



City of Lakewood
Board of Zoning Appeals

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MINUTES
BOARD OF ZONING APPEALS
CITY OF LAKEWOOD
LAKEWOOD CITY HALL
JANUARY 30, 2026
9:00 A.M.
SPECIAL ZOOM MEETING
9:00 A.M.
ZOOM LINK:

<https://us06web.zoom.us/j/87527023592?pwd=sN9NgS6ZS5wfz18AbsluceLbonCubU.1>

Meeting ID: 875 2702 3592

Passcode: 921772

9:00 A.M.

1. ROLL CALL

Members Present

Anthony Santiago

Matt Markling

Jeffrey Pigott , Vice Chair

Jillian Bolino-Absent

Administrative Staff

Michelle Nochta, Senior Planner, Secretary

Jennifer Swallow, Chief Assistant Law Director

Angela Byington-Director, Planning & Development

A motion was made by Mr.Santiago, seconded by Mr. Markling to EXCUSE the absence of Jillian Bolino. All the members voted yea, the motion passed.

2. OPENING REMARKS

Ms. Nochta read the Opening Remarks into record.

OLD BUSINESS

3. In the matter of Docket No. 11-21-25 1114 Forest Road

FINDINGS OF FACT ON AREA VARIANCES

This variance appeal having been duly heard on November 20, 2025, upon the application of the owner of 1114 Forest Road for two area variances to permit construction of a single-family dwelling and accessory garage on an existing nonconforming corner lot in the R1L Single-Family Low Density District, and the Board having considered the testimony, exhibits, staff comments, public submissions, and the standards set forth in Lakewood Codified Ordinance 1173.04 and applicable Ohio law, the Board makes the following findings of fact:

4. Property, application, and requested variances.

The subject parcel at 1114 Forest Road is an existing, triangular, nonconforming corner lot located at the southeast corner of Forest Road and Clifton Boulevard in the R1L district. The applicant seeks two front-yard setback variances to allow a new two-story single-family dwelling and detached one-car garage: (1) from the required 50 feet on Clifton Boulevard to 6 feet; and (2) from the required 50 feet on Forest Road to 30 feet, as depicted on the submitted survey and site plan.

5. Hearing, participants, and record.

The Board convened its regular public meeting on November 20, 2025. The owner, Jason Leon, and his builder representative, Nick Matuch, appeared and testified, staff presented administrative comments, and members of the public spoke. All materials proffered were received and considered as part of the record pursuant to the Board's opening instructions.

6. Unique physical condition and practical difficulty.

The parcel is triangular and subject to two 50-foot building lines on its Forest Road and Clifton Boulevard frontages, which, if enforced strictly, preclude development of a reasonably sized, livable single-family dwelling without setback relief. The Board finds that, unlike typical variance requests for discretionary amenities, any house on this lot would require variances due to the lot's shape and dual-frontage constraints.

7. Historic origin of the site condition.

The lot is one of several "orphan" parcels created when the State extended Clifton Boulevard through Clifton Park in the early 1960s via eminent domain, leaving small residual corner tracts adjacent to the right-of-way. This history explains why certain parcels and setbacks in the immediate area differ from the current building line map and contributes to the lot's unique hardship.

8. Applicable zoning context and buildability.

R1L is a low-density district with present-day minimum lot area and frontage standards of 14,000 square feet and 70 feet, respectively, but the City's nonconforming lot provisions allow a single-family dwelling on an existing nonconforming lot provided needed area variances other than lot area and frontage are granted by the Board. Staff confirmed that a single-family dwelling and accessory structures are permitted under Chapter 1121 if the necessary setback variances are approved.

9. Scope of requested relief and design minimization.

The current proposal reduces massing compared to a prior May 2024 design, which had been rejected by this Board, by shortening the structure approximately 6.5 feet and substituting a detached single-car garage and narrowed drive to minimize encroachment while maintaining functionality. The Board finds the applicant has made reasonable efforts to minimize the relief sought while achieving a livable home on the parcel.

10. Compliance with property boundaries and right-of-way.

The house and garage, as proposed, are sited wholly within the surveyed property lines. Although the public right-of-way along Clifton could be improved with sidewalk or roadway at a future date, the dwelling would remain within private boundaries as shown on the survey.

11. Government services.

No evidence was presented that the requested variances would adversely affect the delivery of governmental services such as water, sewer, refuse removal, or public safety. Staff identified no service conflicts, and the Board finds none based on the record.

12. Neighborhood character and detriment to adjoining properties.

The Board heard extensive testimony regarding neighborhood character in Clifton Park and the visibility of the corner; however, the Board is not charged with architectural review and finds that a single-family dwelling, appropriately scaled and placed entirely on the parcel, will not substantially alter the essential character of the neighborhood or cause substantial detriment to adjacent properties, subject to the applicant obtaining Architectural Board of Review approval for design matters.

