OR "BUILDING LINE MAP VALUE"
SIDE YARD	= 33' (75% OF BLDG. HT.)
REAR YARD	= 30' (75% OF BLDG. HT.)

FLOOD ZONE
 FLOOD 2006 "C" FIRM FLOOD INSURANCE RATE MAP NUMBER 12053-117-F
 CEMENITY PANEL NUMBER 1001 0117
 EFFECTIVE DATE SEPTEMBER 12, 2008

LEGEND

- REGULAR DUTY ASPHALT
- ASPHALT EMERALDPAVING
- CONCRETE PAVING

ITALIC TEXT REPRESENTS EXISTING CONDITIONS
 BOLD/ITALIC TEXT REPRESENTS PROPOSED CONDITIONS



2555 Harville Rd., Suite B
 Rockville, OH 44773
 www.VLFreelandEngineering.com
 (614) 313-8177
 info@vlfreeland.com



CLIENT:
 21111 CHAGRIN BLVD., #110
 BEACHWOOD, OHIO 44122
 216.752.4300

OWNER:
 VL FREELAND LLC
 P.O. BOX 30039
 MIDDLEBURGH HEIGHTS, OH
 44130

**SHADY COVE TOWNHOMES
 NEW CONSTRUCTION**
 12534 LAKE AVE., LAKEWOOD, OH

Issue Date
 02-17-2024
 02-26-2024
 03-04-2024
 03-05-2024

SITE PLAN

C102
 Project No. 2023-252

12534 LAKE AVENUE



Lot coverage calculation –Shady Cove Townhomes

Shady Cove Townhomes	PARCEL size (SQ.FT.)sheet102A	PARCEL length south	PARCEL length north	PARCEL length east	PARCEL length west	UNIT length south(square feet)	UNIT length north	UNIT length east	UNIT length west	UNIT height	UNIT area of uncovered rooftop patio	UNIT height of the top of the floor of uncovered patio	UNIT footprint(each unit)sheet 102	LOT COVERAGE PER UNIT/PARCEL
Building A														
Unit 1	1370.93	28.87	28.6	52.94	52.94	20.44	20.44	47.5	47.5	~44'-5"	~150 sf	~34'-6"	970.9	63.5%
Unit 2	1163.41	20.76	20.13	52.94	54.95	20.13	20.13	47.5	47.5	~44'-5"	~150 sf	~34'-6"	956.175	87.0%
Unit 3	1162.72	21.16	20.13	54.95	54.42	20.13	20.13	47.5	47.5	~44'-5"	~150 sf	~34'-6"	956.175	82.2%
Unit 4	1152.11	21.16	20.13	54.95	53.89	20.13	20.13	47.5	47.5	~44'-5"	~150 sf	~34'-6"	956.175	82.2%
Unit 5	1154.09	21.2	20.71	53.89	38.55	20.44	20.44	47.5	47.5	~44'-5"	~150 sf	~34'-6"	970.9	85.0%
Building B														
Unit 6	1008.97	49.42	49.42	20.44	20.4	47.5	47.5	20.44	20.44	~44'-5"	~150 sf	~34'-6"	970.9	96.1%
Unit 7	994.55	49.42	49.42	20.13	20.13	47.5	47.5	20.13	20.13	~44'-5"	~150 sf	~34'-6"	956.175	96.1%
Unit 8	994.55	49.42	49.42	20.13	20.13	47.5	47.5	20.13	20.13	~44'-5"	~150 sf	~34'-6"	956.175	96.1%
Unit 9	994.55	49.42	49.42	20.13	20.13	47.5	47.5	20.13	20.13	~44'-5"	~150 sf	~34'-6"	956.175	96.1%
Unit 10	994.55	49.42	49.42	20.13	20.13	47.5	47.5	20.13	20.13	~44'-5"	~150 sf	~34'-6"	956.175	96.1%
Unit 11	1010.05	49.42	49.42	20.44	20.44	47.5	47.5	20.44	20.44	~44'-5"	~150 sf	~34'-6"	970.9	96.1%
Building C														
Unit 12	1187.27	49.42	49.42	26.12	20.44	47.5	47.5	20.44	20.44	~44'-5"	~150 sf	~34'-6"	970.9	75.2%
Unit 13	994.55	49.42	49.42	20.13	20.13	47.5	47.5	20.13	20.13	~44'-5"	~150 sf	~34'-6"	956.175	96.1%
Unit 14	994.54	49.42	49.42	20.13	20.13	47.5	47.5	20.13	20.13	~44'-5"	~150 sf	~34'-6"	956.175	96.1%
Unit 15	994.54	49.42	49.42	20.44	20.44	47.5	47.5	20.13	20.13	~44'-5"	~150 sf	~34'-6"	956.175	94.7%
Unit 16	1010	49.42	49.42	20.44	20.44	47.5	47.5	20.44	20.44	~44'-5"	~150 sf	~34'-6"	970.9	96.1%
Total sq footage-unit parcels combined	17181.38													
Total parcel size	30326.472													
Remainder parcel/Private Drive	13145.092	136.69	130	254.4	212.15									



12534 Lake Ave



23138S-12-14-23

LAKWOOD TOWNHOMES | LAKEWOOD OHIO | SOUTH ELEVATION

The drawings, specifications, ideas, design and arrangements represented hereby are and shall remain the property of the architect. No part of them be copied, disclosed to others or used in connection with any work on project other than the specific project for which they have been prepared and developed without the written consent of the architect. Visual contact with these drawings or specifications shall constitute no indication of acceptance of these materials. Written approvals on these drawings shall have precedence over scaled dimensions. Contractors shall verify and be responsible for all dimensions and conditions on the job site, and file office must be notified of any variations from the dimensions and conditions shown by these drawings.

FREELAND
VENTURES  **RDL**
ARCHITECTS

12534 Lake Avenue





231385-12-14-23

LAKWOOD TOWNHOMES | LAKEWOOD OHIO | WEST ELEVATION

This drawings, specifications, ideas, design and arrangements represented hereby are and shall remain the property of the architect. No part of shall be copied, disclosed to others or used in conjunction with any work or project other than the specific project for which they have been prepared and developed without the written consent of the architect. Visual contact with these drawings or specifications shall constitute conclusive evidence of acceptance of these restrictions. Written deviations on these drawings shall have precedence over scaled dimensions. Contractors shall verify and be responsible for all dimensions and conditions on the job site, and this office must be notified of any variations from the dimensions and conditions shown by these drawings.

FREELAND 
VENTURES

RDL
ARCHITECTS

12534 Lake Avenue





231388 12.14.23

LAKWOOD TOWNHOMES | LAKEWOOD OHIO | NORTH ELEVATION

The drawings, specifications, design and arrangements represented thereby are and shall remain the property of the architect. No part of them shall be copied, disclosed to others or used in conjunction with any work or project other than the specific project for which they have been prepared and developed without the written consent of the architect. Visual contact with these drawings or specifications shall constitute evidence of acceptance of these instructions. Written dimensions on these drawings shall have precedence over stated dimensions. Contractors shall verify and be responsible for all dimensions and conditions in the project, and this office must be notified of any variations from the dimensions and conditions shown by these drawings.

FREELAND 
VENTURES

RDL
ARCHITECTS

12534 Lake Avenue





23138S 12.14.23

LAKWOOD TOWNHOMES | LAKEWOOD OHIO | EAST ELEVATION

The drawings, specifications, plans, design and arrangements represented hereby are and shall remain the property of the architect. No part of shall be copied, disseminated to others or used in conjunction with any work or project other than the specific project for which they have been prepared and developed without the written consent of the architect. Visual contact with these drawings or specifications shall constitute conclusive evidence of acceptance of these reactions. Within dimensions on these drawings shall have precedence over scaled dimensions. Contractors shall verify and be responsible for all dimensions and conditions on the job site, and the office shall be notified of any variations from the dimensions and conditions shown by these drawings.

FREELAND 
VENTURES

RDL
ARCHITECTS

12534 Lake Avenue





3 REAR ELEVATION: TOWNHOUSES 1 - 5
 A3.07 SCALE: 1/8" = 1'-0"



12534 Lake Avenue



1
A3.07

FRONT ELEVATION: TOWNHOUSES 1 - 5

SCALE: 1/8" = 1'-0"



12534 Lake Avenue



12534 Lake Avenue

THE DRAWING, SPECIFICATIONS, SCHEDULES, CONDITIONS AND NOTES SHALL BE CONSIDERED TO BE THE ENTIRE CONTRACT DOCUMENTS FOR THE PROJECT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE AND FEDERAL AUTHORITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY INSURANCE COVERAGE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY UTILITIES INFORMATION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY RECORD DRAWINGS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY RECORD DRAWINGS.

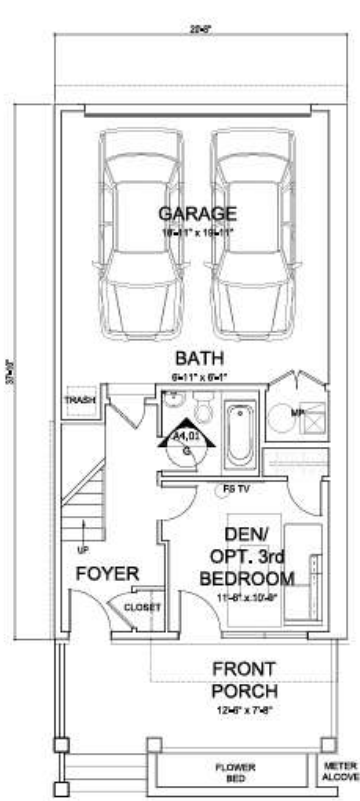
ISSUE

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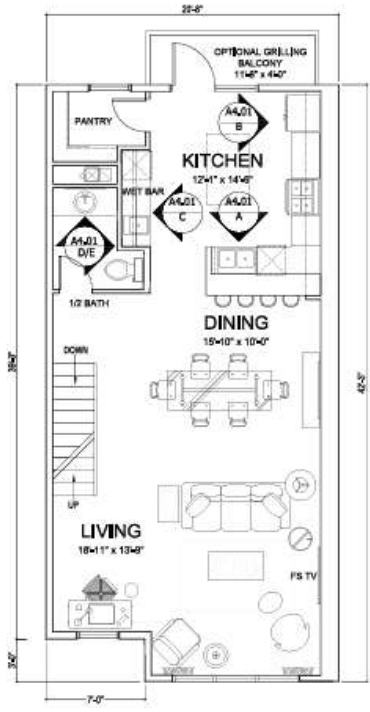
**TYPICAL
TOWNHOUSE
FLOOR PLANS**

PROJECT # 2224
DRAWN BY
CHECKED BY
FILE NAME
PLOT DATE

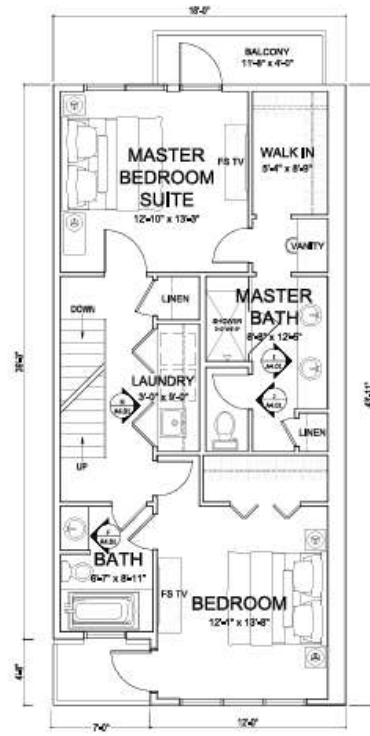
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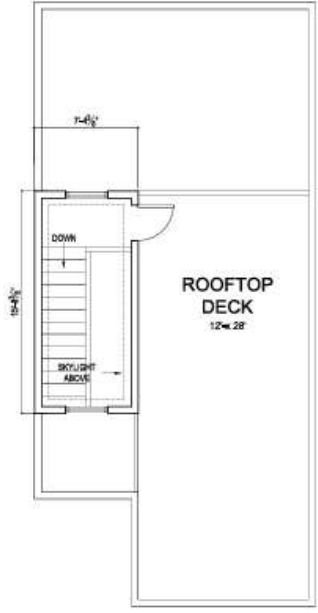
1 **GROUND FLOOR**
SCALE: 1/4" = 1'-0"
AREA: 229 sf (includes meter)



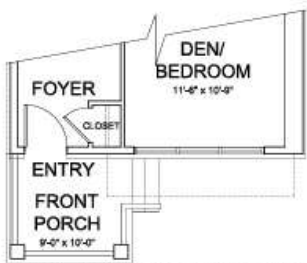
2 **FIRST FLOOR**
SCALE: 1/4" = 1'-0"
AREA: 93 sf



3 **SECOND FLOOR**
SCALE: 1/4" = 1'-0"
AREA: 81 sf



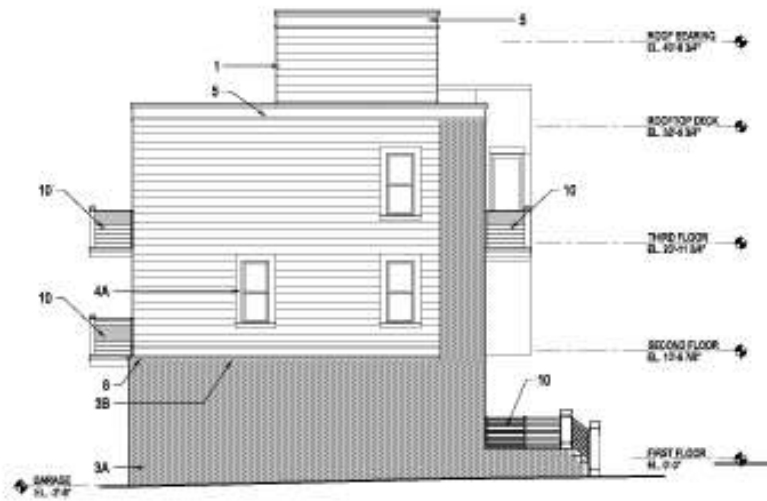
4 **ROOF**
SCALE: 1/4" = 1'-0"
AREA: 101 sf
TOTAL AREA: 229 sf



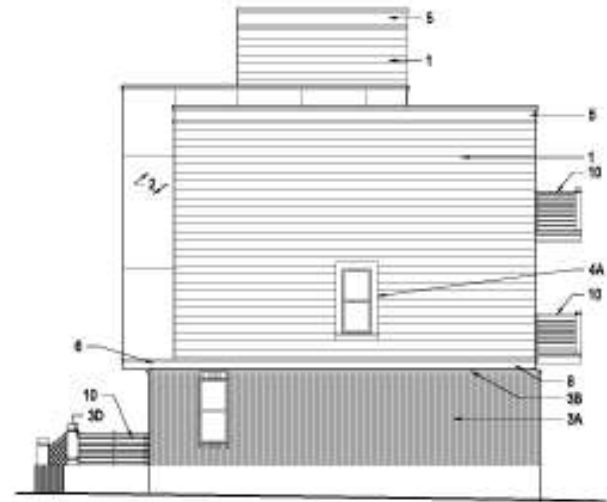
5 **GROUND FLOOR - FRONT PORCH UNITS 6 - 16**
SCALE: 1/4" = 1'-0"
AREA: 229 sf (includes meter)



12534 Lake Avenue



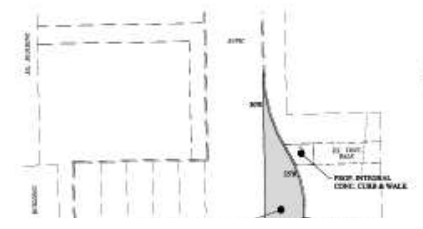
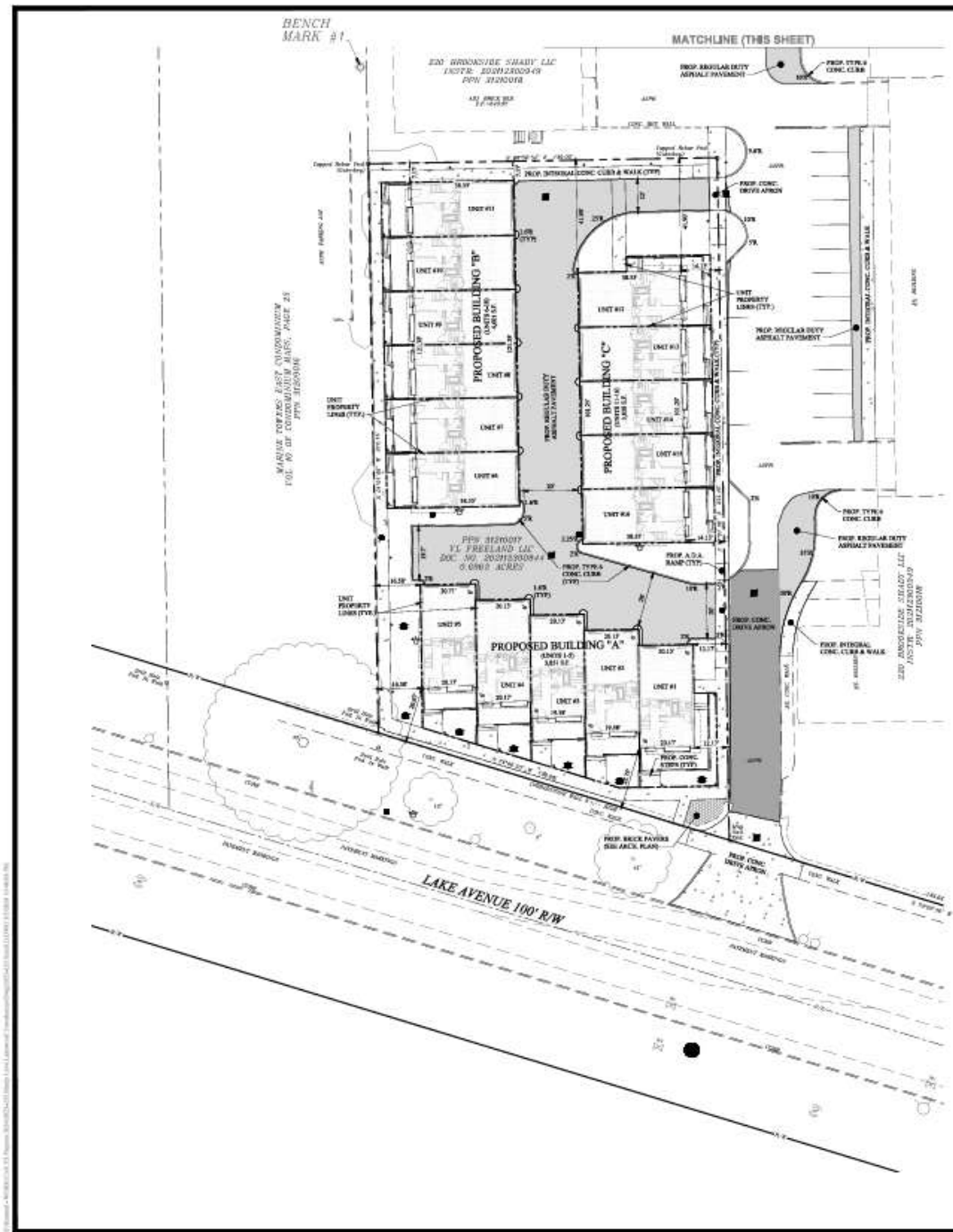
2 LEFT SIDE ELEVATION: TOWNHOUSES 1 - 5
 ALET SCALE: 1/8" = 1'-0"



4 SIDE ELEVATION: TOWNHOUSES 1 - 5
 ALET SCALE: 1/8" = 1'-0"



12534 Lake Avenue



SITE BENCHMARK
 BENCHMARK #1
 PROVISION
 BENCHMARK SET UP ON SOUTH SIDE OF STREET POLE
 LOCATED NORTH OF THE SW PROPERTY CORNER.
 ELEVATION = 846.55

SITE DATA

USE DISTRICT = MH
 (RESIDENTIAL, MULTI FAMILY,
 HIGH DENSITY)

SITE AREA = (0.6962 AC.)

