



City of Lakewood  
Board of Zoning Appeals

(216) 529-6630  
planning@lakewoodoh.gov

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MINUTES  
BOARD OF ZONING APPEALS  
REVIEW MEETING  
LAKEWOOD CITY HALL  
FEBRUARY 20, 2025  
6:30 P.M.  
RECORDING AVAILABLE  
<https://www.lakewoodoh.gov/videos-2/>

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6:00 p.m. Pre-Review Meeting

Members Present

Michael Alexander  
Jillian Bolino  
Matt Markling  
Jeffrey Pigott  
Anthony Santiago - Absent

Administrative Staff

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

During the pre-review meeting, the current applications and January minutes were discussed by the Board and staff. Discussion about the hearing for the appeal for docket item 02-03-25 relating to which test which should be applied, Mr. Fleck advised the board to use the preponderance of evidence test, similar to what is used in civil proceedings. Other agenda items were introduced to the board members, applicants and members of the public.

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1. ROLL CALL

Members Present

Michael Alexander, Chair  
Jillian Bolino  
Matt Markling\*  
Jeffrey Pigott, Vice Chair

Administrative Staff

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

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

## 2. APPROVE MINUTES OF THE JANUARY 16, 2025 MEETING

A motion was made by Mr. Pigott, seconded by Ms. Bolino to APPROVE the January 16, 2025 meeting. All of the members voted yea; the motion passed.

## 3. OPENING REMARKS

Ms. Nochtka read the Opening Remarks into record.

## OLD BUSINESS

### 4. Docket No. 01-01-25 1464 Riverside Dr.

Applicant Gary R. Fischer of Fischer & Associates Architects LLC for property owner Linda Frederickson proposes the construction of a new two-family home with an attached two car garage on an existing lot. The property is located in the R2, Single- and Two-Family District. (Page 4)

- Variance 1: Owner proposes the construction of a new home with an attached two-car garage. The two proposed side yards are 5 feet and 7 feet, combined the total is 12 feet where 15 feet is the minimum required. Request a variance to reduce the permitted combined side yard setback total to 12 feet, as proposed. Pursuant to schedule 1123.07 Minimum Yard Requirements (Ord.91-95. Passed 10-07-96.)
- Variance 2: Owner proposes the construction of a new house with an attached two car garage; the maximum total primary lot coverage permitted is 35%, the proposed is 46%. Request a variance to increase the maximum permitted total primary structure lot coverage to 46%, as proposed. Pursuant to section 1123.09(a) Maximum Lot Coverage (Ord. 07-2023. 11-20-23)

Jeremy Dotson, General Contractor for the property owner was present to explain the revised request. The members sought clarification of the lot coverage percentage for Variance 2 and thanked Mr. Dotson for working with the owner and architect to adjust the layout to reduce the number of required variances. Ms. Nochtka provided administrative comments and stated there were no public comments submitted to administration prior to the meeting. Public comment was closed as no one addressed the item.

A motion was made by Ms. Bolino, seconded by Mr. Pigott to APPROVE Docket No. 01-01-25 for two variances as proposed. Mr. Alexander, Ms. Bolino, Mr. Markling, and Mr. Pigott voted yea; the motion passed.

## NEW BUSINESS

5. Docket No. 02-02-25  
1052 Edgewater Ln.

Applicant and property owner Francis C. Hornung III proposes the installation of a shed in the rear yard. The property is located in the R1M, Single-Family Medium Density District. (Page 27)

- Variance 1: Owner proposes a shed that is 10 feet wide and 16 feet long, which totals 160 sq. feet in area and is 11' 1" in height. The maximum permitted shed height is 10 feet. Request a variance to increase the maximum permitted shed height to 11'1", as proposed. Pursuant to section 1121.03 (f) Permitted Accessory Uses (Ord. 07-2023. Passed 11-20-23.)

Francis C. Hornung III, (aka Trey Horning) applicant and property owner, was present to explain the request. It was confirmed the majority of his immediate neighbors had sheds on their properties and supported his request. Mr. Hornung provided more details and explained the additional height needed for additional storage and headroom. Ms. Nochta provided administrative comments. Mr. Maskaluk outlined the parameters for shed height calculations. Ms. Nochta stated there were three letters of support received by administration prior to the meeting (made part of record). Public comment was closed as no one addressed the item.

A motion was made by Mr. Pigott, seconded by Ms. Bolino to **APPROVE** Docket No. 02-02-25 for one variance as proposed. Mr. Alexander, Ms. Bolino, Mr. Markling, and Mr. Pigott voted yea; the motion passed.

6. Docket No. 02-03-25  
Appeal of Denial

Applicant Christopher Brynner of Best Choice Roofing appeals the denial for a solicitor's permit pursuant to section 741.12 – Appeal Procedure. (Page 40)

Christopher Brynner, applicant was present to explain the request. Mr. Fleck explained the City of Lakewood did not have a separate defined standard for this appeal, the same test would be used as for civil proceedings, the board members were to weigh the preponderance of the evidence. The members reviewed the application questions and weighted the evidence.

A motion was made by Mr. Pigott, seconded by Ms. Bolino to **REVERSE THE DENIAL** for a solicitor's permit for Mr. Christopher Brynner. Mr. Alexander, Ms. Bolino, Mr. Markling, and Mr. Pigott voted yea; the motion passed.

7. Docket No. 02-04-25  
2143 Glenbury Ave.

Applicant and property owner Maya Camhi proposes the demolition and replacement of an existing two car garage. The property is located in the R1H, Single-Family High-Density District. (Page 43)

- Variance 1: Owner proposes the demolition of an existing two car garage and the construction of a new two car garage that is 22' x 26' feet, totaling 572 sq feet in area. Maximum permitted rear lot coverage is 480 sq. ft. Request a variance to exceed maximum permitted rear lot coverage by to build a two-car garage that is 572 sq. ft, as proposed. Pursuant to 1121.03(a) Permitted Accessory Uses (Ord. 07-2023, Passed 11-20-23)

Maya Camhi, applicant and property owner was present to explain the request. Discussion ensued about location and dimensions of the proposed garage. Upon explanation, the members said it was a modest request. Ms. Nocht provided administrative comments. Public comments were received prior to the meeting: one against and one of support (made part of comment). Public comment was taken.

A motion was made by Mr. Markling, seconded by Mr. Pigott to **APPROVE Docket No. 02-04-25 for one variance as proposed.** Mr. Alexander, Ms. Bolino, Mr. Markling, and Mr. Pigott voted yea; the motion passed.

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\*Mr. Markling left the meeting at 7:23 p.m. due to a scheduling conflict.

A motion was made by Ms. Bolino, seconded by Mr. Pigott to **EXCUSE the absence of Mr. Markling.** All the members voted yea; the motion passed.  
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**8. Docket No. 02-05-25  
17852 Lake Rd.**

Applicant David T. Maddux of The Arcus Group for property owner Jack Griffiths proposes the construction of several additions to the principal structure, including a rear addition that has a second-floor unroofed patio deck. The property is in the R1L, Single-Family Low-Density District. (Page 54)

- Variance 1: Owner proposes the construction of several additions to the principal structure. An addition to the side of the home will reduce one side yard to 8'8" where 10 feet is the minimum required. Request a variance to reduce the permitted size of the side yard to 8'8" as proposed. Pursuant to Schedule 1121.07 Minimum Yard Requirements for Principal Buildings (Ord. 91-95 Passed 10-07-1996)
- Variance 2: Owner proposes the construction of several additions to the principal structure. An addition to one side of the home will reduce the combined side yard setback total to 19'8" where the minimum required is 25 ft. Request a variance to reduce the permitted combined side yard total to 19'8" as proposed. Pursuant to

Schedule 1121.07 Minimum Yard Requirements for Principal Buildings (Ord. 91-95 Passed 10-07-1996)

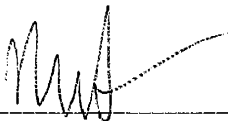
- Variance 3: Owner proposes an addition on the rear of the principal structure that includes a ~~524~~ 217 sq. foot unroofed patio deck on the second floor at a height of 9 feet. The maximum permitted is 300 sq. ft in area and 42 inches above grade. Request a variance to increase the maximum permitted height to 9 feet and the maximum permitted area to ~~524~~ 217 sq. feet as proposed. Pursuant to 1121.03(d) Permitted Accessory Uses (Ord. 07-2023 Passed 11-20-2023)

David T. Maddux, The Arcus Group, applicant was present to explain the request. Ms. Nochta relayed communications of opposition that were received prior to the meeting. Public comment was taken. Discussion began about existing properties in the neighborhood with non-conforming setbacks, landscaping and other obstructions to panoramic Lake Erie views. Property history, the year the subject structure was built originally, photos of past extensive construction for shoreline erosion protection and remediation for the subject property and the abutting. Additionally, points of contention between an abutting neighbor with the proposal, and comparisons between the new proposal and previously approved 2022 proposal were discussed. Mr. Maddux requested for a deferral.

