

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

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**6:00 p.m. Pre-Review Meeting**

Members Present

Michael Alexander, Chair  
Matt Markling  
Jeffrey Pigott  
Anthony Santiago

Administrative Staff

Michelle Nocht, Senior Planner, Secretary  
Justin Maskaluk, Property Maintenance Inspector  
Andrew Fleck, Assistant Prosecutor

During the pre-review meeting, the applications and minutes were discussed by the Board and staff. Pre-Review meeting did not begin until 6:15. There was some discussion of whether to begin discussion at 6:00pm with only two members present and whether it would be beneficial to move the start time of the meeting to a later time. Discussion on the request at 2042 Dowd and fence regulations.

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**1. ROLL CALL**

Members Present

Michael Alexander, Chair  
Matt Markling  
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 Mr. Markling, seconded by Mr. Santiago to **EXCUSE** the absence of Jillian Bolino, Vice Chair. All of the members voted yea; the motion passed.

**2. APPROVE MINUTES OF THE OCTOBER 17, 2024 MEETING**

A motion was made by Mr. Markling, seconded by Mr. Pigott to **APPROVE the October 17, 2024 meeting minutes**. Mr. Alexander, Mr. Markling, Mr. Pigott and Mr. Santiago voted yea; the motion passed.

**3. OPENING REMARKS**

Ms. Nocht read the Opening Remarks into the record.

**NEW BUSINESS**

**4. Docket No. 11-20-24**

**17620 Riverside Dr.**

Applicant Daniel Margulies of Daniel Margulies Co. Inc. proposes the construction of a two-story addition on the rear of the existing home and new dormers on the second story façade and a small covered front porch landing, as well as the demolition of the existing garage and the construction of a new two car, two-story garage. The midpoint height of the new garage is sixteen feet and one inch (16'1"), which is one-foot one-inch (1'1") higher than the permitted maximum height of fifteen feet (15'). The property is located in the R1H, Single-Family High Density District. (Page 3)

- Variance 1: Owner proposes the demolition of the existing garage and construction of a new two story two car garage that is sixteen feet and one inch (16'1") in height at the midpoint of the gable roof, and twenty-four feet (24') in length and twenty-four feet (24') in width, covering 576 square feet of the rear yard. The garage is proposed at 3 feet from the side lot line and approximately 7 feet from the rear lot line. Request a variance to exceed the maximum permitted height of fifteen feet (15') and construct the new garage at sixteen feet and one inch (16'1") at the midpoint, as proposed. Pursuant to section 1121.05 Height Regulations (Ord. 91-95. Passed 10-07-96.)

Daniel Margulies, Daniel Margulies Co. Inc., applicant was present to explain the request. The members asked if the proposed design was the one approved by ABR; the applicant confirmed that it was. Ms. Nocht provided administrative comments and the history of approved height variances. For the record, Mr. Pigott said it was a modest request and did not diminish the character of the neighborhood. Public comment was closed as no one addressed the item. Staff did not receive any comments prior to the meeting.

A motion was made by Mr. Pigott, seconded by Mr. Santiago to **APPROVE Docket No. 11-20-24 for a garage height variance as proposed.** Mr. Alexander, Mr. Markling, Mr. Pigott, and Mr. Santiago voted yea; the motion passed.

**5. Docket No. 11-21-24  
2042 Dowd Ave.**

Applicant and property owner Josh Myers proposes the replacement of existing fence sections with three-foot (3') tall 50% visibility pocket fence located three feet (3') from the sidewalk along both Dowd Avenue and Thrush Street, and the installation of a double gate that opens inward along Thrush Street, also installed three feet (3') from the sidewalk, placed to leave the required eight foot (8') sight triangle at the corner. The variance request is due to the fence being proposed three feet (3') from the sidewalk. Due to the presence of established fruit trees, the fence along Dowd is unable to be placed at least ten feet (10') from the public right of way. Guidance from the Building Department and Department of Planning and Development indicated submittal of a variance request for the proposed project. It is the intent of the property owners to maintain the property as green space with the existing fruit trees. The property is located in the R2, Single and Two Family District. (Page 6)

- Variance 1: Owner proposes the demolition of the existing fencing and construction of a new 3 foot high picket fence that is a total of 146 feet in length including 8 feet of gate, at 3 feet from the public sidewalk on the east and south sides of the parcel. Request a variance to place fence 3 feet from the public right of way where 10 feet is the minimum requirement, as proposed. Pursuant to section 1153.03 Fence Placement and Types (c).2.D. (Ord. 08-2021. Passed 05-17-2021.)

- Variance 2: Owner proposes the demolition of the existing fencing and construction of a new 3 foot high picket fence that is a total of 146 feet in length including 8 feet of gate, at 3 feet from the public sidewalk on the east and south sides. Request a variance install an 8 foot gate, with the gates swing open into the property, so as not to obstruct the public right of way, where the requirement is no gates in the front yard, as proposed. Pursuant to section 1153.03 Fence Placement and Types (c).2.E. (Ord. 08-2021. Passed 05-17-2021.)

Applicant and property owner Josh Myers was present to explain the request. Staff confirmed there was an existing curb cut. Discussion continued about the open section of the fence, the orchard, the gate, confirmed the existing fence would be replaced with a new one, Staff provided administrative comments and said it was a modest request. Public comment was taken. Staff did not receive any comments prior to the meeting.

A motion was made by Mr. Santiago, seconded by Mr. Pigott to **APPROVE Docket No. 11-21-24 for two fence variances as proposed.** Mr. Alexander, Mr. Markling, Mr. Pigott, and Mr. Santiago voted yea; the motion passed.

**COMMUNICATION**

**6. Docket No. 11-22-24  
Unroofed Patio Decks**

The Board of Zoning Appeals member Matt Markling requested a docket item to discuss the frequency of approvals for unroofed patio decks. There is a City Zoning Code Refresh process underway, and Mr. Markling would like to open the discussion as to whether the Board would have any recommendations for the City's Zoning Code Refresh consultant on this topic. (Page 14)

Mr. Markling opened the discussion. Ms. Nocht provided background information about the history of variance requests/approvals and the evolution of the zoning requirements of unroofed patio decks. Discussion ensued among the members and staff. The conclusion was that there were not as many requests for unroofed patio decks for residential properties as first perceived, structural/parking conditions precluded the addition of them to existing commercial structures, and the ordinance was appropriate. No action was required from the members.

**ADJOURN**

A motion was made by Mr. Pigott, seconded by Mr. Santiago to **ADJOURN the meeting at 6:39 p.m.** <sup>7:09</sup> All the members voted yea; the motion passed.



Signature

12/19/24

Date



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. Daniel Marzouk
- 2. Josh Myers
- 3. Danielle Kirsh
- 4. \_\_\_\_\_
- 5. \_\_\_\_\_
- 6. \_\_\_\_\_
- 7. \_\_\_\_\_
- 8. \_\_\_\_\_
- 9. \_\_\_\_\_
- 10. \_\_\_\_\_
- 11. \_\_\_\_\_

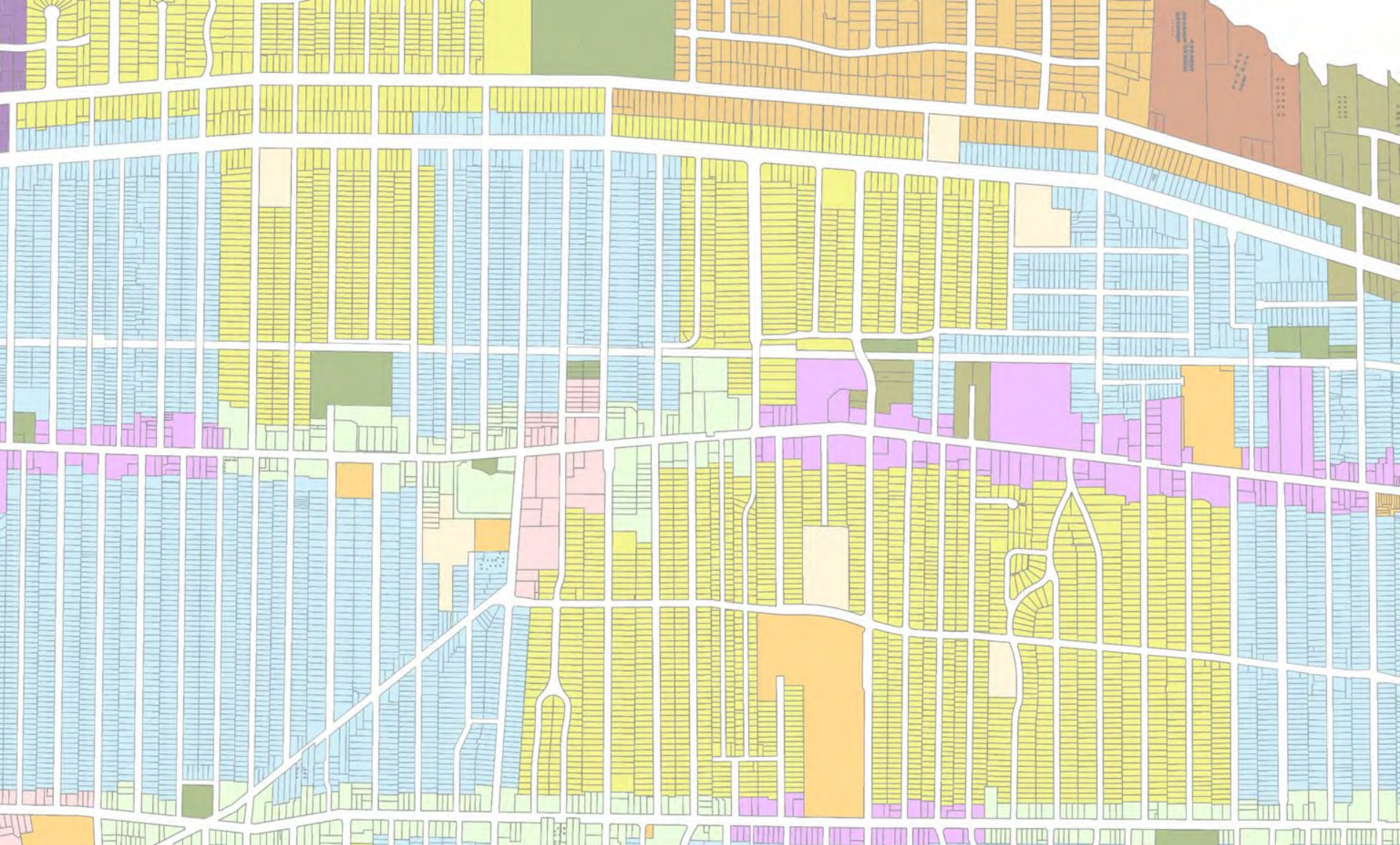
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Prepared by: The City of Lakewood Law Department, 12650 Detroit Ave., Lakewood, Ohio 44107

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, November 21, 2024



# Board of Zoning Appeals

# **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-East- Conference room: 6:00-6:30 p.m.

Regular Meeting-Auditorium: 6:30 p.m.