PROP. BUILDING AREA = 12,290 S.F.
 (TOTAL FOOTPRINT)

BUILDING SETBACKS:
FRONT YARD = 50' (75% OF BLDG. HT., FROM
 STREET C/L)
 OR
 "BUILDING LINE MAP VALUE

SIDE YARD = 33' (75% OF BLDG. HT.)

REAR YARD = 50' (75% OF BLDG. HT.)

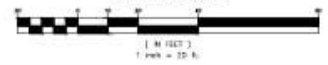
LEGEND

- ROCKY AR DUTY ASPHALT
- ASPHALT EXISTING/PAVED
- CONCRETE PAVING

ITALIC TEXT REPRESENTS EXISTING CONDITIONS
 NON-ITALICS TEXT REPRESENTS PROPOSED CONDITIONS



GRAPHIC SCALE



2555 Harville Rd., Suite B
 Rocktown, OH 44173
 www.MatthewWierEngineering.com
 (614) 313-1377
 mat@wvetherick.com



Reg. No.: 61709

CLIENT:

21111 CHAGIN BLVD., #110
 BEACHWOOD, OH 44122
 216.752.4500

OWNER:

VL FREELAND LLC
 P.O. BOX 30039
 MIDDLEBURGH HEIGHTS, OH
 44130

SHADY COVE TOWNHOMES
 NEW CONSTRUCTION
 12534 LAKE AVE, LAKEWOOD, OH

Issue Date
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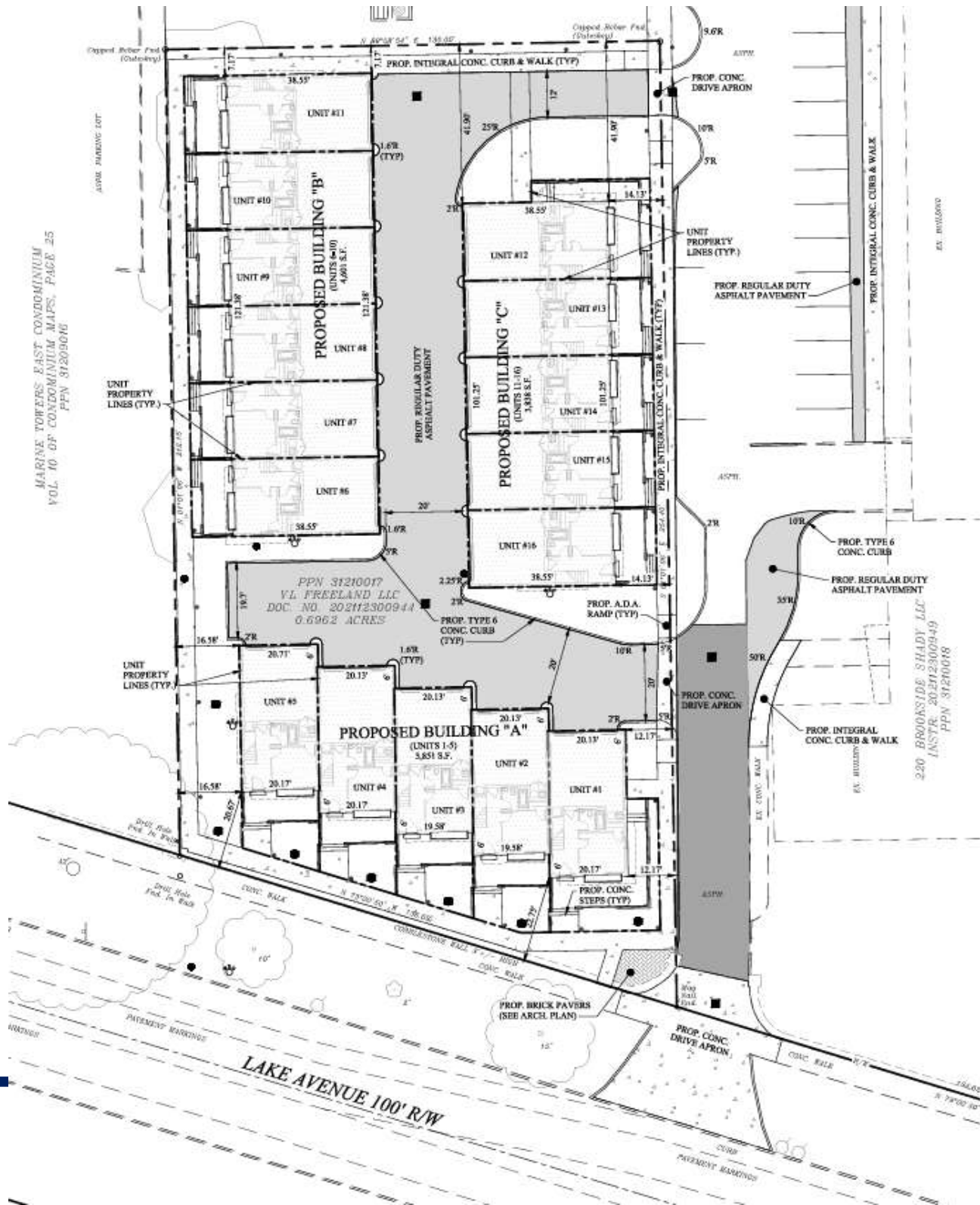
SITE
 PLAN

C102
 Project No. 2023-252

12534 LAKE AVENUE



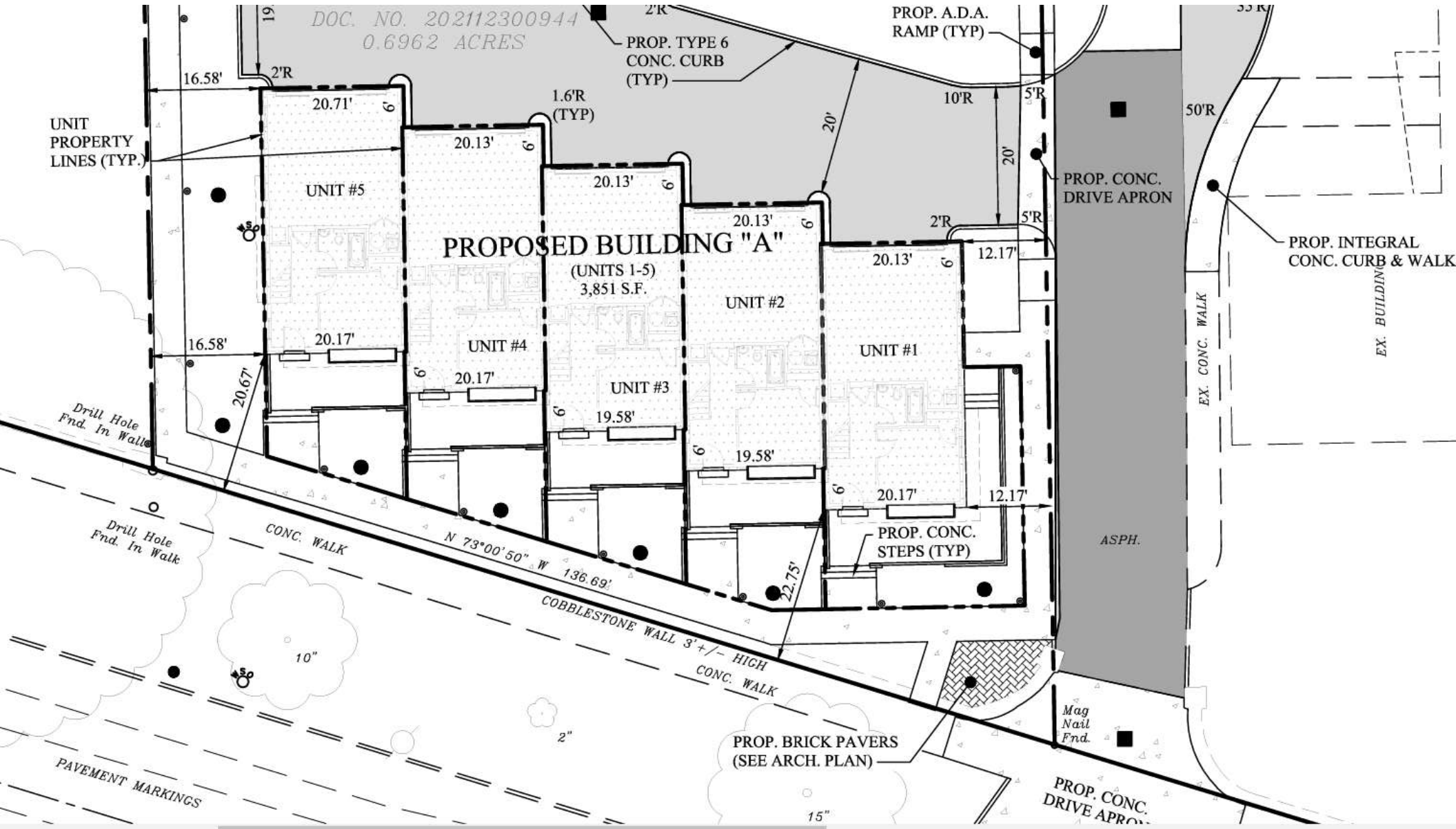
MARINE TOWERS EAST CONDOMINIUM
 VOL. 10 OF CONDOMINIUM MAPS, PAGE 25
 PPN 31203016



220 BROOKSIDE SHADY LLC
 INSTR. 202112300949
 PPN 31210018



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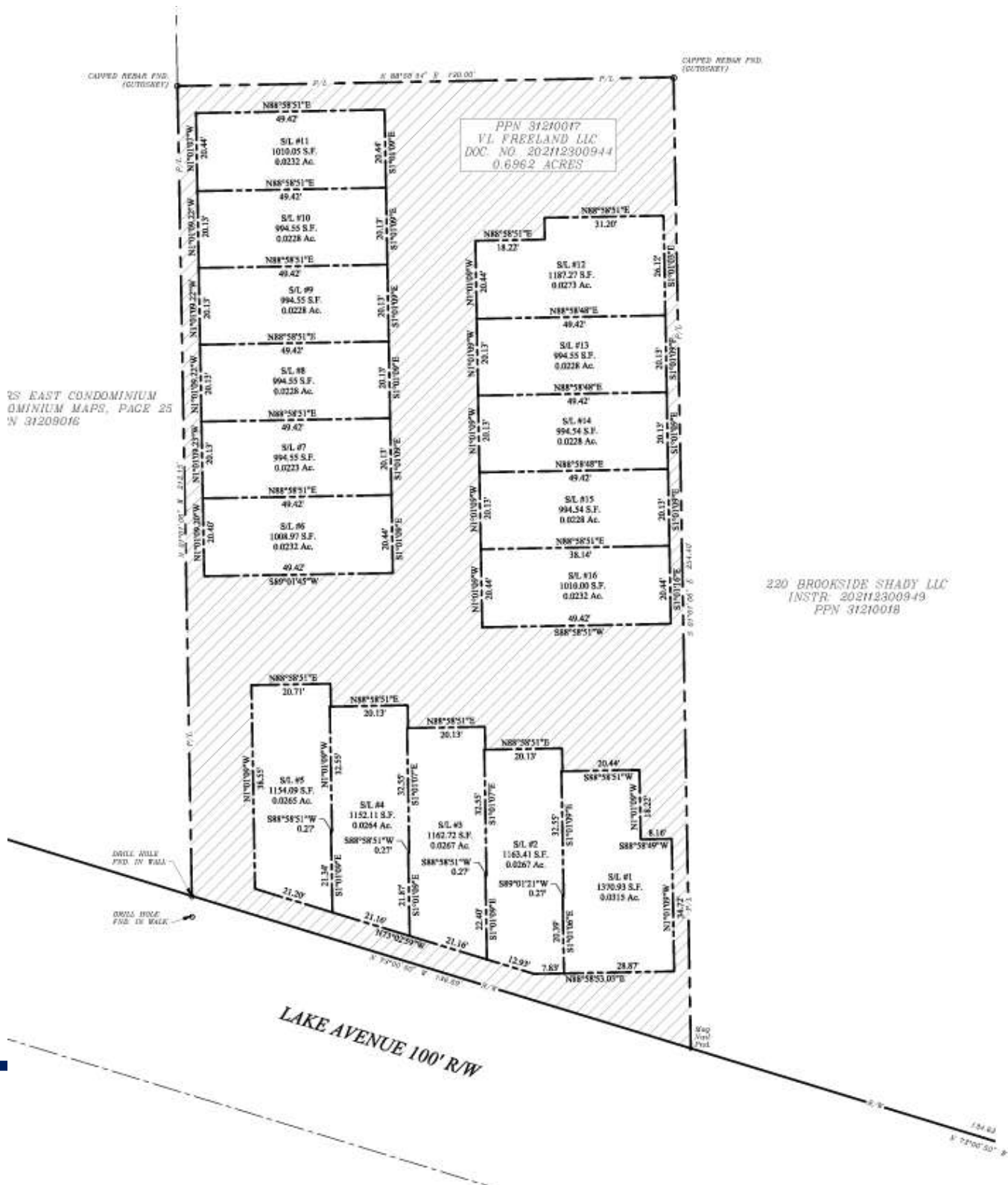
12534 Lake Avenue

CURVED REBAR FND. (GUTTERARY) CLIPPED REBAR FND. (GUTTERARY)

PPN 3120017
 VL FREELAND LLC
 DOC. NO. 202112300944
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25 EAST CONDOMINIUM
 DOMINIUM MAPS, PAGE 25
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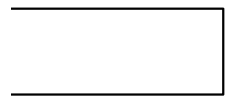
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 INSTR. 202112300949
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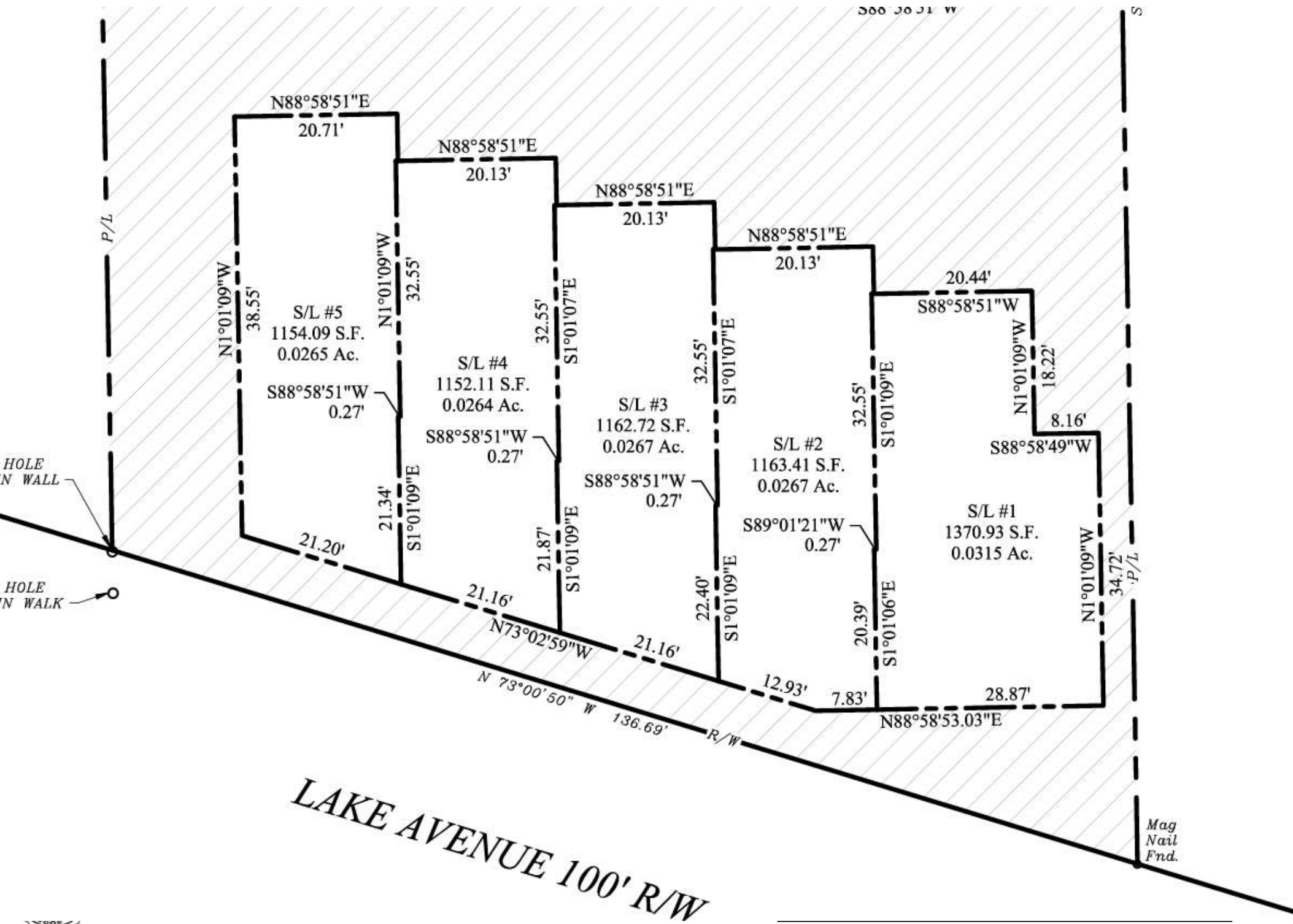


DRILL SHAFT FND. IN WALL

DRILL SHAFT FND. IN WALK

LAKE AVENUE 100' R/W





LAKE AVENUE 100' R/W

Mag
Nail
Fnd.

N88°58'51"E

20.71'

N88°58'51"E

20.13'

N88°58'51"E

20.13'

N88°58'51"E

20.13'

20.44'

S88°58'51"W

18.22'

S88°58'49"W

8.16'

S/L #1
1370.93 S.F.
0.0315 Ac.

S/L #2
1163.41 S.F.
0.0267 Ac.

S/L #3
1162.72 S.F.
0.0267 Ac.

S/L #4
1152.11 S.F.
0.0264 Ac.

S/L #5
1154.09 S.F.
0.0265 Ac.

N1°01'09"W

34.72'

N88°58'53.03"E

28.87'

12.93'

7.83'

21.16'

21.16'

N73°02'59"W

21.20'

R/W

136.69'

N 73°00'50" W

P/L

P/L

HOLE
IN WALL

HOLE
IN WALL

N1°01'09"W

38.55'

N1°01'09"W

32.55'

S1°01'07"E

32.55'

S1°01'07"E

32.55'

S1°01'09"E

32.55'

S1°01'09"E

22.40'

S1°01'09"E

21.87'

S1°01'09"E

21.34'

S88°58'51"W

0.27'

S88°58'51"W

0.27'

S88°58'51"W

0.27'

S89°01'21"W

0.27'

N88°58'51"E

N88°58'51"E

N88°58'51"E

N88°58'51"E

20.44'

18.22'

8.16'

S/L #1
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S/L #5
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R/W

136.69'

N 73°00'50" W

P/L

P/L

HOLE
IN WALL

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IN WALL

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32.55'

S1°01'09"E

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21.87'

S1°01'09"E

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S88°58'51"W

0.27'

S88°58'51"W

0.27'

S88°58'51"W

0.27'

S89°01'21"W

0.27'

N88°58'51"E

N88°58'51"E

N88°58'51"E

N88°58'51"E

20.44'

18.22'

8.16'

S/L #1
1370.93 S.F.
0.0315 Ac.

S/L #2
1163.41 S.F.
0.0267 Ac.

S/L #3
1162.72 S.F.
0.0267 Ac.

S/L #4
1152.11 S.F.
0.0264 Ac.

S/L #5
1154.09 S.F.
0.0265 Ac.

N1°01'09"W

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N73°02'59"W

21.20'

R/W

136.69'

N 73°00'50" W

P/L

P/L

HOLE
IN WALL

HOLE
IN WALL

N1°01'09"W

38.55'

N1°01'09"W

32.55'

S1°01'07"E

32.55'

S1°01'07"E

32.55'

S1°01'09"E

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S1°01'09"E

22.40'

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S88°58'51"W

0.27'

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0.27'

S88°58'51"W

0.27'

S89°01'21"W

0.27'

N88°58'51"E

N88°58'51"E

N88°58'51"E

N88°58'51"E

20.44'

18.22'

8.16'

S/L #1
1370.93 S.F.
0.0315 Ac.

