

**MINUTES
BOARD OF ZONING APPEALS
REVIEW MEETING
LAKEWOOD CITY HALL
AUDITORIUM
FEBRUARY 16, 2023
6:30 P.M.
MEETING IS RECORDED
<https://www.lakewoodoh.gov/videos-2/>**

1. OATH FOR NEW MEMBER ANTHONY SANTIAGO

Andrew Fleck administered the oath to Mr. Santiago during the pre-review meeting.

2. ROLL CALL

Members Present

Michael Alexander, Vice Chair
Jillian Bolino
Megan Otter, Chair
Jeffrey Pigott
Anthony Santiago

Administrative Staff

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

3. APPROVE MINUTES OF THE NOVEMBER 17, 2022 MEETING AND JANUARY 19, 2023 MEETING

A motion was made by Ms. Otter, seconded by Mr. Alexander to **APPROVE** the November 17, 2022 meeting minutes. Mr. Alexander and Ms. Otter voting yea, Ms. Bolino, Mr. Pigott, and Mr. Santiago voting to abstain, the motion passed.

A motion was made by Ms. Otter, seconded by Ms. Bolino to **APPROVE** the January 19, 2023 meeting minutes. Mr. Alexander, Ms. Bolino, Ms. Otter, and Mr. Pigott voting yea, and Mr. Santiago voting to abstain the motion passed.

4. OPENING REMARKS

Ms. Nochta read the Opening Remarks into record.

OLD BUSINESS

RESIDENTIAL

**5. Docket No. 12-32-22
1655 Roosevelt Ave**

Applicant and homeowner Christopher Walling proposes the construction of a new garage on the site of a previously demolished garage. The proposed garage has a calculated height of 19 feet, permitted maximum is 15 feet. The property is in the R1H, Single Family High-Density District. (Page 11)

- Variance 1: Request a variance to exceed the maximum permitted height of an accessory structure. The maximum permitted accessory structure height is 15 feet calculated. The proposed garage height is calculated at 17 feet. Request a variance to exceed the permitted maximum

height by 2 feet, as proposed. Pursuant to section 1121.05(b) Height Regulations (Ord. 91-95. Passed 10-7-1996.)

- Variance 2: Request a variance to reduce the minimum required side yard setback of an accessory structure. The permitted minimum setback for a wood structure is 18 inches. Request a variance to reduce the side setback of the garage on the south side to 12 inches, as proposed. Pursuant to section 1121.10(a) (Ord. 32-16. Passed 9-6-2016.)

It was disclosed the applicant requested a deferral. No action was required from the members.

NEW BUSINESS

RESIDENTIAL

6. Docket No. 02-02-23 2183 Eldred Ave

Applicant Susan Broadwater of Beegan Architectural Design for property owner Daniel Boich proposes the construction of a new garage. The proposed garage has a calculated height of 17 feet, permitted maximum is 15 feet. The property is in the R1H, Single Family High-Density District. (Page 11)

- Variance 1: Request a variance to exceed the maximum permitted height of an accessory structure. The maximum permitted accessory structure height is 15 feet calculated. The proposed garage height is calculated at 17 feet. Request a variance to exceed the permitted maximum height by 2 feet, as proposed. Pursuant to section 1121.05(b) Height Regulations (Ord. 91-95. Passed 10-7-1996.)

Daniel Boich, property owner and Paul Beegan, Beegan Architecture, applicant were present to explain the request. Discussion ensued as to why such a large height was requested, discussion continued about roof pitch and ceiling height, and comparable BZA requests. Staff confirmed that no communication from neighbors about the proposal was received prior to the meeting. The members said there was enough room on the rear lot for a horizontal expansion which would negate a height variance request; the proposed garage was too high. Administrative comments were given. Discussion continued about the appropriate height. Public Comment was closed as no one addressed the item. The applicant requested a deferral.

A motion was made by Ms. Otter, seconded by Mr. Alexander to **DEFER** the request. Mr. Alexander, Ms. Bolino, Ms. Otter, Mr. Pigott, and Mr. Santiago voting yea, the motion passed.

7. Docket No. 02-03-23 914 Beach Road

Applicant and architect Mark Reinhold for property owner Diane Ferguson proposes the construction of a new townhome on a waterfront lot that is currently vacant in the lagoons. The proposal has a second-story unroofed patio deck which requires a variance and is over the 90% primary lot coverage. The property is located in the L, Lagoon District. (Page 18)

- Variance 1: Request a variance to exceed the maximum permitted lot coverage for a waterfront lot in the lagoon district. Permitted lot coverage is 90%, as proposed lot coverage is 90.8%

Request a variance to exceed permitted lot coverage by 0.8% as proposed. Pursuant to 1125.09(a) (Ord. 91-95. Passed 10-7-1996.)

- Variance 2: Request a variance to place a 360 square foot unroofed patio deck at 11 feet 10 inches above grade. The maximum permitted height is 42 inches, and the maximum permitted area is 240 square feet. Request a variance to exceed the permitted height by 100 inches and the permitted area by 120 square feet, as proposed. Pursuant to section 1125.03(d) (Ord. 73-08. Passed 9-2-2008.)

Mark Reinhold, Architect and Diane Ferguson, property owner, were present to explain the request. The members liked the unroofed deck and said lot coverage was minimal; an official laser survey was expected within two weeks. The members appreciated the applicant's consideration of the immediate structures. Staff received public comment prior to the meeting (made part of record), and staff addressed the questions/comments; the majority of the questions/comments were under the purview of the Division of Housing and Building ("H&B"). Staff provided administrative comments. Public comment was taken. Staff said there were no setback requirements in the Lagoon district; structures will be reviewed by H&B for compliance with building codes. Staff explained what a laser survey was, and how it worked. For the record, the members reinforced the need of providing a survey.

A motion was made by Mr. Alexander, seconded by Ms. Bolino to **APPROVE** the request for Variance 1. Mr. Alexander, Ms. Bolino, Ms. Otter, Mr. Pigott, and Mr. Santiago voting yea, the motion passed.


A motion was made by Mr. Alexander, seconded by Mr. Pigott to **APPROVE** the request for Variance 2. Mr. Alexander, Ms. Bolino, Ms. Otter, Mr. Pigott, and Mr. Santiago voting yea, the motion passed.

ADJOURN

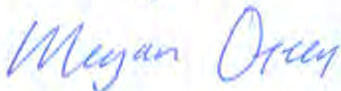
A motion was made by Ms. Otter, seconded by Mr. Santiago to **ADJOURN** the meeting at 7:27 p.m. All the members voting yea, the motion passed.



Signature



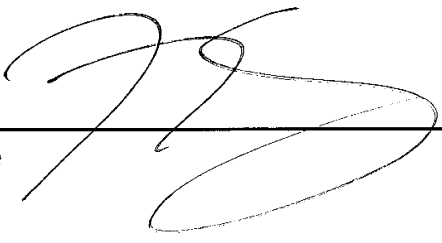
Date



OATH OF OFFICE

I, Anthony Santiago, being first duly sworn according to law, upon my oath depose and say:

That I will support the Constitution of the United States and the State of Ohio, and the Charter and Ordinances of the City of Lakewood and will faithfully discharge the duties of the Board of Zoning Appeals of the City of Lakewood, Ohio so help me God.

Signature 

2/16/23
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 Baich
- 2. PAUL BERGAN
- 3. Diane Ferguson
- 4. Mark Rumbell
- 5. Kathleen Wass
- 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, February 16, 2023

page 1 of 1

Johanna Schwarz

From: Michelle Nochta
Sent: Thursday, February 16, 2023 8:18 AM
To: Christopher Walling
Cc: Johanna Schwarz
Subject: Re: BZA 2.16 Meeting

Mr. Walling,

Thank you for confirming your deferment request for the February meeting. Plans for the March meeting will need to be submitted by March 1st, so let's talk before that date to confirm if you are ready for the March BZA or if you will need more time.

Thanks,

Michelle Nochta, AICP
Senior Planner and ADA Coordinator- Planning & Development

City of Lakewood
Department of Planning & Development
12650 Detroit Avenue
Lakewood, Ohio 44107

(216) 529-6630 main
(216) 529-5906 direct

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From: Christopher Walling <1655roosevelt@gmail.com>
Sent: Wednesday, February 15, 2023 3:37 PM
To: Michelle Nochta <Michelle.Nochta@lakewoodoh.net>
Subject: Re: BZA 2.16 Meeting

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hey Michelle.

Will my meeting be deferred for tomorrow? I will be working on the scaled drawings some more.

As far as the cement pad, I should be okay to move forward with that weather permitting, since it's 480sq.ft. Please confirm deferment and I will work on this between now and the next meeting after tomorrow's.

Thank you.

On Tue, Feb 14, 2023, 11:48 AM Christopher Walling <1655roosevelt@gmail.com> wrote:

Hi Michelle,

Just tried calling. If you'd like to call me back, that's okay.

On Tue, Feb 14, 2023 at 8:54 AM Michelle Nochta <Michelle.Nochta@lakewoodoh.net> wrote:

Mr. Walling,

do you have time for a call today?

Thanks,

Michelle Nochta, AICP

Senior Planner and ADA Coordinator- Planning & Development

City of Lakewood

Department of Planning & Development

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From: Christopher Walling <1655roosevelt@gmail.com>

Sent: Monday, February 13, 2023 11:48 AM

To: Michelle Nochta <Michelle.Nochta@lakewoodoh.net>

Subject: BZA 2.16 Meeting

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hi Michelle,

I am requesting a deferment to the next meeting after the upcoming one on the 16th.

After reviewing the agenda section on the city's website about these meetings, I think I need more time to be better prepared.

This is my first time doing this as it's my first home. Reviewing the past agenda notes and submitted forms from other residents in Lakewood, I feel that the garage packet is too simplified to solely work off of and will need time to source exact material and redraw the interior of the garage, etc.

If there's anything that could help in better preparing myself without having to hire an architect; any resources to refer to for a template or further guidance, that would help. Please confirm whether or not I'll be able to defer this to the next meeting.

Thank you.

Johanna Schwarz

From: andrea maher <andrealee22@gmail.com>
Sent: Tuesday, February 14, 2023 3:14 PM
To: Planning Dept
Cc: Kathleen Weiss
Subject: Review of Plan for 914 Beach Road Construction
Attachments: Questions for Mark Reinhold.pages

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hello Michelle,

Please see the attached letter sent today to Mark Reinhold - the architect for this construction project.

This letter voices my concerns which I would like addressed / answered before approval of any plans to build. I would be bringing these concerns forward at the meeting scheduled for 2/16 at 6:30 however am unable to attend.

Please confirm receipt of this email and the attached letter and let me know if a continuance is required - or if you recommend any other action from me to ensure that my questions are addressed appropriately.

I appreciate your consideration!

Kindly,
Andrea Maher

Johanna Schwarz

From: Kathleen Weiss <weisslaw@hotmail.com>
Sent: Tuesday, February 14, 2023 3:42 PM
To: andrea maher; Planning Dept
Subject: Re: Review of Plan for 914 Beach Road Construction

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hi Andrea.

Thanks for sharing your letter with me, Andrea.

And, Michelle, just for a reference point, I am one of 3 Clifton Lagoon Trustees. I was not made aware by the City of the meeting coming up on Thursday even though the Clifton Lagoon Trustees own the adjacent property in front of 914 Beach, which would be considered the driveway, and the land in the Lagoon beyond the 100 foot property line in the rear.

As far as the Trustees, our biggest concern is that the new home that is to be constructed cannot encroach onto Trust Property. Diane Ferguson has shared the plans with me, but we have no way of knowing whether the boundaries are properly drawn so that the new construction does not encroach from the front or from the rear.

The Trustees also are concerned that the City ensure compliance with the height restrictions, and use of fire retardant material in its Lagoon Code, and also protecting the homes of adjacent homeowners who may have existing side windows against the threat of fire due to extremely close proximity, and loss of daylight from existing windows. That is why a cat walk was built in the Ghaffari home at 862 Beach, which is the most recent construction.

We can appreciate Andrea's concerns about access to utilities as well.

We appreciate being kept informed as to the status of plan approval, and appreciate the City addressing concerns, expressed by any adjacent property owners.

Insofar as construction activities, I've had the opportunity to speak with some of the contractors that will likely be involved. Obviously, construction in the Lagoons is challenging because it's over water, and it's close quarters. We would appreciate them not starting work that is extremely noisy until 8 AM, and the City advising the contractors not to use the fire lanes on Beach Road. Firetrucks tend to come down here a lot, especially during the summer, because of the heavy amount of recreational activity along the river front and the beach. We appreciate being kept in the loop about any restrictions placed on the contractors.

When and where is the meeting on Thursday? I am not sure I can come, but I will try.

All my best.

Kathleen Weiss, Esq.
Weiss Law, LLC
860 Beach Road
Lakewood, Ohio 44107
[\(216\) 536-1399](tel:2165361399)
Weisslaw@hotmail.com

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From: andrea maher <andrealee22@gmail.com>
Sent: Tuesday, February 14, 2023 8:13 PM
To: planning@lakewoodoh.net <planning@lakewoodoh.net>
Cc: Kathleen Weiss <Weisslaw@hotmail.com>
Subject: Review of Plan for 914 Beach Road Construction

Hello Michelle,

Please see the attached letter sent today to Mark Reinhold - the architect for this construction project.

This letter voices my concerns which I would like addressed / answered before approval of any plans to build. I would be bringing these concerns forward at the meeting scheduled for 2/16 at 6:30 however am unable to attend.

Please confirm receipt of this email and the attached letter and let me know if a continuance is required - or if you recommend any other action from me to ensure that my questions are addressed appropriately.

I appreciate your consideration!

Kindly,
Andrea Maher

Feb 14 2023

Morning, Mark-

I'm Diane's neighbor at 916 Beach Road. I'm sending a list of questions I'd like answered before approval of the 914 building plan.

I can't be at the Thursday meeting w Board of Zoning Appeals, as I'm recovering from surgery I had Feb 8. So I'll forward this communication to the board today as well.

Here are the asks/questions:

- A. What is the code for the minimum distance between two homes built in the lagoon. I'd like to understand Kathy Weiss's concern about requiring a catwalk between homes versus your point of view. (There is an 8-12" (or so) catwalk between my home and my 918 neighbor, allowing some sunlight in between the homes, therefore allowing the windows to make sense and function to provide light).
- B. What will be the exact space distance between the south side of my house and the new construction?
- C. What will be the exact space between the new construction and the 910 Beach Road house?
- D. I'd like to see a footprint drawing of my home and new home plans side-by-side, to scale, so I understand exactly the placement of the of the new home in relation to mine. Including the requested variance for the porch.
- E. Will there be any adjoining of the new home to my home and if so exactly where?
- F. If I need to access plumbing, electrical, ducts, vents, etc. from the exterior south side of my house, how will I be able to do that once the new construction is complete?
- G. What is the height of Klocker's home? Just for a visual reference?
- H. Where exactly are the property lines drawn for my house versus the new construction? Was this formally surveyed and can we mark them on the driveways?
- I. Could you look up my property deed and make sure you review and make sure you're within any restrictions?

My goals with these questions are:

To determine if I can retain windows to allow even a little sunlight that we can make that happen. That way, I can retain the window architecture inside/outside my home. *I want to reinforce that Diane has been VERY clear with me from the beginning that the view from my windows would be completely blocked by the new home. I am, and have been totally ok with that, but assumed there would be a similar gap between our outside walls as I have with Edward's house to the north.*

I also want to consider the effect of the home placement for potential resale of this house. I want to make sure that any construction at 914 doesn't limit a future buyer from being able to take down the house and rebuild a reasonably wide home.

Thanks for your assistance. I'd like these questions answered before any plans are approved.

Andrea Maher
916 Beach Road

cc Kathy Weiss

Johanna Schwarz

From: Michelle Nochta
Sent: Wednesday, February 15, 2023 10:34 AM
To: Johanna Schwarz
Subject: Fw: Review of Plan for 914 Beach Road Construction

FYI

Michelle Nochta, AICP
Senior Planner and ADA Coordinator- Planning & Development

City of Lakewood
Department of Planning & Development
12650 Detroit Avenue
Lakewood, Ohio 44107

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From: Kathleen Weiss <weisslaw@hotmail.com>
Sent: Wednesday, February 15, 2023 10:33 AM
To: Michelle Nochta <Michelle.Nochta@lakewoodoh.net>
Subject: Re: Review of Plan for 914 Beach Road Construction

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Ok, thanks Michelle. Ed did not make me aware of the notice. I will be at the meeting tomorrow evening.

Kathleen Weiss, Esq.
Weiss Law, LLC
860 Beach Road
Lakewood, Ohio 44107
(216) 536-1399
Weisslaw@hotmail.com

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On Feb 15, 2023, at 10:13 AM, Michelle Nochta <Michelle.Nochta@lakewoodoh.net> wrote:

Good morning,

Thank you for your messages. The Board of Zoning Appeals meeting will be held this Thursday at 6:30 pm in the auditorium at City Hall. In the case of the parcel you referenced, notice was sent to Ed Oliveros at 11592 Park Moss in Strongsville Ohio which is the address listed as the mailing address for that parcel by the county.

The Board of Zoning Appeals (BZA) variance requests are related to the City of Lakewood Zoning Code for the Lagoon District. All unroofed decks higher than 42 inches require a variance. The proposed building itself meets the code for primary structures at 35 feet in height, however, the proposed uncovered deck is on the second floor, necessitating a variance request. The second variance request is in regard to the permitted lot coverage for this property which is 90%, the proposal has the proposed structure at 90.8%, necessitating a second variance request.

After the case goes through the BZA review process the proposal will go to the Architectural Board of Review, at the conclusion of that process the building permit for the structure may be submitted to the building department for review. Currently, a building permit application has been submitted for the foundation only, and that permit application is currently under review. The owners of 914 Beach are required to have a survey for new construction, determining property lines is the responsibility of property owners. The city does not determine property lines.

The full agenda with all the submitted plans can be found on our website, and the full zoning code for the lagoon district can be found there as well. Both of your letters will be made a part of the record and provided to the Board of Zoning Appeals for review, and of course, you are welcome to attend the meeting. Let me know if you have any further questions.

Michelle Nochta, AICP
Senior Planner and ADA Coordinator- Planning & Development

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From: Planning Dept <Planning@lakewoodoh.net>
Sent: Tuesday, February 14, 2023 4:12 PM
To: Michelle Nochta <Michelle.Nochta@lakewoodoh.net>
Subject: FW: Review of Plan for 914 Beach Road Construction

Johanna Schwarz
Administrative Assistant II

City of Lakewood
Department of Planning and Development
12650 Detroit Avenue
Lakewood, Ohio 44107

(216)529-6630 main
(216)529-6631 office

www.lakewoodoh.gov

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<image001.jpg>

From: Kathleen Weiss <weisslaw@hotmail.com>
Sent: Tuesday, February 14, 2023 3:42 PM
To: andrea maher <andrealee22@gmail.com>; Planning Dept <Planning@lakewoodoh.net>
Subject: Re: Review of Plan for 914 Beach Road Construction

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We can appreciate Andrea's concerns about access to utilities as well.

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When and where is the meeting on Thursday? I am not sure I can come, but I will try.

All my best.