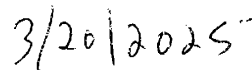
A motion was made by Ms. Bolino, seconded by Mr. Pigott to DEFER Docket No. 02-05-25. All the members voted yea; the motion passed.

ADJOURN

A motion was made by Ms. Bolino, seconded by Mr. Alexander to ADJOURN the meeting at 8:01 p.m. All the members voted yea; the motion passed.



Signature



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. Jeremy Dator
- 2. FRANCIS HORNING
- 3. Chris Blynn
- 4. Maya Cambi
- 5. Marshi Brott
- 6. David Maddux
- 7. STEVE DORR
- 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 20, 2025

## Johanna Schwarz

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**From:** Michelle Nochta  
**Sent:** Wednesday, February 12, 2025 2:25 PM  
**To:** Planning Dept  
**Subject:** Fw: BZA25-000001 Neighbor Support



**Michelle Nochta, AICP**  
Senior Planner and ADA Coordinator

**City of Lakewood, Ohio**  
**Dept. of Planning and Development**  
12650 Detroit Ave.  
Lakewood, OH 44107

(216) 529-5906  
[Michelle.Nochta@lakewoodoh.gov](mailto:Michelle.Nochta@lakewoodoh.gov)

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**From:** Andrew Dzurec <amd2181@yahoo.com>  
**Sent:** Wednesday, February 12, 2025 2:22 PM  
**To:** Michelle Nochta <Michelle.Nochta@lakewoodoh.gov>  
**Cc:** fhornung3@gmail.com <fhornung3@gmail.com>  
**Subject:** BZA25-000001 Neighbor Support

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

This email is to evidence our support for the variance requested by our neighbors, Francis (Trey) Hornung and Kyle Scarberry, in their plan to build a shed that is 10'x16' and 11'1" tall.

We understand it will be placed in the northwest corner of their property, three feet from the north and west property lines and adjacent to our shed along our south property line.

Thank you,

Andrew and Eileen Dzurec  
1042 Edgewater Ln

**Johanna Schwarz**

---

**From:** Michelle Nochta  
**Sent:** Wednesday, February 12, 2025 2:25 PM  
**To:** Planning Dept  
**Subject:** Fw: BZA25-000001Neighbor Support



**Michelle Nochta, AICP**  
Senior Planner and ADA Coordinator

**City of Lakewood, Ohio**  
**Dept. of Planning and Development**  
12650 Detroit Ave.  
Lakewood, OH 44107

(216) 529-5906  
[Michelle.Nochta@lakewoodoh.gov](mailto:Michelle.Nochta@lakewoodoh.gov)

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**From:** Justin Walstrom <[justinwalstrom@gmail.com](mailto:justinwalstrom@gmail.com)>  
**Sent:** Wednesday, February 12, 2025 1:46 PM  
**To:** Michelle Nochta <[michelle.nochta@lakewoodoh.gov](mailto:michelle.nochta@lakewoodoh.gov)>  
**Subject:** BZA25-000001Neighbor Support

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

This email is to evidence our support for the variance requested by our neighbors, Francis (Trey) Hornung and Kyle Scarberry, in their plan to build a shed that is 10'x16' and 11'1" tall.

We understand it will be placed in the northwest corner of their property, three feet from their north and west property lines.

Thank you,

Justin and Nick Walstrom  
1062 Edgewater Ln

Justin Walstrom  
814-577-0198

## Johanna Schwarz

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**From:** Planning Dept  
**Sent:** Thursday, February 20, 2025 10:20 AM  
**To:** Michelle Nohta  
**Subject:** FW: 17852 Lake Road BZA meeting



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**Johanna Schwarz**  
Administrative Assistant II

**City of Lakewood, Ohio**  
12650 Detroit Ave.  
Lakewood, OH 44107

(216) 529-6631  
[johanna.schwarz@lakewoodoh.gov](mailto:johanna.schwarz@lakewoodoh.gov)

**From:** Brian Powers <[bpowers.cle@gmail.com](mailto:bpowers.cle@gmail.com)>  
**Sent:** Thursday, February 20, 2025 9:11 AM  
**To:** Planning Dept <[planning@lakewoodoh.net](mailto:planning@lakewoodoh.net)>  
**Subject:** Re: 17852 Lake Road BZA meeting

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

Dear Board of Zoning Appeals:

For the reasons set forth below and in the attached 2022 docket, we remain opposed to this project.

Please let us know if you have any questions.

Regards,

Brian and Maureen Powers  
17855 Lake Rd, Lakewood, OH 44107  
216-496-3238

On Mon, Mar 14, 2022 at 10:16 AM Brian Powers <[bpowers.cle@gmail.com](mailto:bpowers.cle@gmail.com)> wrote:

Dear Board of Zoning Appeals:

We are writing today in regards to Docket No. 03-06-22, which concerns a project at 17852 Lake Road. For the reasons set forth below, we are opposed to this project.

We have lived in Clifton Park for over 15 years. In that time, we have seen a severe decline in the historic quality of the neighborhood. New homes have been shoe-horned into spaces where homes were not intended to be built. Huge garages and side-yard buildings have wrecked the well-planned character of the neighborhood. Variance after variance, project after project, we've seen the historic quality of Clifton Park destroyed. Why do people want to move into an historic neighborhood like Clifton Park, then immediately put on additions to make their homes look like McMansions from Westlake? More importantly, why do we allow it to happen?

Clifton Park was designed so that people walking and driving down the road could see the lake. Homes on the north and south side of the street were staggered so that every home had a lake view. Little by little, that design has been eroded by lot splits, construction of "modern" homes on small lots, and side yard expansions. At some point, the City of Lakewood has to stand up for our residents and put an end to the degradation of Clifton Park.

As you know, Clifton Park is on the National Register of Historic Places. We have zoning rules, including side yard minimums and garage limitations for good reasons. It's your job to enforce those rules. Why have the historic designation and the zoning laws if they are going to be routinely ignored? I know that it is not easy to be a member of a rule-enforcing body. For over ten years, I sat on the Planning Commission and the Board of Zoning Appeals, before serving on City Council. It can be difficult to say "no" to people who want to alter their personal property for their own benefit, to the detriment of their neighbors. But we are relying on you to stand up for the neighborhood and the residents.

Respectfully,

Brian & Maureen Powers  
17855 Lake Road  
Lakewood OH 44107

(216) 496-3238  
[bpowers.cle@gmail.com](mailto:bpowers.cle@gmail.com)

--  
Thanks,

Brian

Brian E. Powers

(216) 496-3238  
[bpowers.cle@gmail.com](mailto:bpowers.cle@gmail.com)

**Johanna Schwarz**

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**From:** A Steven Dever <steve@astevendevever.com>  
**Sent:** Thursday, February 20, 2025 12:52 PM  
**To:** Planning Dept  
**Subject:** BZA Objection 17852 Lake Road Variance  
**Attachments:** BZA Exhibits 17852 Lake Rd.pdf; BZA 17852 Lake Rd County Site Plan.pdf; BZA Variance Objection Letter 17852 Lake Road Gallagher.pdf

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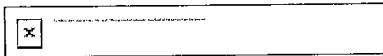
Good Afternoon,

Please see the attached letter and exhibits on behalf of Mr. John Gallagher, the neighboring resident of 17850 Lake Road, to formally object to the variance requests submitted by Mr. Griffiths for the property located at 17852 Lake Road. I formally request the opportunity to speak at the upcoming zoning board hearing on behalf of Mr. Gallagher to present these concerns in greater detail.

Please contact me if you have any questions.

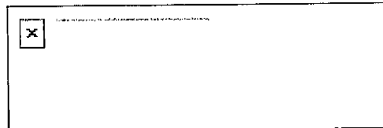
Thanks,

**A. Steven Dever**



13363 Madison Avenue  
Cleveland, Ohio 44107  
p: 440-331-9142

Website



**Confidentiality Notice:**

This e-mail message is intended only for the designated recipient(s). It may contain confidential or proprietary information, and may be subject to the attorney-client privilege and/or other confidentiality protections. If you are not the intended recipient, you may not review, retain, disseminate, distribute or copy this communication. If you have received this communication in error, please notify us immediately by telephone or reply e-mail. Thank you.