S/L #2
1163.41 S.F.
0.0267 Ac.

S/L #3
1162.72 S.F.
0.0267 Ac.

S/L #4
1152.11 S.F.
0.0264 Ac.

S/L #5
1154.09 S.F.
0.0265 Ac.

N1°01'09"W

34.72'

N88°58'53.03"E

28.87'

12.93'

7.83'

21.16'

21.16'

N73°02'59"W

21.20'

R/W

136.69'

N 73°00'50" W

P/L

P/L

HOLE
IN WALL

HOLE
IN WALL

N1°01'09"W

38.55'

N1°01'09"W

32.55'

S1°01'07"E

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S1°01'07"E

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S1°01'09"E

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S1°01'09"E

22.40'

S1°01'09"E

21.87'

S1°01'09"E

21.34'

S88°58'51"W

0.27'

S88°58'51"W

0.27'

S88°58'51"W

0.27'

S89°01'21"W

0.27'

N88°58'51"E

N88°58'51"E

N88°58'51"E

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20.44'

18.22'

8.16'

S/L #1
1370.93 S.F.
0.0315 Ac.

S/L #2
1163.41 S.F.
0.0267 Ac.

S/L #3
1162.72 S.F.
0.0267 Ac.

S/L #4
1152.11 S.F.
0.0264 Ac.

S/L #5
1154.09 S.F.
0.0265 Ac.

N1°01'09"W

34.72'

N88°58'53.03"E

28.87'

12.93'

7.83'

21.16'

21.16'

N73°02'59"W

21.20'

R/W

136.69'

N 73°00'50" W

P/L

P/L

HOLE
IN WALL

HOLE
IN WALL

N1°01'09"W

38.55'

N1°01'09"W

32.55'

S1°01'07"E

32.55'

S1°01'07"E

32.55'

S1°01'09"E

32.55'

S1°01'09"E

22.40'

S1°01'09"E

21.87'

S1°01'09"E

21.34'

S88°58'51"W

0.27'

S88°58'51"W

0.27'

S88°58'51"W

0.27'

S89°01'21"W

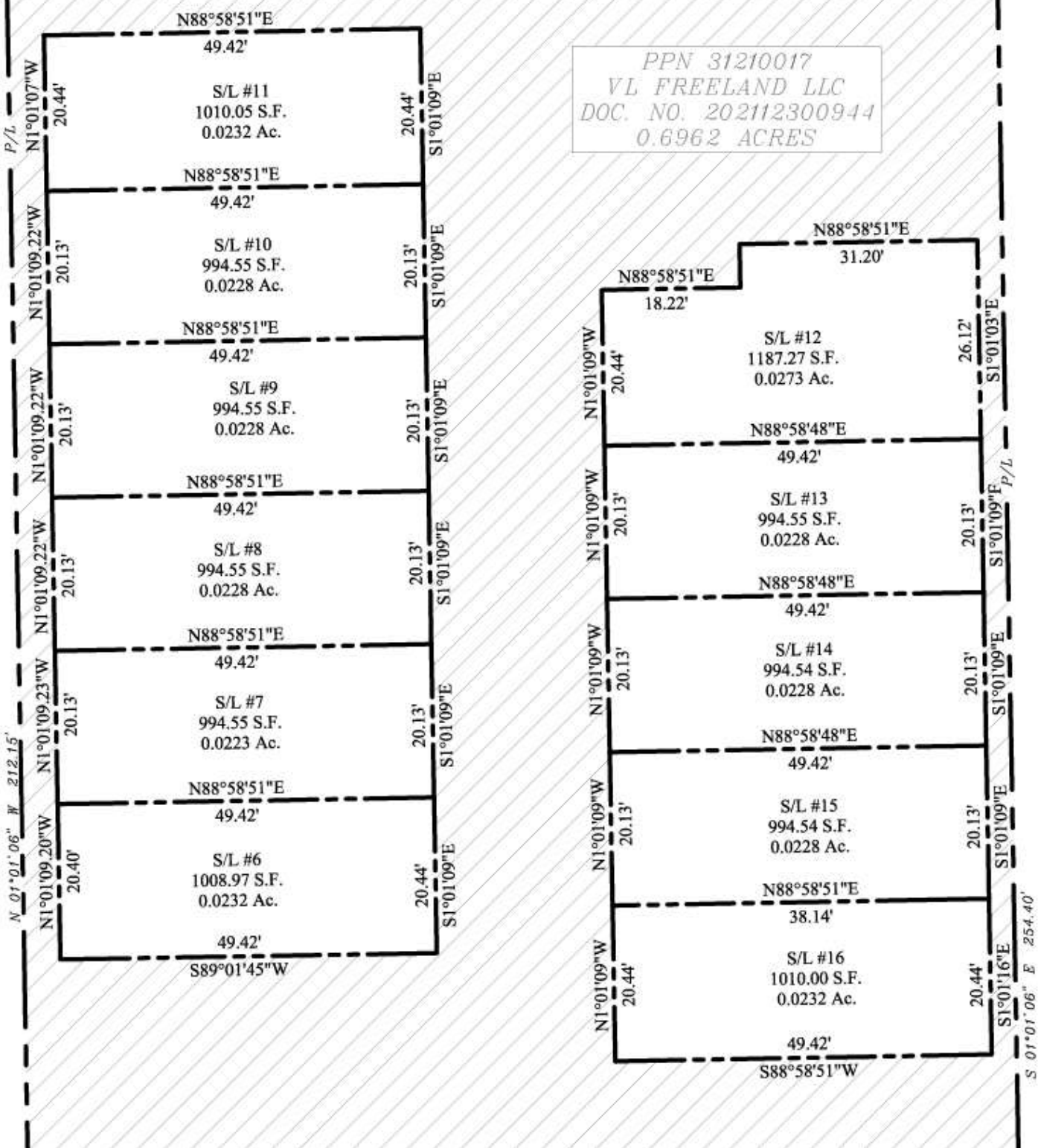
0.27'

N88°58'51"E

(GUTOSKEY)

P/L

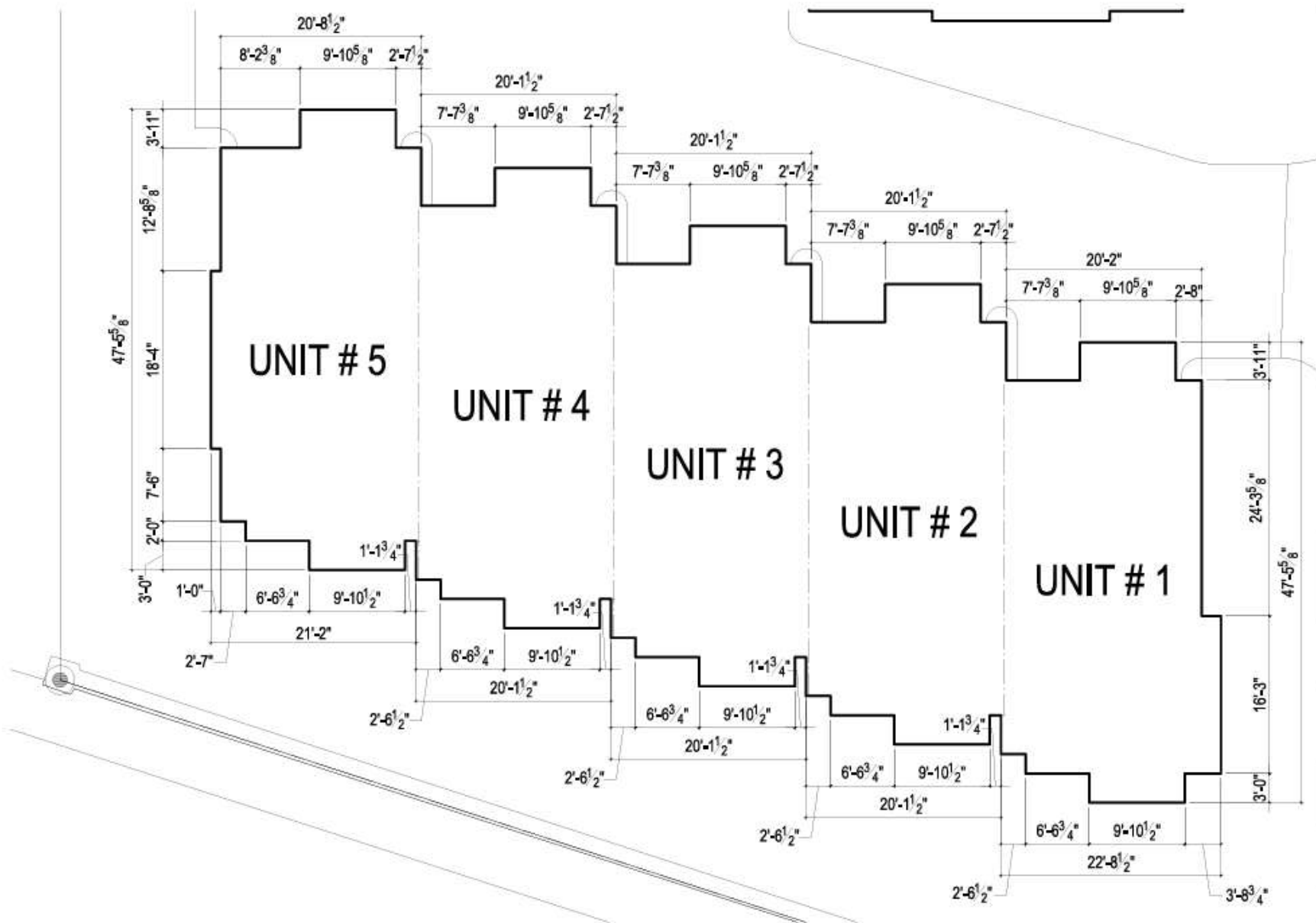
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 DOC. NO. 202112300944
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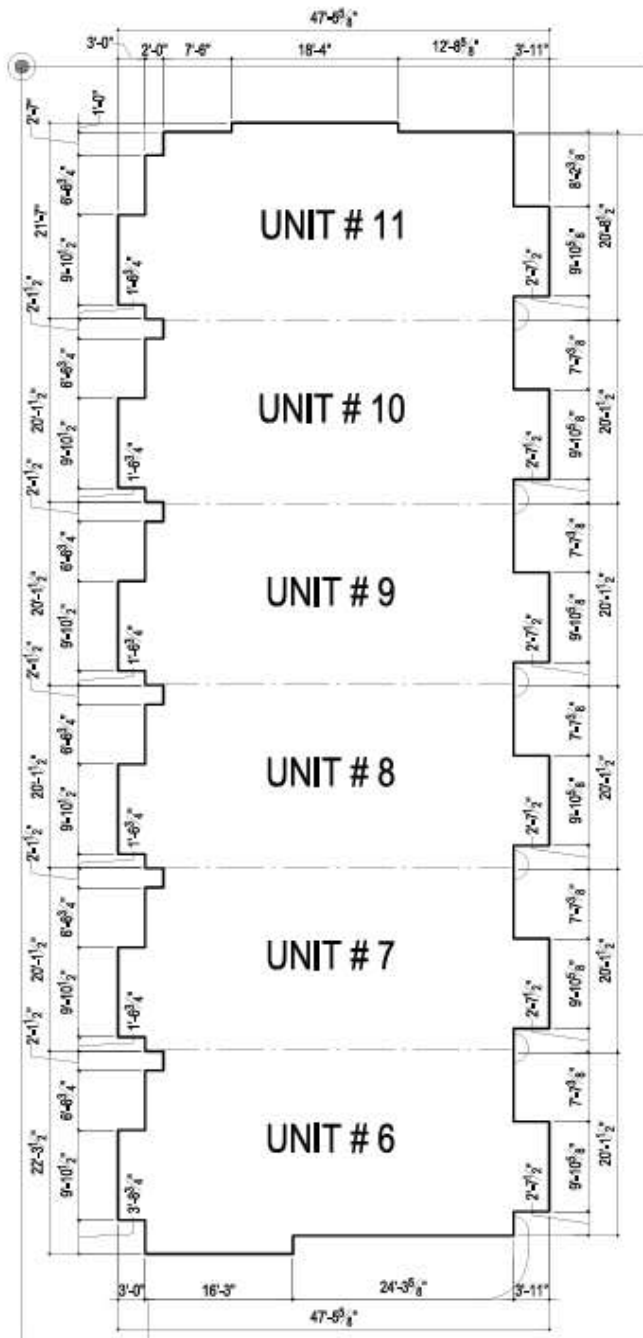
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PAGE 25

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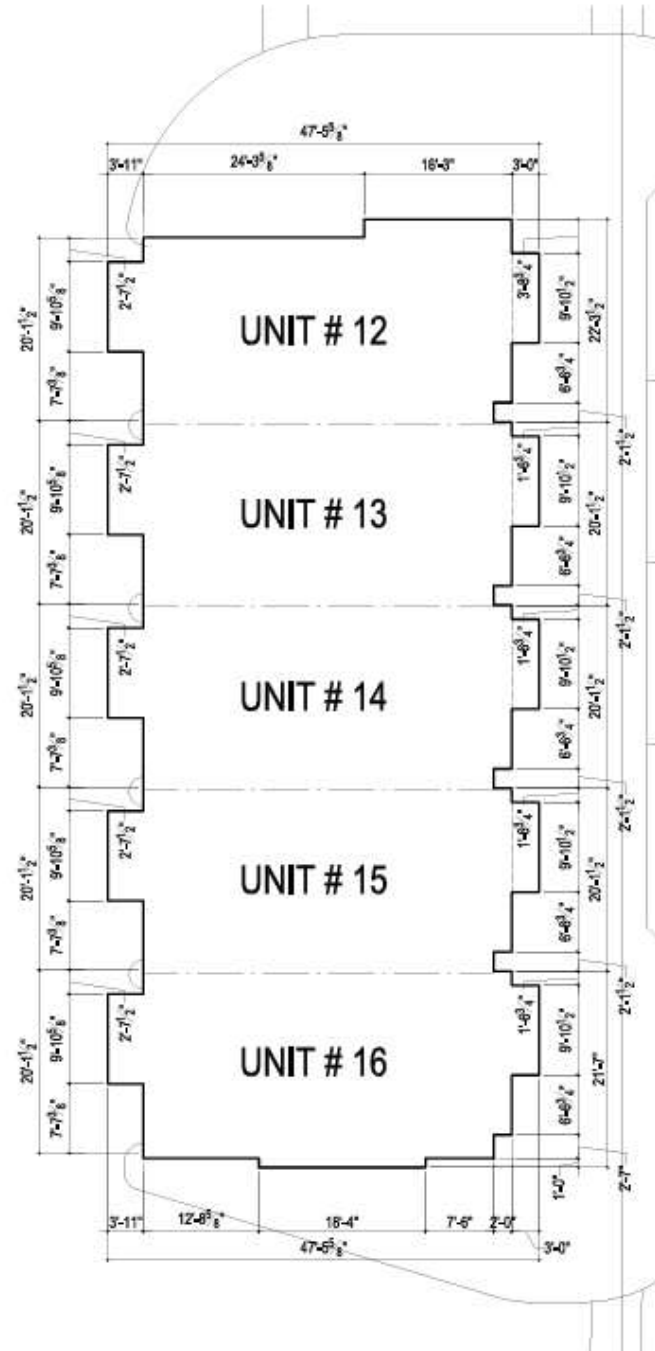




BUILDING A



BUILDING B



BUILDING C

LAKEWOOD TOWNHOMES

ADDRESS: 12534 LAKE AVE, LAKEWOOD, OH

The Lakewood Townhome project proposes for sale residential urban living on Lakewood's Gold Coast. The site is the nexus of three urban conditions:

1. Lakewood's famous mid-century high-rises,
2. Nearby historic colonial revival, art deco, and midcentury mid-rises,
3. And the beautiful historic homes that line Lake Avenue as it moves west.

The townhouse concept brings together elements of all three urban conditions with a new element that melds the other three. The townhouses together relate to the massing and site placement of the mid-rises to the east, they reflect the architectural styling of the high-rises to the north that serve as a backdrop when viewed from Lake Avenue, and in use they match the single-family private ownership of the houses to the south.

The site and urban design proposed will increase the walkability and livability of the Gold Coast by creating context that is human scaled, friendly to the street, and fills the existing void between Lake Avenue and Edgewater Drive.

231385-12.14.23

LAKEWOOD TOWNHOMES | LAKEWOOD OHIO |

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FREELAND VENTURES  RDL ARCHITECTS

12534 Lake Avenue





MID-CENTURY
HIGH-RISE
CONTEXT



LAKE AVE

CLIFTON BLVD

EDGEWATER DR

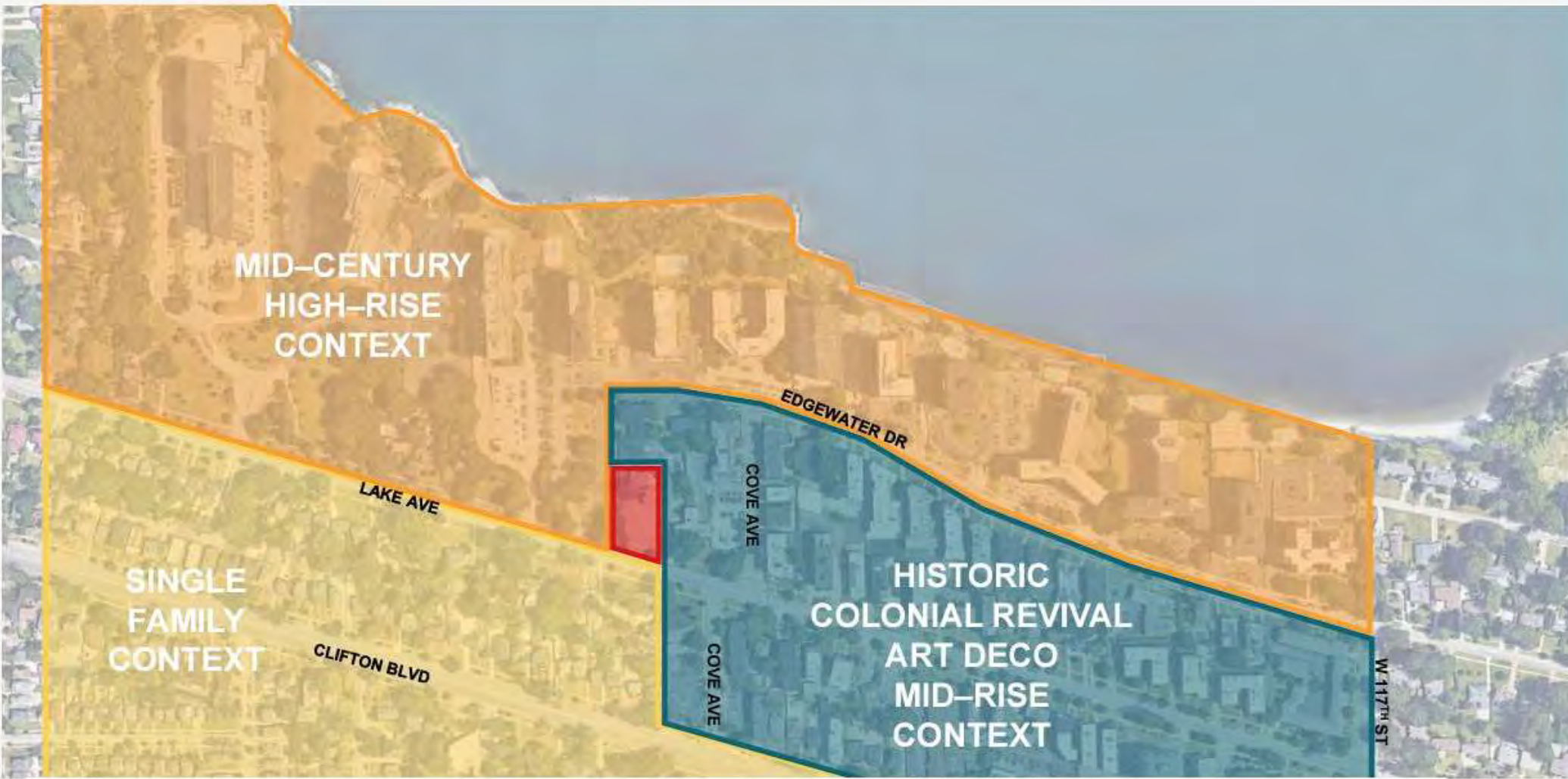
COVE AVE

COVE AVE

W 117th ST



12534 Lake Avenue



231385 12.14.23

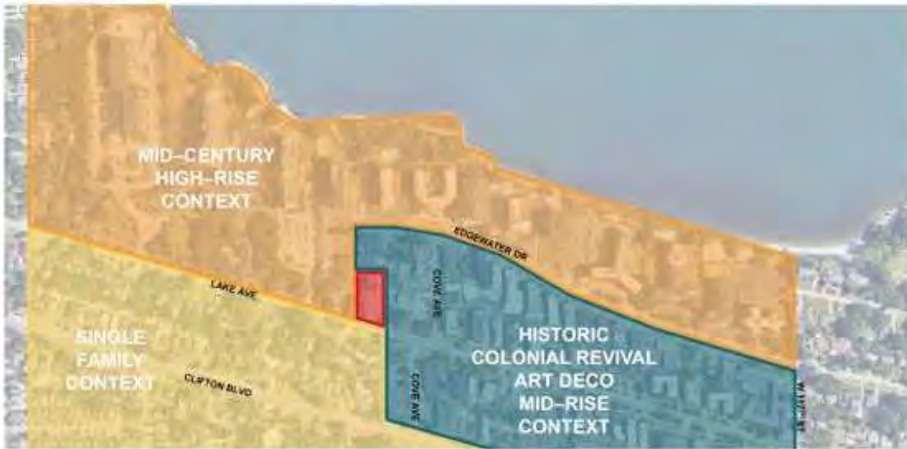
LAKWOOD TOWNHOMES | LAKWOOD OHIO | SITE CONTEXT PLAN