Kathleen Weiss, Esq.
Weiss Law, LLC
860 Beach Road
Lakewood, Ohio 44107
[\(216\) 536-1399](tel:2165361399)
Weisslaw@hotmail.com

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Cc: Kathleen Weiss <Weisslaw@hotmail.com>
Subject: Review of Plan for 914 Beach Road Construction

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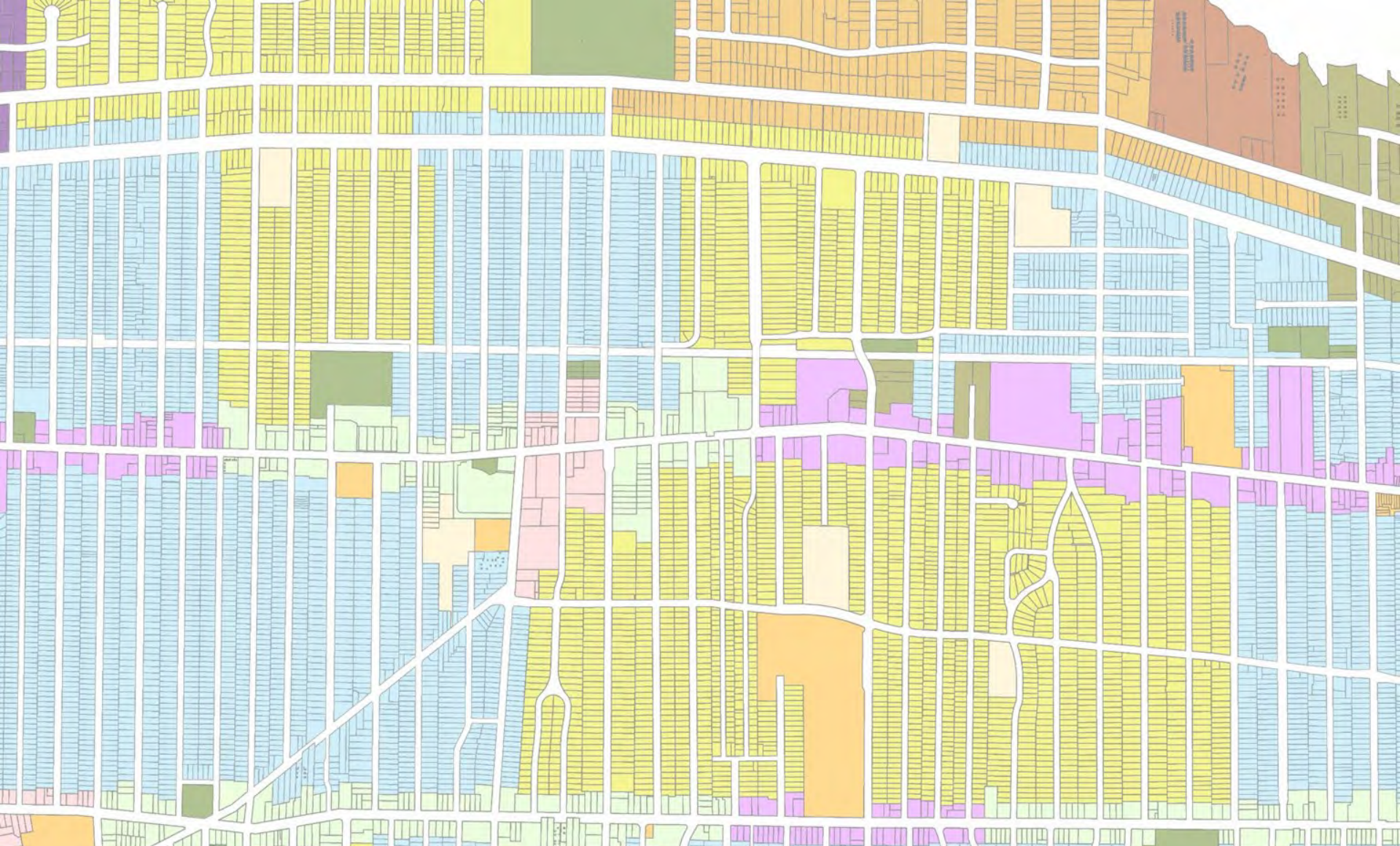
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Please confirm receipt of this email and the attached letter and let me know if a continuance is required - or if you recommend any other action from me to ensure that my questions are addressed appropriately.

I appreciate your consideration!

Kindly,
Andrea Maher



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: Meghan Otter

Vice Chair: Michael Alexander

Jeffrey Pigott

Jillian Bolino

Anthony Santiago

Staff

Board Secretary: Michelle Nochta

Legal Counsel: Andrew Fleck

Building Department: Justin Maskaluk

Board of Zoning Appeals January 19, 2023 Agenda

1. Oath
2. Roll Call
3. Vote on November 17, 2022 minutes and January 19, 2023 minutes
4. Opening Remarks
5. **OLD BUSINESS**
6. **DEFERRED BY APPLICANT-1655 Roosevelt Ave.** – applicant and property owner Christopher Walling
7. **NEW BUSINESS**
8. **2183 Eldred** – applicant Susan Broadwater of Beegan Architecture for the property owner Daniel Boich
9. **914 Beach Road-** applicant architect Mark Reinhold for property owner Diane Ferguson
10. Adjourn



Oath for new member Anthony Santiago



Board of Zoning Appeals

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

Roll Call



Board of Zoning Appeals

**Approve Meeting Minutes for
November 17, 2022 and
January 19, 2023**



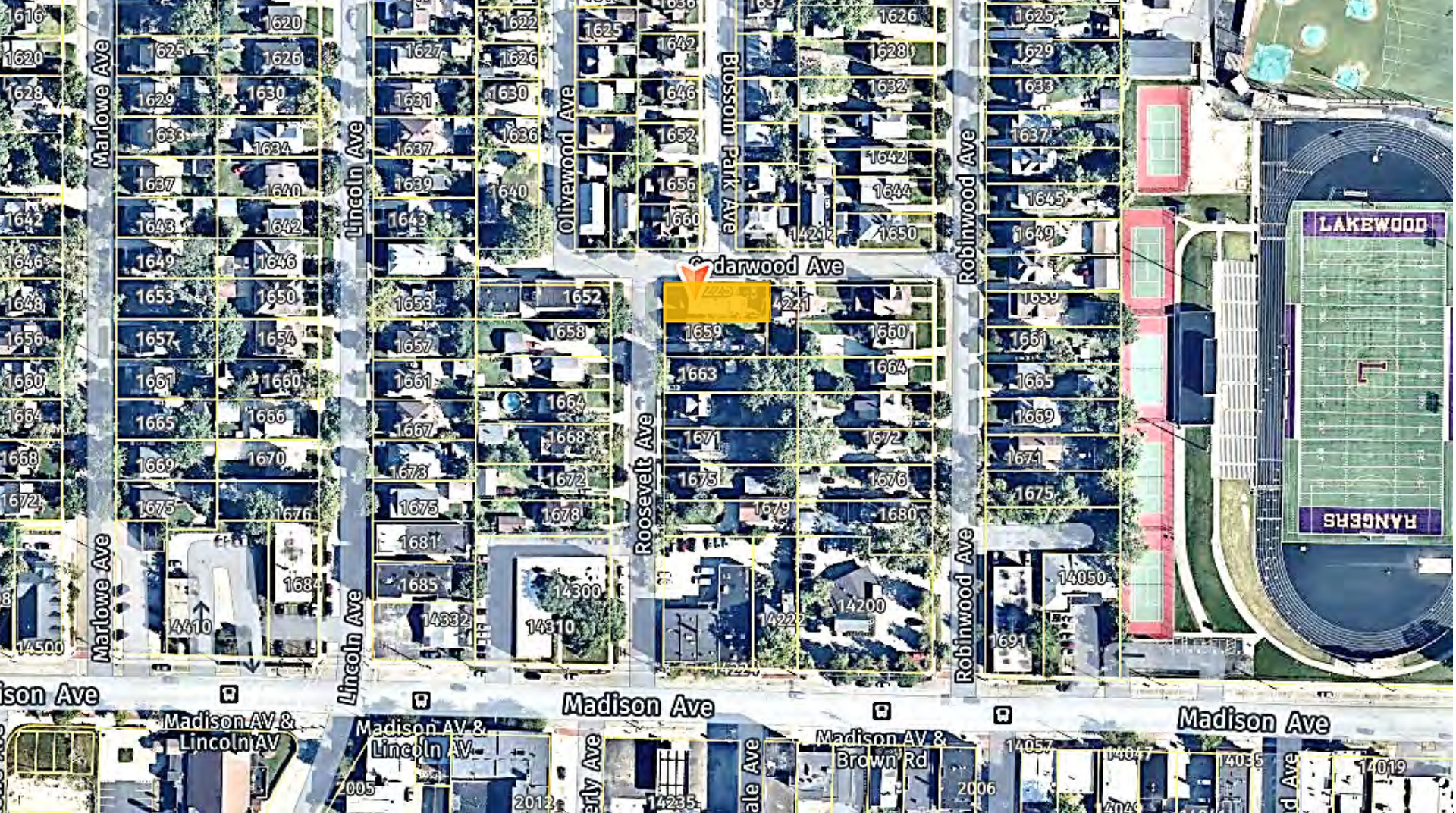
Board of Zoning Appeals



Opening Remarks



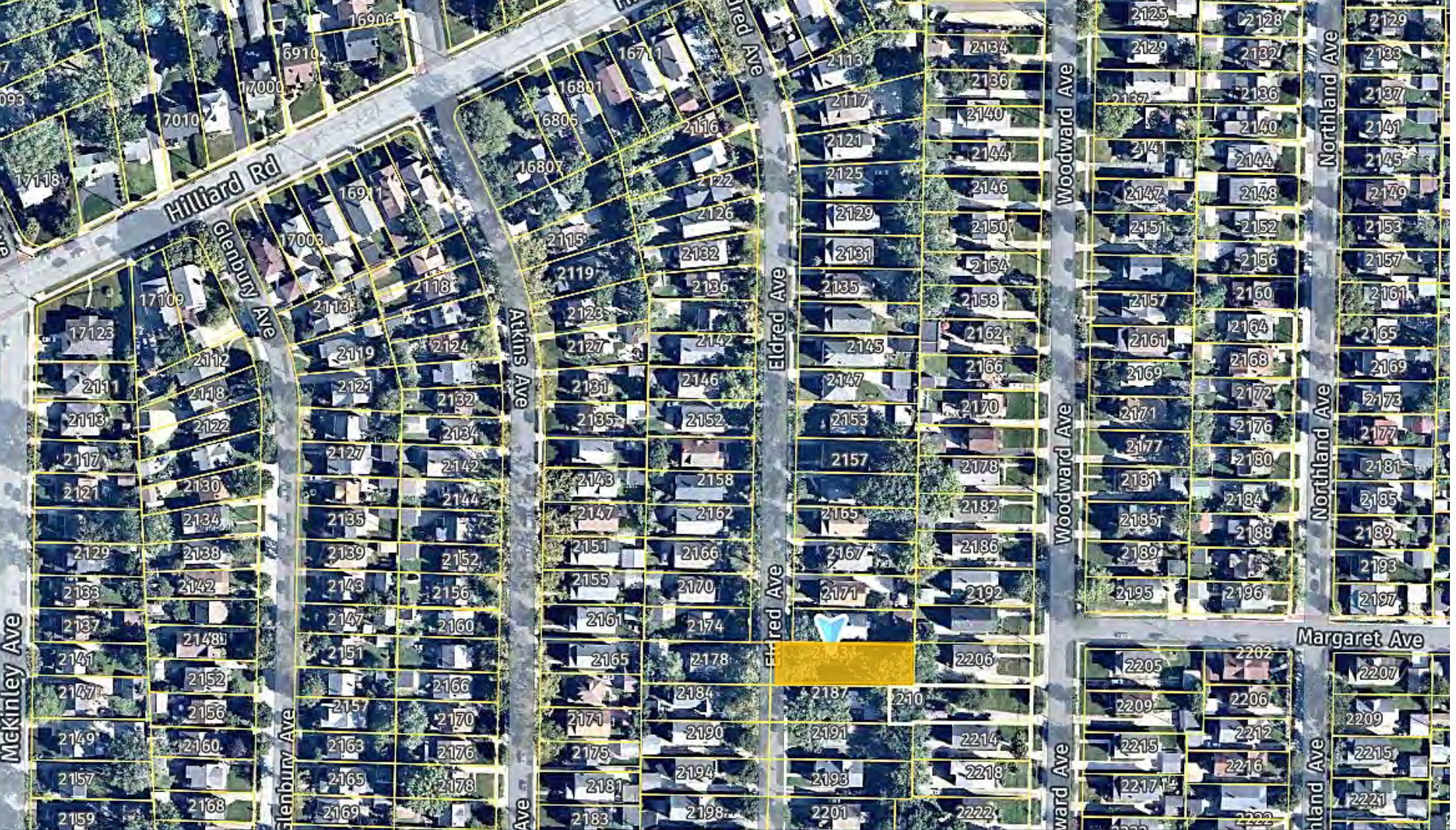
Board of Zoning Appeals



DEFERRED - Docket No. 12-32- 22 1655 Roosevelt Avenue

Applicant and property owner Christopher Walling proposes the construction of a new two-story garage on the old pad of a previously demolished one story garage. The property is located in the R2 Single- and Two-Family District.





Docket No. 02-02- 23 2183 Eldred Ave

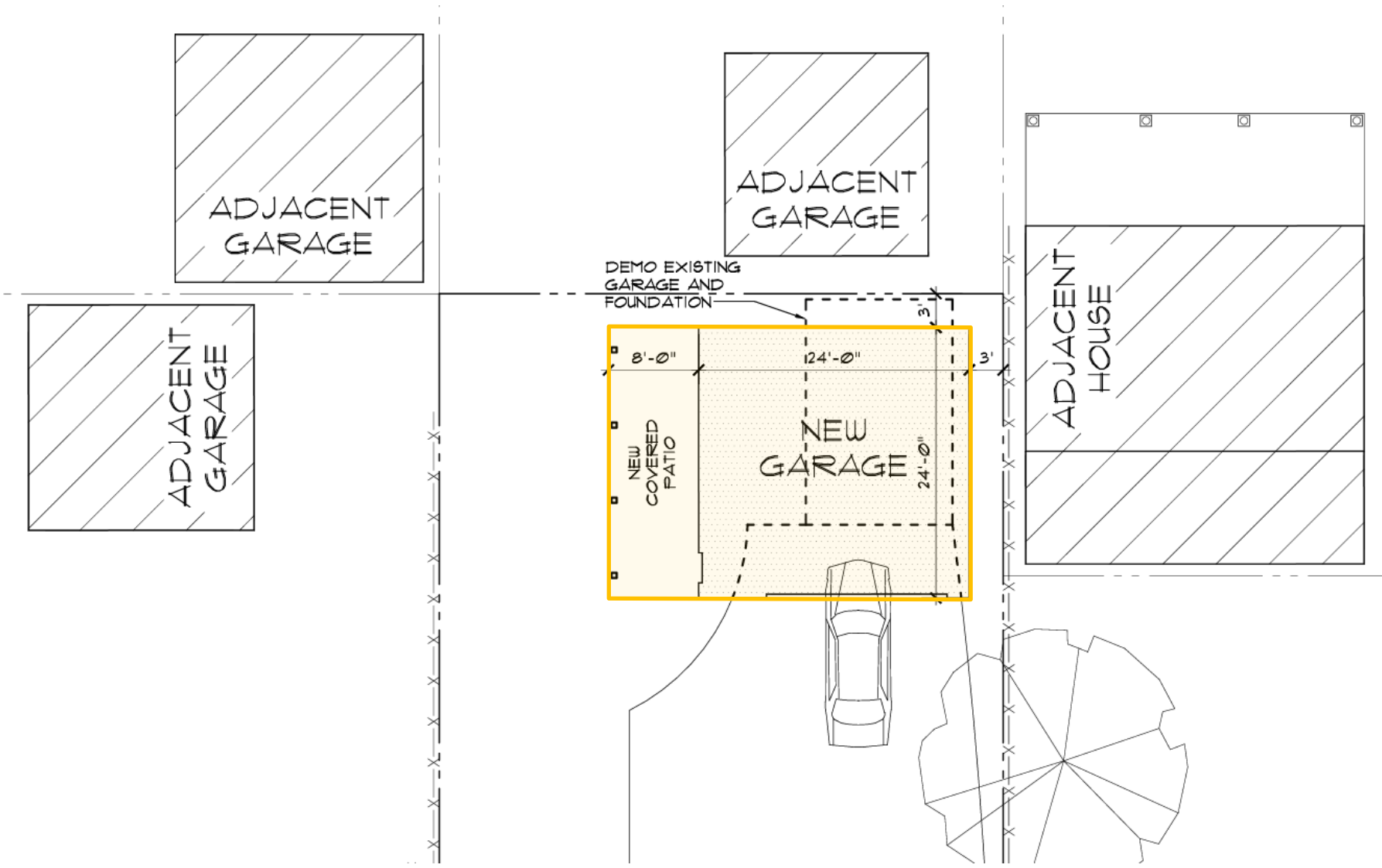
Applicant Susan Broadwater of Beegan Architecture for property owner Daniel Boich.
The property is located in the R1H Single-Family High-Density District.



Docket No. 2-02-23
2183 Eldred Ave

Applicant Susan Broadwater of Beegan Architecture for property owner Daniel Boich proposes the construction of a new garage. The proposed garage has a calculated height of 17 feet, permitted maximum is 15 feet. The property is in the R1H, Single Family High-Density District. .

- **Variance 1:** Request a variance to exceed the maximum permitted height of an accessory structure. The permitted accessory structure height is 15 feet calculated. The proposed garage height is calculated at 17 feet. Request a variance to exceed the permitted maximum height by 2 feet, as proposed. Pursuant to section 1121.05(b) Height Regulations (Ord. 91-95. Passed 10-7-1996.)