LAW OFFICES OF  
A.STEVEN DEVER CO., L.P.A.

---

13363 Madison Avenue  
Lakewood, Ohio 44107

ATTORNEY LICENSED IN  
OHIO & FLORIDA  
STEVE@ASTEVENDEVER.COM

TELEPHONE: (216) 228-1166  
FAXSIMILE: (216) 228-3484  
ASTEVENDEVER.COM

February 20, 2025

Board of Zoning Appeals (BZA)  
Lakewood City Hall  
12650 Detroit Ave.  
Lakewood, OH 44107

**Re: Formal Objection to Variance Request for 17853 Lake Road  
Representation of Mr. Gallagher (17850 Lake Road)**

Dear Members of the Lakewood Board of Zoning Appeals,

I am writing as the legal representative for Mr. John Gallagher, the neighboring resident of 17850 Lake Road, to formally object to the variance requests submitted by Mr. Griffiths for the property located at 17852 Lake Road.

The requested variances seek to extend multiple property additions beyond the established side-yard setback requirements and construct a rear addition with a second-floor expansion that encroaches further toward the lake bluff. If granted, these variances would disrupt the zoning integrity of the neighborhood, diminish neighboring property values, and set a harmful precedent for future non-compliant development. The proposed expansion exceeds the intended scale and spacing of homes in the area, undermining the purpose of setback regulations designed to preserve neighborhood character, and environmental stability.

**Grounds for Objection**

**1. Side-Yard Setback Requirements**

The City of Lakewood Zoning Code establishes clear setback requirements to ensure uniform development and protect the interests of all property owners. The requested variance would allow the proposed building additions to extend closer to the lake than any other home on the street, disrupting the established building alignment and unfairly benefitting the applicant at the direct expense of my client's property value.

Side-yard setback requirements were originally established to preserve the grand historic nature of the lakefront homes in Clifton Park, maintaining open sightlines to the lake for all residents. The neighborhood was intentionally designed over 100 years ago with side-yard spacing to maximize lake views, and this historic character should be preserved. Furthermore, Clifton Park is listed on the National Register of Historic Places, reinforcing the importance of protecting its architectural integrity and community design.

Mr. Griffiths has applied for multiple substantial variances, including a side-yard setback reduction to 8'8", despite the minimum required setback of 10 feet in the designated R1L-Residential Single Family Low-Density District. Additionally, the second variance allows for excessive expansion into the lake-facing rear yard.

## **2. Mr. Gallagher's Prior Consent to the 2022 Variance Was Based on Limited Project Scope**

In 2022, the applicant received a variance for the contemplated additions. At the time, Mr. Gallagher consented under the belief that the project was limited to a garage extension, a side door addition requiring a variance, and a reconstruction of the inefficient glass window section of the family/living room. Discussions with the property owner focused on a simple property line variance for the side door, and the applicant indicated that there would be no obstruction to Mr. Gallagher's western lake view. Despite his request, no stakes were placed to outline the project footprint before the zoning meeting, preventing him from fully assessing the impact. Only after reviewing the actual construction plans did he realize the project extends far beyond what was conveyed, including a massive industrial-style wall that will significantly block his lake view, diminish privacy, and disrupt the character of his property.

Additionally, the anticipated year-long construction and foundation work pose serious risks to land stability and the connected break wall due to the project's proximity to the property line. These concerns were never disclosed prior to the variance approval. Given that Mr. Gallagher's prior consent was based on an incomplete and misleading understanding of the project's scope, the Board of Zoning Appeals should not rely on his previous approval as justification for granting additional variances. It is now clear that these additions will cause substantial and irreversible harm to his property.

## **3. Excessive Increase in Building Size**

The applicant's existing first-floor footprint is 1,645 square feet. The proposed additions will add an additional 1,502 square feet, nearly doubling the size to 3,147 square feet, a 90% increase. This excessive expansion is not necessary for reasonable use of the property and will have a disproportionate impact on Mr. Gallagher's home by blocking his panoramic lake views. Attached to this letter are before-and-after design renderings (not to precise scale), depicting how Mr. Gallagher's view shed will shrink from 160 degrees to 140 degrees. Additionally, the number of visible sunsets from Mr. Gallagher's property will be significantly reduced.

## **4. Substantial Harm to Mr. Gallagher's Property Rights**

If this variance is approved, Mr. Gallagher's property will suffer direct and measurable harm, including:

- **Obstruction of Lake View:** While zoning codes do not explicitly guarantee a right to a view, Lakewood's zoning principles prioritize preserving neighborhood character and preventing unnecessary harm to adjacent properties.
- **Reduction in Property Value:** Waterfront property values are strongly influenced by unobstructed lake views, natural scenery, and the ability to observe sunrise and sunset views. The orientation of

Mr. Gallagher's property is uniquely positioned to capture both sunrise and sunset views from late spring through late summer, which will be significantly impacted by this variance.

- **Aesthetic and Privacy Impacts:** The proposed additions extend beyond the established side-yard setback, creating an overpowering wall effect adjacent to Mr. Gallagher's den, family room, kitchen, and deck. This will reduce natural sunlight and cut off his open sightlines to the lake, diminishing his home's aesthetic appeal and privacy.

## 5. Environmental and Safety Concerns

The variance would permit construction closer to the lake's edge than existing zoning regulations allow, raising serious environmental and safety concerns, including:

- **Erosion & Land Stability Risks:** Cliffside construction poses significant erosion risks, and altering the natural buffer zone may destabilize the surrounding terrain, creating long-term safety concerns.
- **Stormwater Drainage Issues:** Extending the structure beyond the usual setback may disrupt natural water drainage patterns, leading to increased runoff onto neighboring properties and into Lake Erie.

These concerns directly contradict Lakewood's planning and environmental sustainability goals, which aim to mitigate soil erosion and effectively manage stormwater.

## 6. Setting a Harmful Precedent

Approving this variance would set a dangerous precedent, encouraging future non-compliant lakefront expansions that will degrade the neighborhood's character and create disputes between property owners. Granting this variance would:

- Undermine zoning predictability and fairness by allowing exceptions that favor one homeowner at the expense of others.
- Encourage further encroachments, leading to a loss of open space, privacy, and views for multiple property owners.
- Weaken zoning enforcement, making it more difficult to maintain the integrity of Lakewood's zoning laws.

### Request for Denial

On behalf of Mr. Gallagher, I respectfully request that the Lakewood Board of Zoning Appeals deny this variance request for the following reasons:

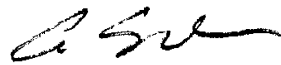
1. It violates established setback requirements, giving one property owner unfair advantages at the expense of others.
2. It causes substantial harm to Mr. Gallagher's property, obstructing his lake view, reducing his property value, and encroaching on his space.
3. It poses environmental risks, including erosion and stormwater drainage issues.

4. It sets a dangerous precedent for future non-compliant lakefront development.

Applying the 'practical difficulty' test, the homeowner can reasonably modify the proposed plan to comply with existing zoning requirements without undue hardship. Additionally, I formally request the opportunity to speak at the upcoming zoning board hearing on behalf of Mr. Gallagher to present these concerns in greater detail.

Thank you for your time and consideration. Should you require additional documentation or wish to discuss this matter further, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "A. Dever".