### **Members**

Chair: Michael Alexander

Vice Chair: Jillian Bolino

Matt Markling

Jeffrey Pigott

Anthony Santiago

### **Staff**

*Board Secretary:* Michelle Nohta

*Legal Counsel:* Andrew Fleck

*Building Department:* Justin Maskaluk

# Board of Zoning Appeals

***November 21, 2024***

## **Agenda**

1. Roll Call
2. Vote to approve ***October 17, 2024***, meeting minutes
3. Opening Remarks

## **NEW BUSINESS**


4. Docket No.: 11-20-24, 17620 , Riverside Dr.
5. Docket No.: 11-21-24 2042, 2042 Dowd Ave.
6. Communication
7. Adjourn
8. Distribute to Board 2025 meeting calendar

A detailed zoning map of a city, showing a grid of streets and various colored zones. The colors include yellow, light blue, orange, green, purple, and pink. The map is partially obscured by a white rectangular box in the center.

# Roll Call



**Board of Zoning Appeals**



Approve Meeting Minutes for  
***October 17, 2024***



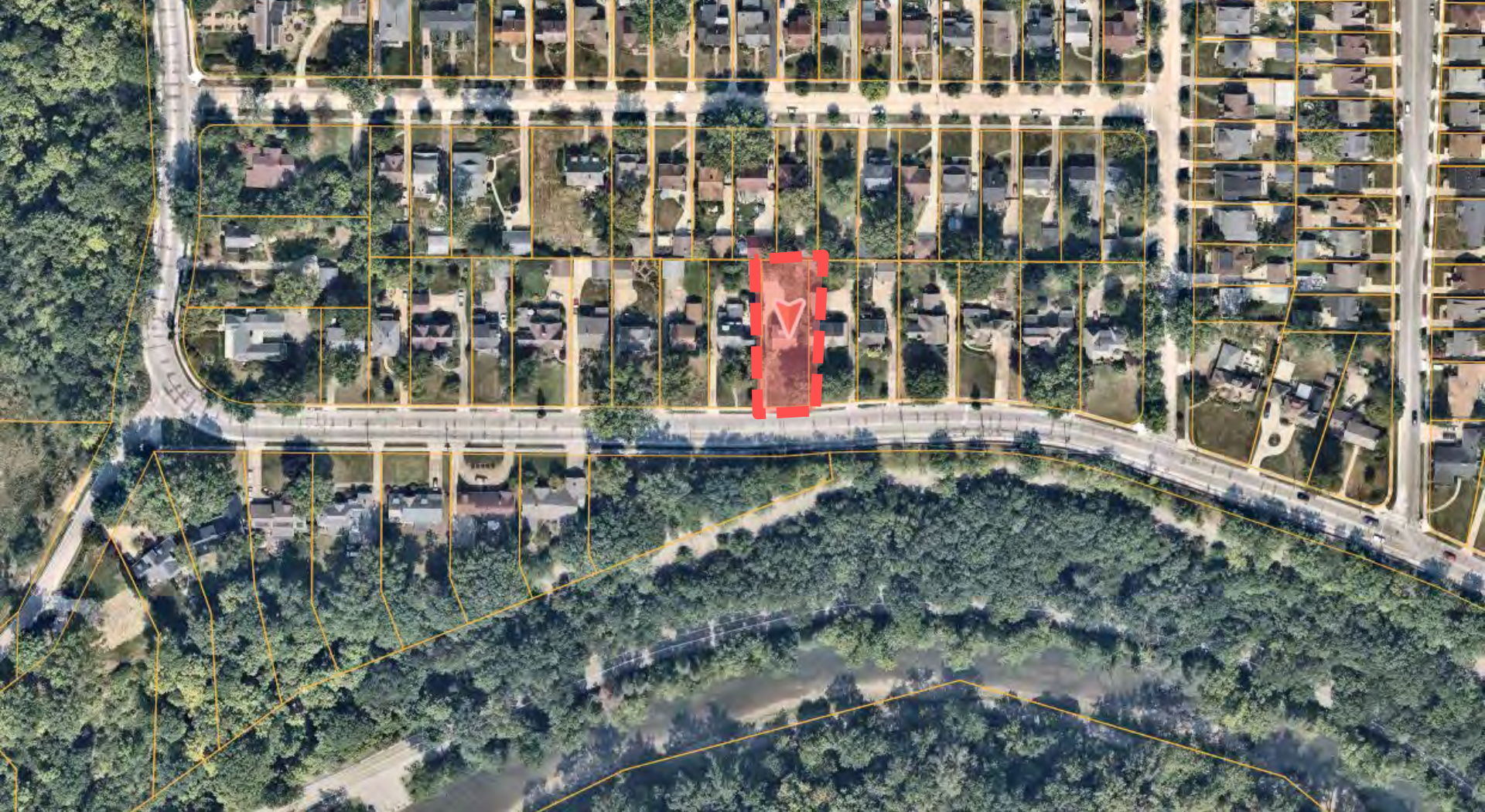
**Board of Zoning Appeals**

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. The map is partially obscured by a white rectangular box in the center.

# Opening Remarks



**Board of Zoning Appeals**



**Docket No. 11-20-24**  
**17620 Riverside Dr**

Applicant Dan Margules of Daniel Margules Co. Inc for owner , proposes the construction of a new two-car two-story garage, new rear addition and dormers on house. The property is located in the R1H, Single-Family High-Density District



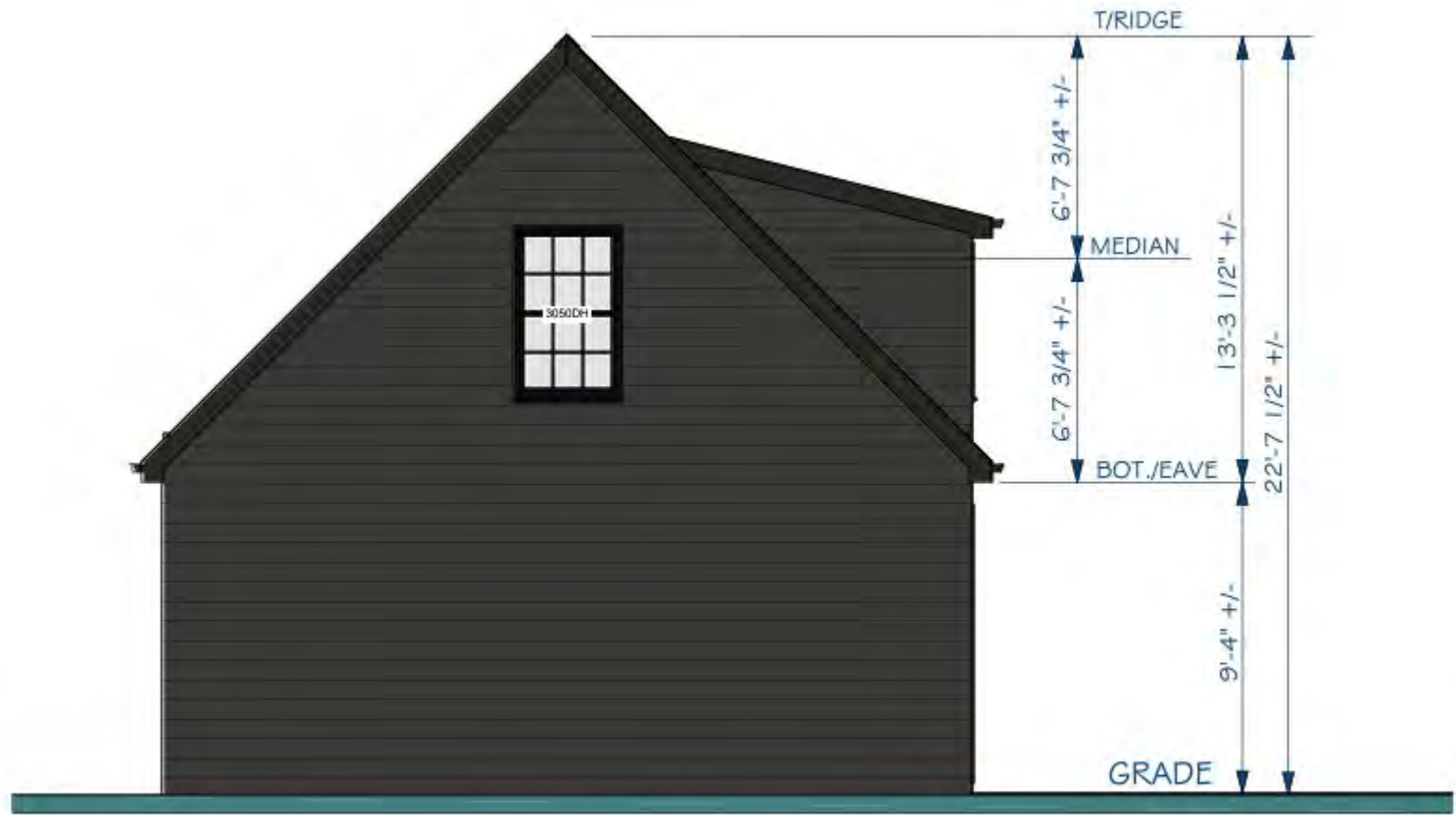
EXISTING PHOTO VIEWING NORTHEAST

**17620 RIVERSIDE DR**

**Docket No. 11-20-24**  
**17620 Riverside Dr.**

Applicant Daniel Margulies of Daniel Margulies Co. Inc. proposes the construction of a two-story addition on the rear of the existing home and new dormers on the second story façade and a small covered front porch landing, as well as the demolition of the existing garage and the construction of a new two car, two-story garage. The midpoint height of the new garage is sixteen feet and one inch(16'1"), which is one-foot one-inch(1'1") higher than the permitted maximum height of fifteen feet(15'). The property is located in the R1H, Single-Family High Density District. (Page 3)