PROJECT DESCRIPTION:

- A. ARCHITECTURAL: NEW SLAB AND FRAMING OF NEW GARAGE

WALL SYSTEM: NEW WOOD FRAMING W/ BATT INSULATION
FOUNDATION SYSTEM: NEW CONCRETE FOUNDATION AND FOOTERS
FLOOR SYSTEM: NEW WOOD FLOOR JOISTS AND SUBFLOOR
ROOF SYSTEM: NEW ASPHALT SHINGLES ON PLYWOOD SHEATHING
- B. STRUCTURAL: NEW WOOD FRAMING & LVL BEAMS
- C. MECHANICAL: NEW HVAC SYSTEM - AIR HANDLER, CONDENSER, AND DUCTWORK
- D. PLUMBING: TIE NEW DOWNSPOUTS INTO EXISTING STORM WATER LEAD AND NEW FLOOR DRAIN INTO EXISTING SANITARY SYSTEM
- E. ELECTRICAL: NEW WIRING INCLUDING LIGHTS, OUTLETS, AND SWITCHES ON NEW ELECTRICAL PANEL, NEW SERVICE FOR RESIDENTIAL USE

SITE INFORMATION:

PROPERTY LOCATION: 2183 ELDRED AVE. LAKEWOOD, OH 44107
ZONING DISTRICT: RESIDENTIAL
SURROUNDING LAND USES: RESIDENTIAL
PARCEL SIZE: 7000 SF (0.16 ACRES)

BUILDING INFORMATION:

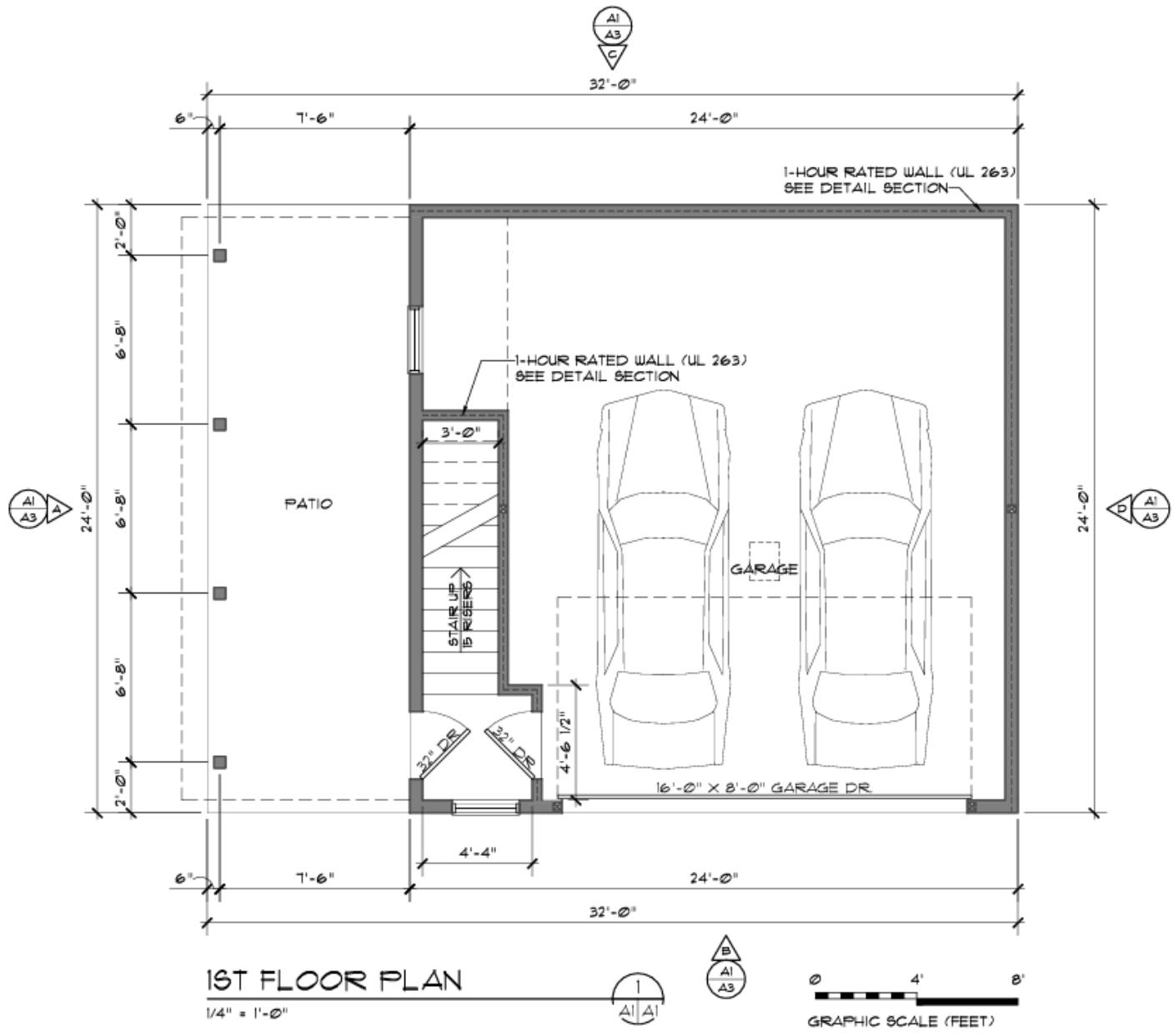
- A. USE GROUP CLASSIFICATION: RESIDENTIAL - 1 FAMILY PLATTED LOT
- B. CONSTRUCTION CLASS: VB, UNPROTECTED, NONCOMBUSTIBLE / COMBUSTIBLE
- C. PROJECT AREA: NEW GARAGE: 576 SF

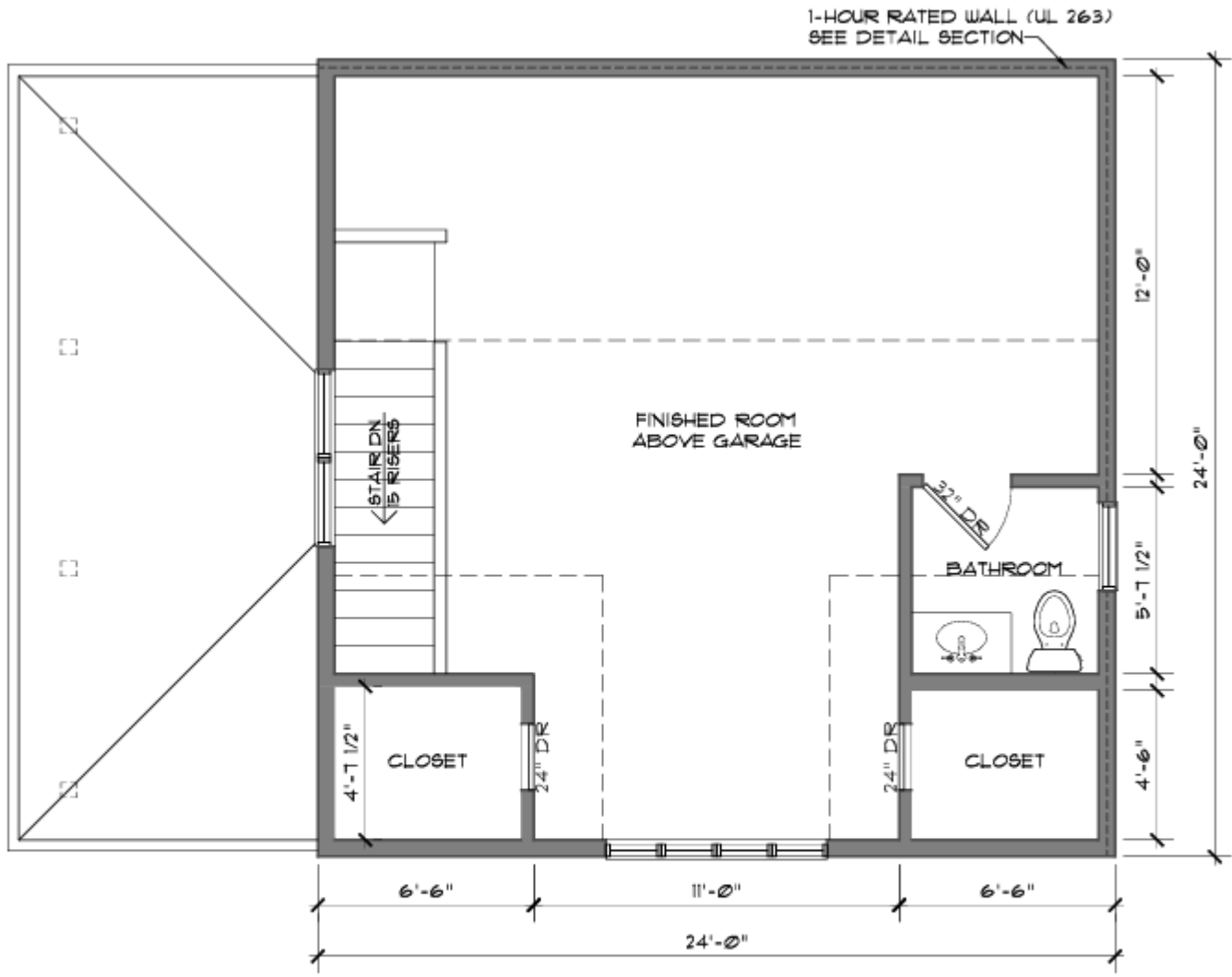
PROJECT SCOPE NOTES

1. ALL FINISH MATERIALS TO BE SELECTED BY OWNER. PROVIDE SAMPLES OF ALL FINISH MATERIALS FOR REVIEW AND APPROVAL BY OWNER.
2. NEW WINDOWS TO BE SELECTED BY OWNER.
3. NEW PLUMBING SUPPLY AND WASTE TO TIE INTO EXISTING SUPPLY AND SANITARY. PROVIDE 1/2" HW & CW SUPPLY PIPING (PEX OR COPPER) WITH PVC WASTE CONNECTIONS (2" FOR SINKS, 3" FOR TOILETS, 4" FOR STACKS) WITH CLEANOUTS AS REQUIRED.

DESIGN DATA

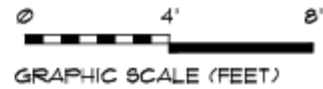
FLOOR LIVE LOAD:	40 PSF
ROOF LIVE LOAD:	30 PSF
GROUND SNOW LOAD (Pg)	20 PSF
SNOW EXPOSURE FACTOR (Ce)	1.0
THERMAL FACTOR (Ct)	1.0
SNOW IMPORTANCE FACTOR (Is)	1.0
BASIC WIND SPEED (3 SEC. GUST)	115 MPH
WIND IMPORTANCE FACTOR (IW)	1.0
WIND EXPOSURE CATEGORY	B

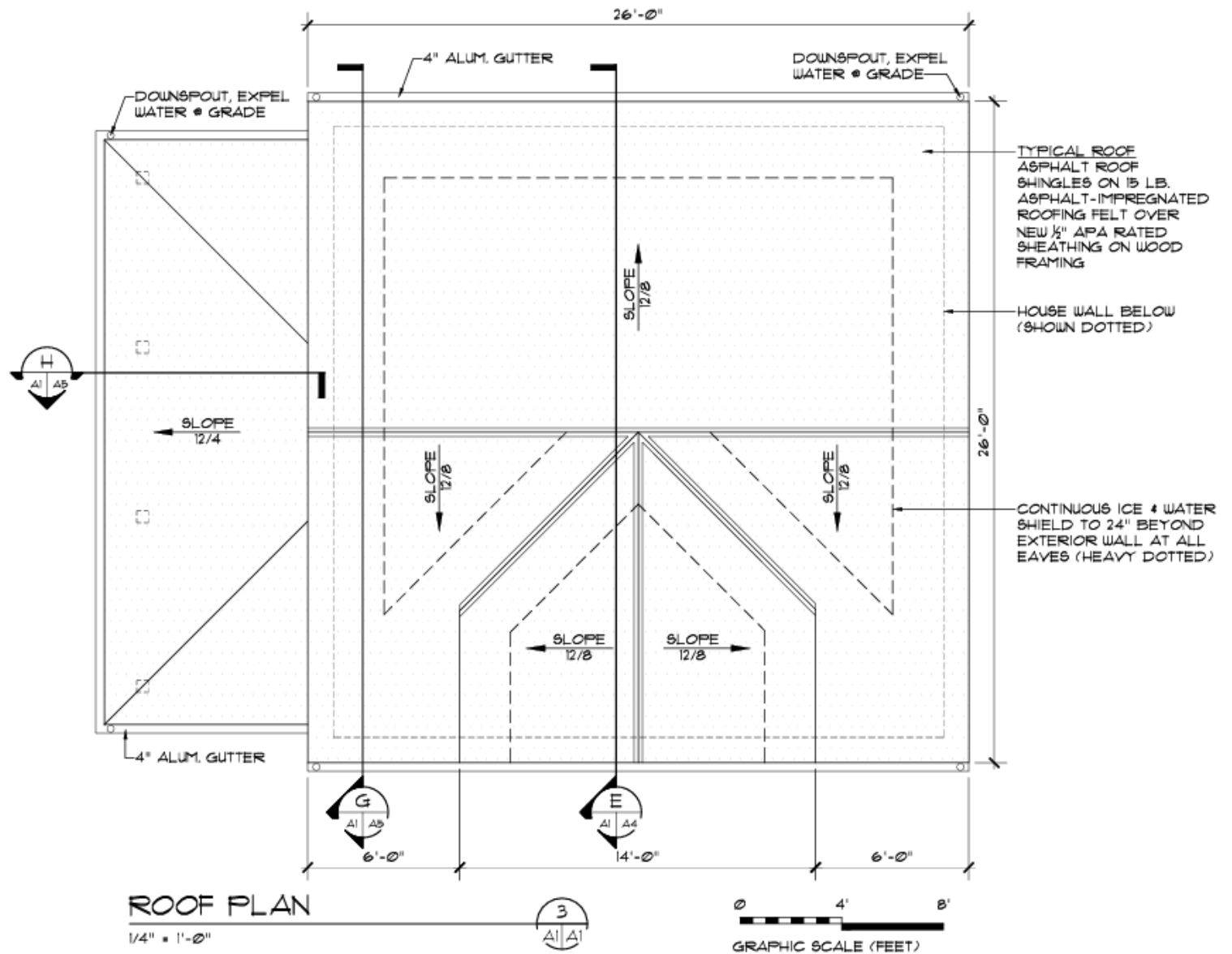


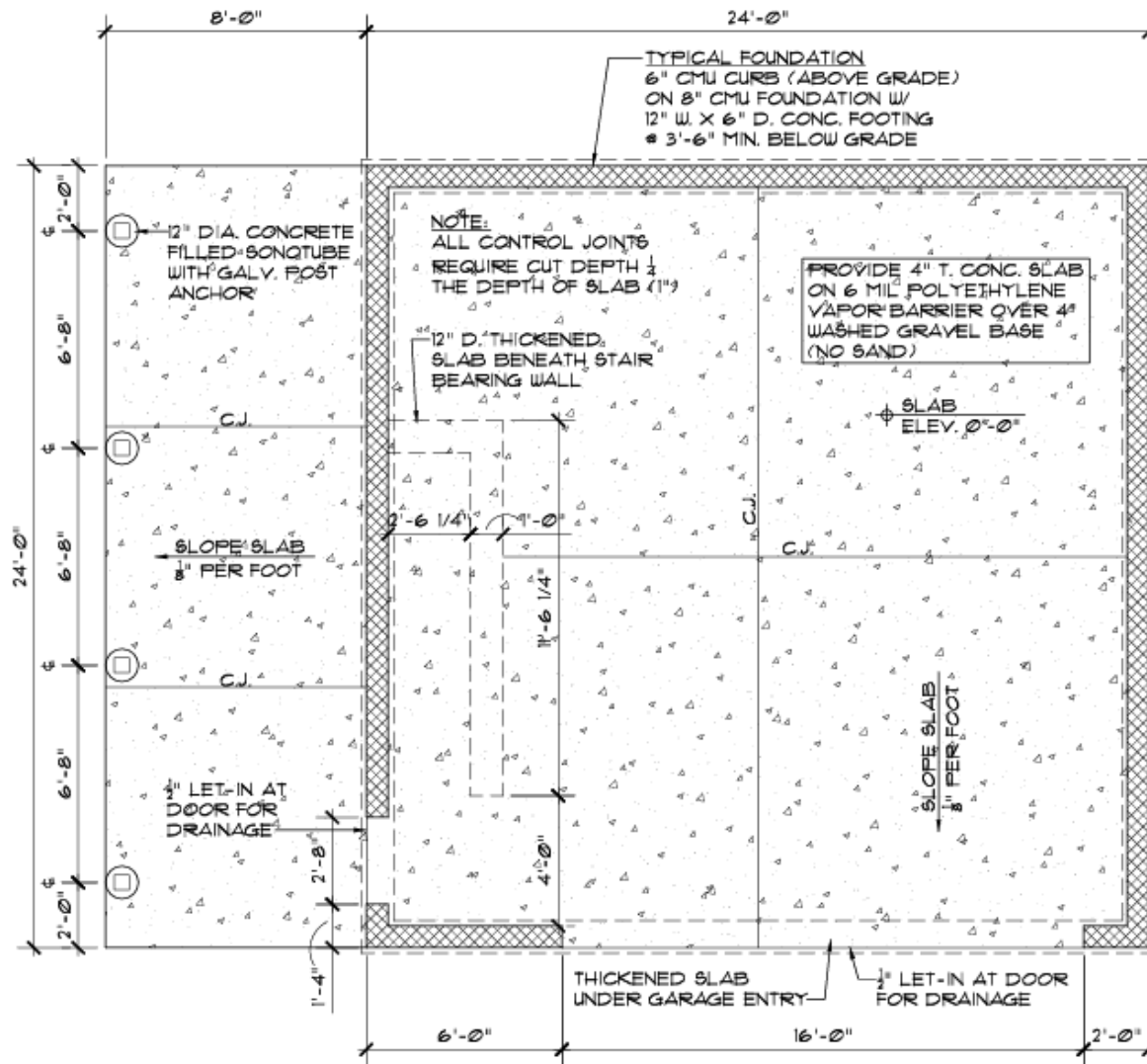


2ND FLOOR PLAN

1/4" = 1'-0"





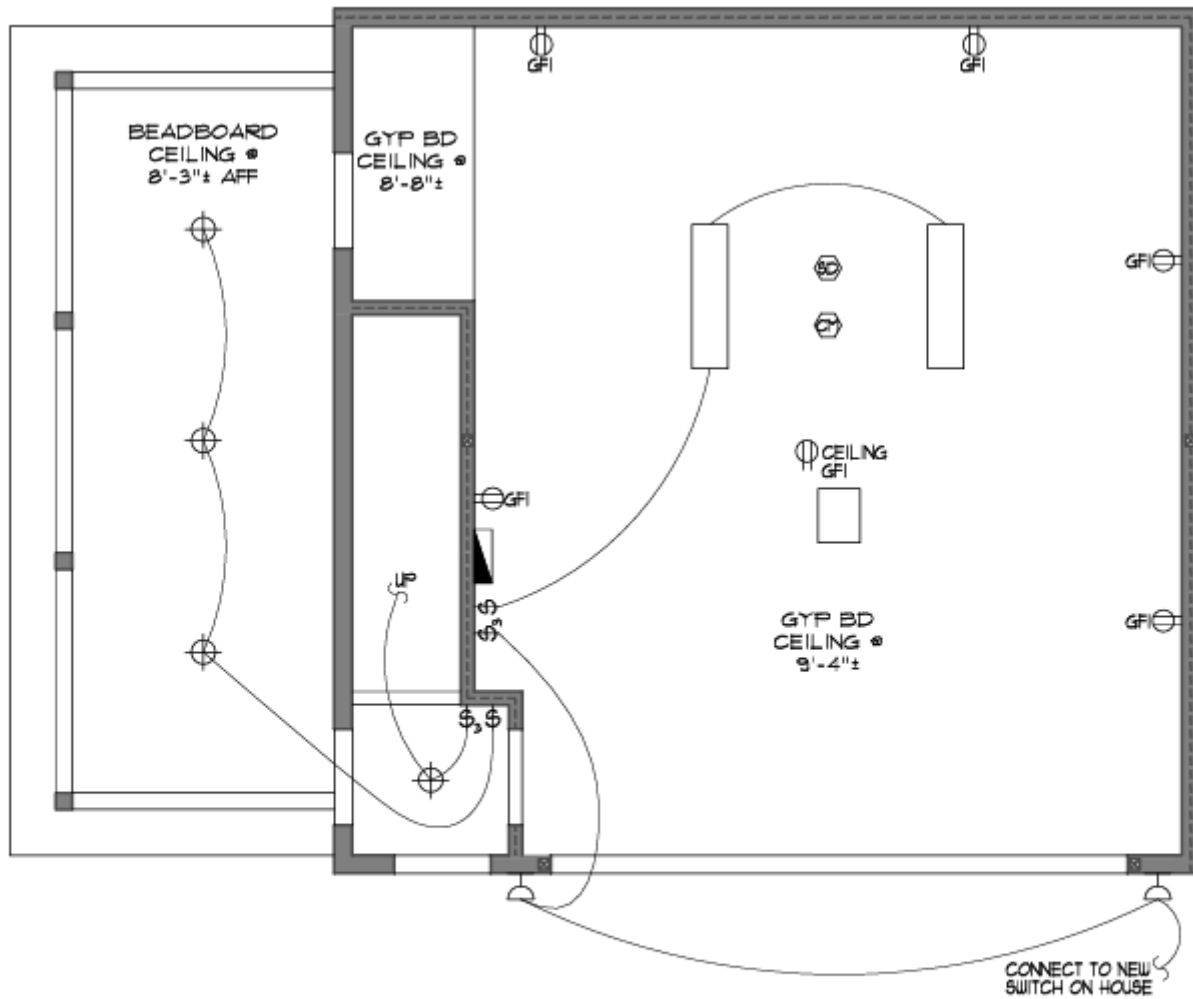


FOUNDATION PLAN

1/4" = 1'-0"



GRAPHIC SCALE (FEET)