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12534 Lake Avenue





RDL
ARCHITECTS

21111 Chapin Blvd, Suite 110
Beverly Hills, Ohio 44127
PHONE: 216-752-4300
FAX: 216-752-4301
www.RDLarchitects.com

FREELAND
VENTURES

SHADY COVE
TOWNHOMES
1018 LAKE AVE
LAKEWOOD, OH

FREELAND VENTURES
P.O. Box 8228
MIDDLETOWN HEIGHTS 44130
PHONE: 513-477-6885
FAX: 513-464-9029
www.FreelandVentures.com

THE ARCHITECTS: RDL ARCHITECTS, 21111 CHAPIN BLVD., SUITE 110, BEVERLY HILLS, OHIO 44127. PROJECT NO. 2016-001. DRAWING NO. 1001. DATE: 08/2016. SCALE: AS SHOWN. ALL RIGHTS RESERVED. NO PART OF THIS DOCUMENT IS TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF RDL ARCHITECTS. PHOTOGRAPHS: COURTESY OF RDL ARCHITECTS. RENDERINGS: COURTESY OF RDL ARCHITECTS.

ISSUE

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NEIGHBORHOOD
CONTEXT

PROJECT # 2016-001
DRAWN BY []
CHECKED BY []
FILE NAME []
PLOT DATE 08/2016

AS001



12007 LAKE AVENUE



12534 Lake Avenue



12534 Lake Avenue



12534 Lake Avenue



23138S 12.14.23

LAKWOOD TOWNHOMES | LAKWOOD OHIO | CONTEXT VOLUME STUDY

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FREELAND
VENTURES 

RDL
ARCHITECTS

12534 Lake Avenue





23138S 12.14.23

LAKESWOOD TOWNHOMES | LAKESWOOD OHIO | IMMEDIATE CONTEXT

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FREELAND
VENTURES



RDL
ARCHITECTS

12534 Lake Avenue





12534 Lake Avenue





23138S-12-14-23

LAKWOOD TOWNHOMES | LAKEWOOD OHIO | SOUTH ELEVATION

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FREELAND
VENTURES 
RDL
ARCHITECTS

12534 Lake Avenue





Eye Level - Looking west on Lake Ave.



12534 Lake Avenue



12534 Lake Avenue



Eye Level - Looking across Lake Ave.



12534 Lake Avenue



Low Aerial - Looking west on Lake Ave.



12534 Lake Avenue



Eye Level - Looking east on Lake Ave.



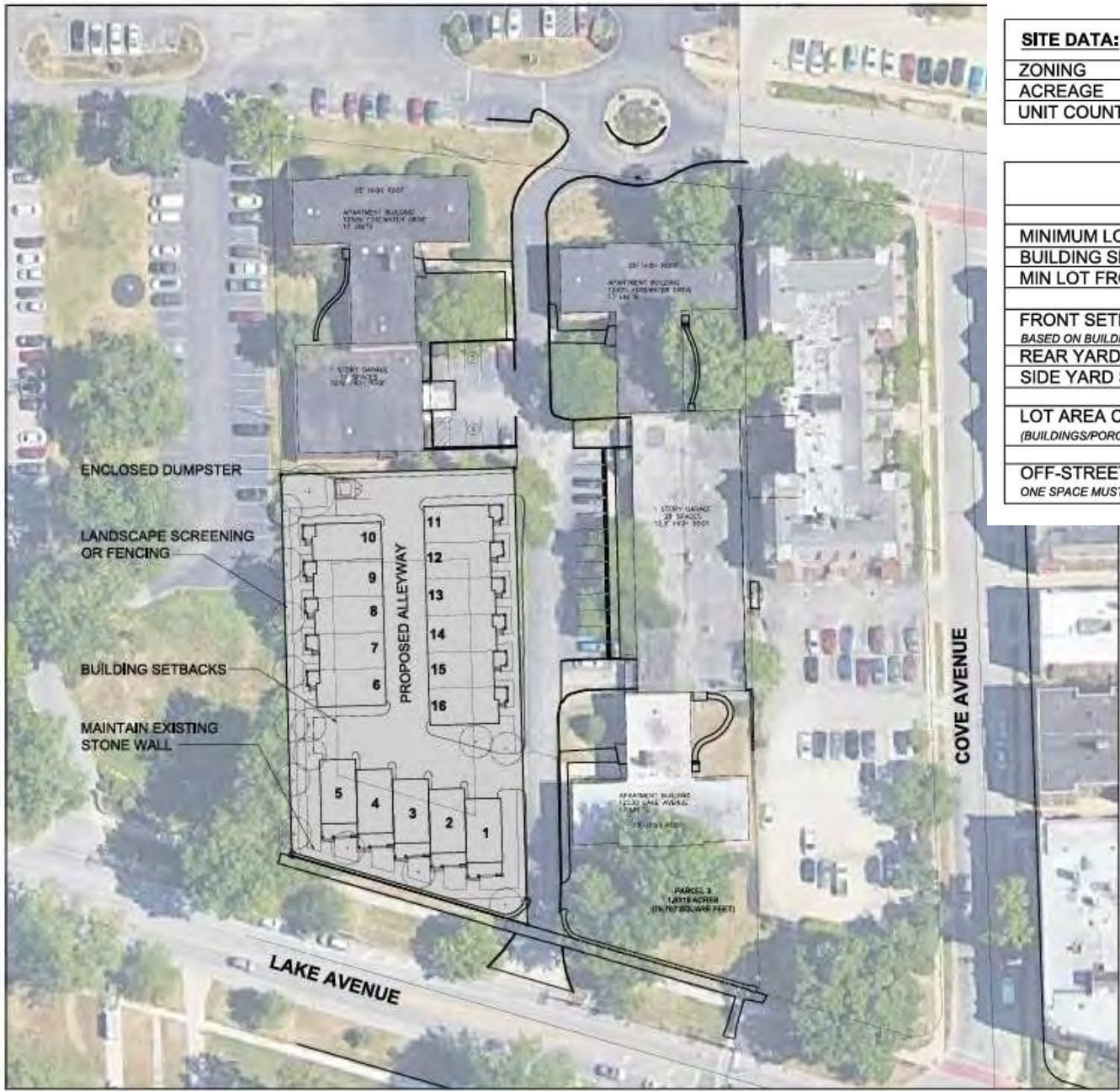
12534 Lake Avenue



Aerial - Looking south from Marinae Towers



12534 Lake Avenue



SITE DATA:	
ZONING	MH - RESIDENTIAL, MULTI-FAMILY
ACREAGE	+/- 0.70-AC (30,315-SF)
UNIT COUNT	16 UNITS

	REQUIRED	PROVIDED
MINIMUM LOT SIZE	10,000-SF	30,315-SF
BUILDING SF	800-SF	1,725-SF/DU
MIN LOT FRONTAGE	60'	136'
FRONT SETBACK BASED ON BUILDING LINE MAP	50'	13'
REAR YARD SETBACK	50'	20'
SIDE YARD SETBACK	75% OF HT (27')	6'
LOT AREA COVERAGE (BUILDINGS/PORCHES)	25%	45% (13,600-SF)
OFF-STREET PARKING ONE SPACE MUST BE IN A GARAGE	1 SPACE/DU	2 SPACES/DU GARAGE SPACES



12534 Lake Avenue



SITE

12534 Lake Avenue





12534 Lake Avenue



12534 Lake Avenue



12534 Lake Avenue





12534 Lake Avenue





12534 Lake Avenue



12534 Lake Avenue



12534 Lake Avenue

Owner/agent responses- 1173.04 Variances

Please review each of the below 9 points and respond "Not Applicable", "Yes" or "No". If your answer is "Yes" or "No", please provide a brief explanation.

(1) Whether there exist site conditions, such as narrowness, shallowness, or topography, unique to the property in question that are not applicable generally to other lands or structures in the same zoning district;

Not applicable

(2) Whether the property in question is located near a non-conforming or non-harmonious use, structure, or site conditions, or whether the property in question abuts a less restrictive zoning district;

Not applicable

(3) Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the variance(s);

No, we own the driveway and property next to it. We looked at multiple options rather homes, apartments, or townhomes. Townhomes is the only thing that works.

(4) Whether the variance(s) is substantial;

Not much just need to be approved.

(5) Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance(s);

No- this will bring something great to Lakewood which has a high demand for. There are other townhomes in Lakewood like Detroit Ave, Sloane Rd

(6) Whether the variance(s) would adversely affect the delivery of governmental services (e.g., water, sewer, refuse removal);

Not Applicable

(7) Whether the property owner purchased the property with knowledge of the zoning restriction;

Yes we did. We own Shady Cove apartments next to the property.

(8) Whether the property owner's predicament feasibly can be obviated through some method other than a variance(s); and

Yes- we believe so since we own the property connecting.

(9) Whether the spirit and intent of the Code would be observed and substantial justice done by granting the variance(s).

Yes- we would like the variances and setbacks based on the plans to be approved so we can start the engineering process.



Owner/agent responses- 1173.04 Variances

Please review each of the below 9 points and respond "Not Applicable", "Yes" or "No". If your answer is "Yes" or "No", please provide a brief explanation.

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Not applicable

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Not applicable

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Yes- we would like the variances and setbacks based on the plans to be approved so we can start the engineering process.



Administrative Comments

- The large number of variances is based on the units being split into parcels and offered for sale. If the units were rentals, the variances would be based on 3 buildings, and the number required would be greatly reduced.
- Important to consider the spirit and the intent of the code, and the existing fabric of the neighborhood which allows many varieties of multi-family housing in different densities, of rental and for sale properties.
- The lot is large for a single-family home, but on the smaller side for small for a multi-family. There are other examples in the city of townhomes being successful infill in Lakewood, McKinley Place, Rockport Square, Clifton Point Rockport Square, the townhomes at Edgewater and W. 117th, in addition to many older examples of rowhomes and townhomes throughout the city
- The existing property is a vacant single-family, the demolition and proposed plans have been approved by BBS/ABR
- Proposed Lot/split is before Planning Commission, variances are required
- The Building Commissioner in consultation with the Police and the Fire departments have discussed the addressing of the properties, likely a monument sign with the address will be required (Not for discussion at BZA- that is a BBS/ABR sign application)





Responses for Questions from Board Members' at the March Meeting



12534 Lake Ave

Questions from Board Members last meeting

1. Is the existing single home a non-conformity and could it be rehabilitated by right?

A single-family home is a permitted use in the multi-family district. The existing structure has non-conforming aspects, such as a reduced rear yard of less than 10 ft, where 40 is required, and does not have an existing garage. The code does not prohibit the renovation of the existing structure. For single and two family homes in the MF district the R2 zoning regulations apply, per 1127.02(c) .

2. Are any of the properties in the area in compliance for setback, etc.?

All abutting properties are multi-family use:

- Abutting on the West- Marine Towers East 144,056 sq ft , 15-story building with 137 units and 100-space surface parking lot, it appears to be in compliance
- Abutting on the East and North – the Shady Cove garden apartments, 51 units with surface parking and garage. Doesn't meet for side yard setback(minimum 20 ft, rear yard setbacks(property has two front yards and no rear yard, primary lot coverage- not permitted more than 20%, has almost 50% primary lot coverage.





- The next block to the east is MH, with a 25-foot front setback. Most 3-6 story apartment buildings appear to meet the 25-foot front setback but are over 80 % lot coverage and do not meet for side and rear lot setbacks, often only several feet instead of the required 20 feet for interior lot lines and often only a few feet instead of 50 feet for rear.
- There are several single-family properties that appear to meet R2 requirements along Lake Ave.
- There are a number of high rises in the district that appear to be conforming, it is difficult to determine without the height, the required size of the side and rear yards is controlled by the height of the building, but they appear to meet the front setback requirements and lot coverage.

The Architectural Board of Review(ABR) requires the applicant to submit a proposal for a rebuild and have it approved prior to granting approval for the demolition of a primary structure. This process has already taken place both the proposal and the demolition have been approved by ABR. The applicant has submitted a lot split to the Planning Commission to sell the townhomes individually, the lot split was reviewed and to be approved requires the variances that are before the board. If the proposal were for rental units the number of variances would be greatly reduced.

The Board of Zoning Appeals must apply the practical difficulty test to determine whether or not to grant the requested area variances, as proposed.





Responses for Questions from Public Comment at the March Meeting

12534 Lake Ave





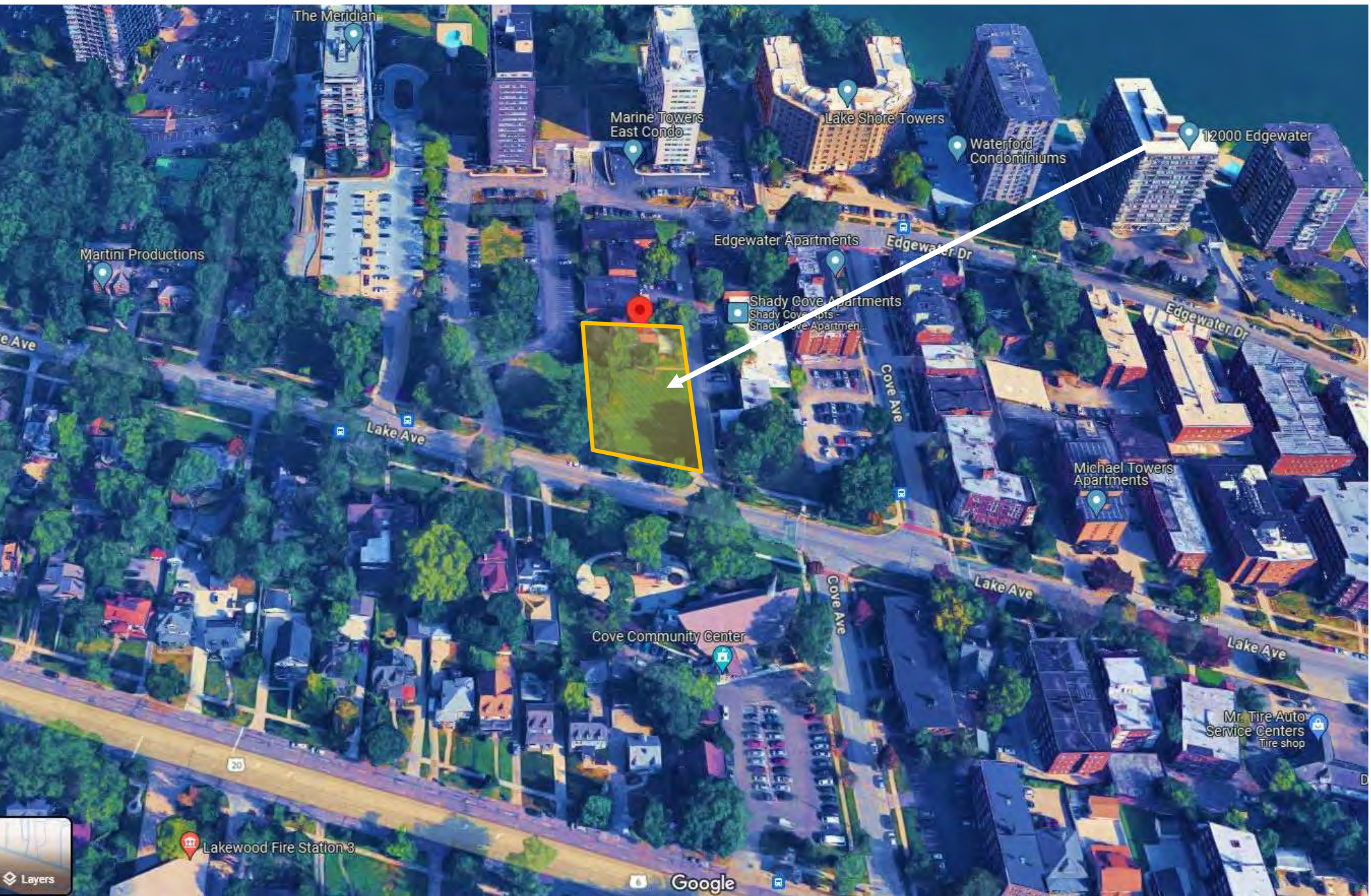
12534 Lake Ave



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12534 Lake Ave



12534 Lake Ave







Public Comment

- Received via email-

- Meeting attendee(s)**- Michael and Molly Pascoe of 12543 Lake Ave- written objection to demolition and redevelopment hand delivered by Mr. Pascoe at the March 21st.