A. Steven Dever  
Legal Representative for Mr. John Gallagher

**AERIAL SITE MAP SHOWING APPROXIMATE  
EXISTING AND PROPOSED BUILDING**

**EXHIBIT A**



**KEY**  
[Dashed Outline] **PROPOSED**  
[Solid Outline] **EXISTING**

EXHIBIT B

31104001

31105014  
Existing Residence

31105010

31105009

KEY

PROPOSED

AERIAL WITH SITE PLAN OVERLAY

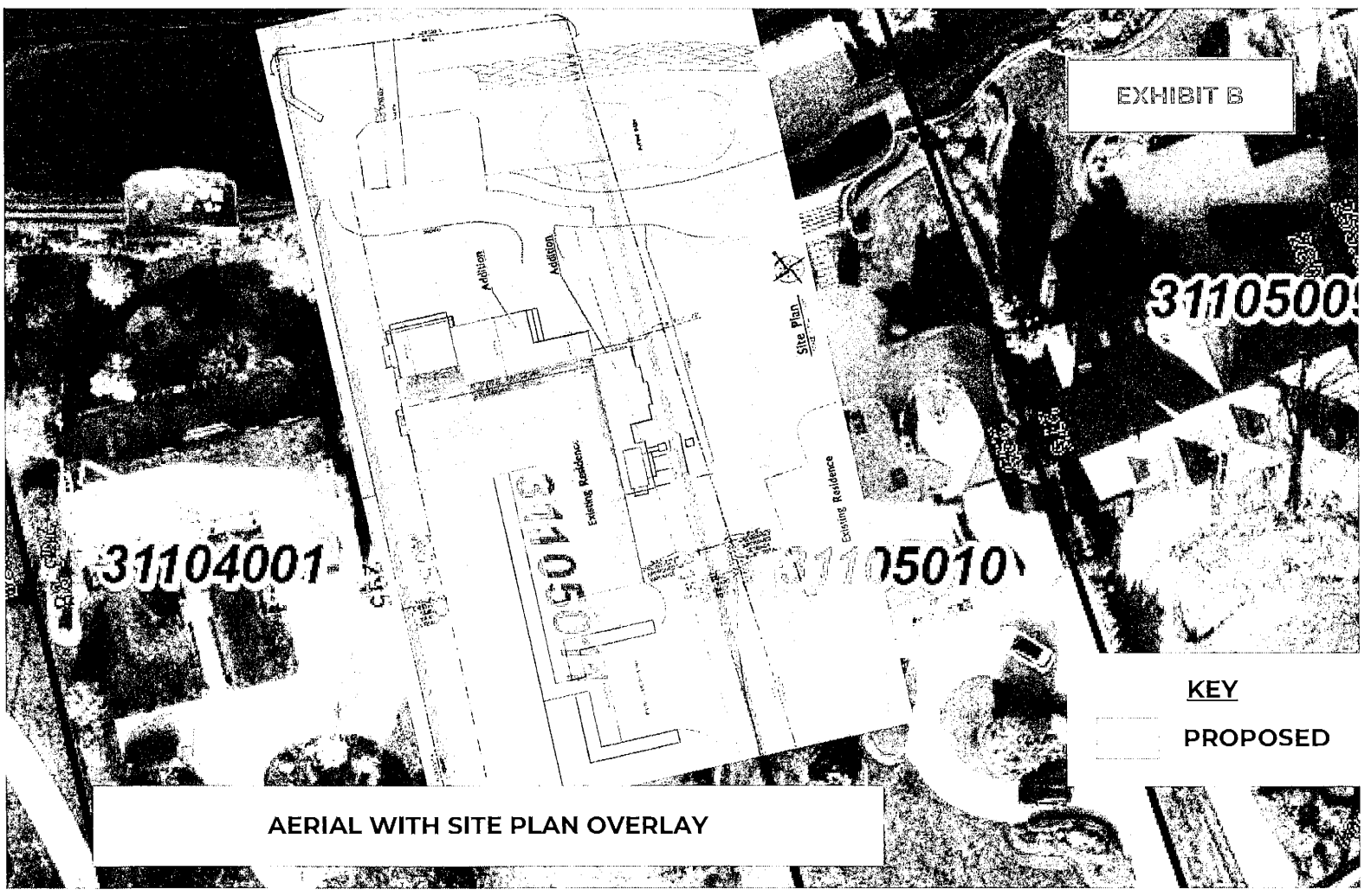


EXHIBIT C

VIEW FROM PROPERTY BEFORE

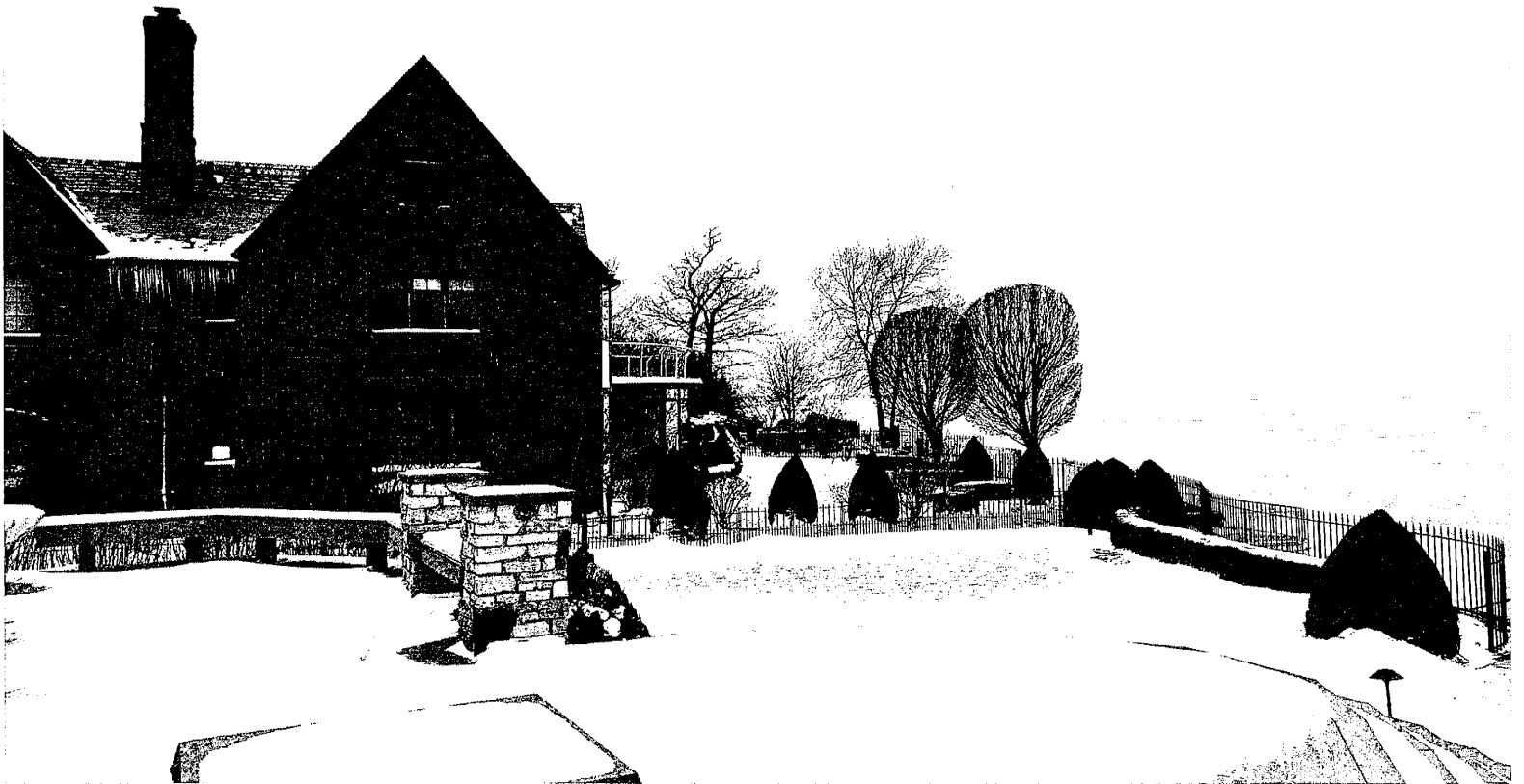
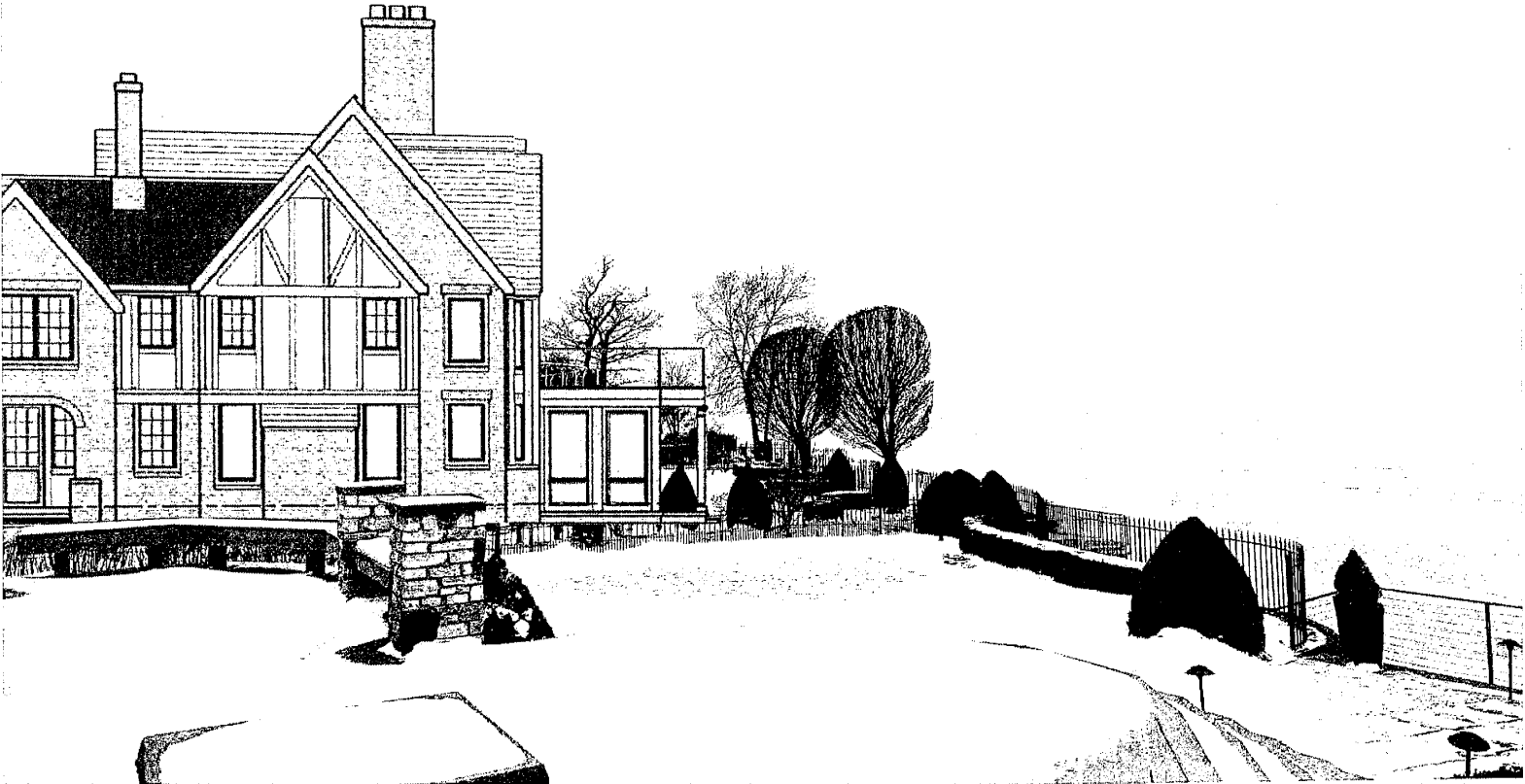