1ST FLOOR REFLECTED CEILING & ELECTRICAL LAYOUT PLAN

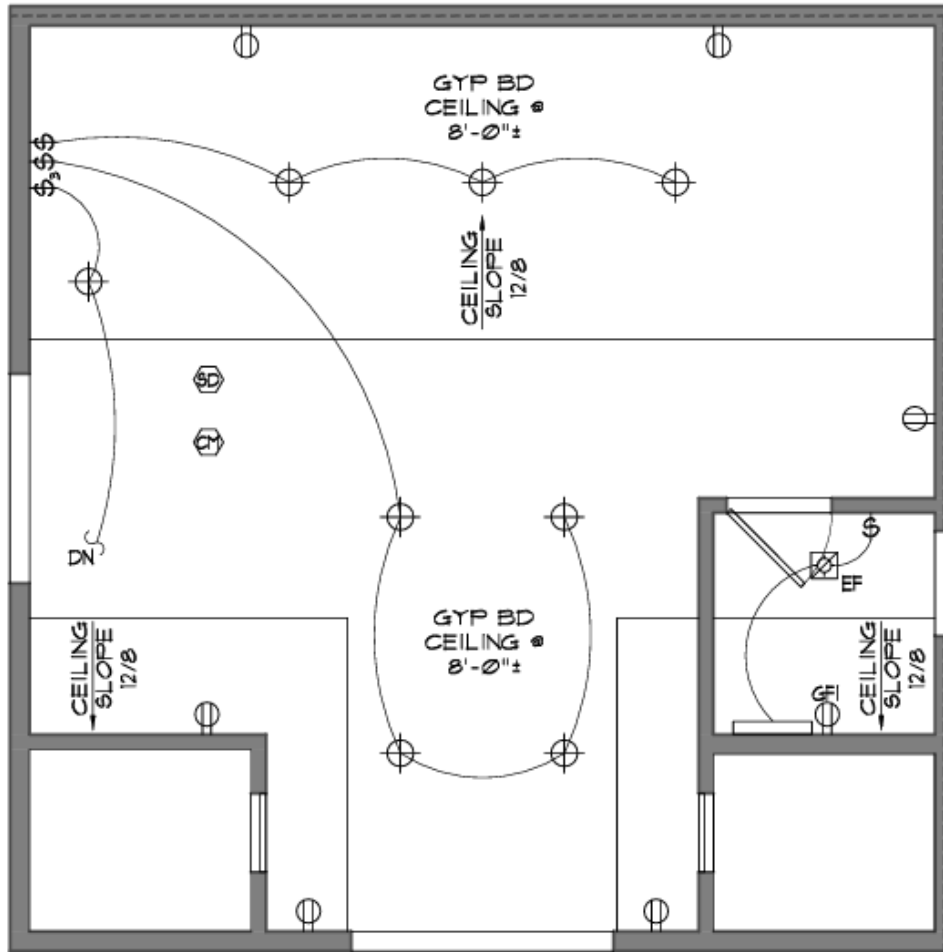
1/4" = 1'-0"

5
A2 | A2



GRAPHIC SCALE (FEET)

2183 Eldred Ave



2ND FLOOR REFLECTED CEILING
 & ELECTRICAL LAYOUT PLAN

1/4" = 1'-0"

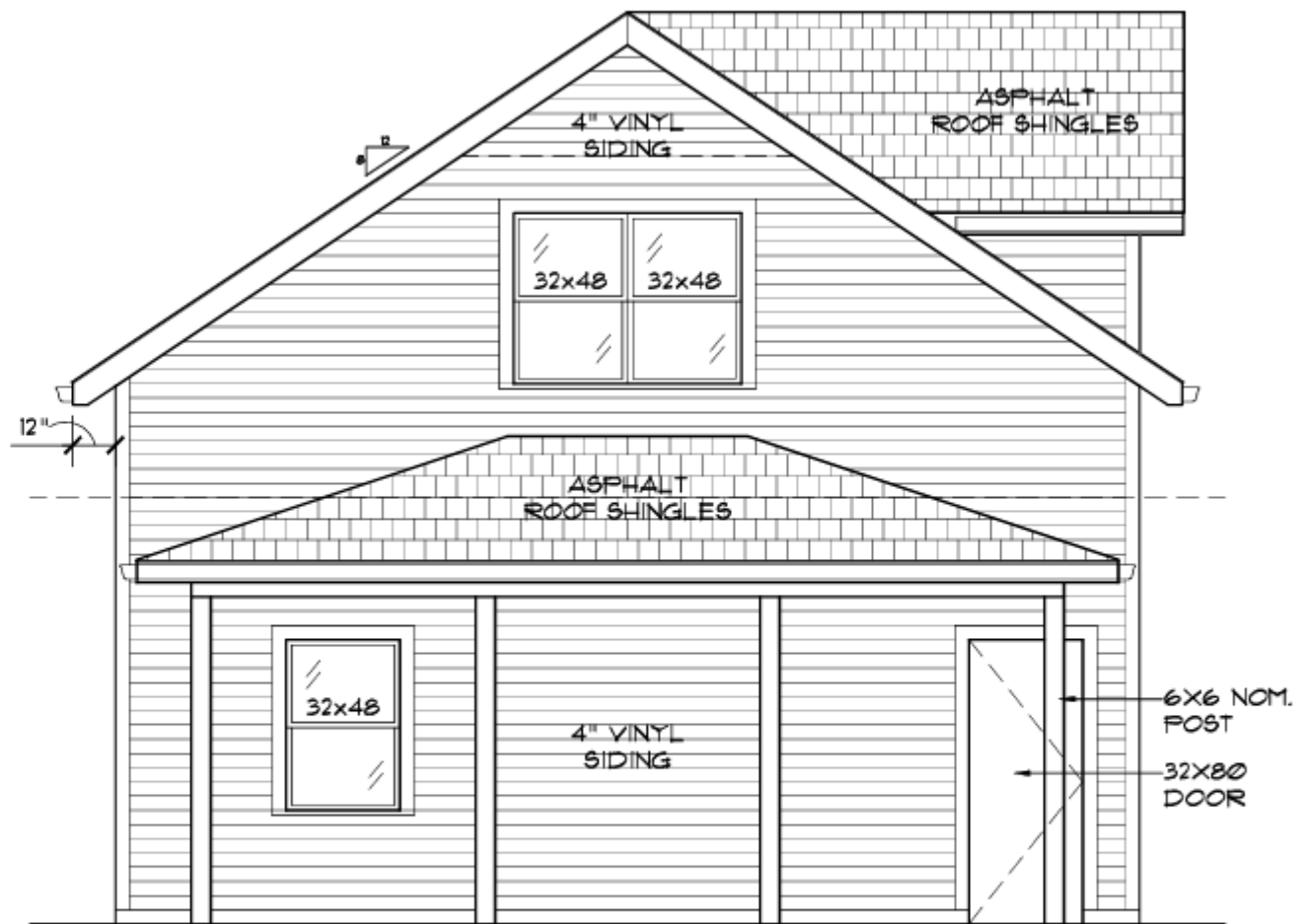


TOP OF ROOF
ELEV. 21'-4"±

TOP PLATE
ELEV. 12'-8"±

2ND FLOOR
ELEV. 10'-0"±

TOP OF SLAB
ELEV. 0'-0"



LEFT ELEVATION

1/4" = 1'-0"



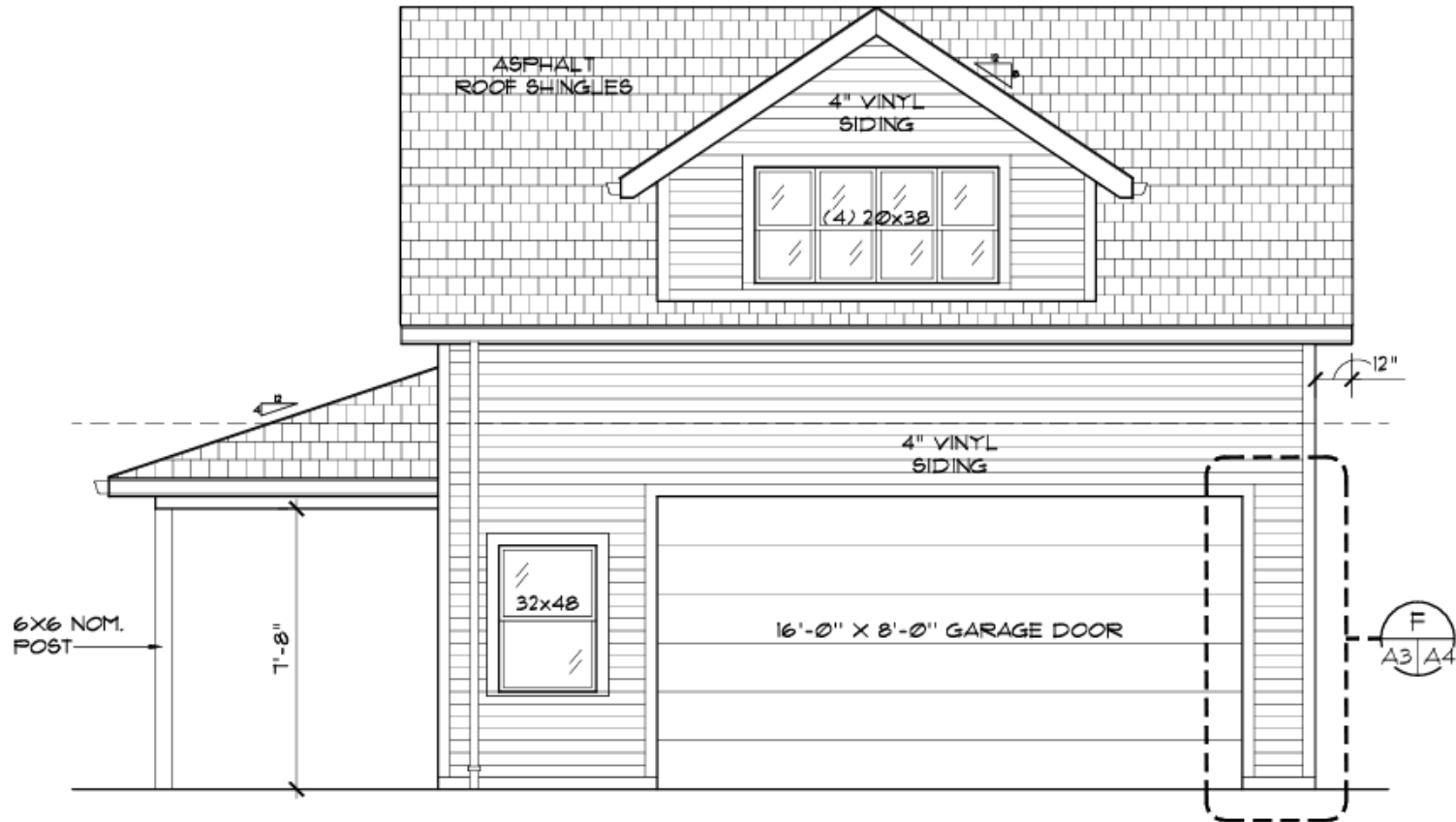
2183 Eldred Ave

TOP OF ROOF
ELEV. 21'-4"±

TOP PLATE
ELEV. 12'-8"

2ND FLOOR
ELEV. 10'-0"

TOP OF SLAB
ELEV. 0'-0"

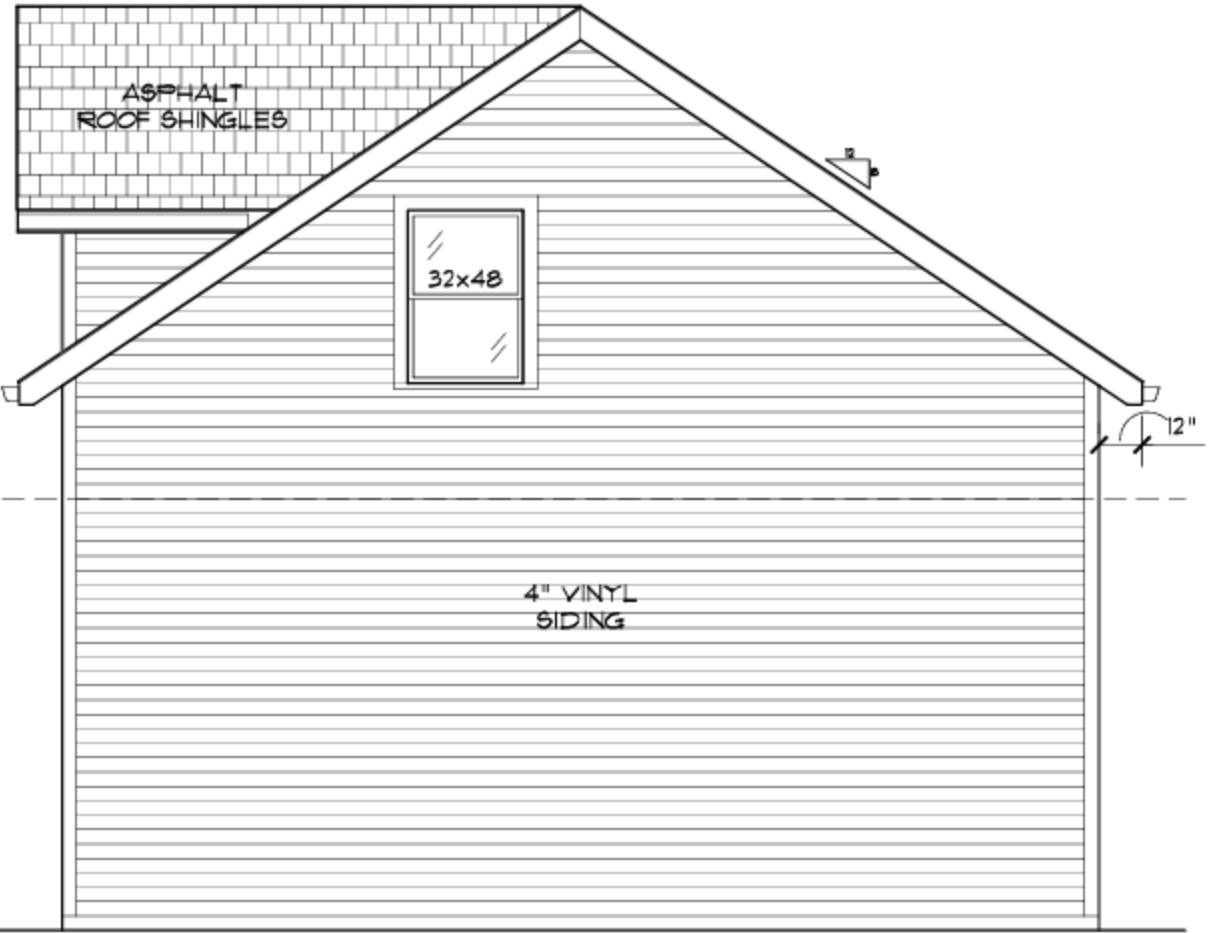


FRONT ELEVATION

1/4" = 1'-0"



TOP OF ROOF
ELEV. 21'-4"



TOP PLATE
ELEV. 12'-8"

2ND FLOOR
ELEV. 10'-0"

TOP OF SLAB
ELEV. 0'-0"

RIGHT ELEVATION

1/4" = 1'-0"



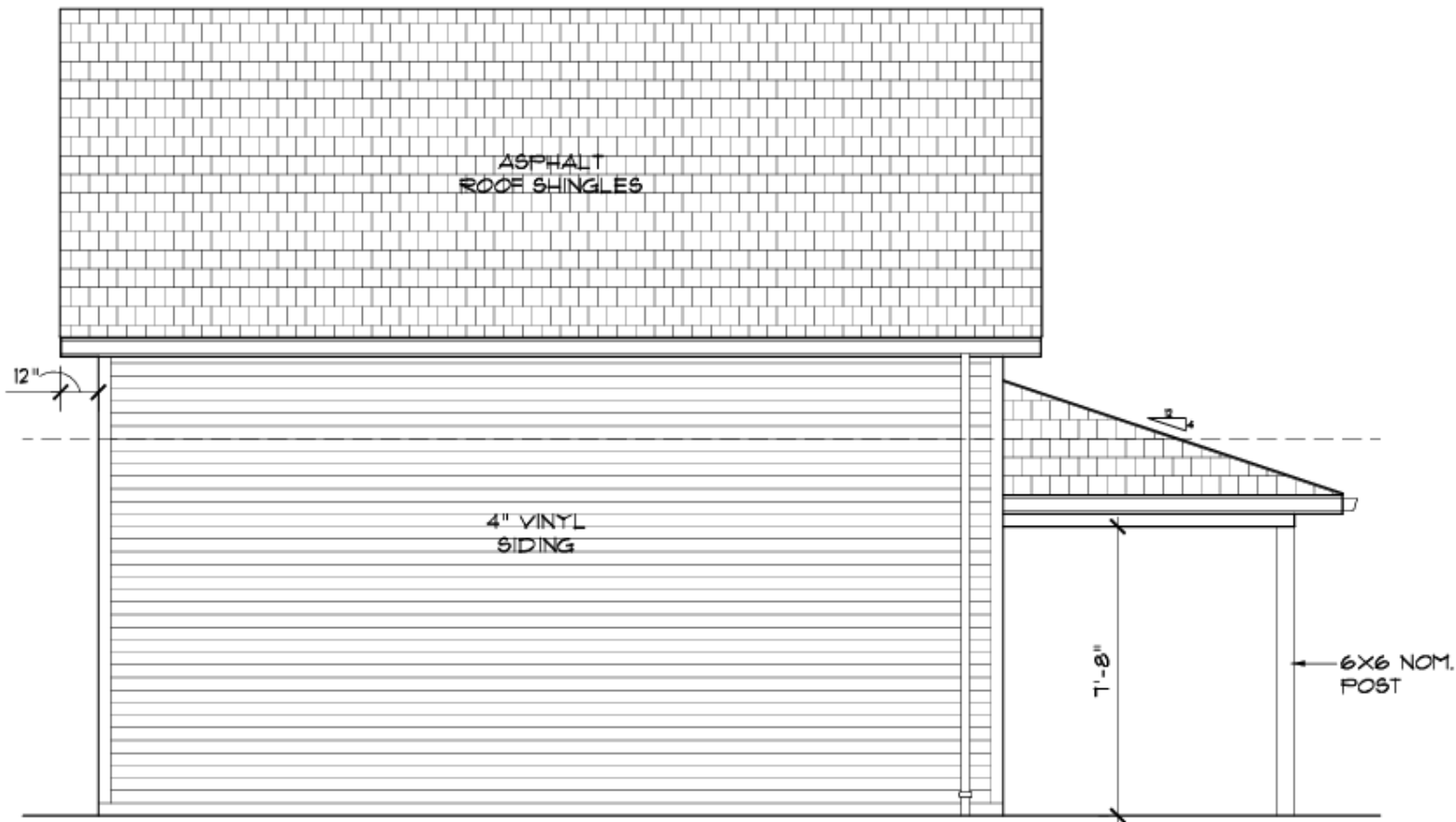
2183 Eldred Ave

TOP OF ROOF
ELEV. 21'-4"±

TOP PLATE
ELEV. 12'-8"±

2ND FLOOR
ELEV. 10'-0"±

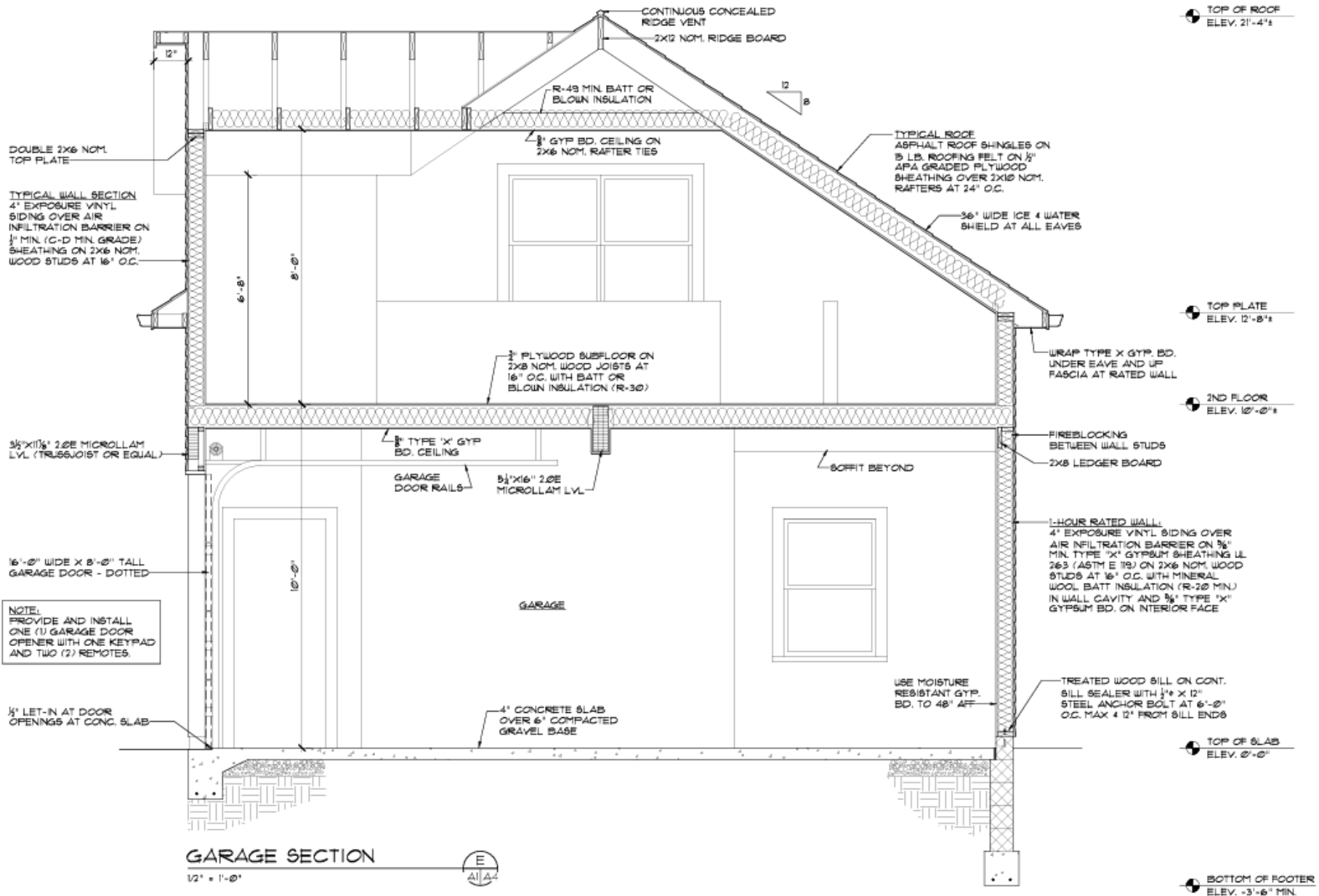
TOP OF SLAB
ELEV. 0'-0"