12534 Lake Ave



1. **Docket No. 10-16-23**
12534 Lake Ave.
Shady Cove Townhouses

Applicant Tyler Brummett of Brookside Shady LLC proposes the construction of 16 townhouses. The proposal has been approved at ABR and is now before the Planning Commission for a lot split to create 16 for sale townhomes on individual parcels, and one remainder parcel for a common driveway or private drive and other common areas. The parcels are smaller than the minimum lot size and frontage guidelines, and the proposed townhomes do not meet the required front, two side and rear setback requirements. Additionally, each townhome has a proposed uncovered rooftop patio which requires a variance because these patios are uncovered. Due to the number of variances being requested it is important to refer to the drawing, as proposed. The property is located in the MH, Multi-Family High Density District. (Page 2)

- Variences for Building A: Proposed Building A will be split into 5 parcels with 5 townhomes that will be sold. The required minimum lot size is 10,000 square feet, minimum frontage for each parcel is 60 feet. The parcels range in size from 1152.11 to 1370.93 square feet, and range in frontage from 21.20- 28.87 feet. Ten variances are required for the parcels, as proposed. The buildings on each parcel exceed maximum permitted lot coverage, and do not have the required front, rear or two side setbacks requirements. Additionally, each townhome has an uncovered rooftop patio with an area of 150 square feet and a height of 34 feet 6 inches. The buildings require 30 variances, as proposed. Pursuant to all applicable sections of Chapter 1127 including sections 1127.03,(91-95.Passed 10-7-1996)1127.06(91-95.Passed 10-7-1996),1127.07(91-95.Passed 10-7-1996),1127.09(91-95.Passed 10-7-1996) and 1127.10(39-16. Passed 9-6-2016).
- Variences for Building B: Proposed Building B will be split into 6 parcels with 6 townhomes that will be sold. The required minimum lot size is 10,000 square feet, minimum frontage for each parcel is 60 feet. The parcels range in area from 994.55 to 1,010.05 square feet, and range in frontage on the new private drive from 20.13- 20.44 feet. Ten variances are required for the parcels, as proposed. The buildings on each parcel exceed maximum permitted lot coverage, and do not have the required front, rear or two side setbacks, Additionally, each proposed townhome has an uncovered rooftop patio with an area of 150 square feet and a height of 34 feet 6 inches. The buildings require 36 variances, as proposed. . Pursuant to all applicable sections of Chapter 1127 including sections 1127.03,(91-95.Passed 10-7-1996)1127.06(91-95.Passed 10-7-1996),1127.07(91-95.Passed 10-7-1996),1127.09(91-95.Passed 10-7-1996) and 1127.10(39-16. Passed 9-6-2016).
- Variences for Building C: Proposed Building C will be split into 5 parcels with 5 townhomes that will be sold. The required minimum lot size is 10,000 square feet, minimum frontage for each parcel is 60 feet. The parcels range in area from 994.55 to 1,187.27 square feet, and range in frontage on the new private drive from 20.13- 20.44 feet. Ten variances are required for the parcels, as proposed. The buildings on each parcel exceed maximum permitted lot coverage, and do not have the required front, rear or side setbacks Additionally, each proposed townhome has an uncovered rooftop patio with an area of 150 square feet and a height of 34 feet 6 inches. The buildings require 30 variances, as proposed. . Pursuant to all applicable sections of Chapter 1127 including sections 1127.03,(91-95.Passed 10-7-1996)1127.06(91-95.Passed 10-7-1996),1127.07(91-95.Passed 10-7-1996),1127.09(91-95.Passed 10-7-1996) and 1127.10(39-16. Passed 9-6-2016).

The remainder lot of approx. 17,181.38 square feet will be used for the creation of a private drive and common areas, and because it meets the requirements for minimum area and frontage does not require any variances. Ownership, easements, and maintenance responsibilities will be established by deed, and mailing address and contact information of the common areas/private drive will be provided to all applicable city departments and updated regularly.



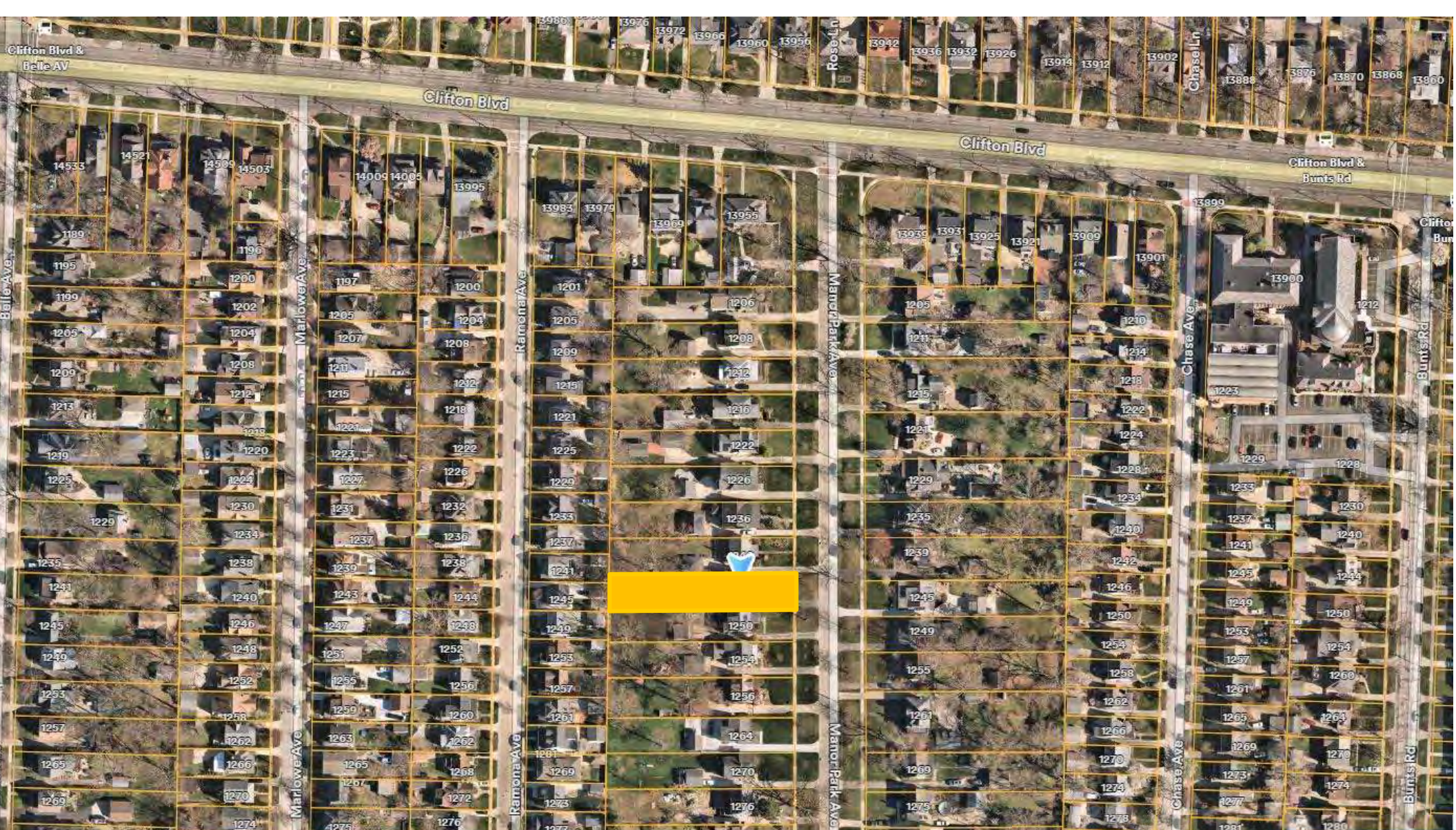
12534 Lake Ave

Lot coverage calculation –Shady Cove Townhomes

Shady Cove Townhomes	PARCEL size (SQ.FT.)sheet102A	PARCEL length south	PARCEL length north	PARCEL length east	PARCEL length west	UNIT length south(square feet)	UNIT length north	UNIT length east	UNIT length west	UNIT height	UNIT area of uncovered rooftop patio	UNIT height of the top of the floor of uncovered patio	UNIT footprint(each unit)sheet 102	LOT COVERAGE PER UNIT/PARCEL
Building A														
Unit 1	1370.93	28.87	28.6	52.94	52.94	20.44	20.44	47.5	47.5	~44'-5"	~150 sf	~34'-6"	970.9	63.5%
Unit 2	1163.41	20.76	20.13	52.94	54.95	20.13	20.13	47.5	47.5	~44'-5"	~150 sf	~34'-6"	956.175	87.0%
Unit 3	1162.72	21.16	20.13	54.95	54.42	20.13	20.13	47.5	47.5	~44'-5"	~150 sf	~34'-6"	956.175	82.2%
Unit 4	1152.11	21.16	20.13	54.95	53.89	20.13	20.13	47.5	47.5	~44'-5"	~150 sf	~34'-6"	956.175	82.2%
Unit 5	1154.09	21.2	20.71	53.89	38.55	20.44	20.44	47.5	47.5	~44'-5"	~150 sf	~34'-6"	970.9	85.0%
Building B														
Unit 6	1008.97	49.42	49.42	20.44	20.4	47.5	47.5	20.44	20.44	~44'-5"	~150 sf	~34'-6"	970.9	96.1%
Unit 7	994.55	49.42	49.42	20.13	20.13	47.5	47.5	20.13	20.13	~44'-5"	~150 sf	~34'-6"	956.175	96.1%
Unit 8	994.55	49.42	49.42	20.13	20.13	47.5	47.5	20.13	20.13	~44'-5"	~150 sf	~34'-6"	956.175	96.1%
Unit 9	994.55	49.42	49.42	20.13	20.13	47.5	47.5	20.13	20.13	~44'-5"	~150 sf	~34'-6"	956.175	96.1%
Unit 10	994.55	49.42	49.42	20.13	20.13	47.5	47.5	20.13	20.13	~44'-5"	~150 sf	~34'-6"	956.175	96.1%
Unit 11	1010.05	49.42	49.42	20.44	20.44	47.5	47.5	20.44	20.44	~44'-5"	~150 sf	~34'-6"	970.9	96.1%
Building C														
Unit 12	1187.27	49.42	49.42	26.12	20.44	47.5	47.5	20.44	20.44	~44'-5"	~150 sf	~34'-6"	970.9	75.2%
Unit 13	994.55	49.42	49.42	20.13	20.13	47.5	47.5	20.13	20.13	~44'-5"	~150 sf	~34'-6"	956.175	96.1%
Unit 14	994.54	49.42	49.42	20.13	20.13	47.5	47.5	20.13	20.13	~44'-5"	~150 sf	~34'-6"	956.175	96.1%
Unit 15	994.54	49.42	49.42	20.44	20.44	47.5	47.5	20.13	20.13	~44'-5"	~150 sf	~34'-6"	956.175	94.7%
Unit 16	1010	49.42	49.42	20.44	20.44	47.5	47.5	20.44	20.44	~44'-5"	~150 sf	~34'-6"	970.9	96.1%
Total sq footage-unit parcels combined	17181.38													
Total parcel size	30326.472													
Remainder parcel/Private Drive	13145.092	136.69	130	254.4	212.15									



12534 Lake Ave



Docket No. 04-07-24 1246 Manor Park

Applicant Charles McGettrick of C.A. McGettrick LLC for homeowner Charles Essi, proposes the demolition of the existing single-car detached garage and the construction of a two-story addition to the primary structure which includes an attached two-car garage. Property is located in the R1H Single Family District





1246 Manor Park



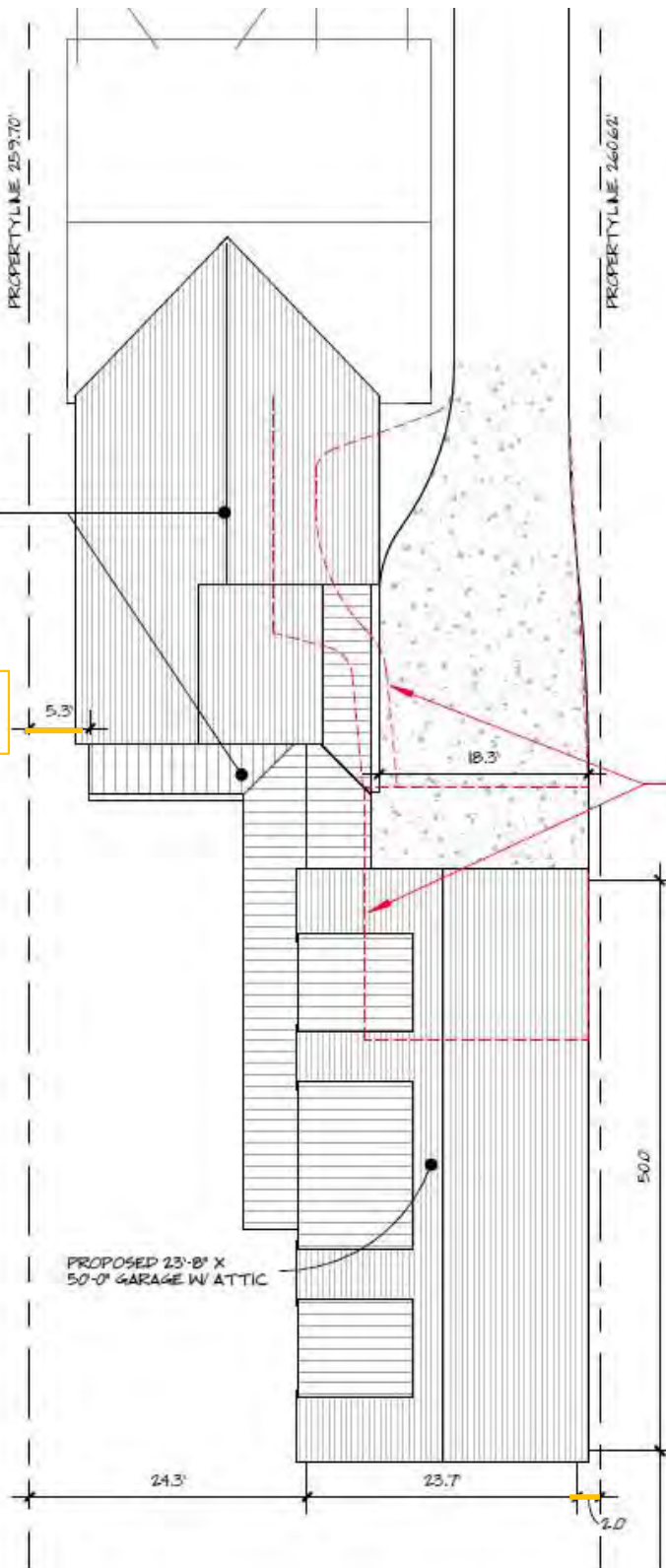
NEW BUSINESS

1. Docket No. 04-07-24 1246 Manor Park Ave.

Applicant Charles McGettrick of C.A. McGettrick LLC, for homeowner Charles Essi, proposes the demolition of the existing single car detached garage and the construction of a two-story addition to the primary structure including an attached two car garage. The proposal does not meet the minimum side yard requirement of 5 ft nor the combined side yard requirement of 15 feet. The property is located in the R1H, Single Family High-Density Zoning District. (Page 22)

- Variance 1: Propose the construction of an attached two car garage which will reduce the side setback on the south side of the property to 2 feet, minimum required is 5 ft.. Request a variance of 3 ft. to construct the addition at 2 ft. from the side lot line, as proposed. Pursuant to Schedule 1121.07 Minimum Yard Requirements (Ord. 91-95. Passed 10-7-1996.)
- Variance 2: Propose the construction of an attached two garage which will reduce the combined side yard setback to 7.3 ft., required combined side yard setback is 15 feet. Request a variance of 7.7 ft. to construct the addition at 2 ft from the south side lot line, as proposed. . Pursuant to Schedule 1121.07 Minimum Yard Requirements (Ord. 91-95. Passed 10-7-1996.)





PROPOSED (2) STORY
ADDITION AND COVERED
PORCH

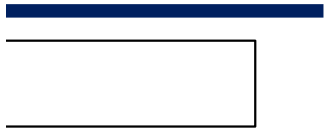
5.3 ft.

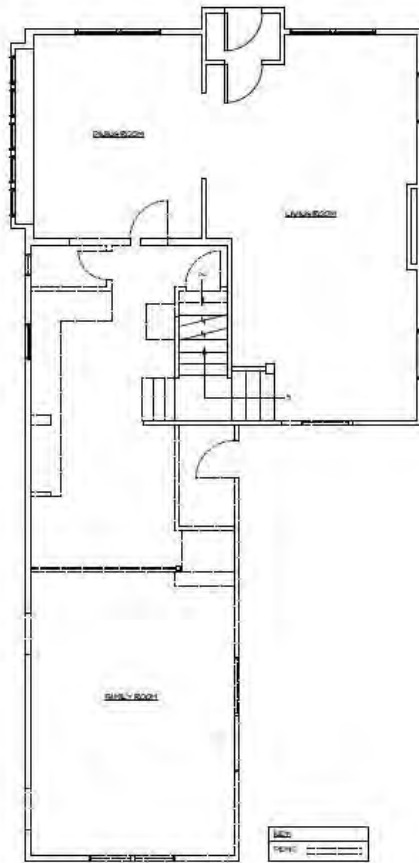
PROPOSED 23'-8" X
50'-0" GARAGE W ATTIC

DEMO EXIST'G
GARAGE AND
DRIVE THIS AREA

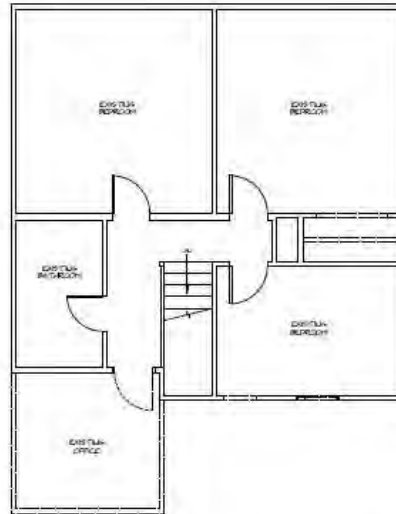
5.3 ft + 2.0 ft. = 7.3 ft.

2.0 ft.

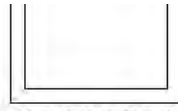




FIRST FLOOR DEMO PLAN
1/4" = 1'-0"



SECOND FLOOR DEMO PLAN
1/4" = 1'-0"

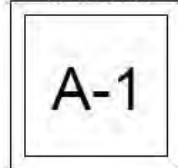


DATE: 3/20/24
REVISIONS:

FOR BID

ESSI RESIDENCE
1246 Manor Park Ave., Lakewood, Ohio 44117
ARCHITECTS, C.A. McGETTRICK, LLC
14591 Madison Ave., Lakewood, Ohio 44117

COMMISSIONED:
3.22.24
DWG NO: 1246-01-01
DATE PLOTTED: 3/20/24



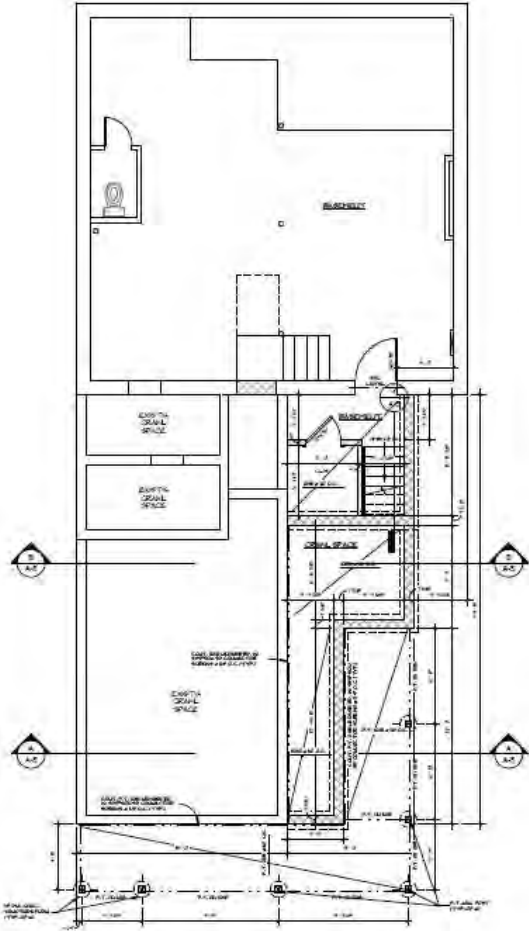
1246 Manor Park

DATE: 3/20/24
FOR BID

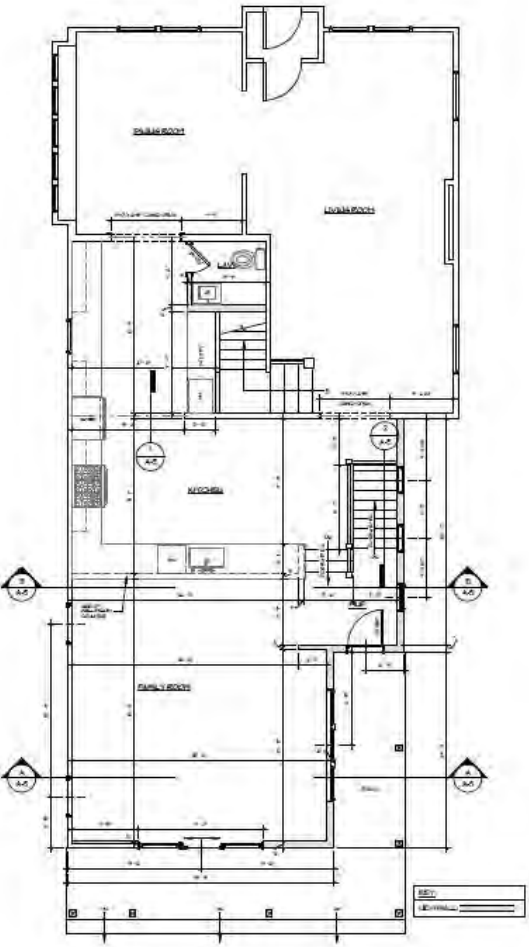
ESSI RESIDENCE
 1246 Manor Park Ave., Lakewood, Ohio 44107
ARCHITECTS, C.A. MCCUTTRICK, LLC
 14511 Madison Ave., Lakewood, Ohio 44107 | 419-227-0700 | FAX: 419-227-0712