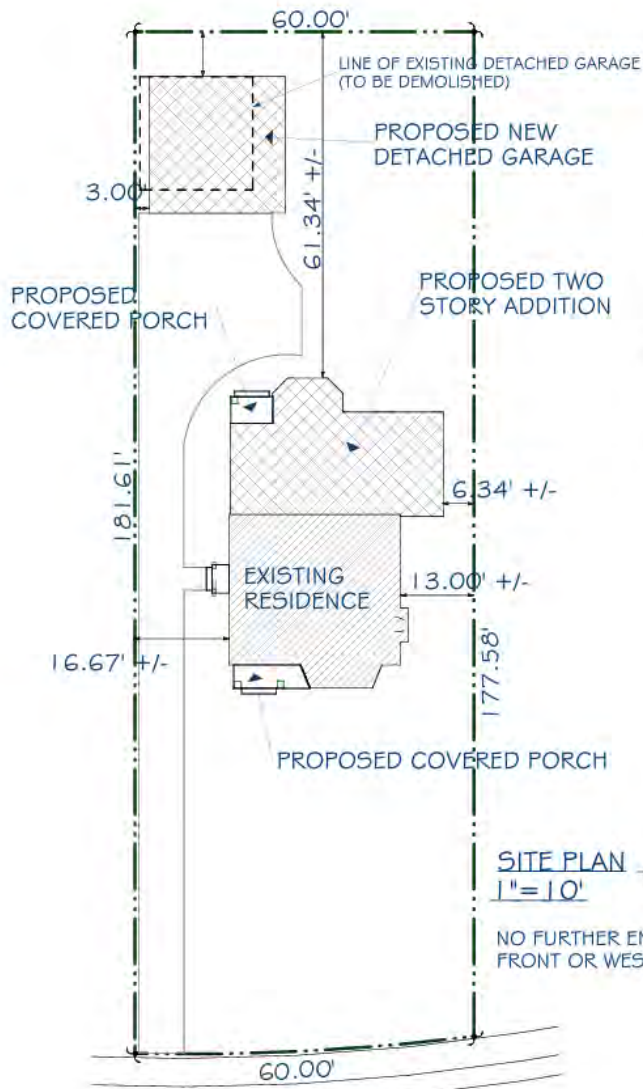
- Variance 1: Owner proposes the demolition of the existing garage and construction of a new two story two car garage that is sixteen feet and one inch(16'1") in height at the midpoint of the gable roof, and twenty-four feet(24') in length and twenty-four feet(24') in width, covering 576 square feet of the rear yard. The garage is proposed at 3 feet from the side lot line and approximately 7 feet from the rear lot line. Request a variance to exceed the maximum permitted height of fifteen feet(15') and construct the new garage at sixteen feet and one inch(16'1") at the midpoint, as proposed. Pursuant to section 1121.05 Height Regulations (Ord. 91-95. Passed 10-07-96.)



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

Midpoint height 16'1"

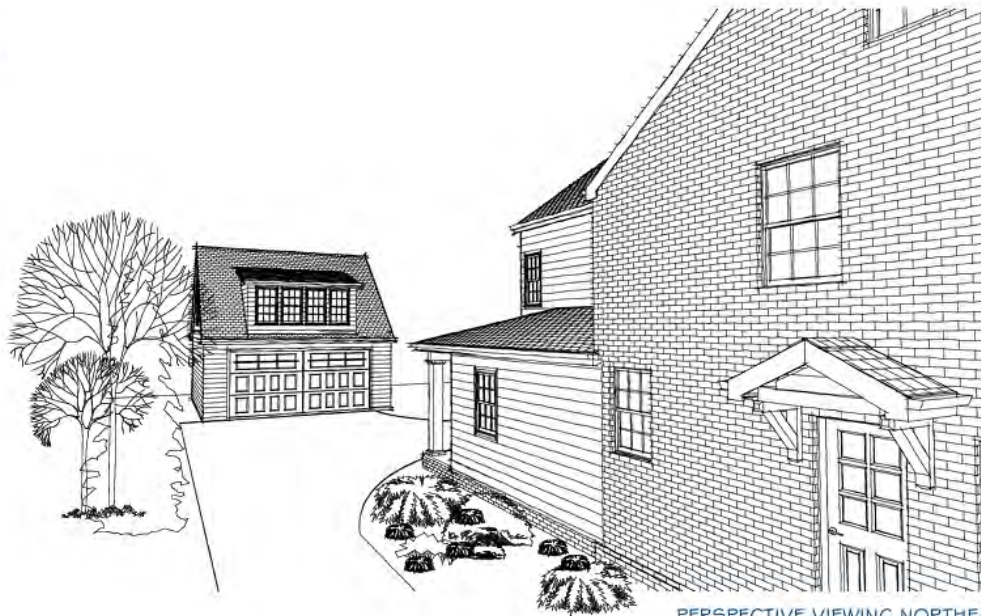
17620 RIVERSIDE DR



SITE PLAN  
1" = 10'



NO FURTHER ENCROACHMENT ON  
FRONT OR WEST SIDE YARDS



PERSPECTIVE VIEWING NORTHEAST  
N.T.S.

ADDITION AND RENOVATION for:  
**THE MEREDITH RESIDENCE**  
17620 RIVERSIDE DR. LAKEWOOD, OHIO

**DRAWING INDEX**

#	DESCRIPTION
1	COVER SHEET • DRAWING INDEX SITE PLAN
2	FIRST and SECOND FLOOR PLANS PERSPECTIVE VIEWING NORTHEAST
3	SOUTH, WEST, EAST and NORTH EXTERIOR ELEVATIONS
4	EXISTING CONDITIONS PHOTOGRAPH

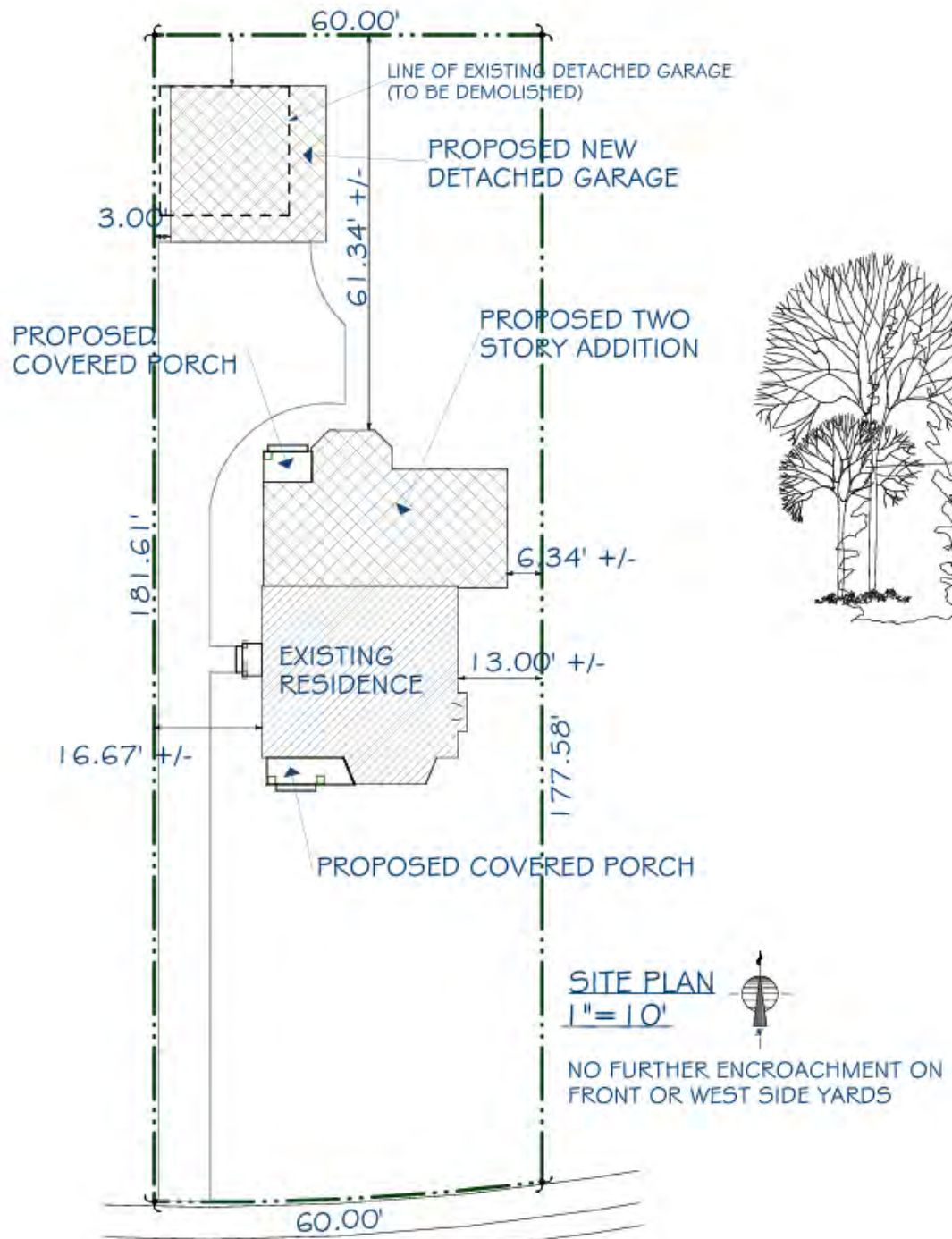
DESIGN: DANIEL MARGULIES COMPANY, INC.  
1210 CHASE AVENUE  
LAKEWOOD, OHIO 44107  
TEL: 440.356.0968  
EMAIL: daniel@dmcc.com



ADDITION AND RENOVATION for:  
**THE MEREDITH RESIDENCE**  
17620 RIVERSIDE DR. LAKEWOOD, OHIO

ISSUE DATE:

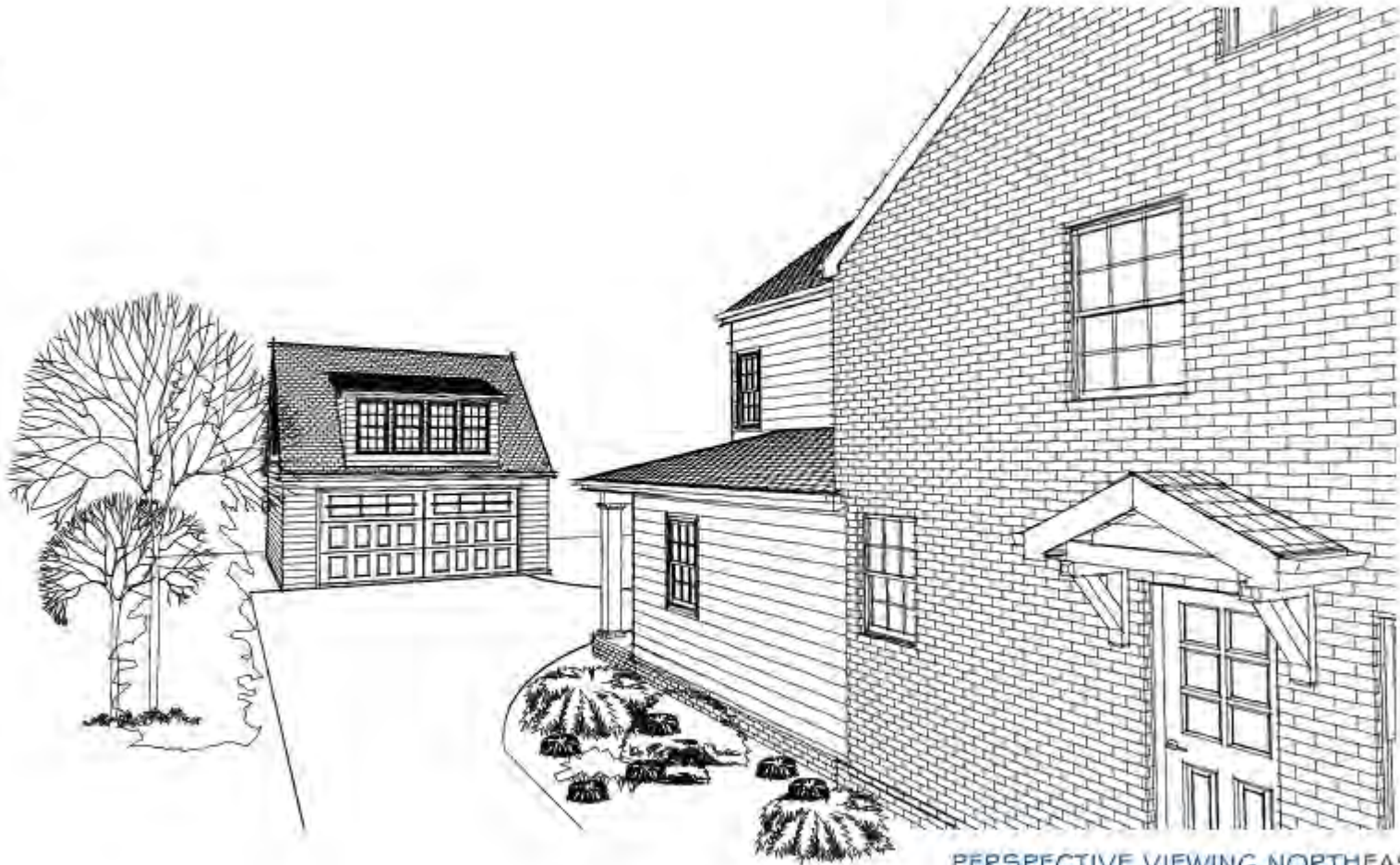
**17620 RIVERSIDE DR**



17620 RIVERSIDE DR

Scaled site plan

AGE



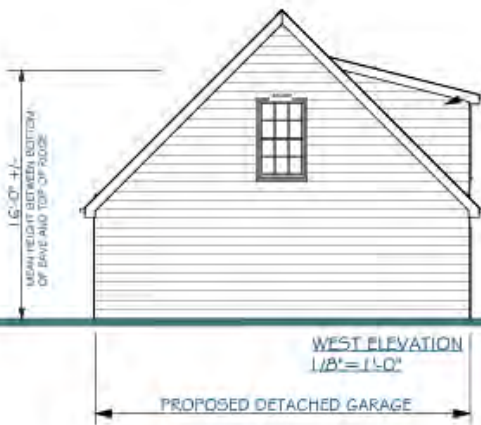
PERSPECTIVE VIEWING NORTHEAST  
N.T.S.

**17620 RIVERSIDE DR**



PERSPECTIVE VIEWING NORTHEAST  
N.T.S.

**17620 RIVERSIDE DR**

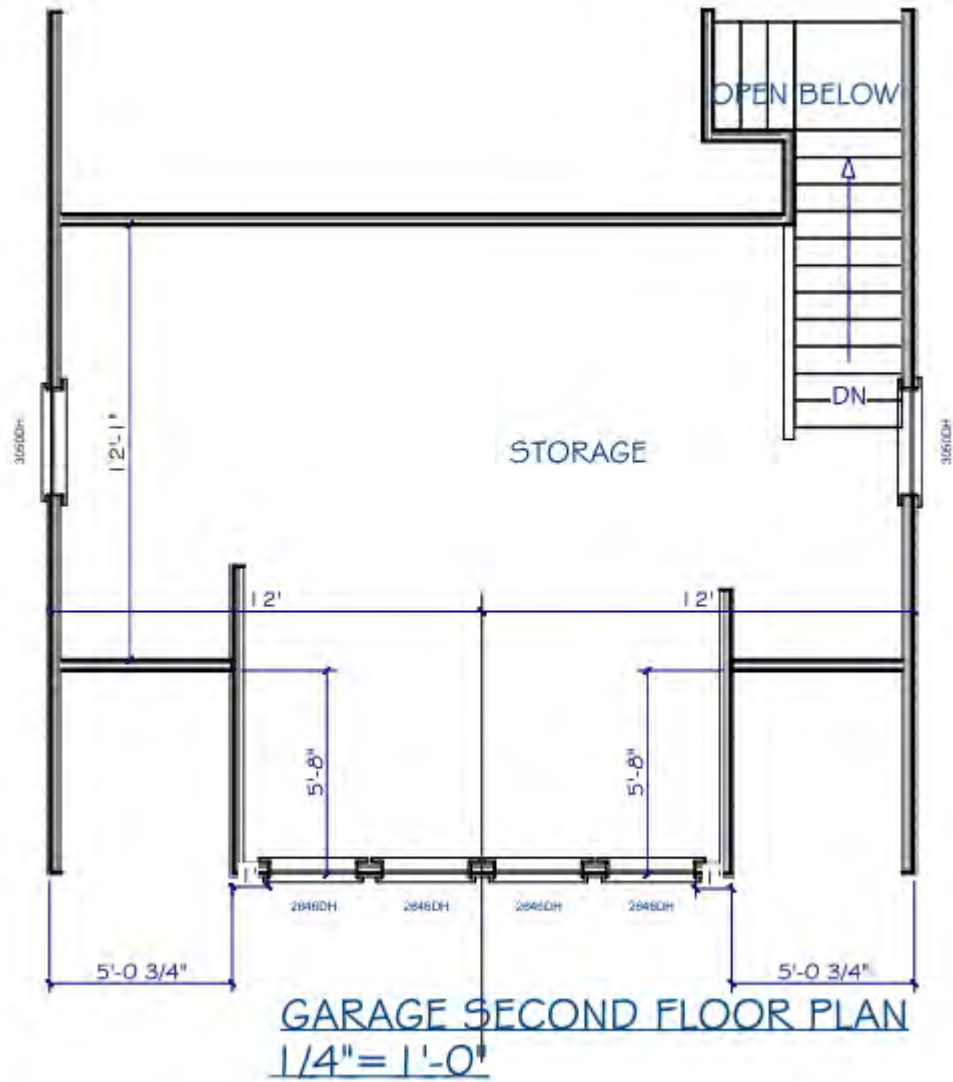


"HARDIE" LAP SIDING, TRIM,  
AND CORNER BOARDS

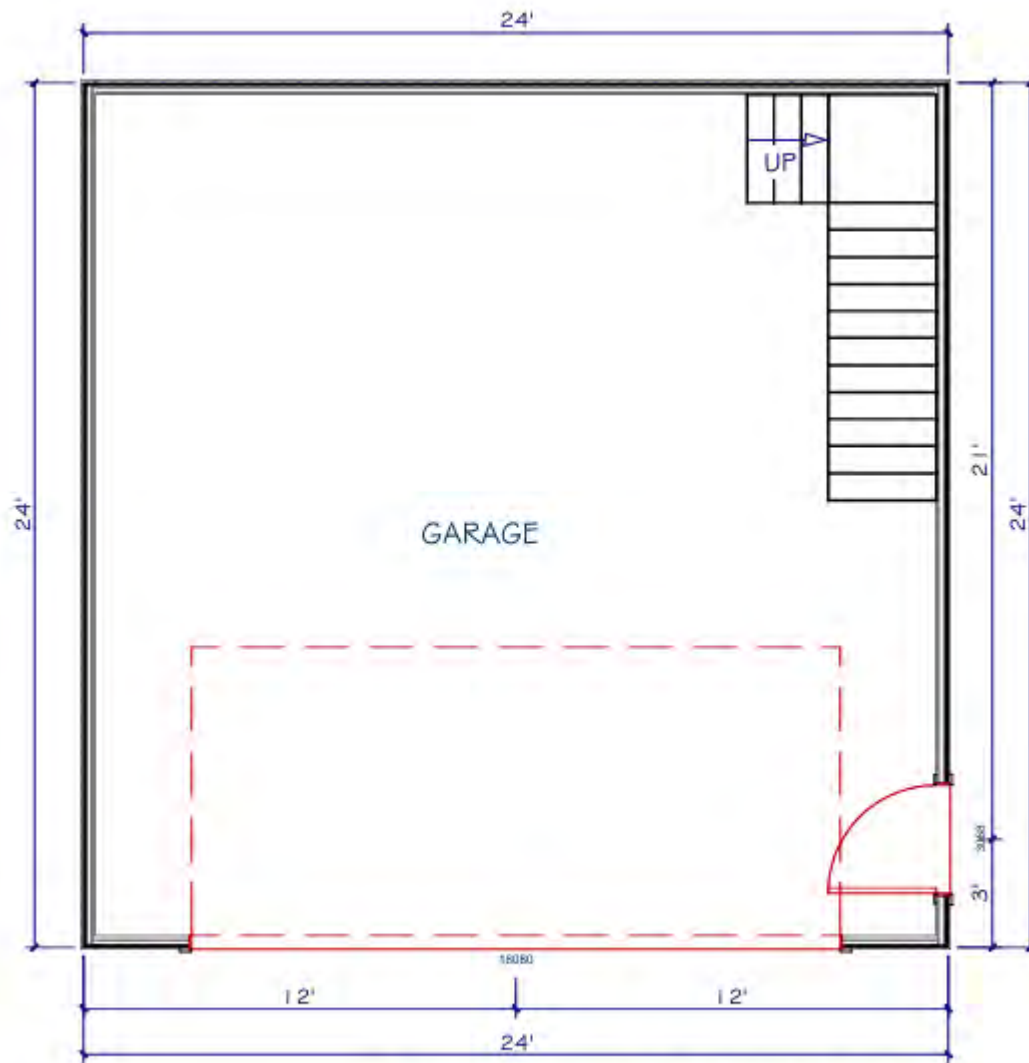
NEW ASPHALT  
COMPOSITION SHINGLES  
(ALL ROOF PLANE)