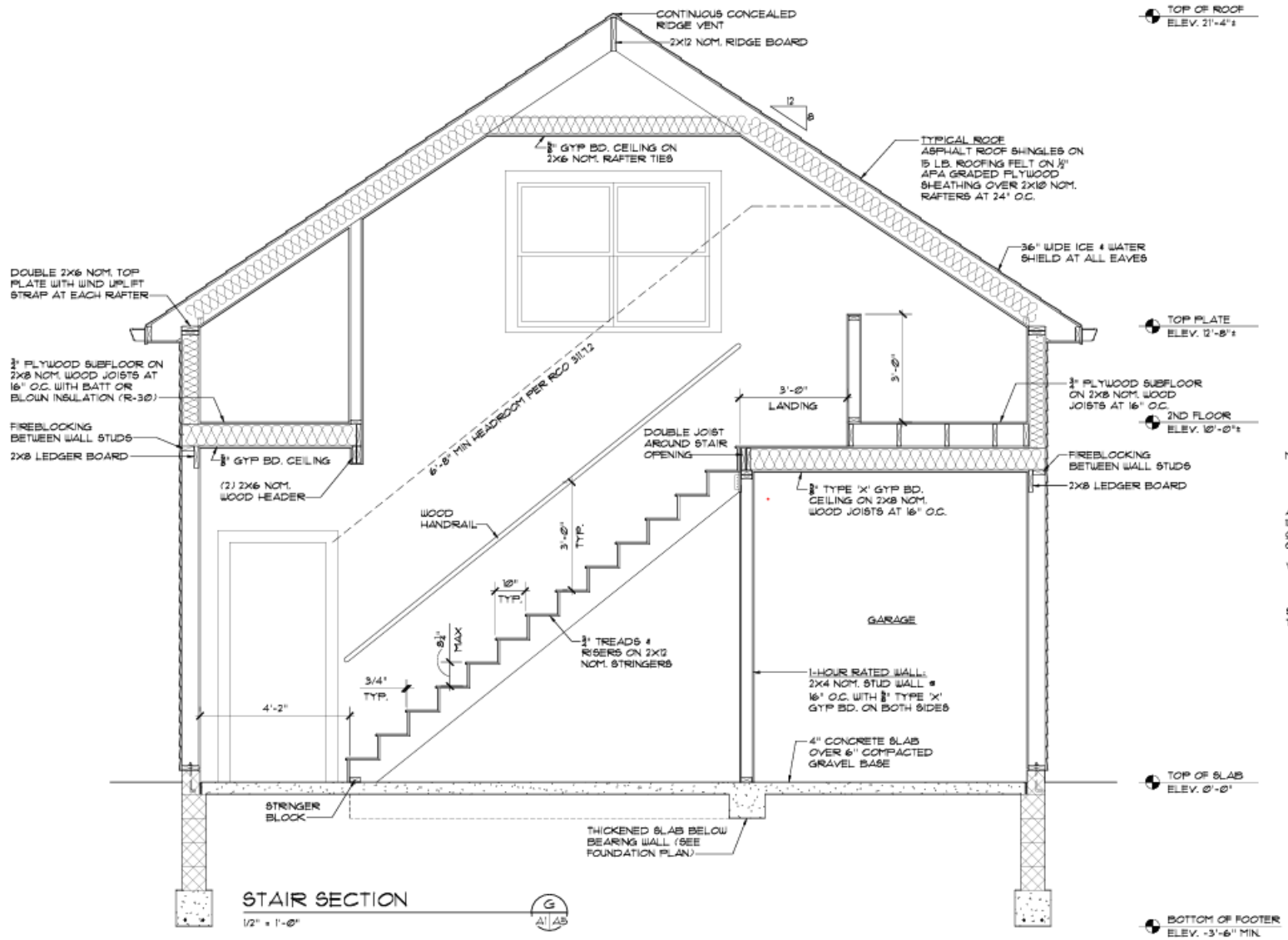


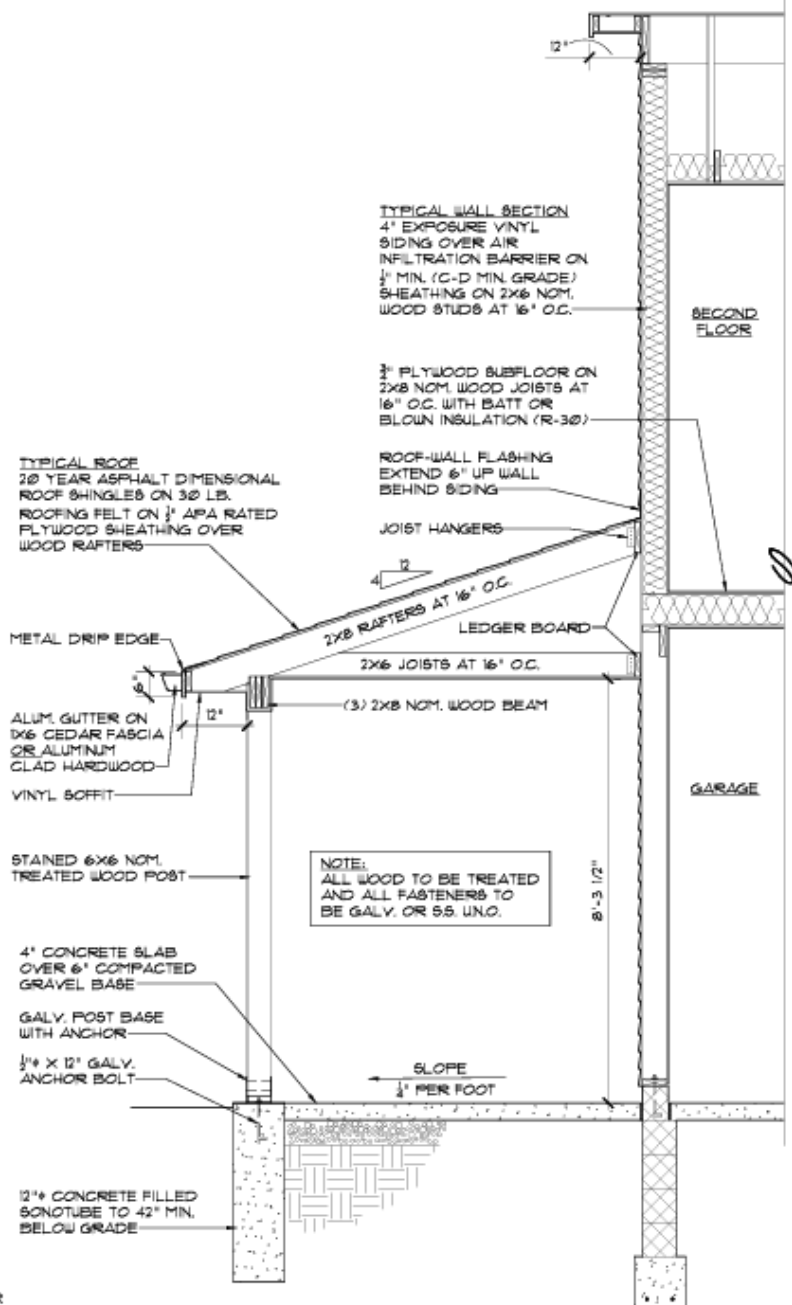
REAR ELEVATION

1/4" = 1'-0"









PATIO SECTION

1/2" = 1'-0"





Fix lighting X

2183 Eldred Ave

Fix lighting X





2183 Eldred Ave

Fix lighting X







2183 Eldred Ave



2183 Eldred Ave



2183 Eldred Ave

Administrative Comments

- May not be used as a dwelling unit
- The calculated height for an accessory structure provides more height than a straight measurement, allowing a room on the second story without a variance required, this design requires a variance
- Rear yard is approximately 3,749 square feet in area, this would permit a garage 935 sq. ft. in area, proposed garage is 768 sq. ft. (including the covered porch). There is room for the design to be modified horizontally.
- Past variances for height typically have been granted for accessory structures on larger lots or for parcels that abut non-residential uses.



Administrative Comments

- Similar BZA Cases – Detached Garages (Mean Heights):
 - • 09-18-20 (18147 Clifton) – Garage/Art Studio (19.67') Lot size 17, 986 square feet, garage 125 ft from the public right of way.
 - • 02-03-19 (1235 Summit) – Garage/Art Studio (16.5')
 - • 07-15-18 (2063 Lakeland) – Denied (16') – Lot space to modify design horizontally
 - • 06-10-18 (2211 Clarence) – Condition: Incidental Storage Only (17') abutting industrial
 - • 03-04-18 (2091 Lakeland) – Denied (16.67') – Lot space to modify design horizontally
 - • 05-08-15 (1636 Alameda) – Condition: Incidental Storage Only (~15.5')
 - • 07-26-13 (1666 Lincoln) – Condition: Incidental Storage Only (~15.5')



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:

- Approving this variance will provide significant improvement compared to the current garage. I will contribute to the continued property upgrade and help reduce the number of vehicles utilizing street parking.



2183 Eldred Ave



Public Comment

Received via email-

Meeting attendee(s)



2183 Eldred Ave

Docket No. 2-02-23
2183 Eldred Ave

Applicant Susan Broadwater of Beegan Architecture for property owner Daniel Boich proposes the construction of a new garage. The proposed garage has a calculated height of 17 feet, permitted maximum is 15 feet. The property is in the R1H, Single Family High-Density District. .

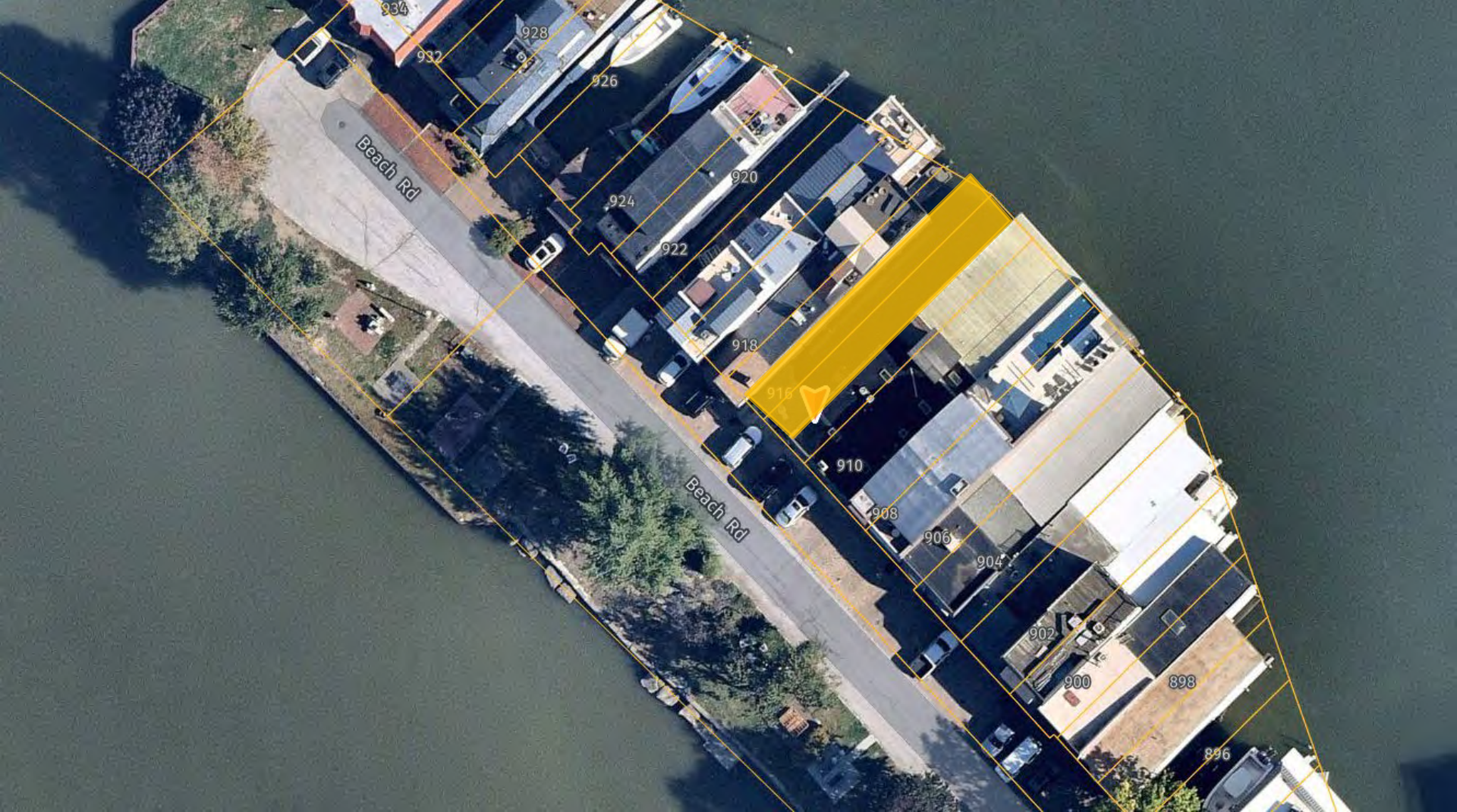
- **Variance 1:** Request a variance to exceed the maximum permitted height of an accessory structure. The permitted accessory structure height is 15 feet calculated. The proposed garage height is calculated at 17 feet. Request a variance to exceed the permitted maximum height by 2 feet, as proposed. Pursuant to section 1121.05(b) Height Regulations (Ord. 91-95. Passed 10-7-1996.)



Docket No. 2-03-23 914 Beach Rd

Applicant Mark Reinhold for property owner Diane Ferguson proposes the construction of a new townhome on a vacant lot. The property is located on a waterfront lot in the Lagoon District.