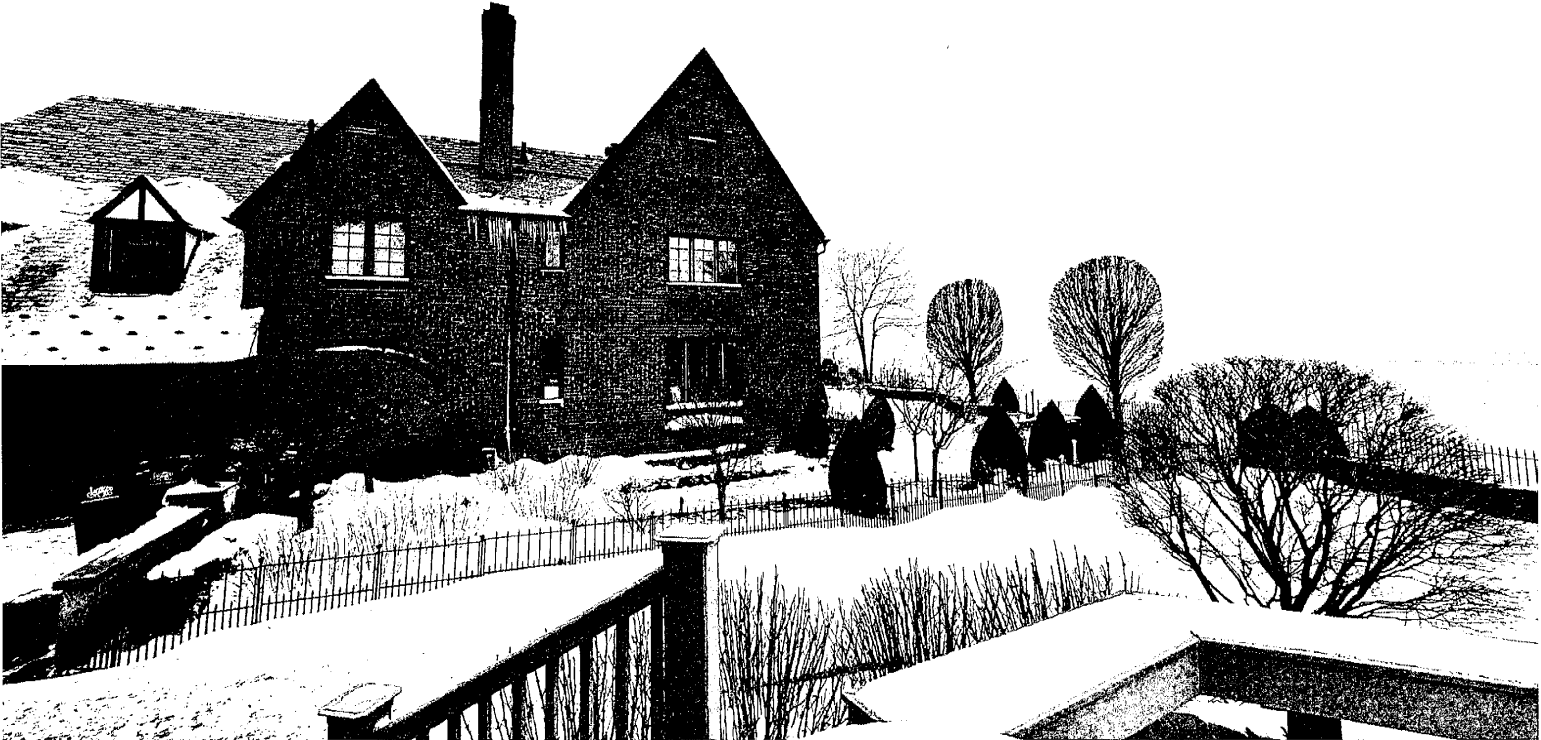
EXHIBIT D

VIEW FROM PROPERTY AFTER (APPROXIMATE)



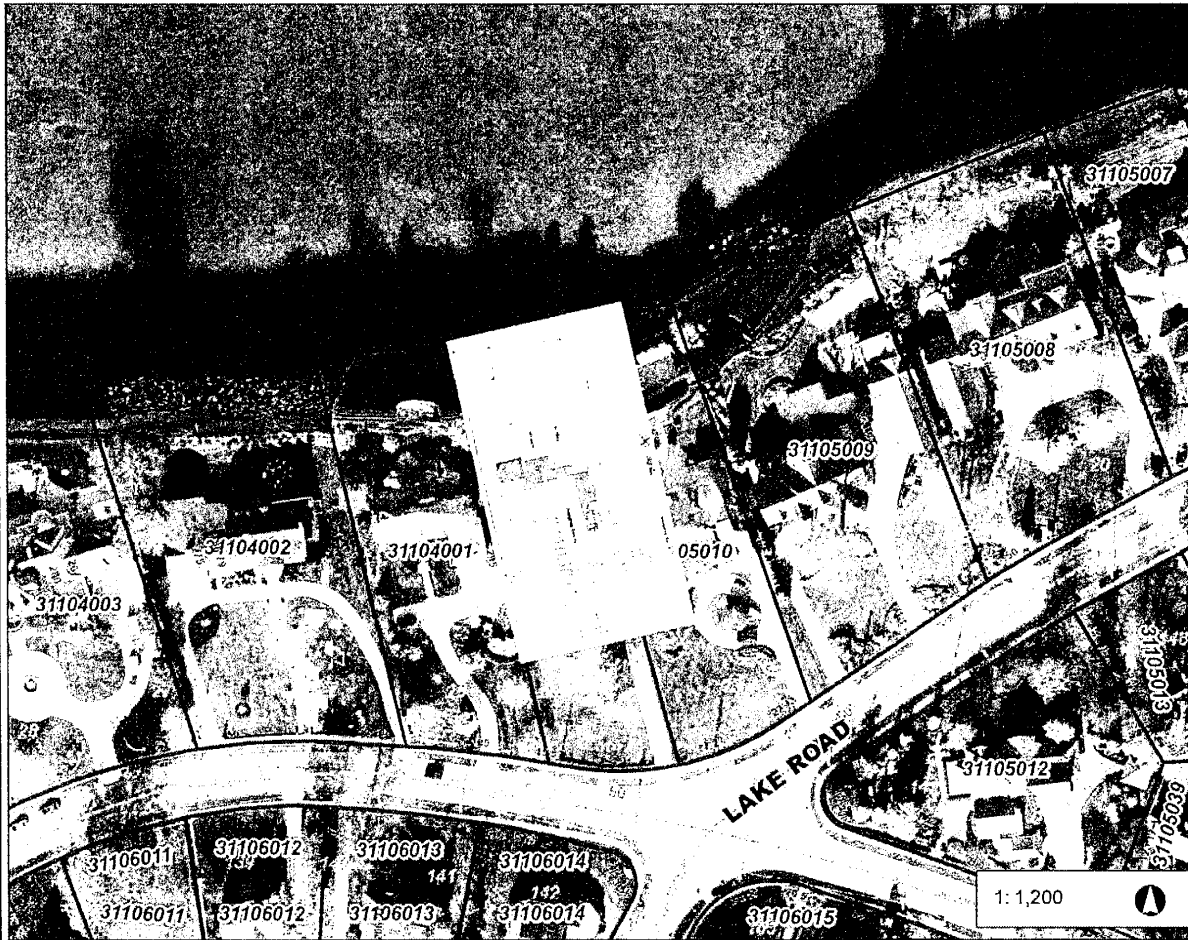
OTHER VIEWS FROM PROPERTY (EXISTING)