**17620 RIVERSIDE DR**



**17620 RIVERSIDE DR**



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

17620 RIVERSIDE DR



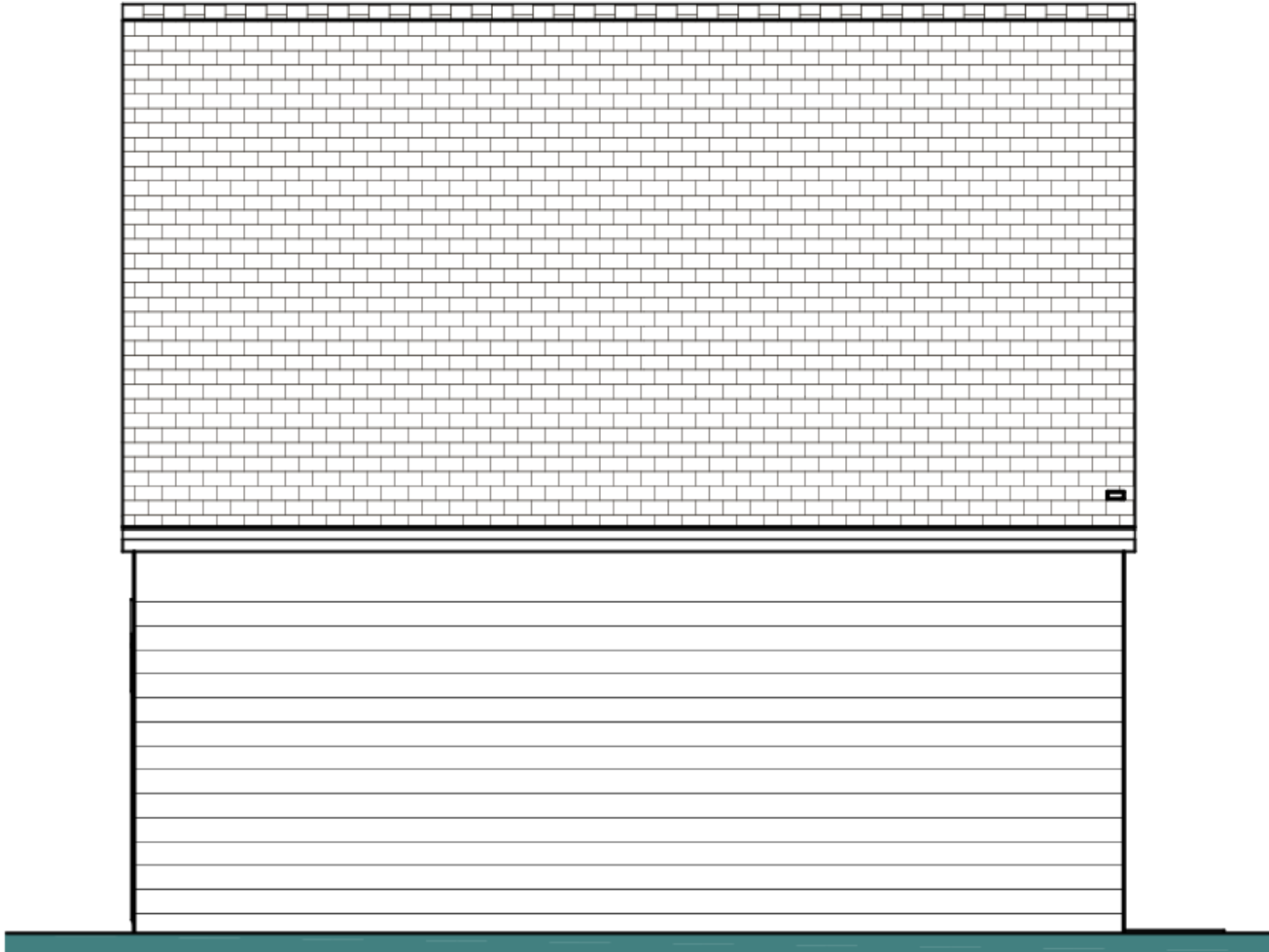
SOUTH ELEVATION  
1/8" = 1'-0"

**17620 RIVERSIDE DR**



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

**17620 RIVERSIDE DR**



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

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**17620 RIVERSIDE DR**



**17620 RIVERSIDE DR**



**17620 RIVERSIDE DR**



**17620 RIVERSIDE DR**

## 1173.04 Variances

**Nine Elements of Practical Difficulty. Owner's responses to questions below.**

**(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);**

**Yes it can, but we consider this variance request to be minor and it will allow a much more beneficial use.**

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

**No. We consider the 1 foot height variance request to be minor.**



## 1173.04 Variances

**Nine Elements of Practical Difficulty. Owner's responses to questions below.**

**(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. The essential character of the neighborhood will not be altered or suffer substantial detriment at all.**

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

**No. Governmental services will not be adversely affected whatsoever.**

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

**No. The property owner had no prior knowledge of this restriction.**

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

**No. In this particular instance, this variance request is the only method.**

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

**We believe the spirit and intent of the code would be observed as more properties are beginning to take advantage of 2nd floor garage space.**



## Administrative Comments

Address	Date	Approved	Height	
1210 West Clifton	12/24/19	Approved	16'9"	Small corner lot
18167 Clifton Rd	09/21/20	Approved	19'8"	Very large lot
1081 Rosalie Ave	04/16/21	Approved	19'	Small lot
17717 Hilliard Rd	07/19/21	Approved	16'5"	Large lot
<b>1655 Roosevelt Ave</b>	<b>09/15/23</b>	<b>Denied</b>	<b>19'</b>	<b>Small corner lot</b>
1108 W Forest	01/19/24	Approved	15'6"	Large lot
1062 Leedale Ave.	02/20/24	Approved	15'11"	Small lot
1500 Robinwood	07/14/24	Approved	18'4"	Small lot



**17620 RIVERSIDE DR**



## Public Comment

- Received via phone-
- Received via email-with originally submitted dimensions- support
- Meeting attendee(s)

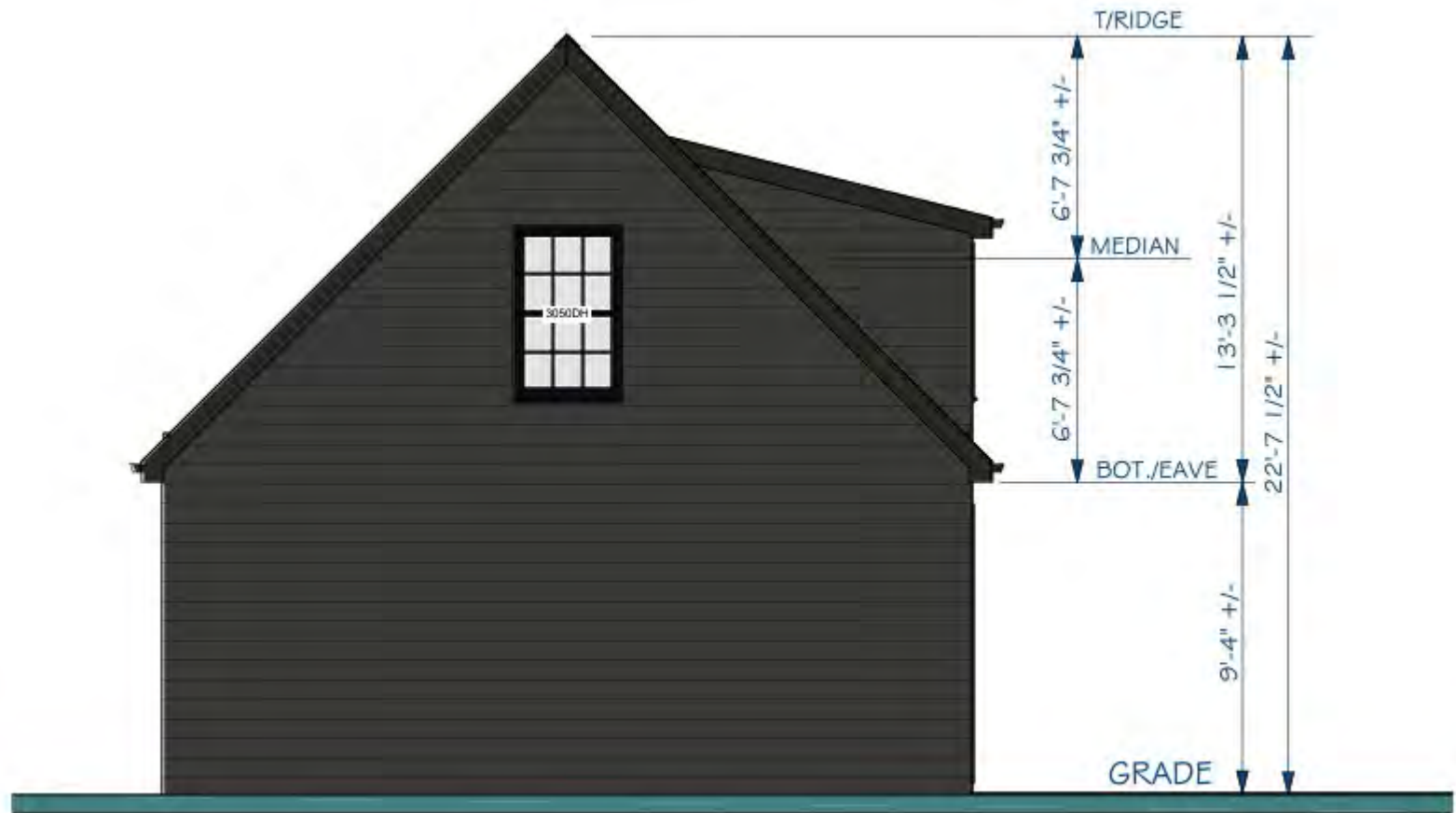


**17620 RIVERSIDE DR**

**Docket No. 11-20-24**  
**17620 Riverside Dr.**

Applicant Daniel Margulies of Daniel Margulies Co. Inc. proposes the construction of a two-story addition on the rear of the existing home and new dormers on the second story façade and a small covered front porch landing, as well as the demolition of the existing garage and the construction of a new two car, two-story garage. The midpoint height of the new garage is sixteen feet and one inch(16'1"), which is one-foot one-inch(1'1") higher than the permitted maximum height of fifteen feet(15'). The property is located in the R1H, Single-Family High Density District. (Page 3)