CONTRACT NO. 2024-0001
 DRAWING NO. 2024-0001-001
 SHEET NO. A-2 OF 2

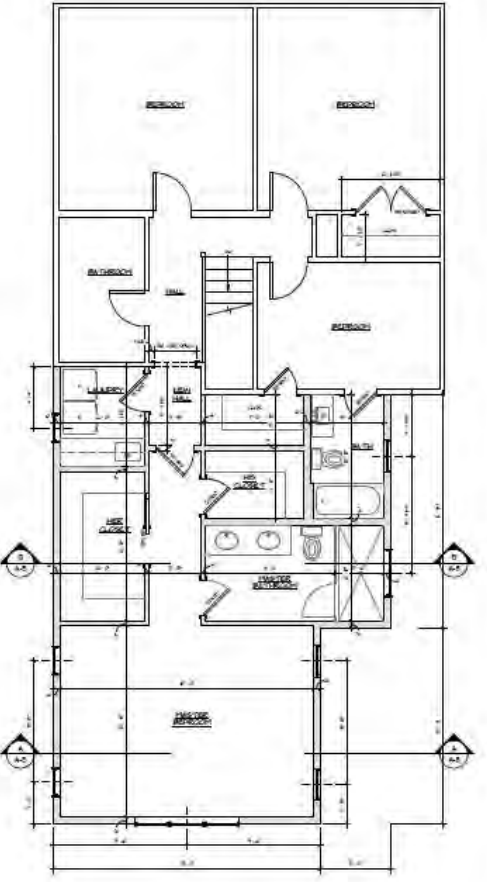
A-2



FOUNDATION PLAN
 1/4" = 1'-0"



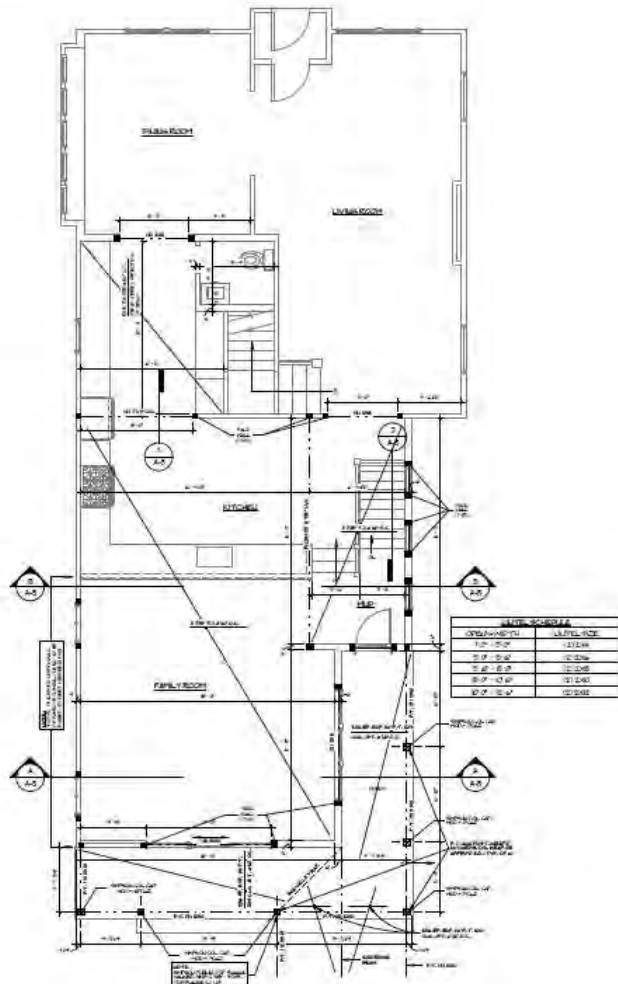
FIRST FLOOR PLAN
 1/4" = 1'-0"



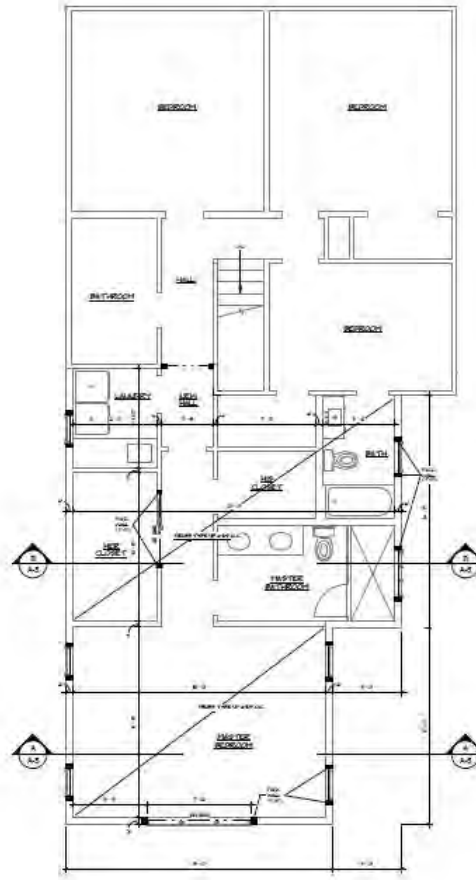
SECOND FLOOR PLAN
 1/4" = 1'-0"



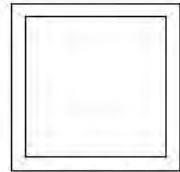
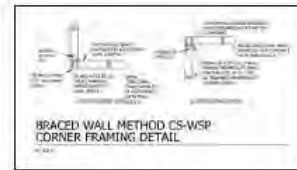
1246 Manor Park



FIRST FLOOR FRAMING PLAN
1/4" = 1'-0"



SECOND FLOOR FRAMING PLAN
1/4" = 1'-0"

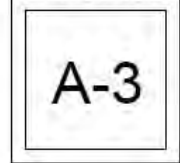


DATE 3/22/24
REVISIONS

FOR BID

FSSI RESIDENCE
 1246 Manor Park Ave. Lakewood, Ohio 44117
 ARCHITECTS: C.A. McGETTRICK, LLC
 14531 Madison Ave. Lakewood, Ohio 44117 | 1-227-705-0000 | FAX: 1-627-4712

COMMISSIONED
3.22.24
CHECKED BY: [Signature]
DATE: 3.22.24

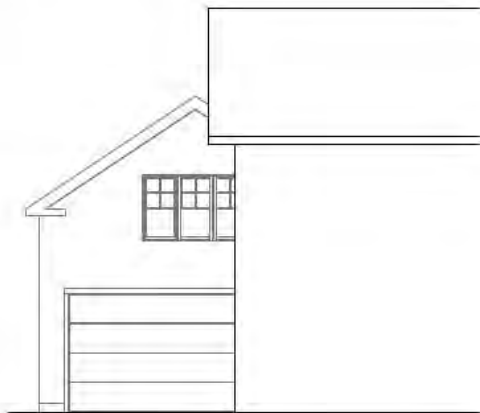




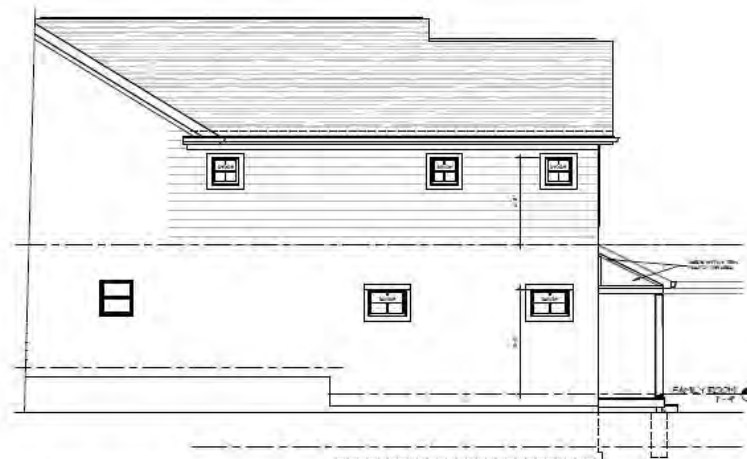
SOUTH ELEVATION
1/4" = 1'-0"



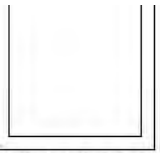
WEST ELEVATION
1/4" = 1'-0"



PARTIAL EAST ELEVATION
1/4" = 1'-0"



NORTH ELEVATION
1/4" = 1'-0"

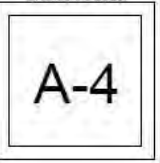


DATE: 3/20/24
REVISIONS:

FOR BID

ESSI RESIDENCE
11246 Manor Park Ave., Lakewood, Ohio 44107
ARCHITECTS: C.A. McGETTRICK, LLC
45711 Madison Ave., Lakewood, Ohio 44107 TEL: 216-227-0700 FAX: 216-227-0712

CONTROLLING
DATE: 3/20/24
DRAWN BY: J.C.M.
CHECKED BY: J.C.M.



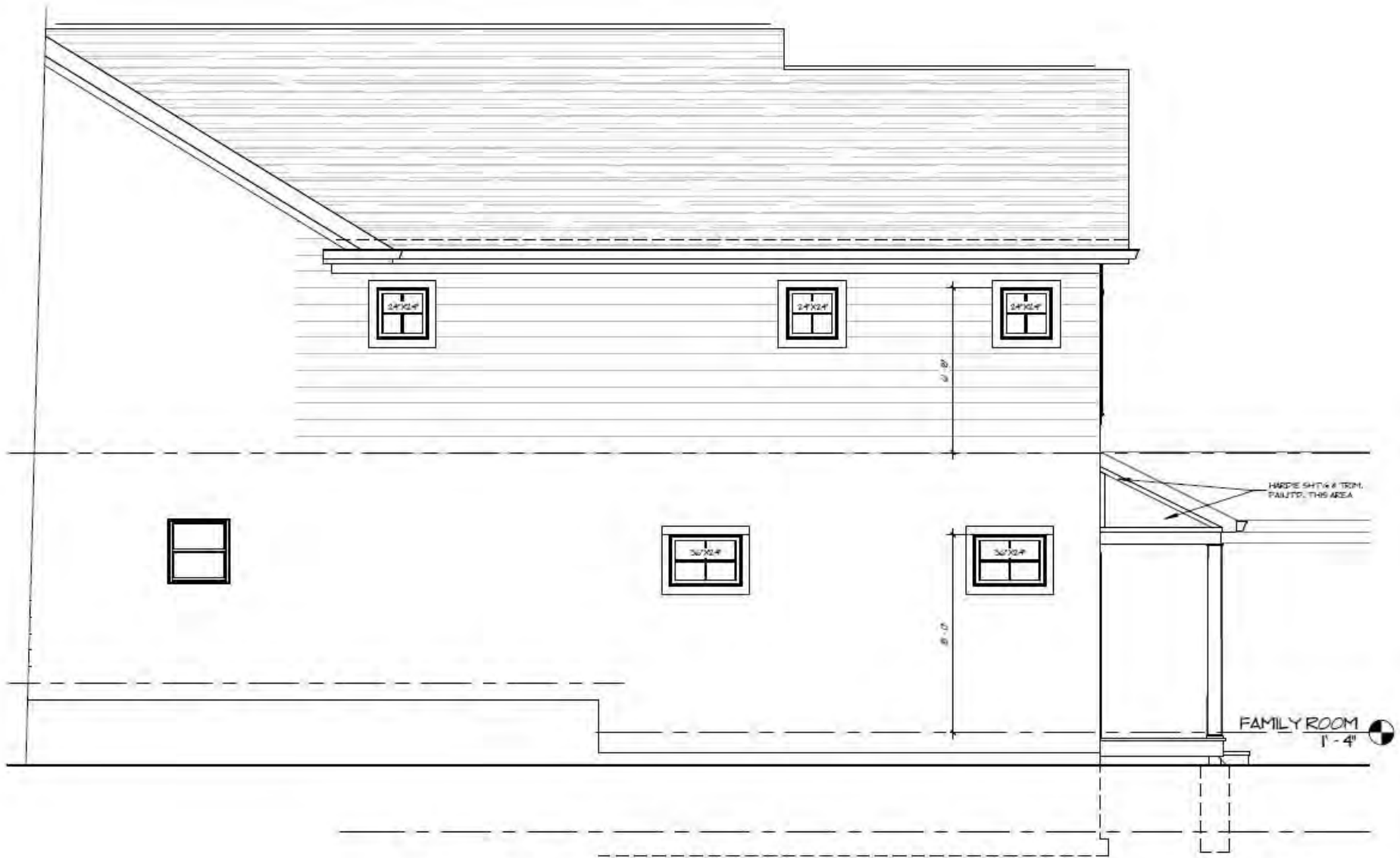
1246 Manor Park



WEST ELEVATION
 1/4" = 1'-0"



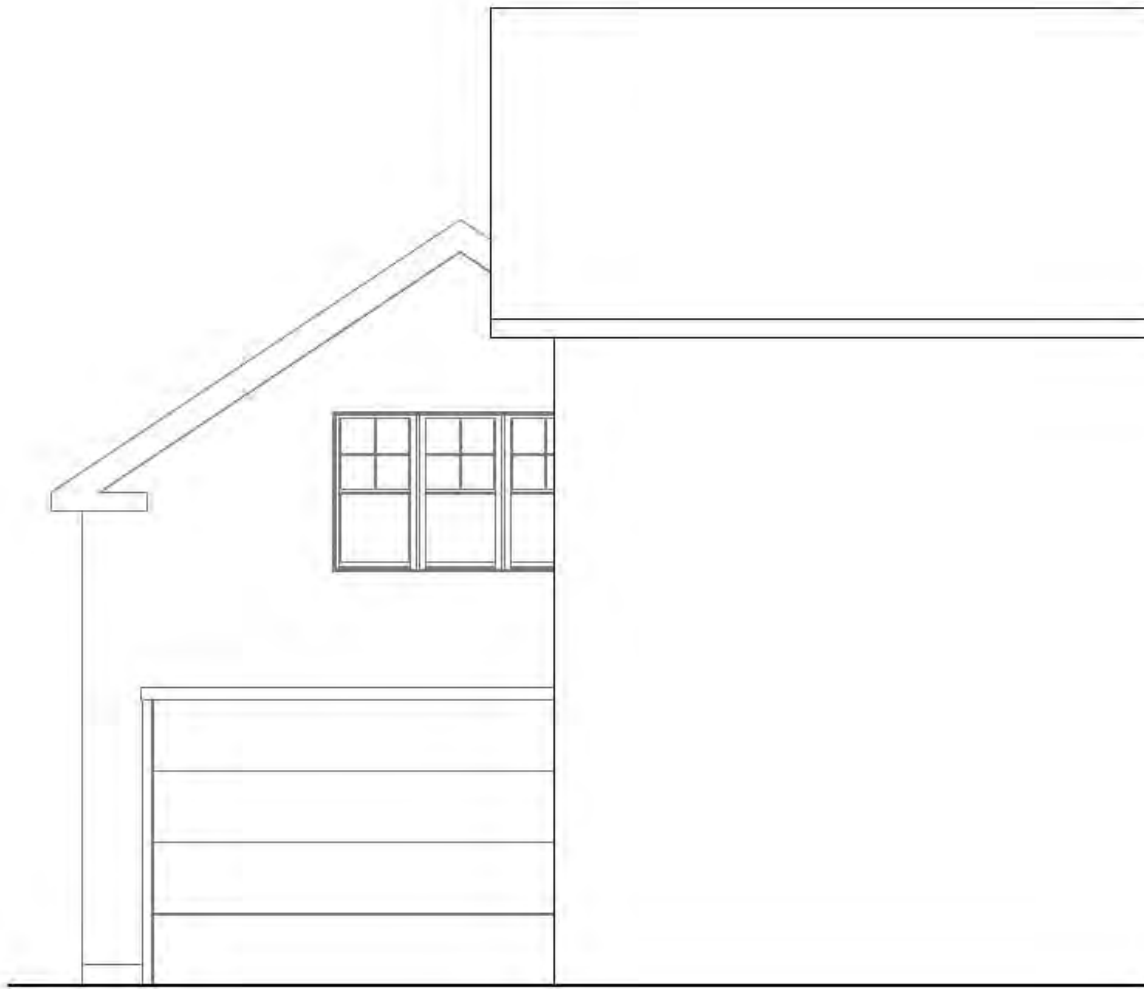
1246 Manor Park



NORTH ELEVATION
 1/4" = 1'-0"



1246 Manor Park



PARTIAL EAST ELEVATION
 $1/4" = 1'-0"$



1246 Manor Park



GARAGE WEST ELEVATION

1/4" = 1'-0"