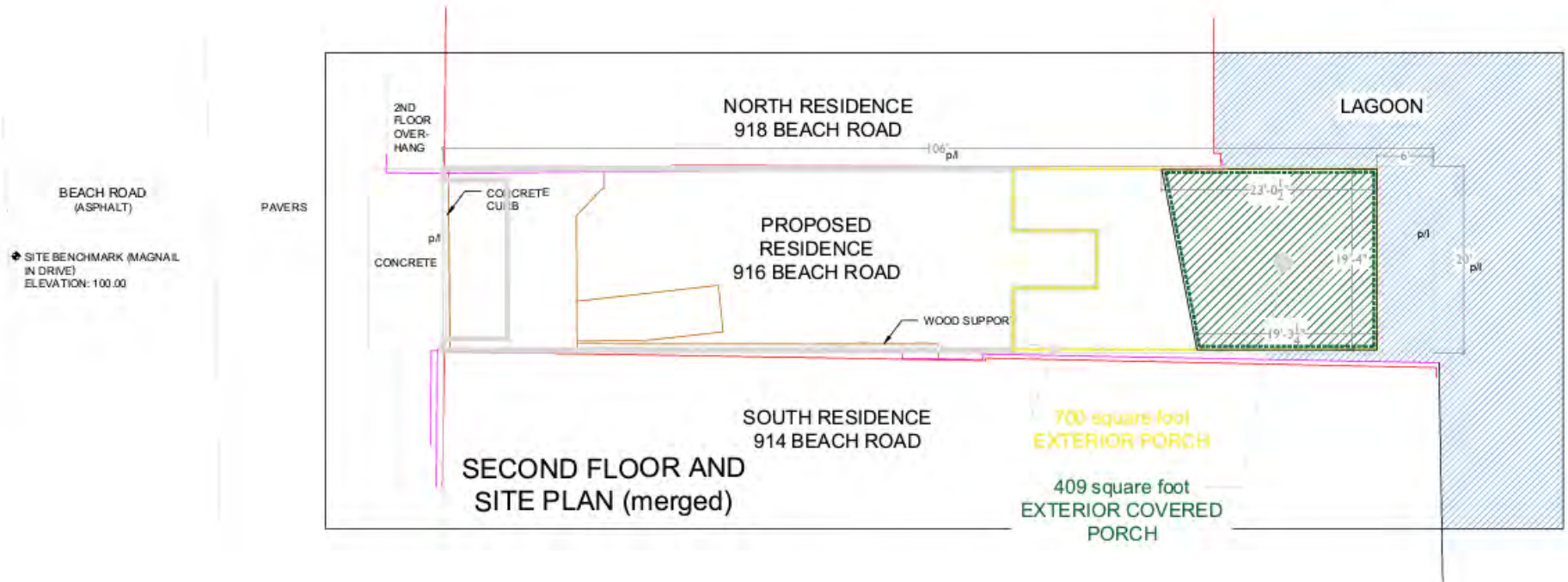


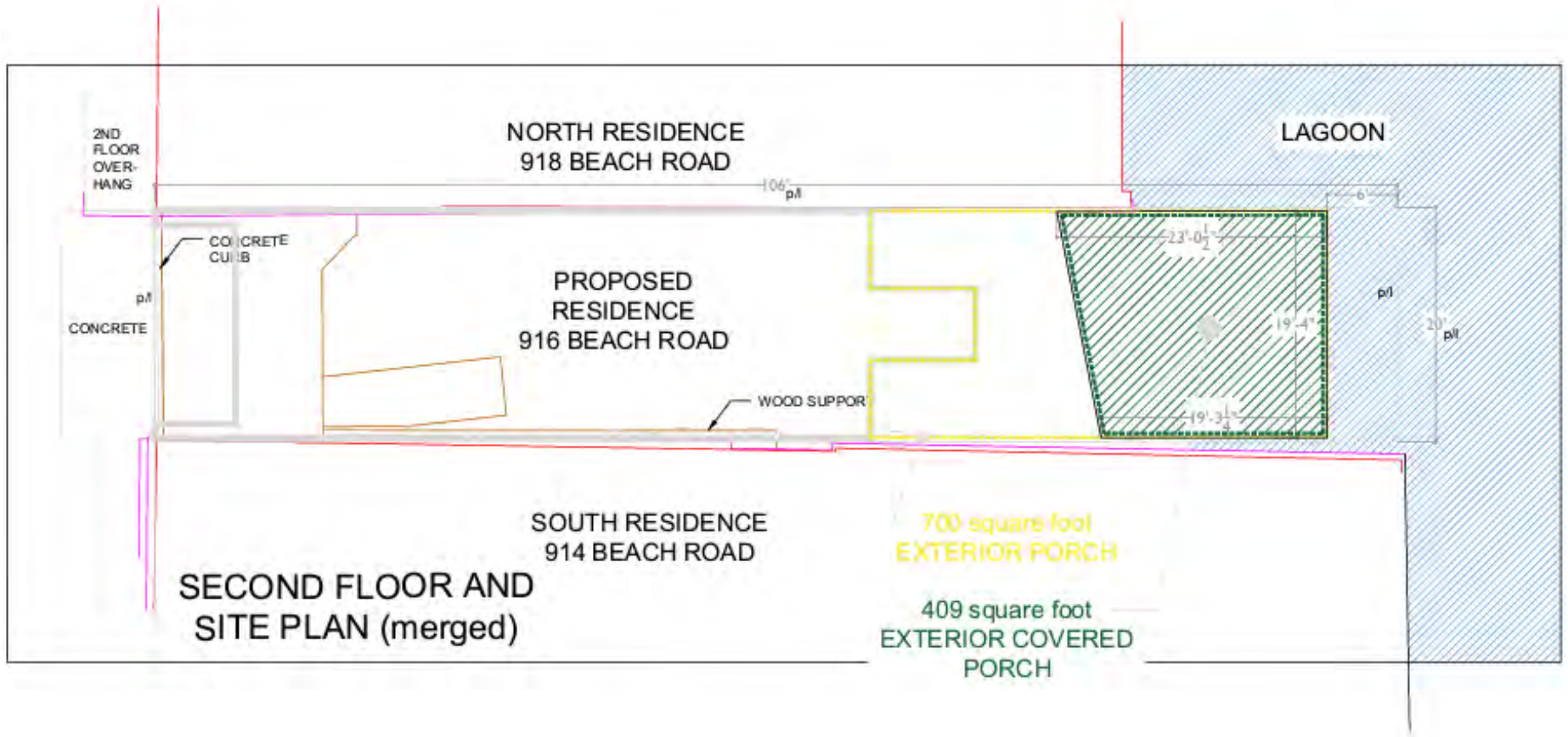
Docket No. 02-03-23

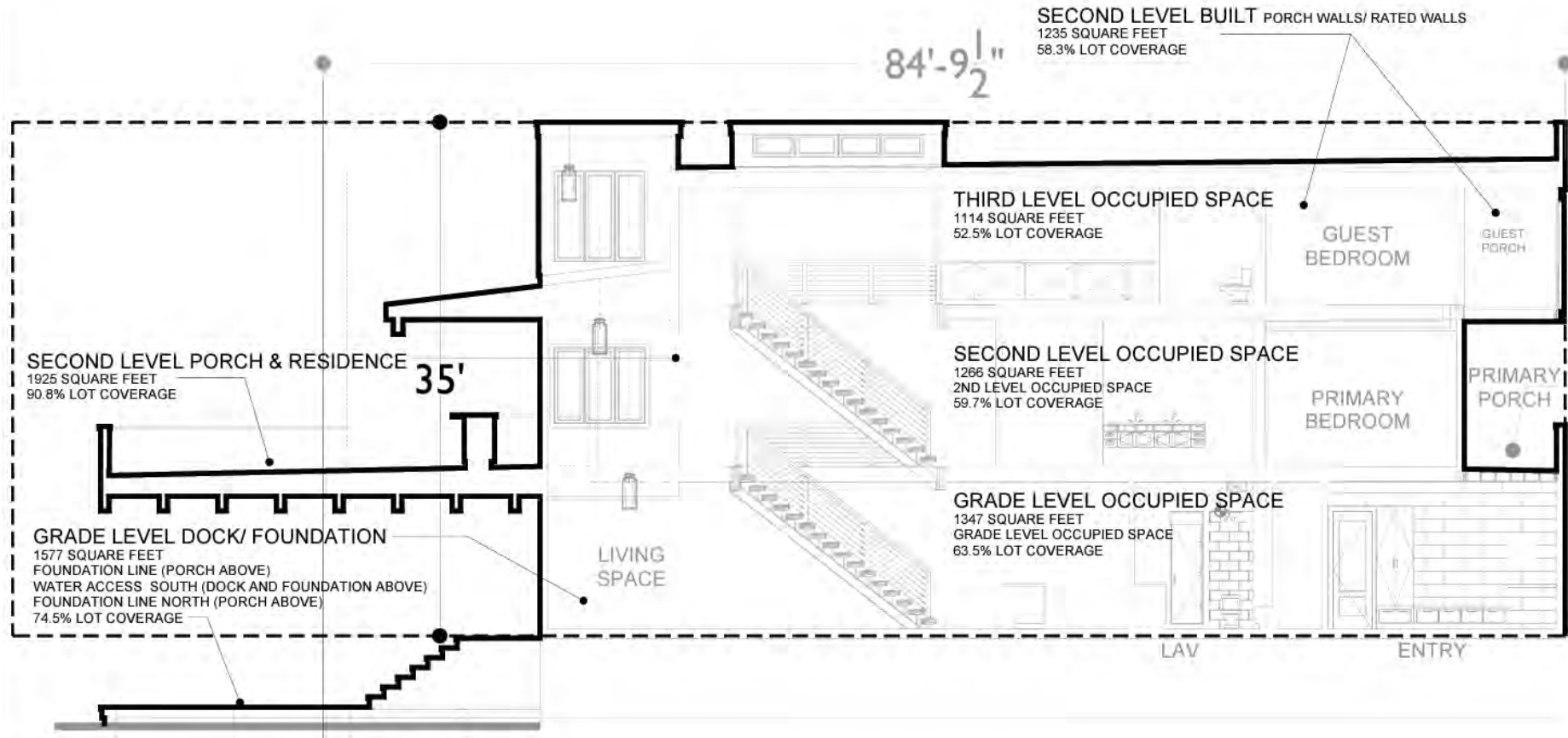
914 Beach Road

Applicant and architect Mark Reinhold for property owner Diane Ferguson proposes the construction of a new townhome on a waterfront lot that is currently vacant in the lagoons. The proposal has a second-story unroofed patio deck which requires a variance and is over the 90% primary lot coverage. The property is located in the L, Lagoon District.

- **Variance 1:** Request a variance to exceed the maximum permitted lot coverage for a waterfront lot in the lagoon district. Permitted lot coverage is 90%, as proposed lot coverage is 90.8% Request a variance to exceed permitted lot coverage by 0.8% as proposed. Pursuant to 1125.09(a) (Ord. 91-95. Passed 10-7-1996.)
- **Variance 2:** Request a variance to place a 360 square foot unroofed patio deck at 11 feet 10 inches above grade. The maximum permitted height is 42 inches and the maximum permitted area is 240 square feet. Request a variance to exceed the permitted height by 100 inches and the permitted area by 120 square feet, as proposed. Pursuant to section 1125.03(d) (Ord. 73-08. Passed 9-2-2008.)







SECOND LEVEL BUILT PORCH WALLS/ RATED WALLS
 1235 SQUARE FEET
 58.3% LOT COVERAGE

84'-9 1/2"

THIRD LEVEL OCCUPIED SPACE
 1114 SQUARE FEET
 52.5% LOT COVERAGE

GUEST BEDROOM
 GUEST PORCH

SECOND LEVEL OCCUPIED SPACE
 1266 SQUARE FEET
 2ND LEVEL OCCUPIED SPACE
 59.7% LOT COVERAGE

PRIMARY BEDROOM
 PRIMARY PORCH

SECOND LEVEL PORCH & RESIDENCE
 1925 SQUARE FEET
 90.8% LOT COVERAGE

35'

GRADE LEVEL DOCK/ FOUNDATION
 1577 SQUARE FEET
 FOUNDATION LINE (PORCH ABOVE)
 WATER ACCESS SOUTH (DOCK AND FOUNDATION ABOVE)
 FOUNDATION LINE NORTH (PORCH ABOVE)
 74.5% LOT COVERAGE

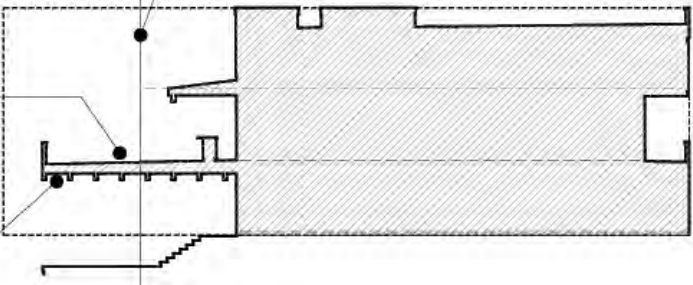
LIVING SPACE

GRADE LEVEL OCCUPIED SPACE
 1347 SQUARE FEET
 GRADE LEVEL OCCUPIED SPACE
 63.5% LOT COVERAGE

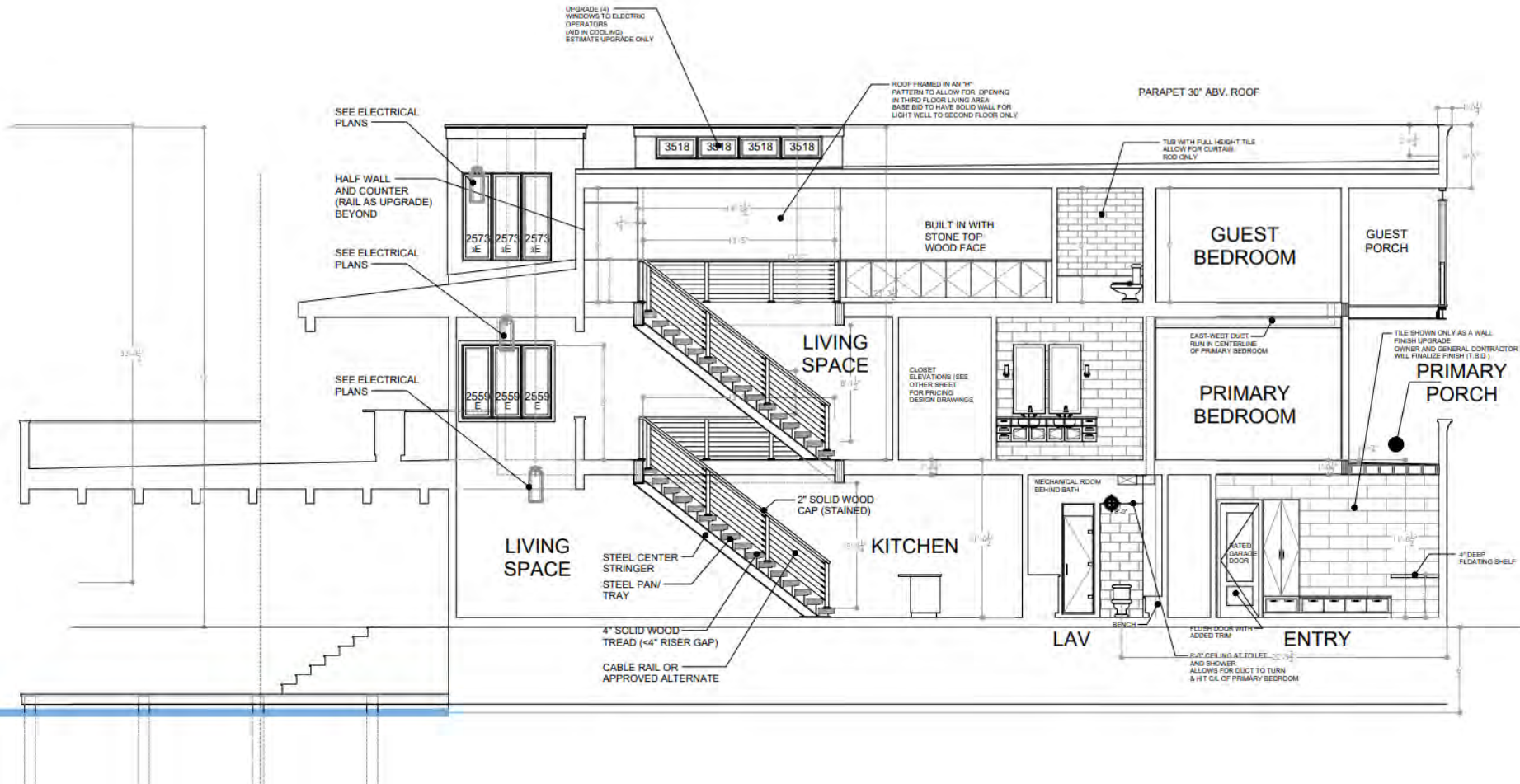
LAV ENTRY

REPRESENTS 80% OF "VOLUME"
 OF LOT COVERAGE (if building was a cube)

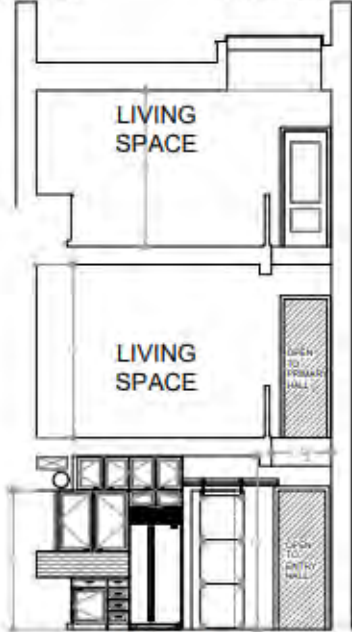
SECOND LEVEL PORCH & RESIDENCE
 1925 SQUARE FEET
 90.8% LOT COVERAGE



EXCEEDS ONLY
 W/ OUTDOOR SPACE



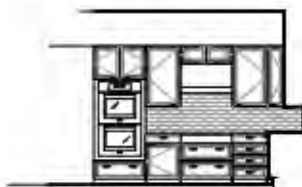
PARAPET 30" ABV. ROOF



LIVING SPACE

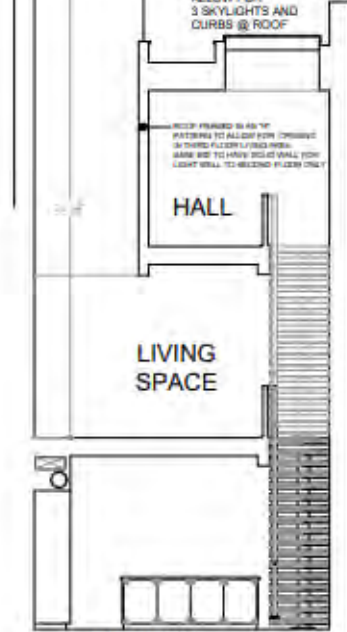
LIVING SPACE

KITCHEN



KITCHEN

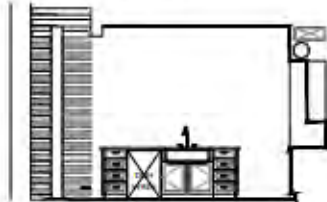
ALLOW FOR 3 SKYLIGHTS AND CURBS @ ROOF



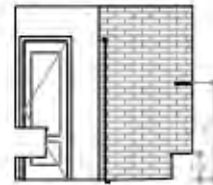
HALL

LIVING SPACE

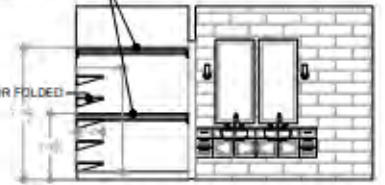
KITCHEN



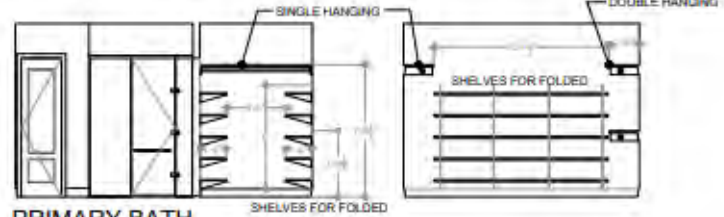
KITCHEN



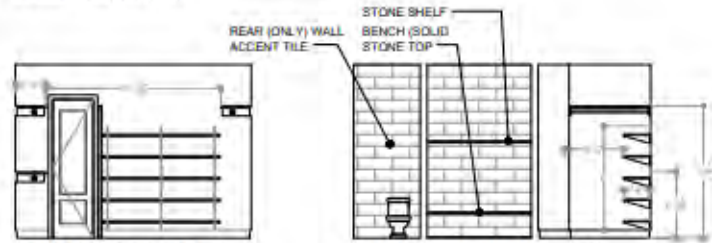
PRIMARY BATH
CUT THRU SHOWER
LOOKING TO CLOSET



CLOSET PRIMARY BATH
VANITY



PRIMARY BATH
LOOKING AT LAV DOOR
SHOWER GLASS and CLOSET



PRIMARY CLOSET

LAV SHOWER CL.



LAV



LAV
UPGRADE VIEW TO TILE ALL
THE PRIMARY SPACE



MARK REINHOLD architect

DIANE FERGUSON RESIDENCE

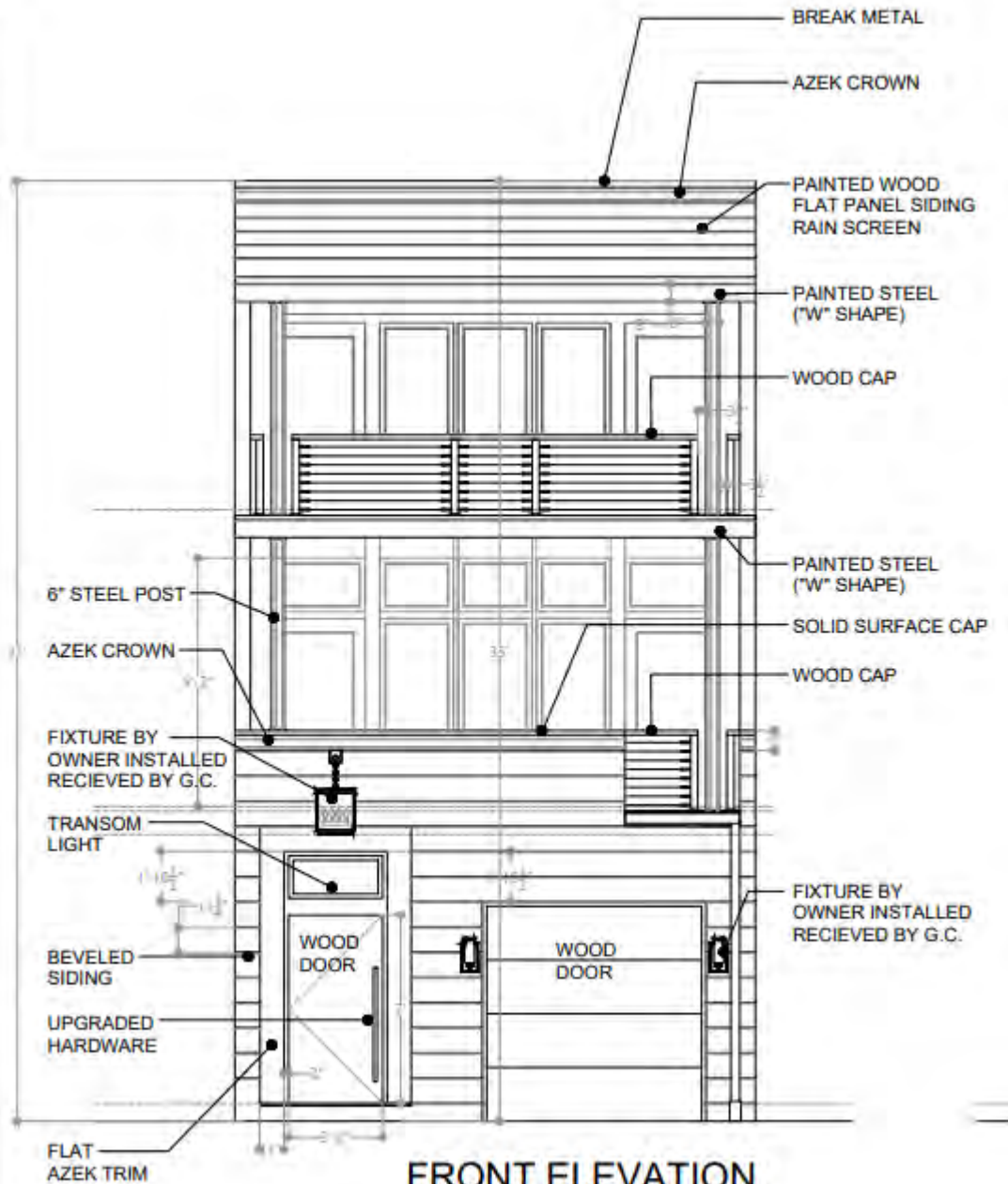
1120 Forest Road, Lakewood, Ohio 44107 (216) 905.7897