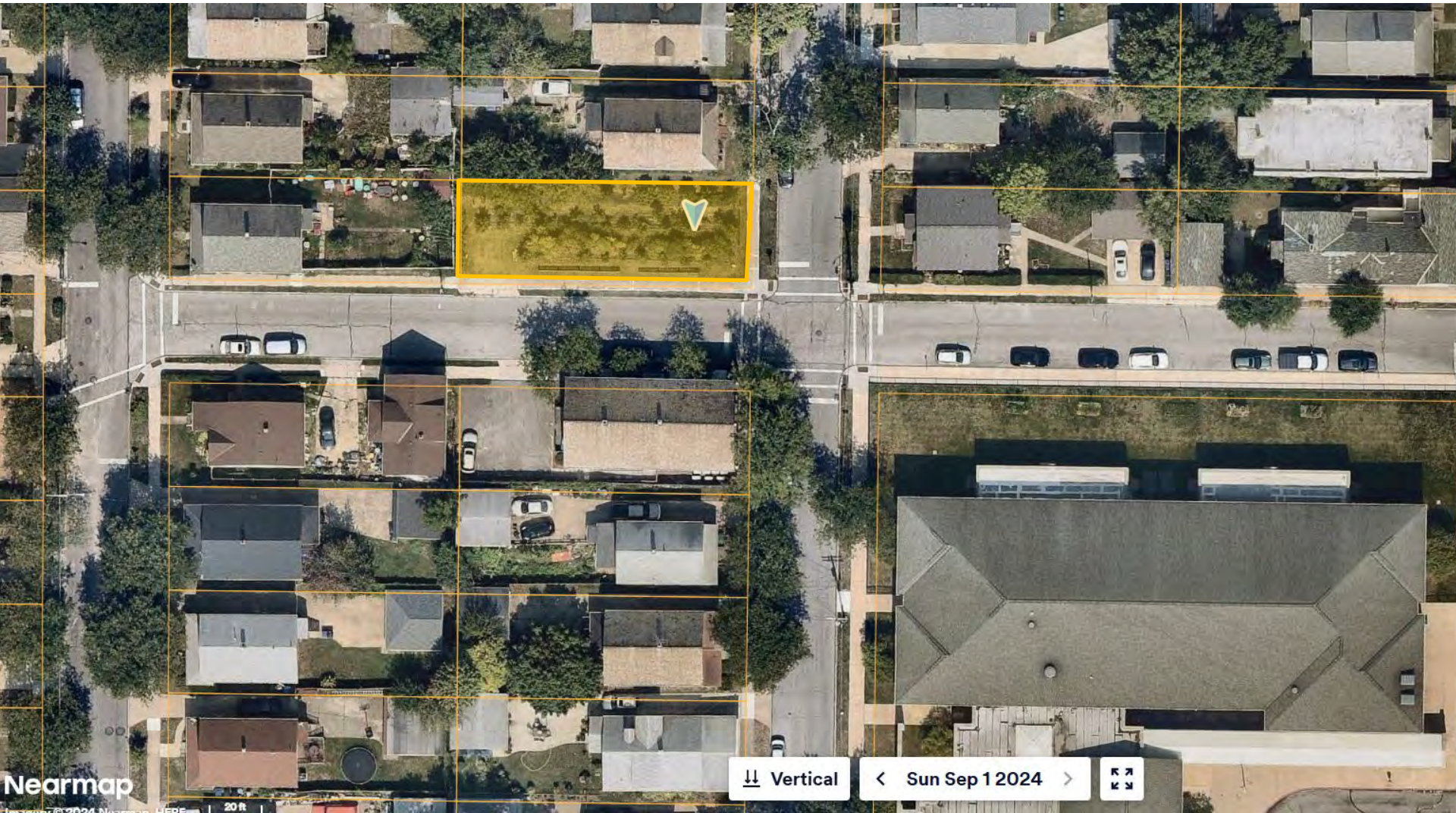
- Variance 1: Owner proposes the demolition of the existing garage and construction of a new two story two car garage that is sixteen feet and one inch(16'1") in height at the midpoint of the gable roof, and twenty-four feet(24') in length and twenty-four feet(24') in width, covering 576 square feet of the rear yard. The garage is proposed at 3 feet from the side lot line and approximately 7 feet from the rear lot line. Request a variance to exceed the maximum permitted height of fifteen feet(15') and construct the new garage at sixteen feet and one inch(16'1") at the midpoint, as proposed. Pursuant to section 1121.05 Height Regulations (Ord. 91-95. Passed 10-07-96.)



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

Midpoint height 16'1"

17620 RIVERSIDE DR



**Docket No. 11-21-24**  
**2042 DOWD AVE**

Applicant and owner Josh Meyers proposes the removal of the old fence and the construction of a new fence on existing orchard. Property is located in the R2, Single-Two Family District.



Figure 1. View of current fencing sections at 2042 Dowd Ave.



**2042 DOWD AVE**

## Docket No. 11-21-24

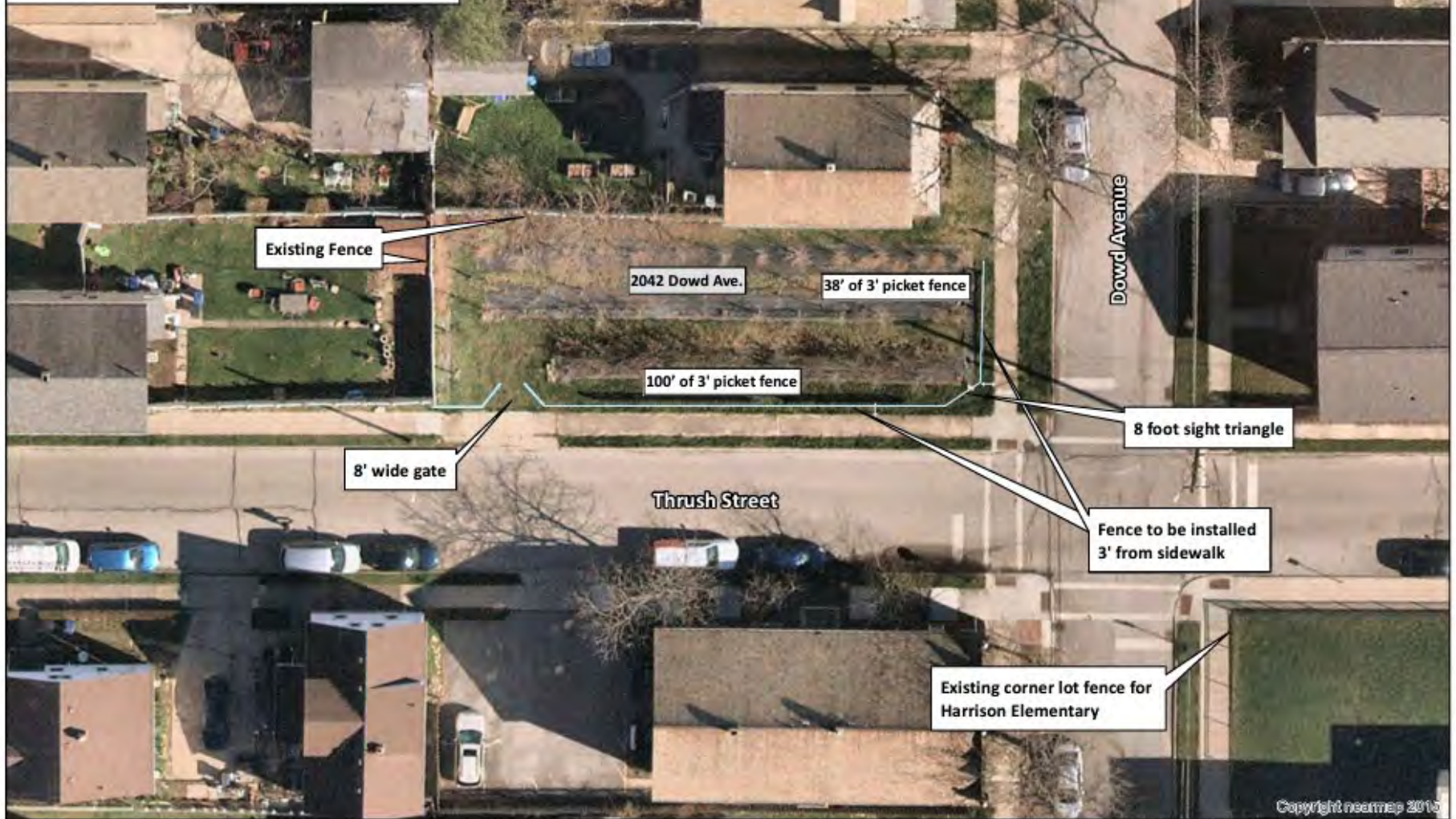
### 2042 Dowd Avenue

Applicant and property owner Josh Myers proposes the replacement of existing fence sections with three-foot (3') tall 50% visibility pocket fence located three feet (3') from the sidewalk along both Dowd Avenue and Thrush Street, and the installation of a double gate that opens inward along Thrush Street, also installed three feet (3') from the sidewalk, placed to leave the required eight-foot (8') sight triangle at the corner. The variance request is due to the fence being proposed three feet (3') from the sidewalk. Due to the presence of established fruit trees, the fence along Dowd is unable to be placed at least ten feet (10') from the public right of way. Guidance from the Building Department and Department of Planning and Development indicated submittal of a variance request for the proposed project. It is the intent of the property owners to maintain the property as green space with the existing fruit trees. The property is located in the R2, Single- and Two-Family District. (Page 6)

- Variance 1: Owner proposes the demolition of the existing fencing and construction of a new 3-foot-high picket fence that is a total of 146 feet in length including 8 feet of gate, at 3 feet from the public sidewalk on the east and south sides of the parcel. Request a variance to place fence 3 feet from the public right of way where 10 feet is the minimum requirement, as proposed. Pursuant to section 1153.03 Fence Placement and Types (c).2.D. (Ord. 08-2021. Passed 05-17-2021.)
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Proposed installation of 38 feet of 3 foot tall picket fence along Dowd Avenue and 100 feet of 3 foot tall picket fence along Thrush Street with an 8 foot wide double gate that opens in (away from sidewalk). Total of 146 feet.