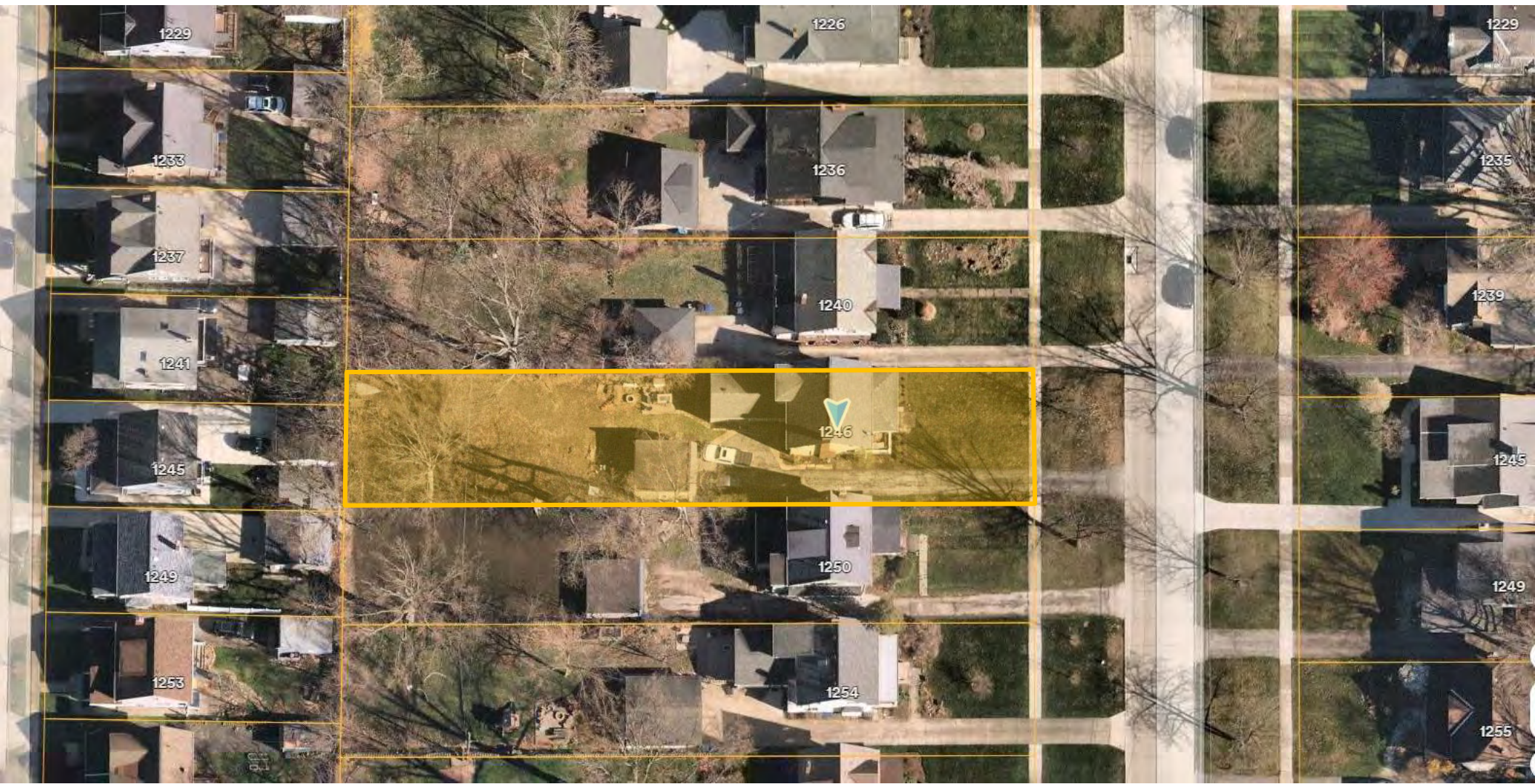


1246 Manor Park



1246 Manor Park





1246 Manor Park



1246 Manor Park



1246 Manor Park



1246 Manor Park

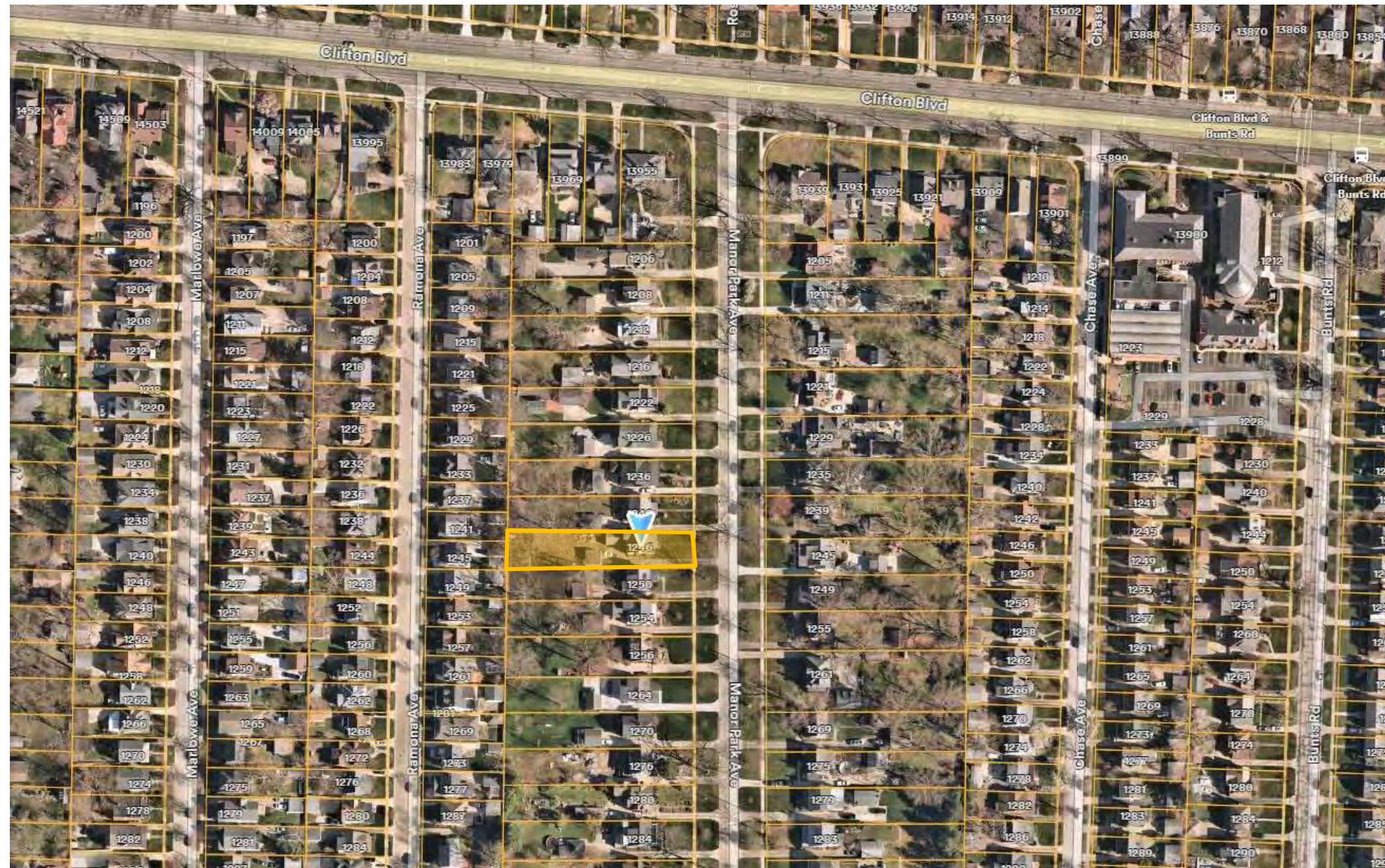




1246 Manor Park



1246 Manor Park



1246 Manor Park



1246 Manor Park

Administrative Comments

- Property is located in the R1H district, 1 dwelling unit per property is permitted.
- Using NearMaps mapping/measuring tool to survey existing setbacks of properties on the west side of Manor Park between Clifton and the RR tracks to the south, there are 26 properties. Due to the angle of the aerial map it is not possible to discern whether the properties are compliant at a minimum 5-foot setback on the north sides, as the distortion of the aerial view creates the illusion that the tops of the structures appear to cross the property lines on every parcel. The parcels all show a driveway on the south side of the lot, these seem to vary in width between 10-16 feet, with an average width of 13 feet.



Owner/agent responses- 1173.04 Variances

Applicant responses to the factors to be considered and weighed when determining whether an applicant will experience practical difficulty: in order to for a variance request to be approved, applicants must demonstrate how their request meets the Practical Difficulty Test based on the below factors. The Board of Zoning Appeals must consider and weigh each response on its merits.

Please review each of the below 9 points and respond "Not Applicable", "Yes" or "No". If your answer is "Yes" or "No", please provide a brief explanation.

(1) Whether there exist site conditions, such as narrowness, shallowness, or topography, unique to the property in question that are not applicable generally to other lands or structures in the same zoning district;

The lot is very narrow, 50.0'. The property is deep at 240.0'. The request is to build a new attached two car garage. Because of the width of the lot and location of the drive, the required width of the garage to accommodate two cars parked side by side results in the 2.0' side yard setback on the south property line.

(2) Whether the property in question is located near a non-conforming or non-harmonious use, structure, or site conditions, or whether the property in question abuts a less restrictive zoning district;

(3) Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the variance(s);

The desire to construct a new attached garage is a reasonable request and use, which is not an unreasonable request and insures the beneficial use of the property. Again, because of the narrow width of the property and requisite side yard setbacks we would be unable to shoe-horn a side loaded access garage.

(4) Whether the variance(s) is substantial;

The required setback (by Code) is 5.0'. At 2.0' we would be requesting a 3.0' variance. All the other site related code requirements are met.

(5) Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance(s);

The essential character of the neighborhood would not be substantially altered. Further, the adjoining properties would be enhanced by the reinvestment in the subject property. Both adjoining properties would not only enjoy an increase in their values, an would benefit from a aesthetic enhancement.

(6) Whether the variance(s) would adversely affect the delivery of governmental services (e.g., water, sewer, refuse removal);

The granting of the 3 variance would have on adverse affect to the delivery of government services.

(7) Whether the property owner purchased the property with knowledge of the zoning restriction;

We have no knowledge of the owners awareness of the City of Lakewood's Zoning Code at the time of the purchase of their property.

(8) Whether the property owner's predicament feasibly can be obviated through some method other than a variance(s); and

See answers to Items 1, 3, and 5.

(9) Whether the spirit and intent of the Code would be observed and substantial justice done by granting the variance(s).

See answer to Item 5.



Public Comment

- Received via phone- an inquiry from Frank Palmeri at 1250 Manor Park. He received the notice letter only yesterday and is unable to attend the meeting. Ms. Nochta emailed him the plans and explained the variance requests to him over the phone. He inquired if the garage would be closer to his home, and it was clarified that it will not be.
- Received via email- an inquiry from Tobi Northrup from across the street, he only received the mailed notice today and expressed his dismay that he received the notice after the stated deadline to give public comment. Mr. Northrup received apologies, a copy of the plans, and an extension to email comments to Ms. Nochta directly up until 5:30 pm for tonight's meeting.
- Meeting attendee(s)

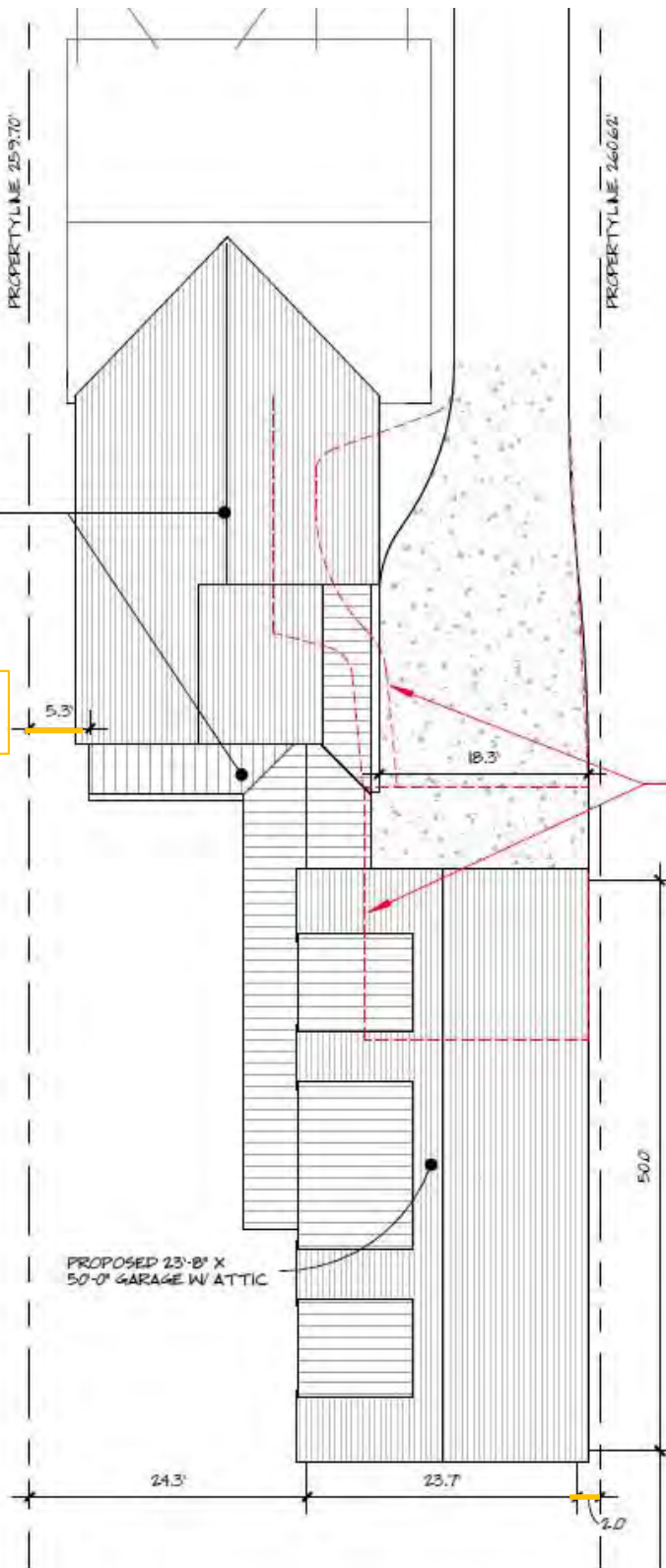
NEW BUSINESS

1. Docket No. 04-07-24 1246 Manor Park Ave.

Applicant Charles McGettrick of C.A. McGettrick LLC, for homeowner Charles Essi, proposes the demolition of the existing single car detached garage and the construction of a two-story addition to the primary structure including an attached two car garage. The proposal does not meet the minimum side yard requirement of 5 ft nor the combined side yard requirement of 15 feet. The property is located in the R1H, Single Family High-Density Zoning District. (Page 22)

- Variance 1: Propose the construction of an attached two car garage which will reduce the side setback on the south side of the property to 2 feet, minimum required is 5 ft.. Request a variance of 3 ft. to construct the addition at 2 ft. from the side lot line, as proposed. Pursuant to Schedule 1121.07 Minimum Yard Requirements (Ord. 91-95. Passed 10-7-1996.)
- Variance 2: Propose the construction of an attached two garage which will reduce the combined side yard setback to 7.3 ft., required combined side yard setback is 15 feet. Request a variance of 7.7 ft. to construct the addition at 2 ft from the south side lot line, as proposed. . Pursuant to Schedule 1121.07 Minimum Yard Requirements (Ord. 91-95. Passed 10-7-1996.)

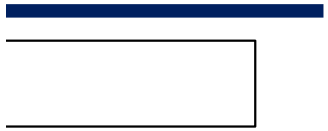


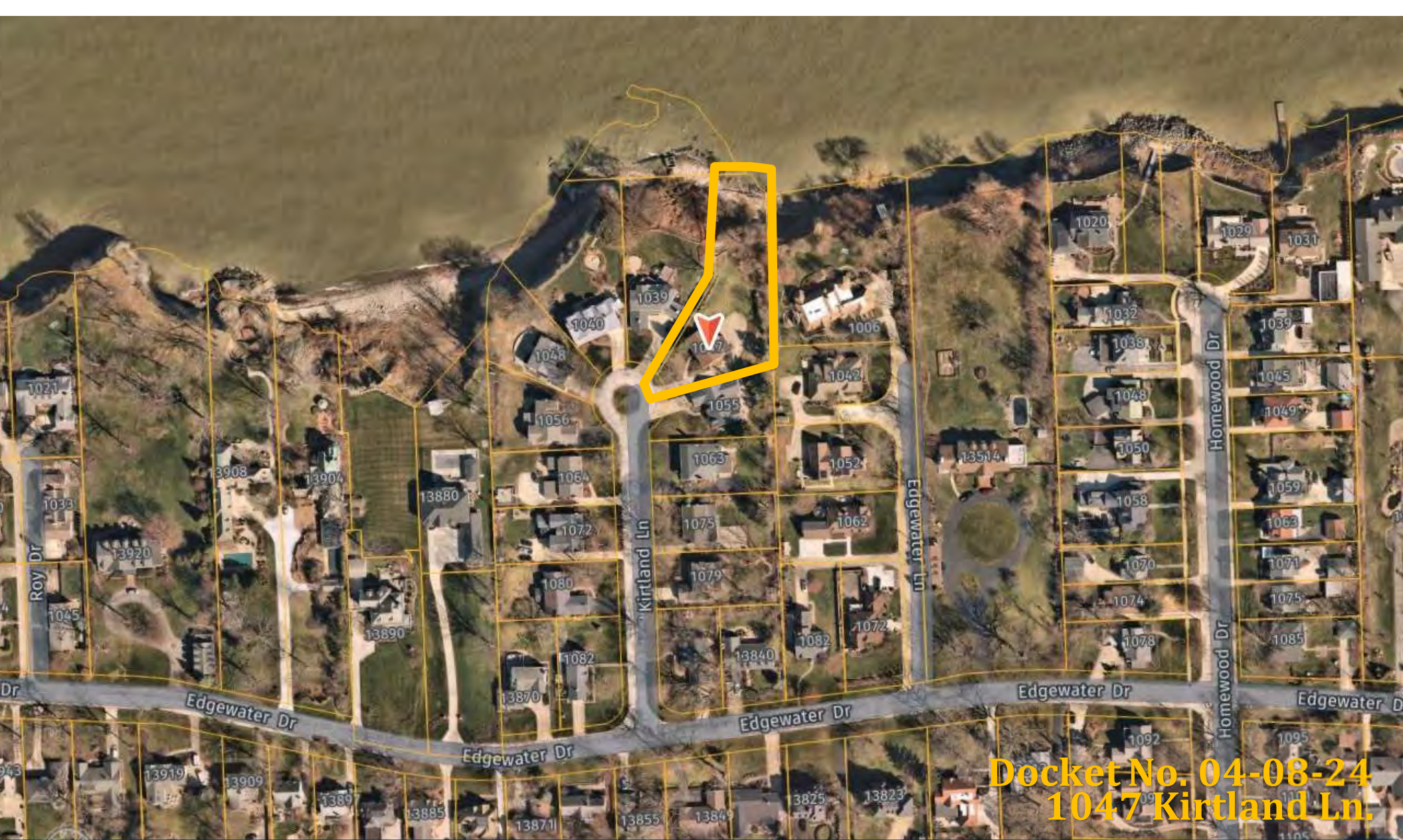


5.3 ft.

5.3 ft + 2.0 ft. = 7.3 ft.

2.0 ft.





**Docket No. 04-08-24
1047 Kirtland Ln.**



Applicant Brandon Young of Young Design Studio, for property owners Trevor Dasch and Meredith Ross, proposes the construction of a new third-story balcony at an elevation of 27 feet 4 3/8 inches and 257 square feet in addition to the plans approved in January 2024. The property is located in the R1M, Single-Family Medium Density District.

Docket No. 04-08-24
1047 Kirtland Ln.