SKETCHES SK-1.5

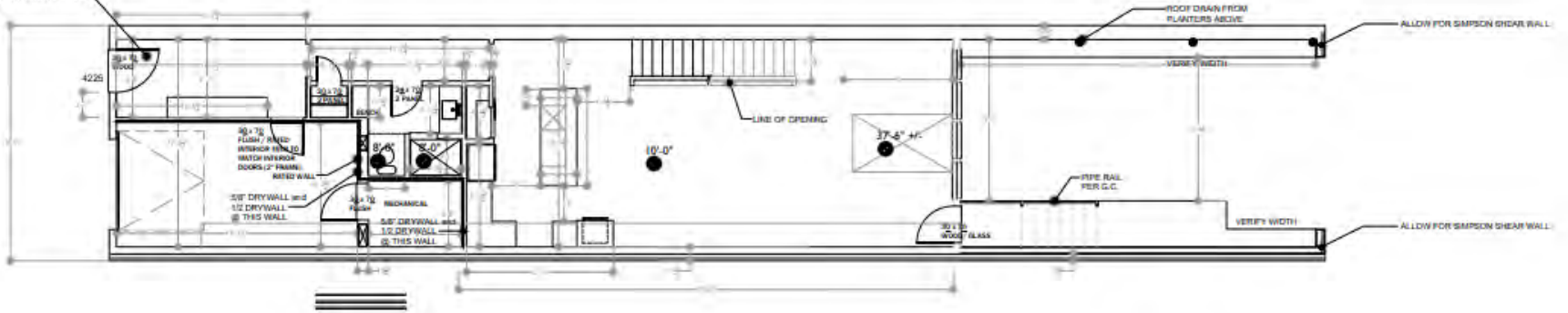
BEACH ROAD, LAKEWOOD OHIO 44107

914 Beach Rd



FRONT ELEVATION
 DETAILS AND MATERIALS OPEN TO
 DISCUSSION / APPROVAL

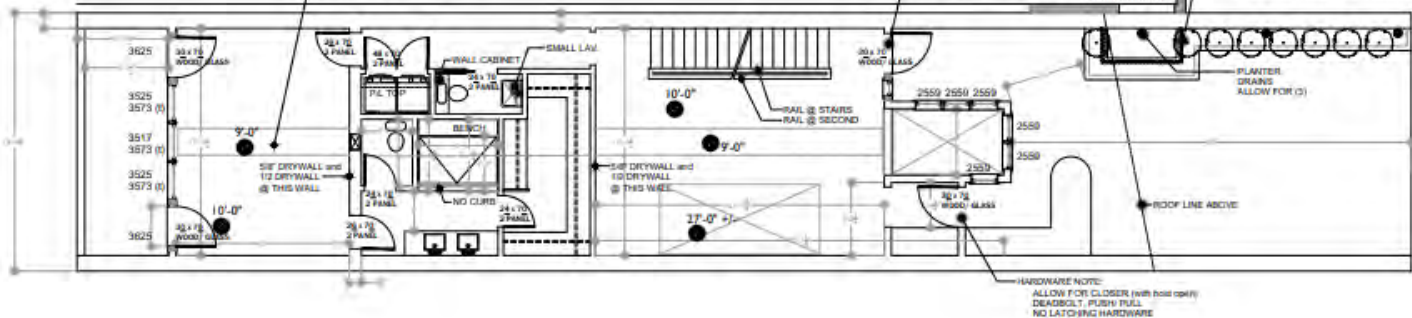
HARDWARE NOTE:
ALLOW FOR UPGRADED
HARDWARE (ROCKY MOUNTAIN
HARDWARE)



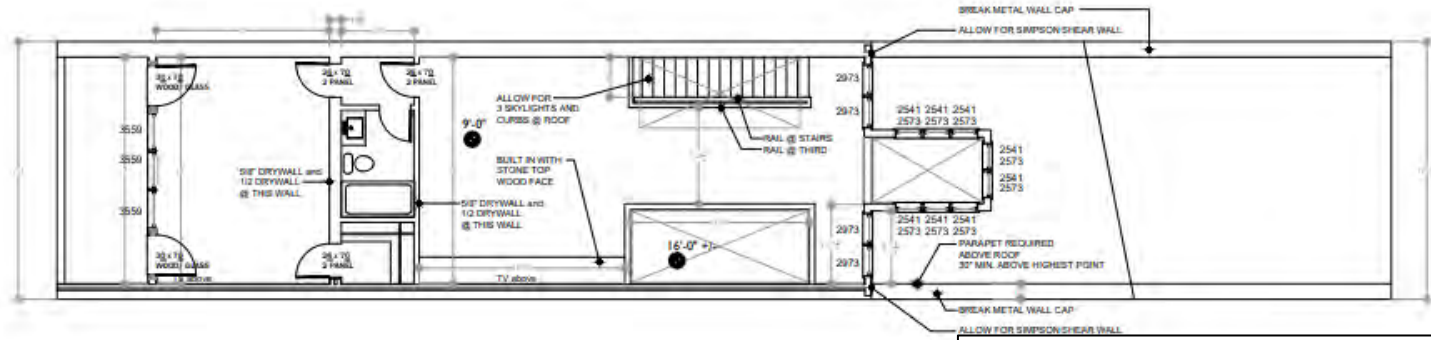
PLAN NOTE:
SCOFFY FOR DISTRIBUTION
NEED TO COORDINATE WITH
TRANSOM WINDOW HT

HARDWARE NOTE:
ALLOW FOR CLOSER (with hold open)
DIAGBOLT, PUSH PULL
NO LATCHING HARDWARE

PLAN NOTE:
DESIGN FOR PLANTER
ALLOW MONEY FOR EXTERIOR
FIRE RATED (1 HOUR BOTH SIDES)

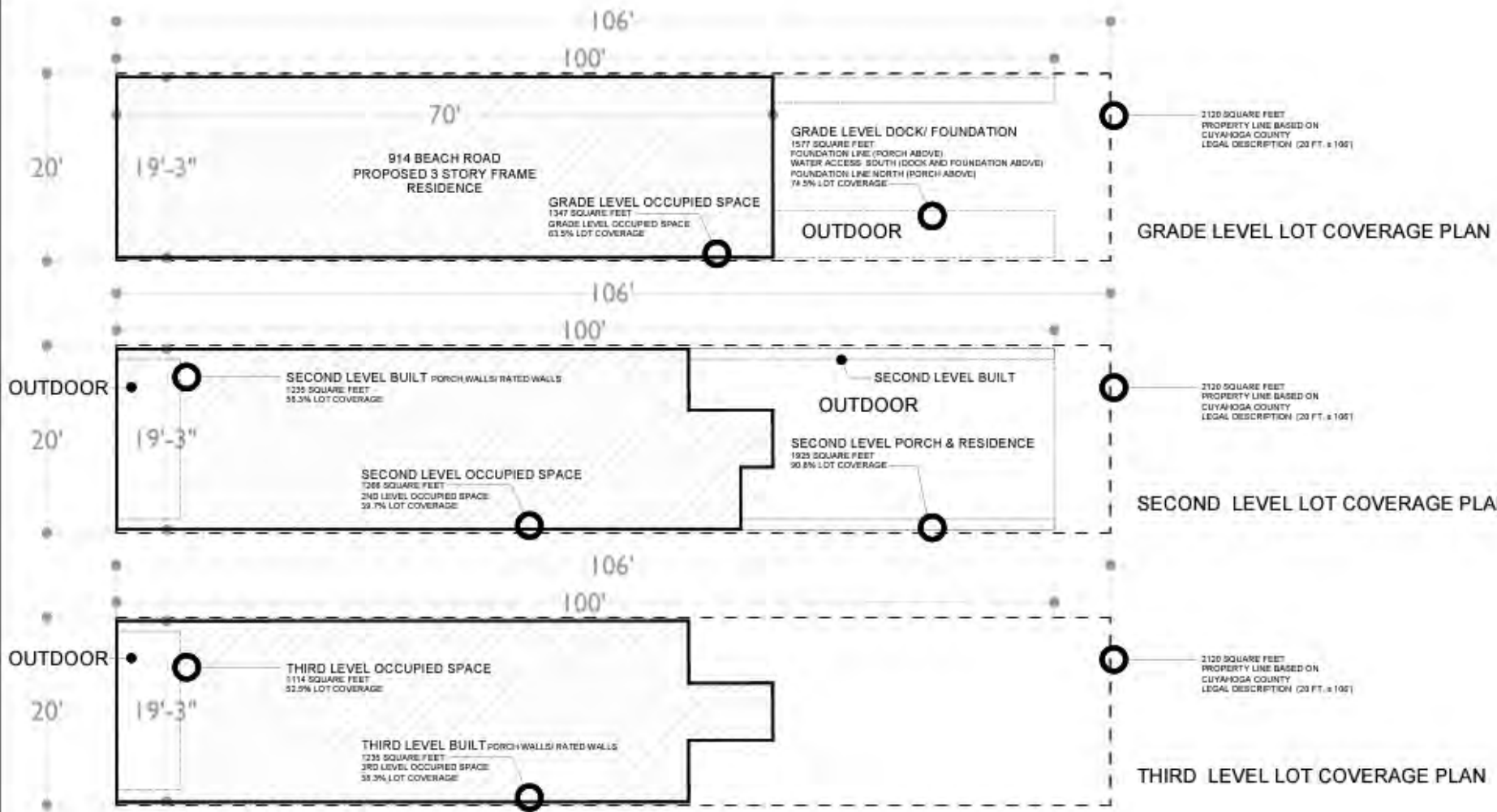


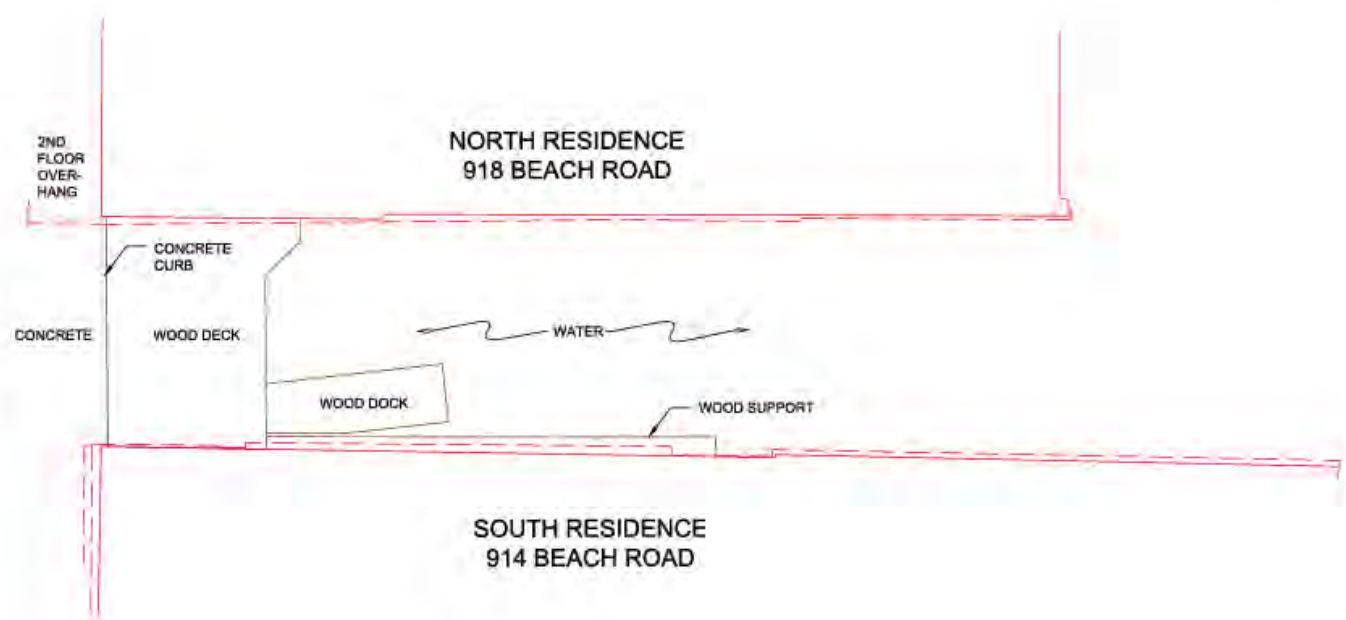
HARDWARE NOTE:
ALLOW FOR CLOSER (with hold open)
DIAGBOLT, PUSH PULL
NO LATCHING HARDWARE



BREAK METAL WALL CAP
ALLOW FOR SIMPSON SHEAR WALL

BREAK METAL WALL CAP
ALLOW FOR SIMPSON SHEAR WALL





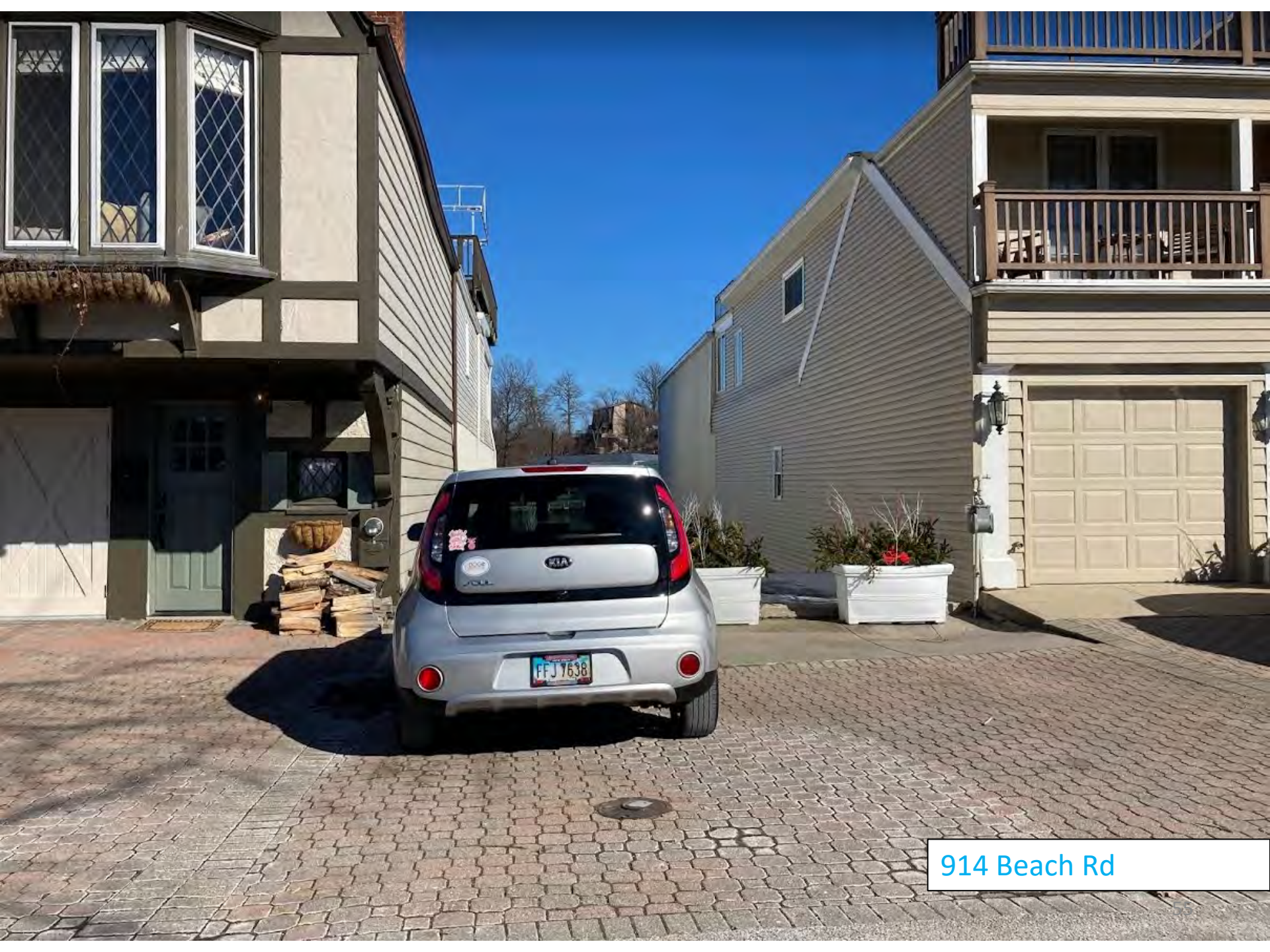
• SITE BENCHMARK (MAGNAIL IN DRIVE)
ELEVATION: 100.00

Surveyor's Note: A boundary survey was not performed.