EXHIBIT E





# Lake Road Variance



Date Created: 2/19/2025

### Legend

- Municipalities
- Right Of Way
- Platted Centerline
- Parcel
- Private Road

200 0 100 200 Feet

Projection:  
WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.  
**THIS MAP IS NOT TO BE USED FOR NAVIGATION**

Cuyahoga County  
**Enterprise GIS**

**Johanna Schwarz**

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**From:** Joseph Bodzewski <bodzewski@gmail.com>  
**Sent:** Thursday, February 20, 2025 10:36 AM  
**To:** Planning Dept  
**Subject:** Docket No. 02-04-25: Support for Garage Replacement at 2143 Glenbury Ave

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

Dear Lakewood City Planning office,

We are writing to express our support for the proposal submitted by our neighbors at 2143 Glenbury Ave to replace their garage. We are an abutting property owner at address 2147 Glenbury Ave.

We believe the proposed replacement will be an enhancement to the property and the neighborhood. Our neighbors have always been more than considerate of us and we trust they will continue to follow any necessary regulations to ensure the project is completed responsibly.

We kindly ask that you give this proposal your favorable consideration.

Thank you for your time and attention.

Sincerely,  
Joey & Vicky Bodzewski  
2147 Glenbury Ave

## Johanna Schwarz

---

**From:** Michelle Nochta  
**Sent:** Tuesday, February 18, 2025 3:52 PM  
**To:** Planning Dept  
**Subject:** Fw: Property Owner 2143 Glenbury  
**Attachments:** Damon\_Galt\_-\_Grant\_Maya\_Camhi\_Representation\_-\_Lakewood\_OH (1).pdf



**Michelle Nochta, AICP**  
Senior Planner and ADA Coordinator

**City of Lakewood, Ohio**  
**Dept. of Planning and Development**  
12650 Detroit Ave.  
Lakewood, OH 44107

(216) 529-5906  
[Michelle.Nochta@lakewoodoh.gov](mailto:Michelle.Nochta@lakewoodoh.gov)

---

**From:** Maya Camhi <[mcamhi@shebuildscl.com](mailto:mcamhi@shebuildscl.com)>  
**Sent:** Tuesday, February 18, 2025 3:32 PM  
**To:** Michelle Nochta <[Michelle.Nochta@lakewoodoh.gov](mailto:Michelle.Nochta@lakewoodoh.gov)>  
**Subject:** Re: Property Owner 2143 Glenbury

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Hi Michelle,

Please find letter attached.

Thanks,  
Maya

---

**Maya Camhi** | Executive MBA, Neuroscience, B.S. | she/her  
*Strategic Innovation & Sustainability Leader | Transforming Industries  
For a Sustainable Future*  
Lakewood, OH 44107  
Connect with me on [Linked-In](#).

----- Original Message -----

From "Michelle Nochta" <[Michelle.Nochta@lakewoodoh.gov](mailto:Michelle.Nochta@lakewoodoh.gov)>

To "Maya Camhi" <[mcamhi@shebuildscl.com](mailto:mcamhi@shebuildscl.com)>

Date 2/18/2025 8:35:03 AM

Subject Property Owner 2143 Glenbury

Good morning,

The property owner listed with the county for 2143 Glenbury is Damon Galt. Can provide a letter from Mr. Galt allowing you to represent him at the meeting on Thursday, and describing your interest in the property- for example, are you the architect or builder?

Thanks,



**Michelle Nocht, AICP**

Senior Planner and ADA Coordinator

**City of Lakewood, Ohio**

**Dept. of Planning and Development**

12650 Detroit Ave.

Lakewood, OH 44107

(216) 529-5906

[Michelle.Nocht@lakewoodoh.gov](mailto:Michelle.Nocht@lakewoodoh.gov)



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IT services – Done Honestly

[support@emcits.com](mailto:support@emcits.com)  
(216) 672-3840

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To the City of Lakewood, Ohio,

I, Damon Galt, hereby grant my wife, Maya Camhi, the authority to represent me in all matters related to my primary residence and domicile located at 2143 Glenbury Avenue, Lakewood, OH 44107.

This authorization shall remain in effect for the calendar year 2025 and applies to all matters concerning design, zoning, variances, appeals, and any other issues arising during the improvement period of the property.

Sincerely,

Damon Galt

PH : 216.815.7023

E : [DGALT@EMCITS.COM](mailto:DGALT@EMCITS.COM)

2143 Glenbury Ave, Lakewood OH.

02 / 18 / 2025

## Johanna Schwarz

---

**From:** Michelle Nochta  
**Sent:** Tuesday, February 18, 2025 2:01 PM  
**To:** 2martinbrett@gmail.com  
**Cc:** Planning Dept  
**Subject:** Fw: URGENT - Reply to PUBLIC NOTICE FEBRUARY 11, 2025, for Docket No. 02-04-25 received 2/14/2025  
**Attachments:** P48 garage drawing from agenda.pdf

Mr. Brett,

Thank you for your email. It will be made part of the public record and presented at the meeting on Thursday, you are welcome to attend the pre-review and regular meeting as well, your comments will be made a part of the record regardless of your attendance on Thursday. My responses are below in red. Let me know if you have any further questions.

Sincerely,



**Michelle Nochta, AICP**  
Senior Planner and ADA Coordinator

**City of Lakewood, Ohio**  
**Dept. of Planning and Development**  
12650 Detroit Ave.  
Lakewood, OH 44107

(216) 529-5906  
[Michelle.Nochta@lakewoodoh.gov](mailto:Michelle.Nochta@lakewoodoh.gov)

---

**From:** Finance <Finance@lakewoodoh.net>  
**Sent:** Tuesday, February 18, 2025 7:49 AM  
**To:** Michelle Nochta <Michelle.Nochta@lakewoodoh.gov>  
**Subject:** FW: URGENT - Reply to PUBLIC NOTICE FEBRUARY 11, 2025, for Docket No. 02-04-25 received 2/14/2025

**From:** M B <2martinbrett@gmail.com>  
**Sent:** Monday, February 17, 2025 5:45 PM  
**To:** Planning Dept <planning@lakewoodoh.net>  
**Cc:** Police Dept <police@lakewoodoh.net>; Finance <finance@lakewoodoh.net>; Building, Housing

<housing.building@lakewoodoh.net>; Mayor's Office <mayor@lakewoodoh.net>; City Council  
<council@lakewoodoh.net>

**Subject:** URGENT - Reply to PUBLIC NOTICE FEBRUARY 11, 2025, for Docket No. 02-04-25 received 2/14/2025

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**Michelle Nochta**  
Board Secretary, Senior Planner  
Planning and Development

As an abutting property owner/occupant, I wish to object to the variance requested for the project described in item 7 of the agenda for Docket No. 02-04-25 Meeting of Board of Zoning Appeals and to express my views on Docket No. 02-04-25 Meeting of Board of Zoning Appeals regarding a submitted proposal that my research shows is associated with the Cuyahoga County parcel 31311159 that Cuyahoga County records show for 2143 Glenbury Avenue, Lakewood, 44107, with owner in the record listed as "GALT, DAMON".