Applicant Brandon Young of Young Design Studio LLC, for homeowners Meredith Ross and Trevor Dasch, proposes a modification to an approved plan. The addition on the rear of their home has been modified to include an unroofed patio deck that is 257 sq. feet on the third story at an elevation of 27 feet 4 3/8 inches, in addition to the previously approved second story unroofed patio deck. The property is located in the R1M Single Family Medium Density District. (Page 37)

Variance 1: Addition proposed on the rear of the house, with the addition of a third-story unroofed patio deck that is 257 sq ft in area and at an elevation of 27 ft. 4 3/8 inches. The maximum height permitted is 42 inches and the maximum area is 300 sq ft. Request a variance of 286 inches to build a 257 sq. ft unroofed patio deck is proposed. Pursuant to section 1121.03(d) Permitted Accessory Uses (Ord. 24-98 Passed 5-18-1998)

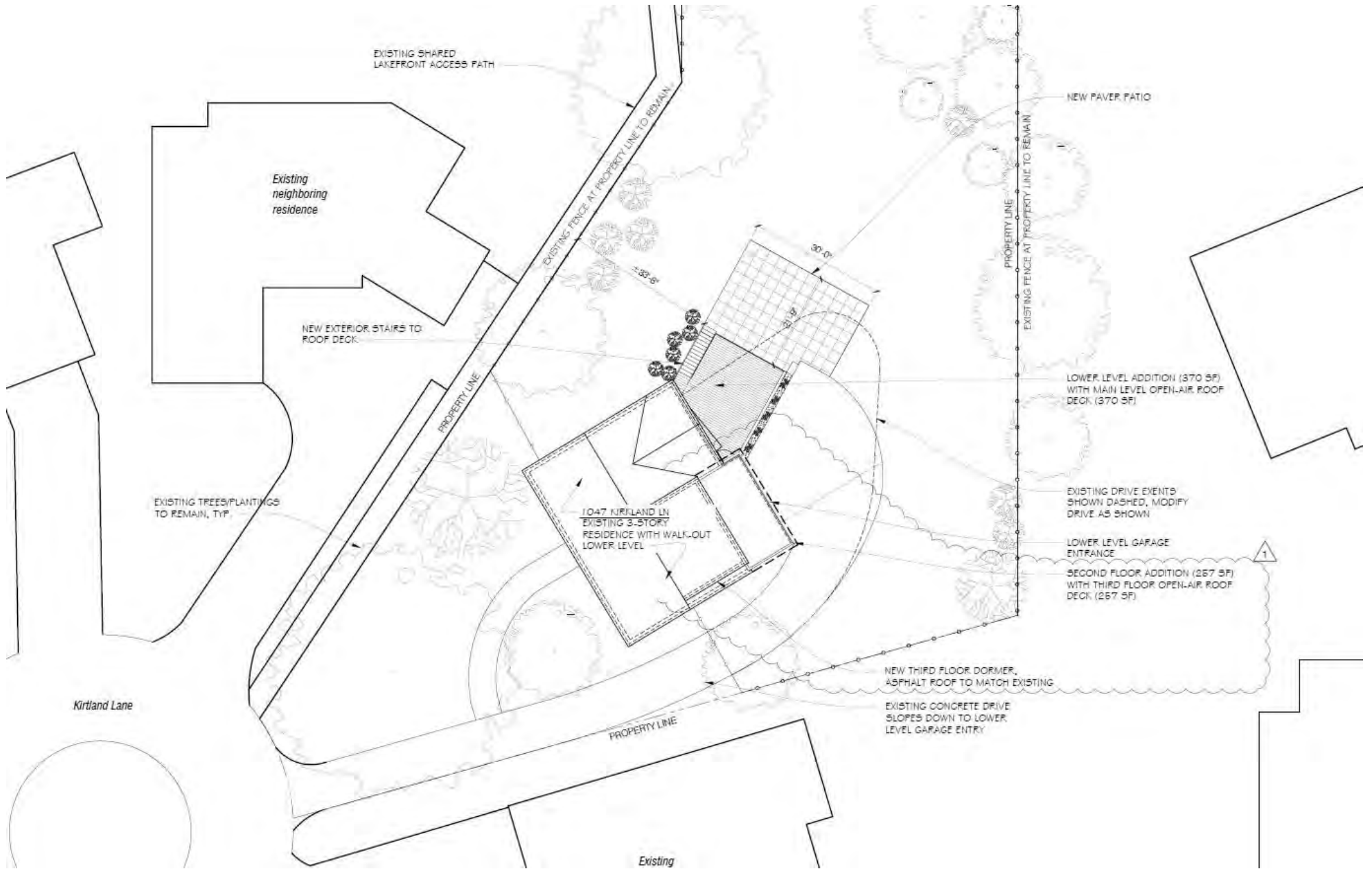


1047 Kirtland Lane

Proposed unroofed patio deck
 257 sq. ft in area
 37 ft. 4 3/8 inches above grade

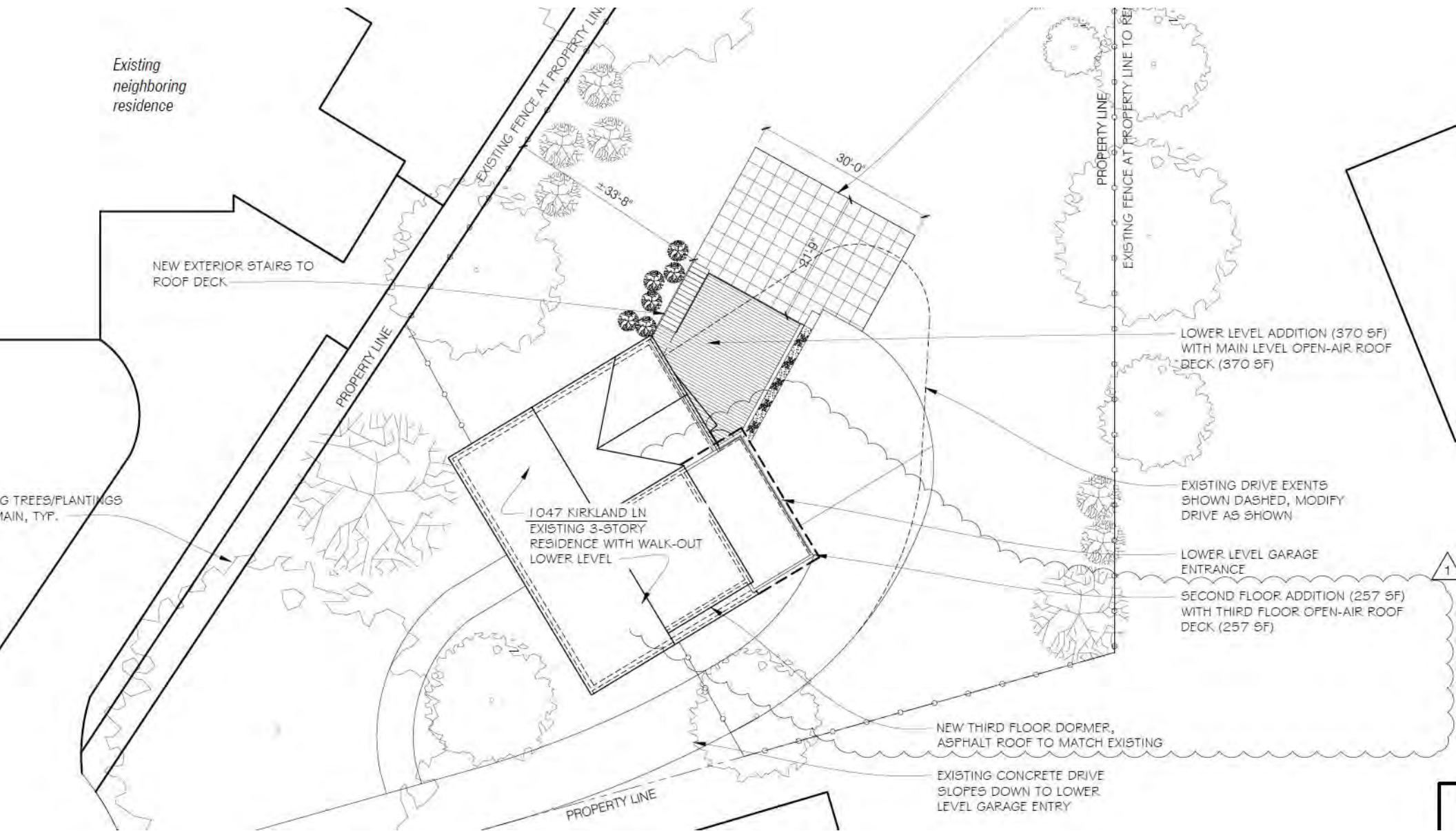


1047 Kirtland Lane



1047 Kirtland Lane

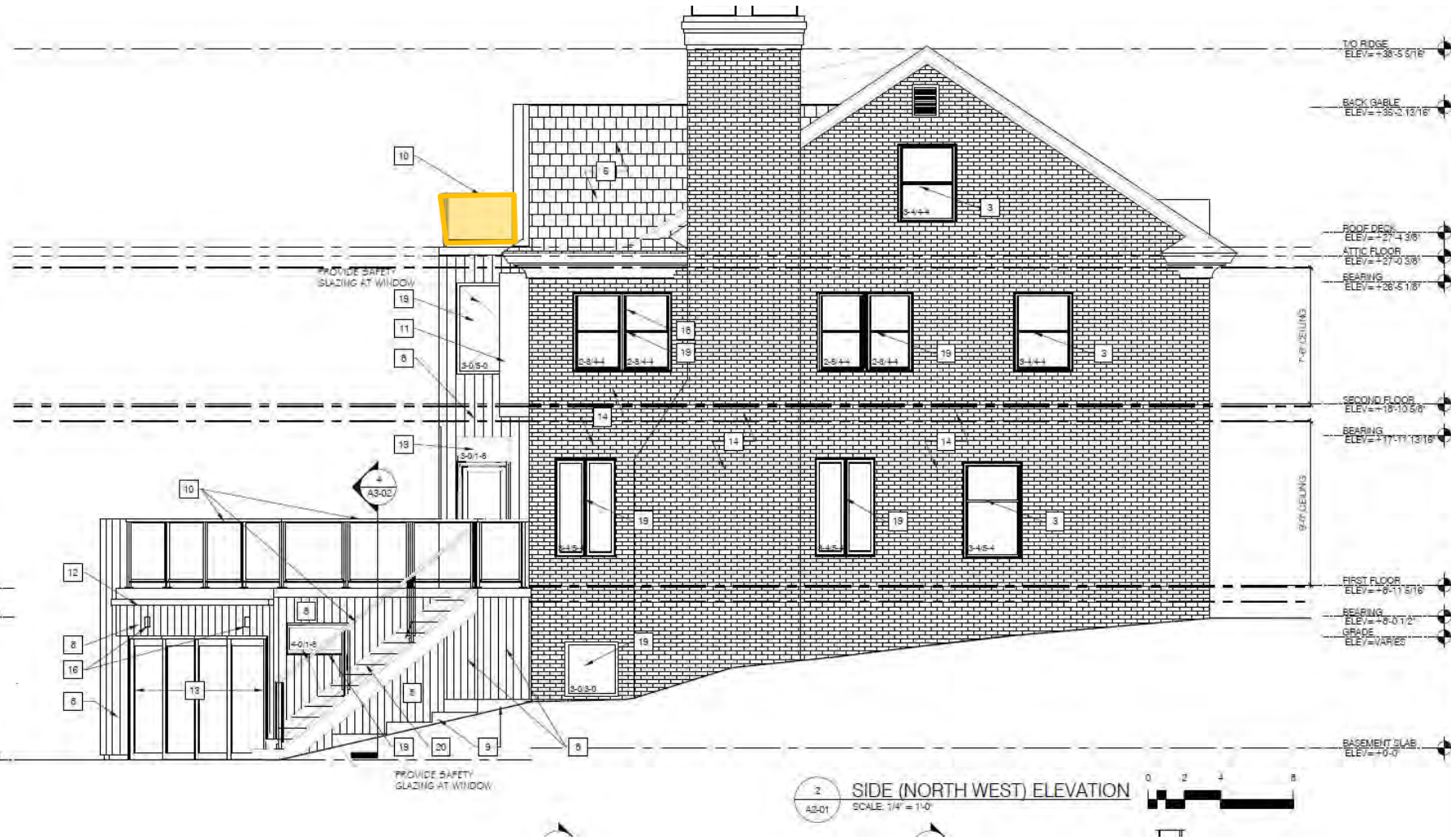




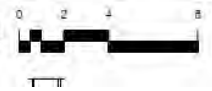
1047 Kirtland Lane



1047 Kirtland Lane



2 SIDE (NORTH WEST) ELEVATION
 A3-01 SCALE: 1/4" = 1'-0"

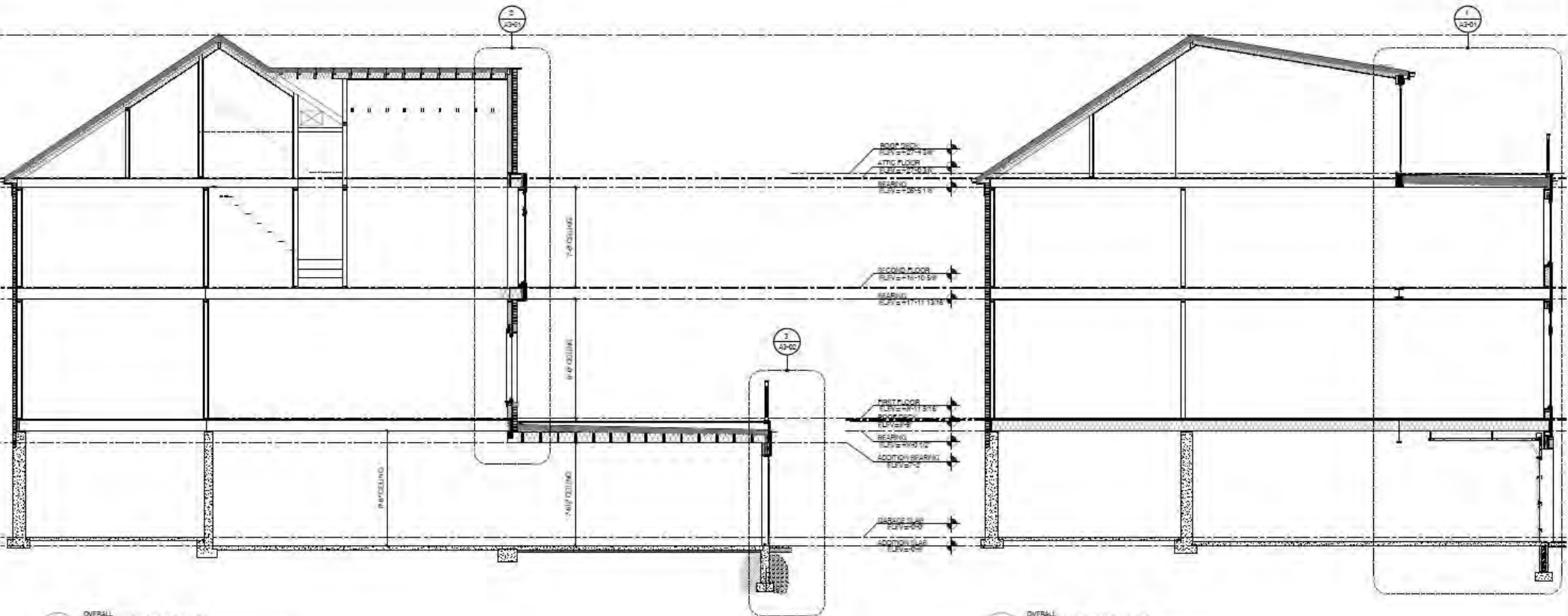


1047 Kirtland Lane

Proposed unroofed patio deck
 257 sq. ft in area
 37 ft. 4 3/8 inches above grade



1047 Kirtland Lane

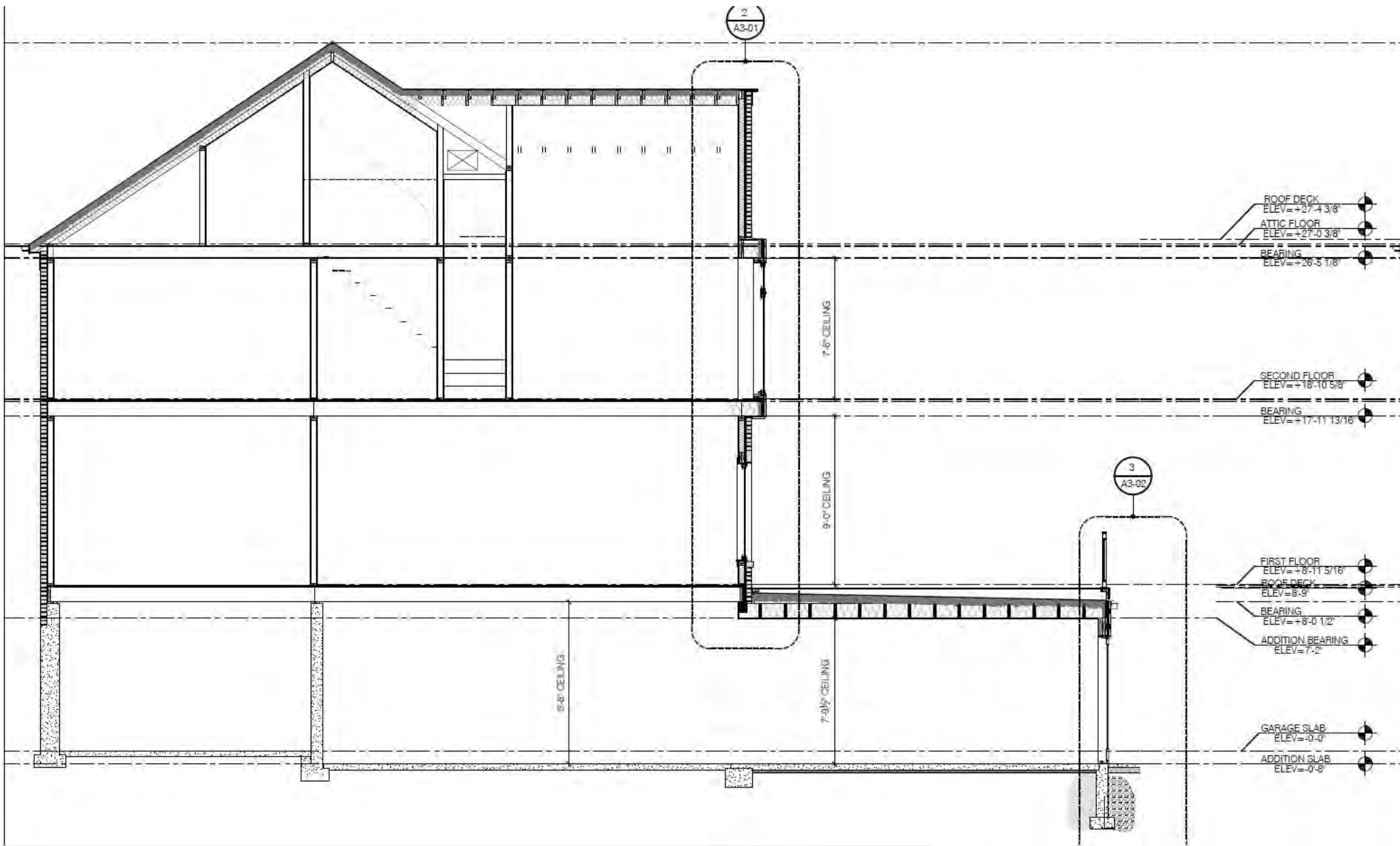


5 OVERALL BUILDING SECTION
SCALE: 1/4" = 1'-0"

4 OVERALL BUILDING SECTION
SCALE: 1/4" = 1'-0"



1047 Kirtland Lane



1047 Kirtland Lane



1047 Kirtland Lane



1047 Kirtland Lane



1047 Kirtland Lane



1047 Kirtland Lane



1047 Kirtland Lane



1047 Kirtland Lane



1047 Kirtland Lane



1047 Kirtland Lane

Administrative Comments

- This project was before the BZA in January of 2024 and received a variance for a second-story unroofed patio deck at a height of 8 ft and 370 sq. feet was approved. An existing 3rd story unroofed patio deck was removed at that time.
- The board has previously approved a handful of unroofed patio decks in the city of similar area and height. No negative consequences have been observed or reported.



Owner/agent responses- 1173.04 Variances

Applicant responses to the factors to be considered and weighed when determining whether an applicant will experience practical difficulty: In order to for a variance request to be approved, applicants must demonstrate how their request meets the Practical Difficulty Test based on the below factors. The Board of Zoning Appeals must consider and weigh each response on its merits.

Please review each of the below 9 points and respond "Not Applicable", "Yes" or "No". If your answer is "Yes" or "No", please provide a brief explanation.

(1) Whether there exist site conditions, such as narrowness, shallowness, or topography, unique to the property in question that are not applicable generally to other lands or structures in the same zoning district;

No

(2) Whether the property in question is located near a non-conforming or non-harmonious use, structure, or site conditions, or whether the property in question abuts a less restrictive zoning district;

No

(3) Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the variance(s);

Yes

(4) Whether the variance(s) is substantial;

No

(5) Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance(s);

No

(6) Whether the variance(s) would adversely affect the delivery of governmental services (e.g., water, sewer, refuse removal);

No

(7) Whether the property owner purchased the property with knowledge of the zoning restriction;

Yes

(8) Whether the property owner's predicament feasibly can be obviated through some method other than a variance(s); and

Not applicable

(9) Whether the spirit and intent of the Code would be observed and substantial justice done by granting the variance(s).

Yes



1047 Kirtland Lane



Public Comment

- Received via phone – an inquiry from an abutting neighbor to the northwest Mrs. Dorothy Falcone for clarification as to what changes had been made from the previous set of plans.
- Meeting attendee(s)



1047 Kirtland Lane

Docket No. 04-08-24
1047 Kirtland Ln.

Applicant Brandon Young of Young Design Studio LLC, for homeowners Meredith Ross and Trevor Dasch, proposes a modification to an approved plan. The addition on the rear of their home has been modified to include an unroofed patio deck that is 257 sq. feet on the third story at an elevation of 27 feet 4 3/8 inches, in addition to the previously approved second story unroofed patio deck. The property is located in the R1M Single Family Medium Density District. (Page 37)

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1047 Kirtland Lane

Proposed unroofed patio deck
 257 sq. ft in area
 37 ft. 4 3/8 inches above grade



1047 Kirtland Lane



Adjourn



Board of Zoning Appeals



Board of Zoning Appeals