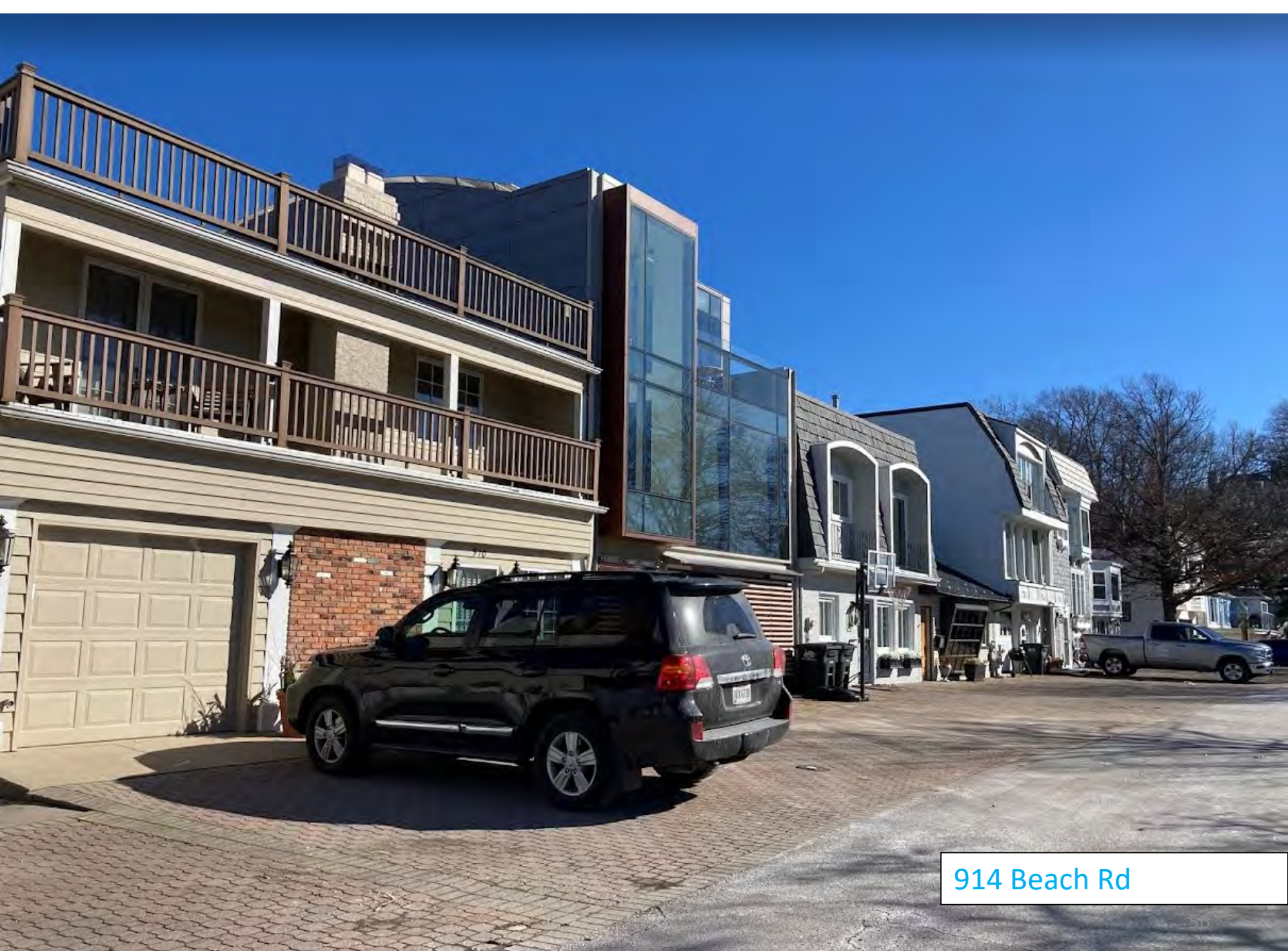
Survey By: ES	PROJECT : 20-021 Beach Road Elevations	REVISIONS No. Date Description By	STRAUB SURVEYING, LLC PROFESSIONAL LAND SURVEYING AND PLANNING SERVICES 12914 DETROIT AVENUE, LAKWOOD, OHIO 44101 PHONE: 440.332.1780 INFO@STRAUBSURVEYING.COM	SCALE of FEET 1" = 10'	Site Plan 910-914 Beach Road, Lakewood, Ohio
Drawn By: ES/MS		1/27/21 Original Issue MS			

C:\11 ACTIVE PROJECTS\20-121 Scan 910-914 Beach Road\Fld\Draw\Current\Site.Dwg

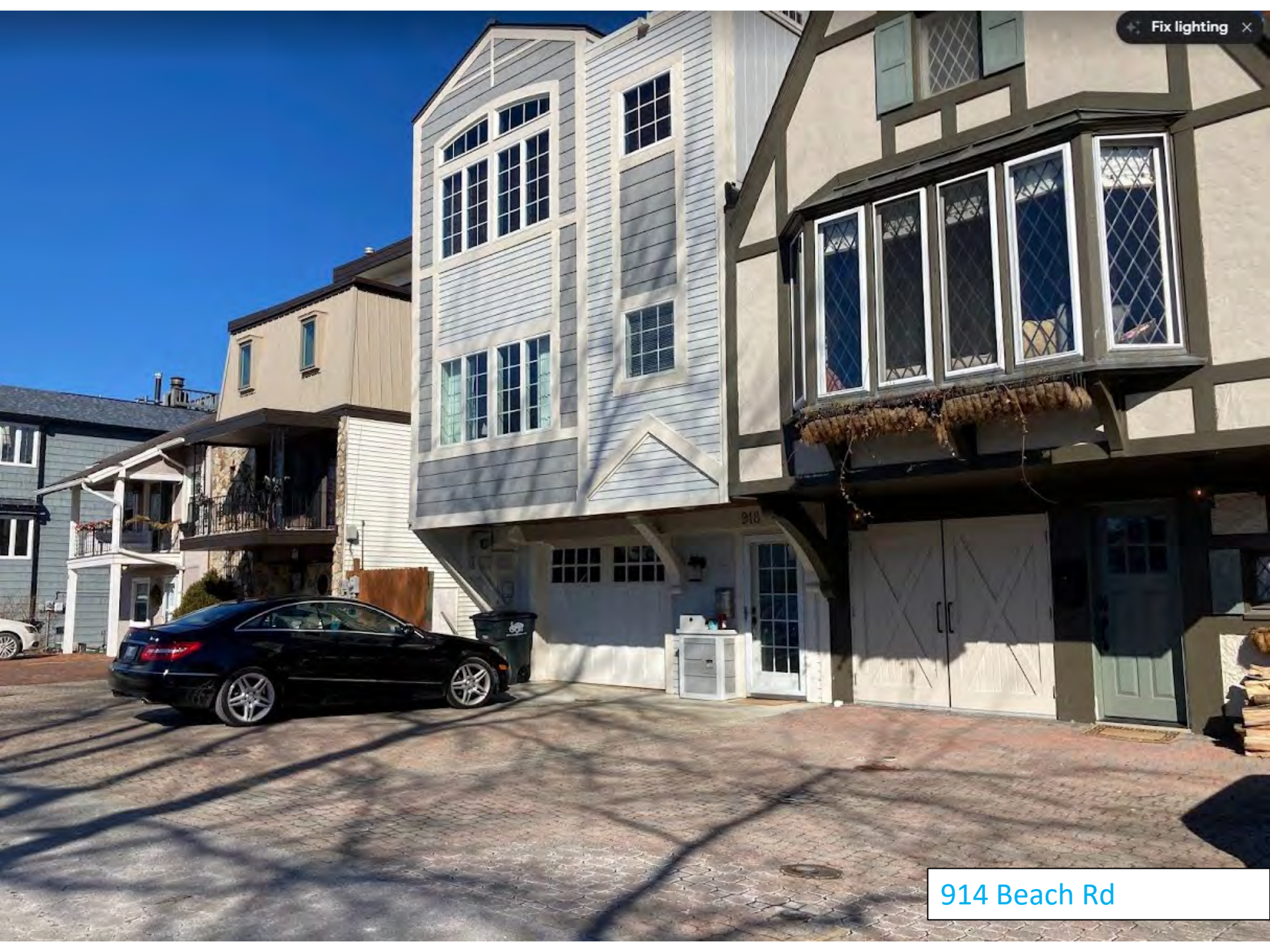
914 Beach Rd



914 Beach Rd



914 Beach Rd



914 Beach Rd



914 Beach Rd



914 Beach Rd



914 Beach Rd



914 Beach Rd



914 Beach Rd



914 Beach Rd



914 Beach Rd

Administrative Comments

- The Lagoon district is a unique residential District
- Common conditions in the lagoon district include many existing unroofed patio decks, including both adjacent parcels
- In the past the board has granted similarly sized and situated unroofed patio decks with no negative consequence either observed or reported
- The request to increase primary lot coverage is a modest request and could qualify as a minor area varaince



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:

- YES, Outdoor space is at a premium with this site. The entire reason to live here is to be outdoors. The main public area in this design is the second floor east porch and that is the requested area for variance. The second variance is to make the home 18'-4" x 100' which is a small percentage of lot coverage over the allowable 90%.
- The home has only a use as a residence. This request for variance is mainly to accentuate the desire to be outside and allow for outside entertaining.
- No, 360 scheduled for uncovered outdoor space (240 square feet allowed) This represents the only open-air public space for the home. Although this is a 50% request it is a small space when you consider it as the only "back yard" for inviting guests over. The .8% 8/10 of 1% lot coverage is as small as it can be to hit that 100-foot depth. This 100-foot depth only occurs on the second floor of three floors.
- No suffering to the neighborhood will occur. The 18 foot town home is quite typical in this neighborhood.
- No effect will occur with the governmental services.
- The codes were reviewed with the architect and upon the Lakewood zoning review they were discussed again.
- The outdoor entertaining space is one of the main reasons for building on this site. There is no desire to have 100% covered porch for public entertaining.
- Yes, the coverage is small, and the outdoor uncovered entertaining space is quite modest.





Public Comment

Received via email-

Meeting attendee(s)



A detailed map of Lakewood, Ohio, showing property boundaries and various colored zones. The map is divided into numerous small lots, with colors ranging from yellow and orange to blue and green. A prominent road, 914 Beach Rd, is highlighted in blue. The map is framed by a dark blue border.

Public Comment

Received via email-

Meeting attendee(s)



914 Beach Rd

Public Comment

Received via email-

Sent: Tuesday, February 14, 2023 3:42 PM

Hi Andrea.

Thanks for sharing your letter with me, Andrea.

And, Michelle, just for a reference point, I am one of 3 Clifton Lagoon Trustees. I was not made aware by the City of the meeting coming up on Thursday even though the Clifton Lagoon Trustees own the adjacent property in front of 914 Beach, which would be considered the driveway, and the land in the Lagoon beyond the 100 foot property line in the rear.

As far as the Trustees, our biggest concern is that the new home that is to be constructed cannot encroach onto Trust Property. Diane Ferguson has shared the plans with me, but we have no way of knowing whether the boundaries are properly drawn so that the new construction does not encroach from the front or from the rear.

The Trustees also are concerned that the City ensure compliance with the height restrictions, and use of fire retardant material in its Lagoon Code, and also protecting the homes of adjacent homeowners who may have existing side windows against the threat of fire due to extremely close proximity, and loss of daylight from existing windows. That is why a catwalk was built in the Ghaffari home at 862 Beach, which is the most recent construction.

We can appreciate Andrea's concerns about access to utilities as well.

We appreciate being kept informed as to the status of plan approval, and appreciate the City addressing concerns, expressed by any adjacent property owners.

Insofar as construction activities, I've had the opportunity to speak with some of the contractors that will likely be involved. Obviously, construction in the Lagoons is challenging because it's over water, and it's close quarters. We would appreciate them not starting work that is extremely noisy until 8 AM, and the City advising the contractors not to use the fire lanes on Beach Road. Firetrucks tend to come down here a lot, especially during the summer, because of the heavy amount of recreational activity along the riverfront and the beach. We appreciate being kept in the loop about any restrictions placed on the contractors.

When and where is the meeting on Thursday? I am not sure I can come, but I will try.

All my best.

Kathleen Weiss, Esq.

Weiss Law, LLC

860 Beach Road

Lakewood, Ohio 44107





Public Comment

Hello Michelle,

Please see the attached letter sent today to Mark Reinhold - the architect for this construction project.

This letter voices my concerns which I would like addressed/answered before approval of any plans to build. I would be bringing these concerns forward at the meeting scheduled for 2/16 at 6:30 however am unable to attend.

Please confirm receipt of this email and the attached letter and let me know if a continuance is required - or if you recommend any other action from me to ensure that my questions are addressed appropriately.

I appreciate your consideration!

Kindly,

Andrea Maher



Feb 14, 2023

Morning, Mark-

I'm Diane's neighbor at 916 Beach Road. I'm sending a list of questions I'd like answered before approval of the 914 building plan.

I can't be at the Thursday meeting w Board of Zoning Appeals, as I'm recovering from surgery I had Feb 8. So I'll forward this communication to the board today as well.

Here are the asks/questions:

A. What is the code for the minimum distance between two homes built in the lagoon? I'd like to understand Kathy Weiss's concern about requiring a catwalk between homes versus your point of view. (There is an 8-12" (or so) catwalk between my home and my 918 neighbors, allowing some sunlight in between the homes, therefore allowing the windows to make sense and function to provide light).

B. What will be the exact space distance between the south side of my house and the new construction?

C. What will be the exact space between the new construction and the 910 Beach Road house?

D. I'd like to see a footprint drawing of my home and new home plans side-by-side, to scale, so I understand exactly the placement of the of the new home in relation to mine. Including the requested variance for the porch.

E. Will there be any adjoining of the new home to my home and if so exactly where?

F. If I need to access plumbing, electrical, ducts, vents, etc. from the exterior south side of my house, how will I be able to do that once the new construction is complete?

G. What is the height of Klocker's home? Just for a visual reference?

H. Where exactly are the property lines drawn for my house versus the new construction? Was this formally surveyed and can we mark them on the driveways?

I. Could you look up my property deed and make sure you review it and make sure you're within any restrictions?

My goals with these questions are:

To determine if I can retain windows to allow even a little sunlight, we can make that happen. That way, I can retain the window architecture inside/outside my home. *I want to reinforce that Diane has been VERY clear with me from the beginning that the view from my windows would be completely blocked by the new home. I am, and have been totally ok with that, but assumed there would be a similar gap between our outside walls as I have with Edward's house to the north.*

I also want to consider the home placement's effect on this house's potential resale. I want to make sure that any construction at 914 doesn't limit a future buyer from being able to take down the house and rebuild a reasonably wide home.

Thanks for your assistance. I'd like these questions answered before any plans are approved

Andrea Maher
916 Beach Road
cc Kathy Weiss

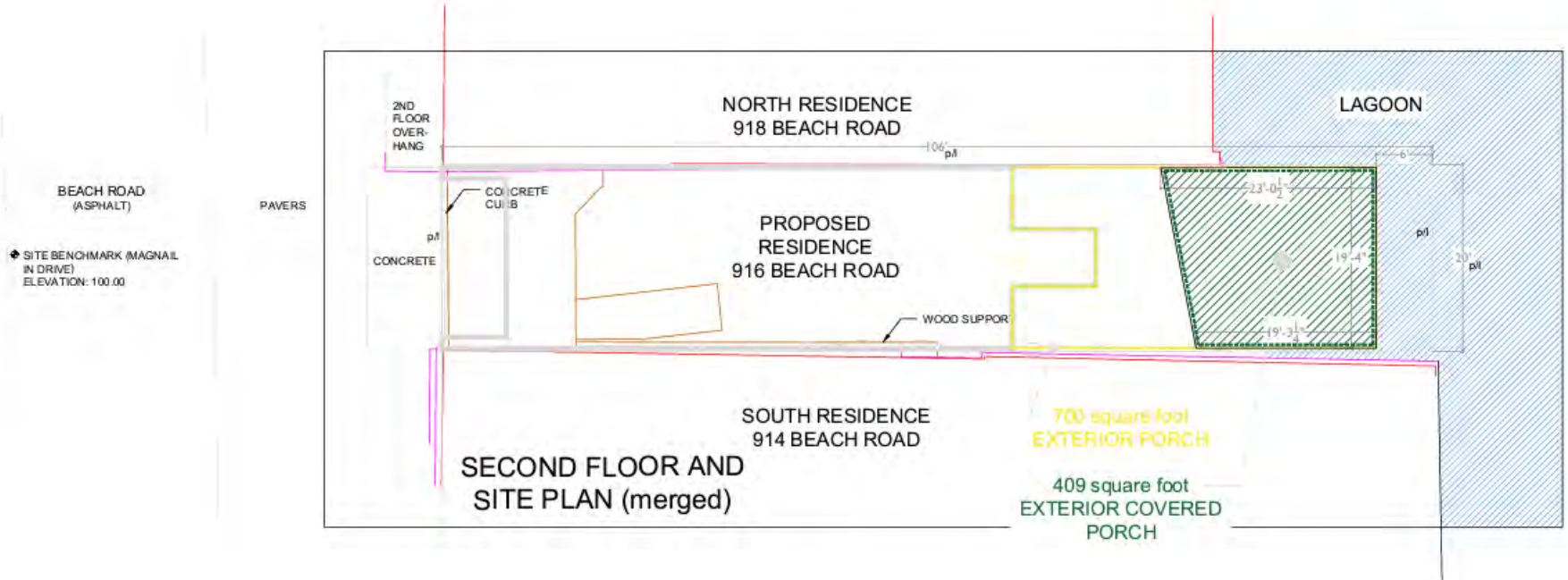


Docket No. 02-03-23

914 Beach Road

Applicant and architect Mark Reinhold for property owner Diane Ferguson proposes the construction of a new townhome on a waterfront lot that is currently vacant in the lagoons. The proposal has a second-story unroofed patio deck which requires a variance and is over the 90% primary lot coverage. The property is located in the L, Lagoon District.

- **Variance 1:** Request a variance to exceed the maximum permitted lot coverage for a waterfront lot in the lagoon district. Permitted lot coverage is 90%, as proposed lot coverage is 90.8% Request a variance to exceed permitted lot coverage by 0.8% as proposed. Pursuant to 1125.09(a) (Ord. 91-95. Passed 10-7-1996.)
- **Variance 2:** Request a variance to place a 360 square foot unroofed patio deck at 11 feet 10 inches above grade. The maximum permitted height is 42 inches and the maximum permitted area is 240 square feet. Request a variance to exceed the permitted height by 100 inches and the permitted area by 120 square feet, as proposed. Pursuant to section 1125.03(d) (Ord. 73-08. Passed 9-2-2008.)

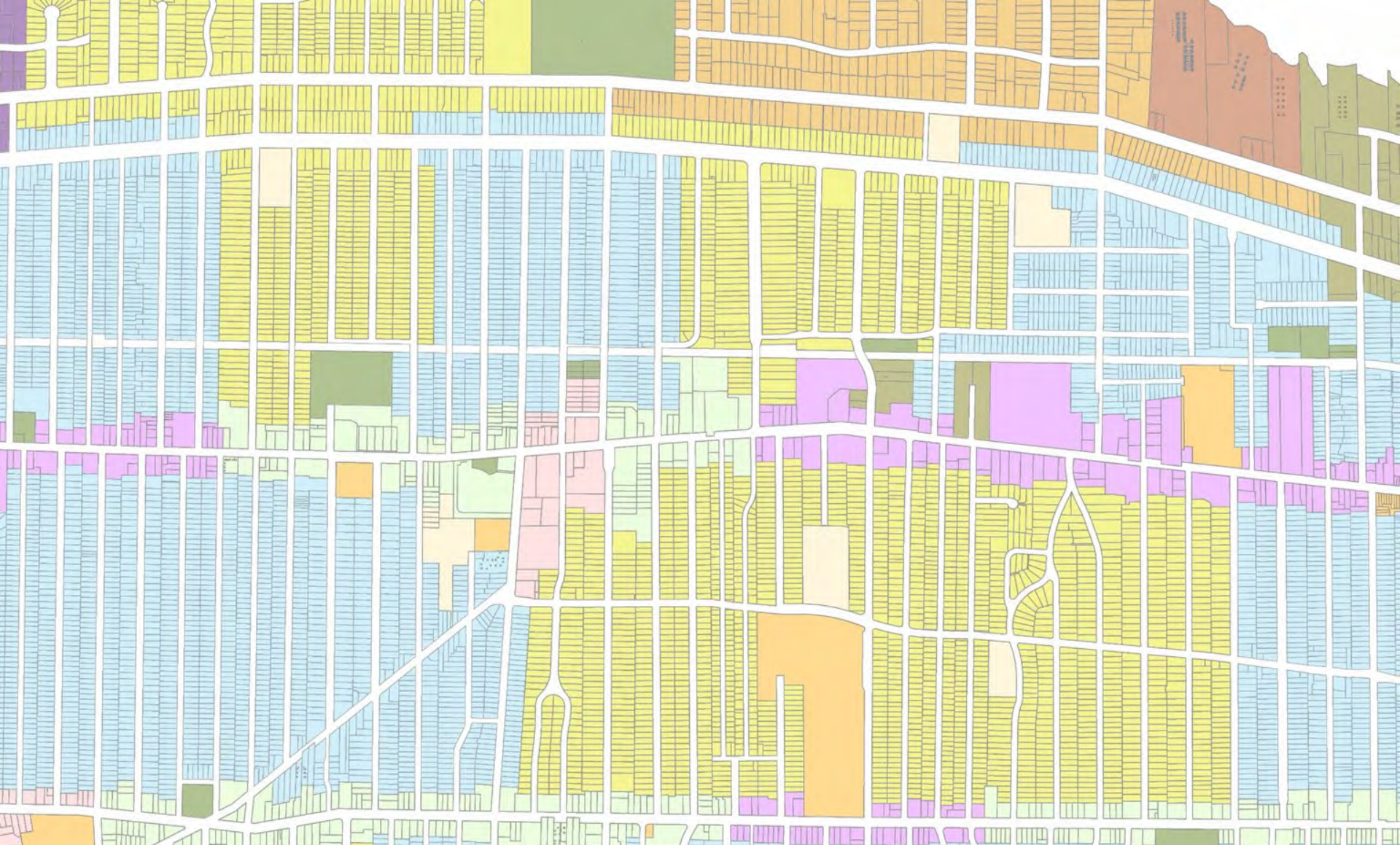




Adjourn



Board of Zoning Appeals



Board of Zoning Appeals