13. Substantiality.

Numerically, the front-yard variances—50 feet to 6 feet on Clifton and 50 feet to 30 feet on Forest—are substantial; however, the degree of variance must be weighed against the lot's unique conditions, the impossibility of reasonable use without relief, and the applicant's efforts to minimize massing. The Board finds that, in context, the substantiality factor is offset by the lot's unique hardship and the mitigation incorporated into the design.

14. Knowledge of restrictions.

The owner purchased the property with knowledge that variances would be required to build. While this factor weighs against granting relief, the Board accords it limited weight where

the hardship arises from the parcel's unique shape and dual-frontage setbacks created decades earlier and where the Code contemplates that existing nonconforming lots may be built upon with appropriate variances.

15. Feasible alternatives.

The record reflects that the applicant reduced the home's length, changed to a single-car garage, and adjusted siting to reduce encroachments; no feasible alternative has been identified that would allow a functional, code-compliant home on this parcel without some setback relief. The Board finds the requested variances represent the minimum necessary to afford reasonable use.

16. Public comment.

The Board received and considered public opposition focused on precedent, neighborhood character, safety, and the substantiality of the variances, as well as testimony in support emphasizing private property rights and the City's code framework for nonconforming lots. The Board weighed these comments in applying the practical difficulty factors.

- Jay Romer, 1126 Forest Rd. neighbor was present to hear the presentation.

17. Staff research and precedent.

Staff reported no history of the Board granting a front-setback variance of this size for a new home in the Clifton Park Historic District since enactment of the current building line map, and also confirmed the 1960s eminent domain history and the presence of other homes along Clifton with similar proximities resulting from that project. The Board considered the absence of identical precedent and finds that the parcel's unique facts justify targeted relief here.

18. Legal standards applied.

The Board applied the nine practical difficulty factors in Lakewood Codified Ordinance 1173.04 and the multifactor test articulated in Duncan v. Middlefield, weighing all factors rather than any single element being dispositive, consistent with the Board's opening remarks and the parties' testimony.

19. Determination on practical difficulty.

On balance, the Board finds that the owner has demonstrated practical difficulty: the unique triangular corner configuration and two 50-foot building lines create a hardship not generally shared by properties in the district; the property cannot yield a reasonable residential use without setback relief; the proposal does not materially impair governmental services; and, with Architectural Board of Review oversight, the essential character of the neighborhood will be preserved.

20. Vote and disposition.

Following deliberation, a motion to approve the two variances as proposed carried by a vote of 3–2. The Board therefore grants: (1) a variance to reduce the front yard on Clifton Boulevard from 50 feet to 6 feet; and (2) a variance to reduce the front yard on Forest Road from 50 feet to 30 feet, subject to compliance with all other applicable codes and approvals, including Architectural Board of Review approval.

A motion was made by Mr. Markling, seconded by Mr. Santiago to APPROVE the two variances as proposed. All members agree to the findings. All the members voted yea, the motion passed.

21. Conclusion.

For the reasons stated above, the Board concludes that granting the requested variances will observe the spirit and intent of the Code and accomplish substantial justice by allowing reasonable residential use of a uniquely constrained parcel without substantial detriment to the neighborhood or impairment of governmental services.

Adopted by the Board of Zoning Appeals, City of Lakewood, Ohio, on January 30, 2026.

Lakewood
Board of Zoning Appeals
Minutes
FFR
meeting.
Chairman

Respectfully submitted,

BOARD OF ZONING APPEALS

Members discussed the Findings of Fact on Docket 11-21-25 1114 Forest Road and agreed the Findings were an acceptable summary of the 11-21-25 meeting. The members then confirmed they had all received and read the public comment of objection sent by attorney Kevin Butler on behalf of his clients. Mr. Markling commented that the administrative staff had done a very thorough job presenting all information well in advance of the meeting and that all members had diligently reviewed the materials, as is the standard practice for the administration and the board members. Public comment was taken, Mr. James Romer asked if the letter from his lawyer had been made a part of the record, and Ms. Swallow confirmed that it had. The Board declined to make any amendments to the Findings of Fact and a motion was made by Mr. Markling to approve the Findings as presented. Mr. Santiago seconded the motion. A roll call resulted in the motion being approved 3-0 and the Findings of Fact for 11-21-25 1114 Forest Road were adopted by the board.

ADJOURN

A motion was made by Mr. Santiago, seconded by Mr. Markling to ADJOURN. All the members voted yea, the motion passed.

“Individuals with disabilities, who require accommodations for participation in meetings, must request accommodations at least 3 business days ahead of the scheduled meeting. Contact Michelle Nochta at (216) 529-5906 michelle.nochta@lakewoodoh.net.”