Josh Myers and Brandon Anderson  
2042 Dowd Avenue

Proposed Fence Installation - Corner Lot Variance Request

— Proposed Fence

0 15 30 Feet





*Figure 1. View of current fencing sections at 2042 Dowd Ave.*

**2042 DOWD AVE**



*Figure 2. View of current fencing (to be removed and replaced) near intersection of Dowd and Thrush.*

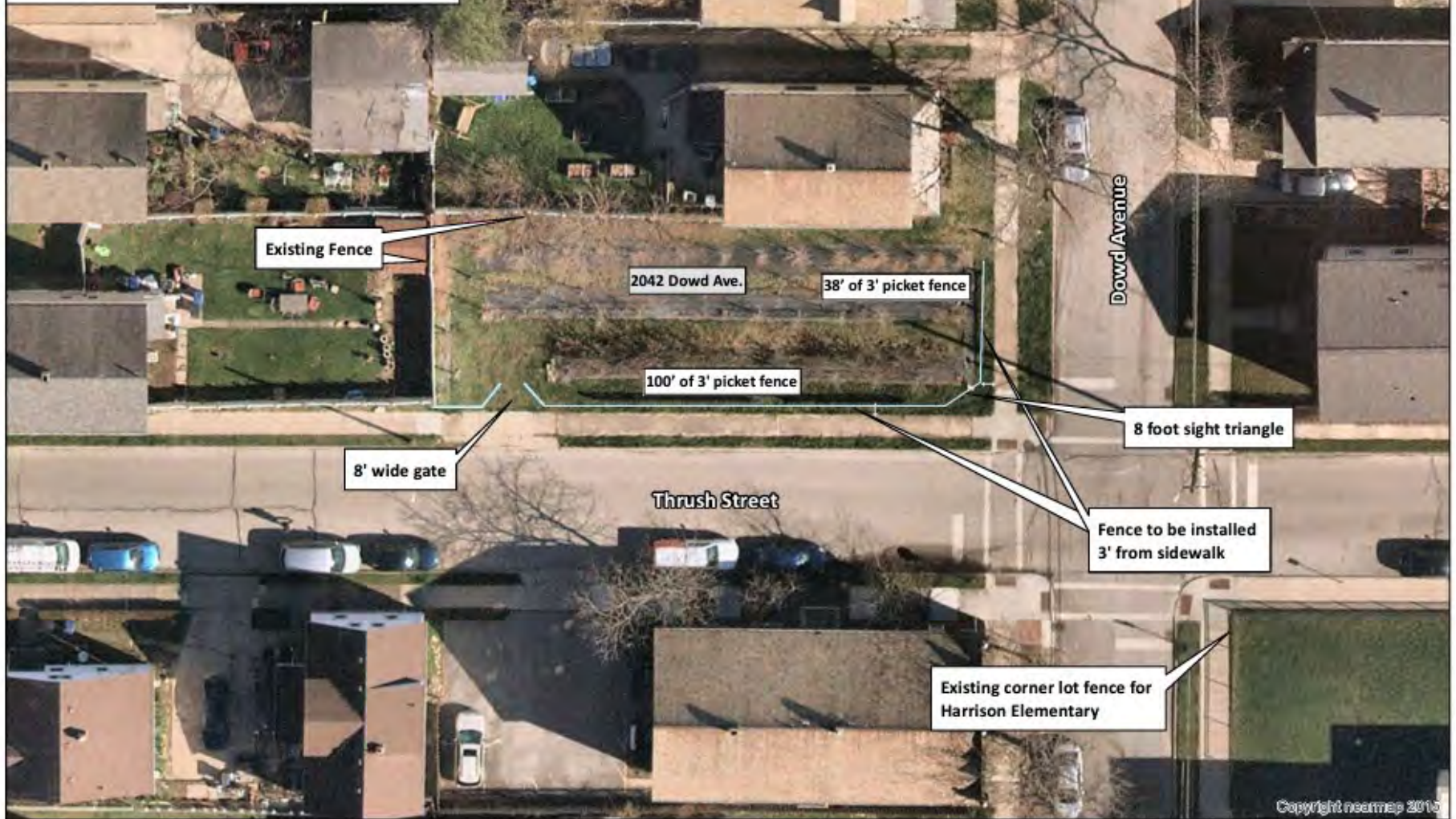
**2042 DOWD AVE**



*Figure 3. View of current fencing (to be removed and replaced) along Thrush.*

**2042 DOWD AVE**

Proposed installation of 38 feet of 3 foot tall picket fence along Dowd Avenue and 100 feet of 3 foot tall picket fence along Thrush Street with an 8 foot wide double gate that opens in (away from sidewalk). Total of 146 feet.



Josh Myers and Brandon Anderson  
2042 Dowd Avenue

Proposed Fence Installation - Corner Lot Variance Request

— Proposed Fence

0 15 30 Feet



Copyright nearmap 2016

Comer Lot

D  
o  
w  
d  
A  
v  
e

Neighbors  
House

Porch

Existing Fence

3' High Pine  
Picket Fence

3' High Pine  
Picket Fence

38'

3' From  
Sidewalk

8'

8'

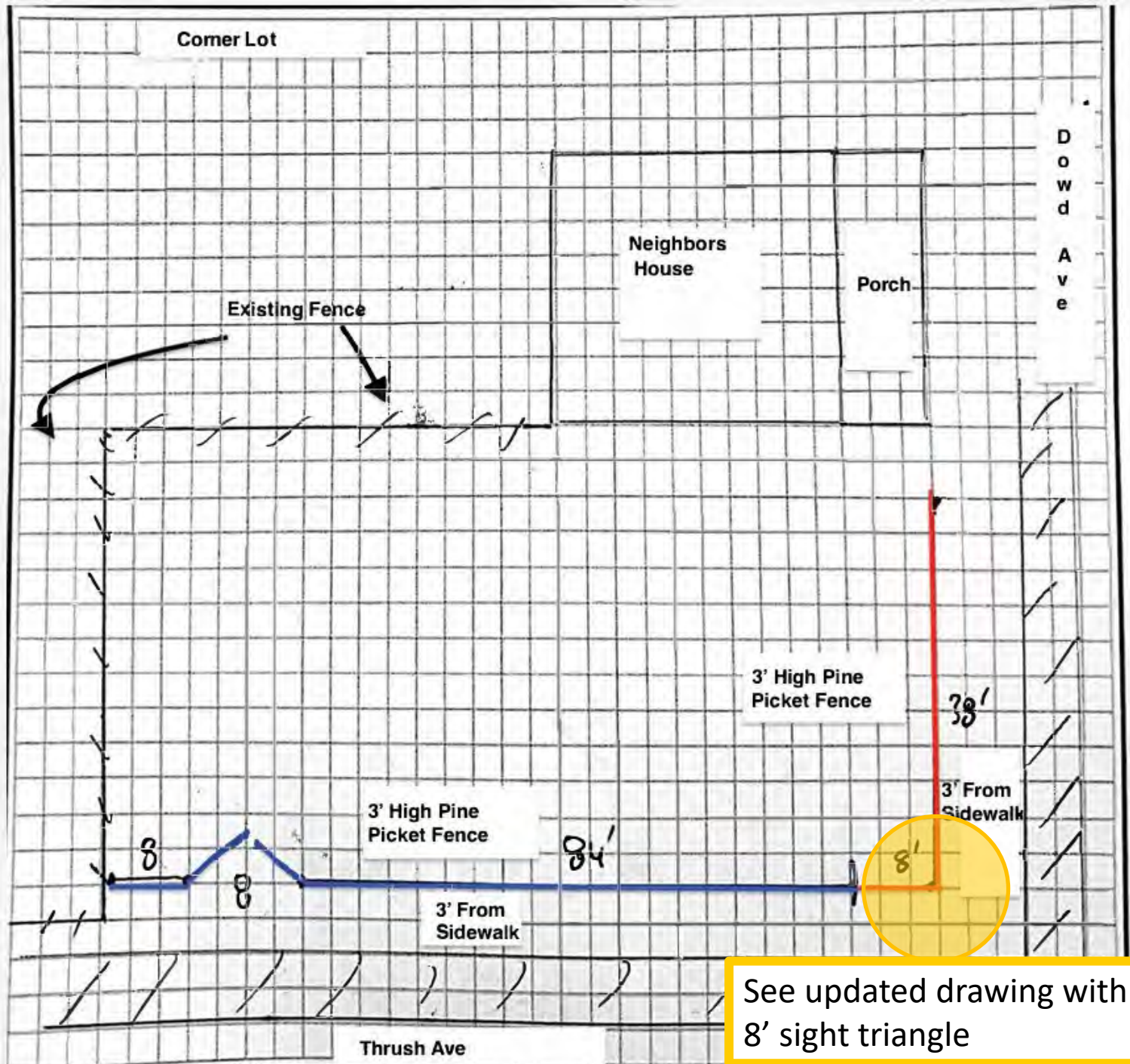
84'

3' From  
Sidewalk

8'

Thrush Ave

See updated drawing with updated 8' sight triangle





**2042 DOWD AVE**



**2042 DOWD AVE**



**2042 DOWD AVE**



**2042 DOWD AVE**



**2042 DOWD AVE**



**2042 DOWD AVE**

Owner/agent responses- 1173.04 Variances

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.

**(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);**

**Not Applicable**

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

**Not Applicable**



### Owner/agent responses- 1173.04 Variances

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.

(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, Harrison Elementary has an existing fence that is immediately adjacent to the sidewalk. The property has historically included sections of 3 foot tall picket fencing approximately 3 feet from the sidewalk.**

(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;

**No, property was purchased with no intentions of replacing the existing fencing sections along Dowd and Thrush. Due to recent trespassing and thefts the property owners are proposing to remove the existing fence sections and replace along Dowd and Thrush. Due to the presence of established fruit trees, the fence setback along Dowd must be 3 feet from the sidewalk.**

(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).

**Not Applicable**



## Administrative Comments

- The City sold the parcel to the previous owner based on his proposal to plant and maintain a small orchard. The existing fence panels were approved approx. 10 years ago. The parcel recently sold and the new owner would like to replace the aging fence so that it fully encloses the orchard.
- The proposed fence is a small fence at 36" in height with 50% visibility and will maintain the 8-foot sight triangle, and the access gate will open inward and not block the public sidewalk.