My attendance is still uncertain with such short notice.

Please reply to the issues listed below so I can properly prepare for Docket No. 02-04-25 Meeting of Board of Zoning Appeals or prepare for later discussion of the matter.

Thank you.

Best regards,

Martin Brett  
2139 Glenbury Avenue

=====

SHORT NOTICE OF Docket No. 02-04-25 MEETING OF  
Board of Zoning Appeals

This email is marked "URGENT" since only two business days were allowed for a response to my questions in reply to your notification of the proposal submitted by "Applicant and property owner Maya Camhi." The notice received by USPS delivery late on Friday, February 14, 2025, describes the proposal submitted by "Applicant and property owner Maya Camhi." Monday, February 17, 2025, is a legal and banking holiday.

PLEASE reply as soon as possible if the agenda for the meeting in the notice changes or if a continuance is granted.

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DID THE PRELIMINARY REVIEW OF THE APPLICATION DETERMINE COMPLIANCE WITH 1173.04(a)(1) "Proof of ownership, legal interest, or written authority to make the application."? *Yes*

The notice received by USPS delivery late on Friday, February

14, 2025, describes the proposal submitted by "Applicant and property owner Maya Camhi."

The Cuyahoga County property information tool [<https://myplace.cuyahogacounty.gov/>] lists the owner of parcel 31311159 at 2143 Glenbury Avenue, Lakewood, 44107, as "GALT, DAMON".

Per Lakewood code 1173.04 VARIANCES (a)(2) "Upon receipt of a request for a variance(s), the Commissioner shall, within three (3) working days, make a preliminary review of the application to determine compliance with the requirements of subsection (a)(1) hereof." 1173.04(a)(1) lists as a submission requirement "Proof of ownership, legal interest, or written authority to make the application." [[https://codelibrary.amlegal.com/codes/lakewood/atest/lakewood\\_oh/0-0-0-75449#JD\\_1173.04](https://codelibrary.amlegal.com/codes/lakewood/atest/lakewood_oh/0-0-0-75449#JD_1173.04)]

Was the preliminary review part of the posting in local news media that may have been missed? No

=====

DO DELINQUENT PROPERTY TAXES IMPEDE THE APPLICATION PROCESS? No

The Cuyahoga County property information tool [<https://myplace.cuyahogacounty.gov/>] lists delinquent property

taxes for parcel 31311159 at 2143 Glenbury Avenue, Lakewood, 44107. Lakewood Finance Department is copied to allow their input.

=====

**DO YOU GUARANTEE THE SAFETY OF ATTENDEES TO THE MEETING?** The city provides a security guard at the door and a metal detector. The city cannot indemnify attendees, please contact the law department if you have further questions about indemnification

City of Lakewood Police Department [copied here] received a report that DAMON GALT made threats to use a firearm. City of Lakewood Police Department never advised to disregard the threats DAMON GALT made. Please advise if there will be weapons screening for the meeting.

=====

**PLEASE DISTINGUISH BETWEEN EVENTS FOR THE "PRE-REVIEW" AT 6:00 PM AND THOSE EVENTS FOR THE "REVIEW" AT 6:30 PM HELD IN A DIFFERENT VENUE.** No public comment is taken at pre-review, public may attend and listen only. In person public comment is taken for each agenda item during the regular meeting which begins at 6:30pm, all public comment received in advance will be provided to the board members when the docket item is reviewed.

THE online agenda [agenda: [https://www.lakewoodoh.gov/wp-content/uploads/2025/02/BZAAgenda\\_022025A.pdf](https://www.lakewoodoh.gov/wp-content/uploads/2025/02/BZAAgenda_022025A.pdf)] referenced in the mailed notification does not describe the difference between the two sessions that both presumably meet for Docket No. 02-04-25.

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ARE BOTH THE THE CITY HALL EAST CONFERENCE ROOM AND THE CITY HALL AUDITORIUM ADA ACCESSIBLE? Yes

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PLEASE PROVIDE A COPY OF THE DOCUMENT - IF ANY EXISTS - THAT CONFIRMS THAT THE "narrative establishing and substantiating the justification for the variance(s) pursuant to the criteria set forth in subsections (c) or (d) of this Section 1173.04" SINCE THE NOTIFICATION AND THE AGENDA COPY OF THE SUBMISSION DOES NOT INCLUDE ANY SUBSTANTIATION OF JUSTIFICATION.

Applicant will present at public meeting

Both the definition of AREA VARIANCE in Lakewood Code 1103.02(nnn) and the definition of USE VARIANCE in Lakewood Code 1103.02(ooo) include the concept of hardship substantiation for the variation

[<https://codelibrary.amlegal.com/codes/lakewood/latest/lakew>

ood\_oh/0-0-0-72568]:

"VARIANCE, AREA means an area variance that is reviewed by the Board who shall determine whether an applicant has demonstrated that the literal enforcement of the Code will, in the case of an area variance, result in practical difficulty according to the criteria set forth in Subsection 1173.04(c)."

"VARIANCE, USE means a use variance that is reviewed by the Commission who shall approve or disapprove an application to allow a use not permitted under this Code in the zoning district in which the property is located, the Commission must find that the applicant has demonstrated that the literal enforcement of the Code will result in unnecessary hardship according to the criteria set forth in Subsection 1173.04(d).

=====

PLEASE CONFIRM THAT THE REQUEST IS FOR  
CONSIDERATION OF VARIATION IN Lakewood Code  
1121.03(a) PERMITTED ACCESSORY USES INDICATED BY  
THE AGENDA ITEM 7 ON PAGE 2[  
[https://codelibrary.amlegal.com/codes/lakewood/latest/lakewood\\_oh/0-0-0-72733#JD\\_1121.03](https://codelibrary.amlegal.com/codes/lakewood/latest/lakewood_oh/0-0-0-72733#JD_1121.03) ] *Yes*

That code section reads: "A garage not to exceed 480 square feet in area or the requirement of Section 1121.09(c), whichever is greater but shall not exceed the requirements of

Section 1121.09(d)." The Section 1121.09(c) closely mimics maximum lot coverage constraints for accessory structure or structures set at 25% per Lakewood Code 1123.09(c), discussed later.

[[https://codelibrary.amlegal.com/codes/lakewood/latest/lakewood\\_oh/0-0-0-72898](https://codelibrary.amlegal.com/codes/lakewood/latest/lakewood_oh/0-0-0-72898)]

=====

PLEASE EXPLAIN THE STATUS OF OTHER CODE SECTION VARIATIONS SINCE THE REQUEST IS NOT FOR VARIATION IN MAXIMUM LOT COVERAGE AND IS NOT A "MINOR AREA VARIANCE" DESCRIBED IN Lakewood Code 1173.04(b)(2)

[[https://codelibrary.amlegal.com/codes/lakewood/latest/lakewood\\_oh/0-0-0-75449](https://codelibrary.amlegal.com/codes/lakewood/latest/lakewood_oh/0-0-0-75449)] No other variances are required

PLEASE describe any action taken on these code variations.

The definition given in Lakewood Code 1103.02(mmm) [[https://codelibrary.amlegal.com/codes/lakewood/latest/lakewood\\_oh/0-0-0-72568](https://codelibrary.amlegal.com/codes/lakewood/latest/lakewood_oh/0-0-0-72568)] for "VARIANCE, MINOR AREA":

"VARIANCE, MINOR AREA means an area variance(s) of less than ten percent (10%) of the permitted lot coverage, or of the required side yard or rear yard, according to the criteria set forth in Subsection 1173.04(b). The Commissioner may grant

minor area variance(s)."

"Rear yard" calculation is specified in Lakewood Code 1103.02(sss):

"YARD, REAR means the unoccupied area extending the width of the lot between the rear line of the principal structure or any part thereof and the rear lot line."

"Maximum lot coverage" considers more than the pad that the structure rests on.