**2042 DOWD AVE**

**Public Comment**

- Received via email
- Meeting attendee(s)
- Phone



**2042 DOWD AVE**

**Docket No. 11-21-24**  
**2042 Dowd Avenue**

Applicant and property owner Josh Myers proposes the replacement of existing fence sections with three-foot (3') tall 50% visibility pocket fence located three feet (3') from the sidewalk along both Dowd Avenue and Thrush Street, and the installation of a double gate that opens inward along Thrush Street, also installed three feet (3') from the sidewalk, placed to leave the required eight-foot (8') sight triangle at the corner. The variance request is due to the fence being proposed three feet (3') from the sidewalk. Due to the presence of established fruit trees, the fence along Dowd is unable to be placed at least ten feet (10') from the public right of way. Guidance from the Building Department and Department of Planning and Development indicated submittal of a variance request for the proposed project. It is the intent of the property owners to maintain the property as green space with the existing fruit trees. The property is located in the R2, Single- and Two-Family District. (Page 6)

- Variance 1: Owner proposes the demolition of the existing fencing and construction of a new 3-foot-high picket fence that is a total of 146 feet in length including 8 feet of gate, at 3 feet from the public sidewalk on the east and south sides of the parcel. Request a variance to place fence 3 feet from the public right of way where 10 feet is the minimum requirement, as proposed. Pursuant to section 1153.03 Fence Placement and Types (c).2.D. (Ord. 08-2021. Passed 05-17-2021.)
- Variance 2: Owner proposes the demolition of the existing fencing and construction of a new 3-foot-high picket fence that is a total of 146 feet in length including 8 feet of gate, at 3 feet from the public sidewalk on the east and south sides. Request a variance install an 8-foot gate, with the gates swing open into the property, so as not to obstruct the public right of way, where the requirement is no gates in the front yard, as proposed. Pursuant to section 1153.03 Fence Placement and Types (c).2.E. (Ord. 08-2021. Passed 05-17-2021.)



Proposed installation of 38 feet of 3 foot tall picket fence along Dowd Avenue and 100 feet of 3 foot tall picket fence along Thrush Street with an 8 foot wide double gate that opens in (away from sidewalk). Total of 146 feet.



Josh Myers and Brandon Anderson  
2042 Dowd Avenue

Proposed Fence Installation - Corner Lot Variance Request

Proposed Fence

0 15 30 Feet



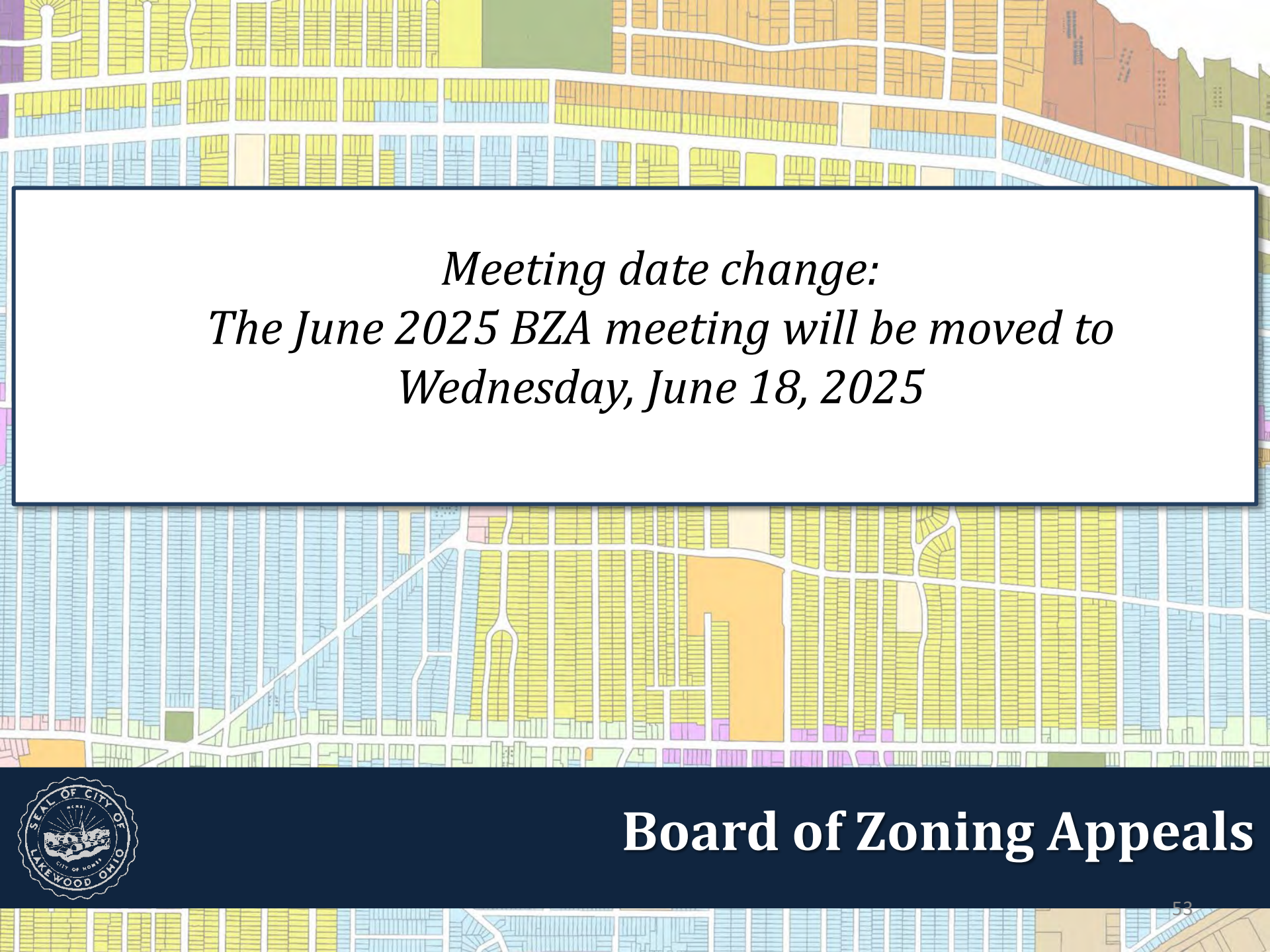
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A detailed zoning map of a city, showing a grid of streets and various colored zones. The colors include yellow, orange, blue, green, purple, and pink. A large white rectangular box is superimposed over the top portion of the map.

# Adjourn



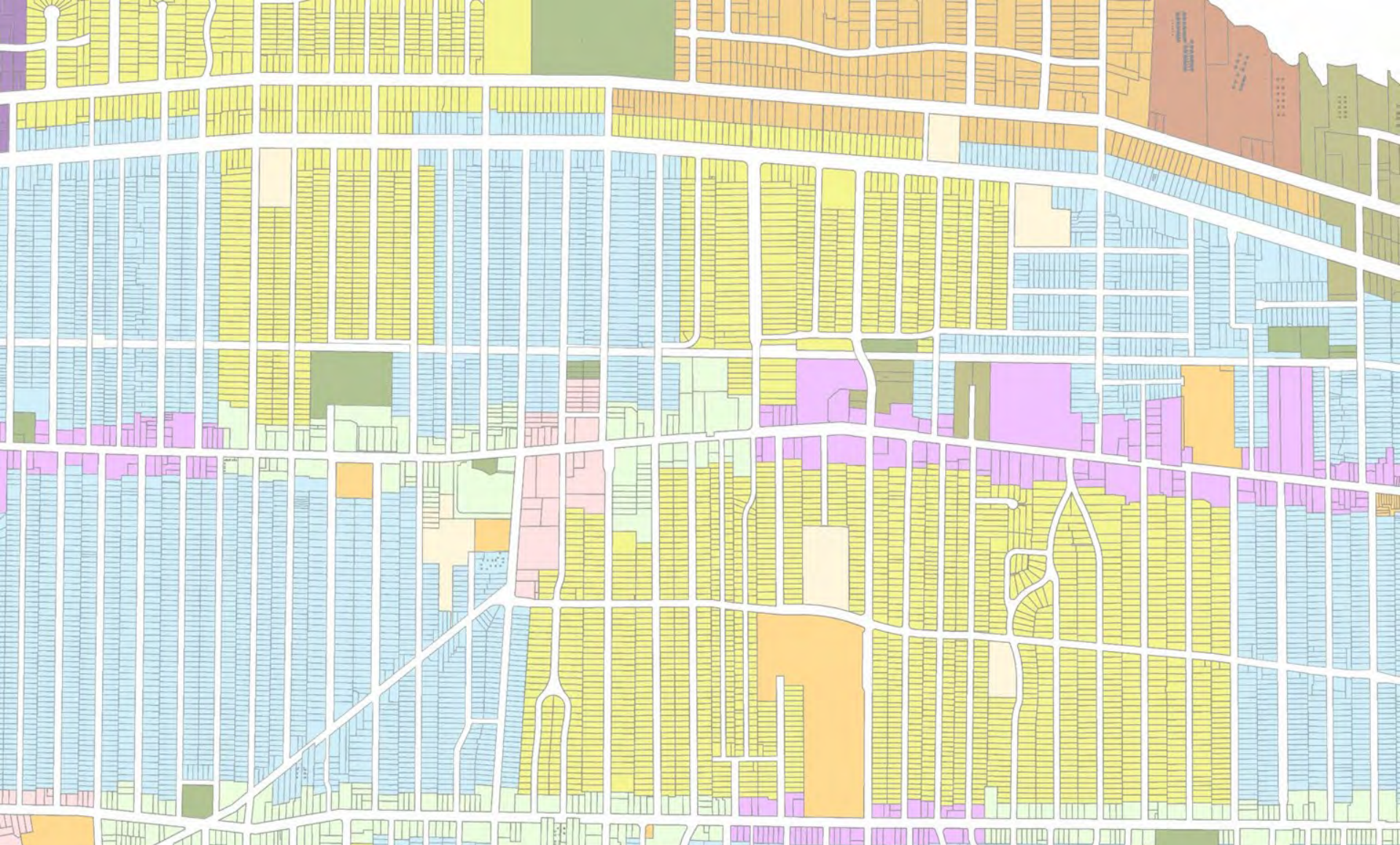
## Board of Zoning Appeals



*Meeting date change:  
The June 2025 BZA meeting will be moved to  
Wednesday, June 18, 2025*



**Board of Zoning Appeals**



# Board of Zoning Appeals