The definition given in Lakewood Code 1103.02(rr-2) for "LOT COVERAGE, MAXIMUM":

"LOT COVERAGE, MAXIMUM means the portion of the lot covered by any structure or constructed element that impedes infiltration of stormwater into the ground or disrupts vegetated surfaces. For purposes of determining maximum lot coverage, buildings, structures, or constructed elements that allow some infiltration, such as decks, patios and driveways, porous pavers or concrete, or other elements that disturb ground cover shall be counted towards the total surface coverage unless it is demonstrated it is a functional and integral part of a stormwater system and best management practice as determined by the City Engineer or designee".

Maximum lot coverage constraints for accessory structure or structures are at 25% per Lakewood Code 1123.09(c).

<https://codelibrary.amlegal.com/codes/lakewood/latest/lakew>

ood\_oh/0-0-0-72898 ]

Lakewood Code "1123.09 MAXIMUM LOT AREA COVERAGE.

(a) The principal building, including attached accessory dwelling units, shall not cover more than thirty-five percent (35%) of the lot area.

(b) Arbors, trellises, exterior steps, fences, and living fences shall be excluded from the lot coverage limitation.

(c) An accessory structure or structures shall not cover more than twenty-five percent (25%) of the area of the rear yard except as provided in Section 1123.03. Accessory dwelling units are not subject to this provision and instead are regulated by Section 1161.03(bb).

(d) The maximum lot coverage shall not exceed 85%.  
(Ord. 07-2023. Passed 11-20-23.)"

=====

PLEASE EXPLAIN THE STATUS OF THE VARIANCE FOR BUILDING HEIGHT CODE Per definitions section 1103.02(q) the height is calculated, 15 ft at the midpoint.

Please describe any action taken on this code variation.

The drawings submitted with the application [page 48, attached] for variance indicate a "garage" structure with a height of 21 feet 5 inches. Lakewood Building and Housing is copied here for input.

Both Lakewood Code CHAPTER 1121 Single-Family Residential Districts, 1121.05 HEIGHT REGULATIONS

[[https://codelibrary.amlegal.com/codes/lakewood/latest/lakewood\\_oh/0-0-0-72760#JD\\_1121.05](https://codelibrary.amlegal.com/codes/lakewood/latest/lakewood_oh/0-0-0-72760#JD_1121.05)], and Lakewood Code

CHAPTER 1123 Single- and Two-Family Residential Districts, 1123.05 HEIGHT REGULATIONS

[[https://codelibrary.amlegal.com/codes/lakewood/latest/lakewood\\_oh/0-0-0-72879](https://codelibrary.amlegal.com/codes/lakewood/latest/lakewood_oh/0-0-0-72879)] state "An accessory structure, except an antenna, shall not exceed fifteen (15) feet in height above grade as determined by the Commissioner."

## Johanna Schwarz

---

**From:** Johanna Schwarz  
**Sent:** Thursday, February 20, 2025 9:07 AM  
**To:** Michelle Nochta; Andrew Fleck; Justin Maskaluk  
**Subject:** RE: URGENT - Reply to PUBLIC NOTICE FEBRUARY 11, 2025, for Docket No. 02-04-25 received 2/14/2025  
**Attachments:** Camhi - 2143 Glenbury Ave..docx

Good morning

I just returned from a two-day vacation and am now replying to the "Urgent" email.

Ms. Camhi identified herself as the applicant and property owner when the permit was input into CitizenServe. See the attachment.



**Johanna Schwarz**  
Administrative Assistant II

**City of Lakewood, Ohio**  
12650 Detroit Ave.  
Lakewood, OH 44107

(216) 529-6631  
[johanna.schwarz@lakewoodoh.gov](mailto:johanna.schwarz@lakewoodoh.gov)

**From:** Michelle Nochta <Michelle.Nochta@lakewoodoh.gov>  
**Sent:** Tuesday, February 18, 2025 8:28 AM  
**To:** Andrew Fleck <Andrew.Fleck@lakewoodoh.gov>; Justin Maskaluk <Justin.Maskaluk@lakewoodoh.gov>; Johanna Schwarz <Johanna.Schwarz@lakewoodoh.gov>  
**Subject:** Fw: URGENT - Reply to PUBLIC NOTICE FEBRUARY 11, 2025, for Docket No. 02-04-25 received 2/14/2025

Please see the email below.

### CONTACT INFORMATION: PERMIT APPLICANT

**ACCOUNT INFORMATION**  
Contact Type:  Association Applicant:  Portal Access:

**PERSONAL INFORMATION**  
Contact Name:    
Personal Mailing Address:

**COMPANY INFORMATION**  
Company Name:   
Company Mailing Address:

**CONTACT INFORMATION**  
Primary Number:  Work Number:   
Mobile Number:  Home Number:   
Email:   
Fax:

**OTHER INFORMATION**  
User Name:   
District:   
Created On:   
Created By:   
Contact Created by:   
Contact Created Date:   
to Not Notify Via Email:

**ATTENTION:** Clicking SUBMIT below [here](#) constitute as a formal request.

[Portal Access](#) [View Contact](#) [Add Note](#) [Save](#)

**RETURNED SUBMITTALS**



**Michelle Nochta, AICP**

Senior Planner and ADA Coordinator

**City of Lakewood, Ohio**

**Dept. of Planning and Development**

12650 Detroit Ave.

Lakewood, OH 44107

(216) 529-5906

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**From:** M B <[2martinbrett@gmail.com](mailto:2martinbrett@gmail.com)>

**Sent:** Monday, February 17, 2025 5:45 PM

**To:** Planning Dept <[planning@lakewoodoh.net](mailto:planning@lakewoodoh.net)>

**Cc:** Police Dept <[police@lakewoodoh.net](mailto:police@lakewoodoh.net)>; Finance <[finance@lakewoodoh.net](mailto:finance@lakewoodoh.net)>; Building, Housing <[housing.building@lakewoodoh.net](mailto:housing.building@lakewoodoh.net)>; Mayor's Office <[mayor@lakewoodoh.net](mailto:mayor@lakewoodoh.net)>; City Council <[council@lakewoodoh.net](mailto:council@lakewoodoh.net)>

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establishing and substantiating the justification for the variance(s) pursuant to the criteria set forth in subsections (c) or (d) of this Section 1173.04" SINCE THE NOTIFICATION AND THE AGENDA COPY OF THE SUBMISSION DOES NOT INCLUDE ANY SUBSTANTIATION OF JUSTIFICATION.

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[[https://codelibrary.amlegal.com/codes/lakewood/latest/lakewood\\_oh/0-0-0-72568](https://codelibrary.amlegal.com/codes/lakewood/latest/lakewood_oh/0-0-0-72568)]:

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THE AGENDA ITEM 7 ON PAGE 2 [  
[https://codelibrary.amlegal.com/codes/lakewood/latest/lakewood\\_oh/0-0-0-72733#JD\\_1121.03](https://codelibrary.amlegal.com/codes/lakewood/latest/lakewood_oh/0-0-0-72733#JD_1121.03) ]

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[[https://codelibrary.amlegal.com/codes/lakewood/latest/lakewood\\_oh/0-0-0-72898](https://codelibrary.amlegal.com/codes/lakewood/latest/lakewood_oh/0-0-0-72898) ]

=====

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[[https://codelibrary.amlegal.com/codes/lakewood/latest/lakewood\\_oh/0-0-0-75449](https://codelibrary.amlegal.com/codes/lakewood/latest/lakewood_oh/0-0-0-75449)]

PLEASE describe any action taken on these code variations.

The definition given in Lakewood Code

1103.02(mmm) [[https://codelibrary.amlegal.com/codes/lakewood/latest/lakewood\\_oh/0-0-0-72568](https://codelibrary.amlegal.com/codes/lakewood/latest/lakewood_oh/0-0-0-72568)] for "VARIANCE, MINOR AREA":

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The definition given in Lakewood Code 1103.02(rr-2) for "LOT COVERAGE, MAXIMUM":

"LOT COVERAGE, MAXIMUM means the portion of the lot covered by any structure or constructed element that impedes infiltration of stormwater into the ground or disrupts vegetated surfaces. For purposes of determining maximum lot

coverage, buildings, structures, or constructed elements that allow some infiltration, such as decks, patios and driveways, porous pavers or concrete, or other elements that disturb ground cover shall be counted towards the total surface coverage unless it is demonstrated it is a functional and integral part of a stormwater system and best management practice as determined by the City Engineer or designee".

Maximum lot coverage constraints for accessory structure or structures are at 25% per Lakewood Code 1123.09(c).

[[https://codelibrary.amlegal.com/codes/lakewood/latest/lakewood\\_oh/0-0-0-72898](https://codelibrary.amlegal.com/codes/lakewood/latest/lakewood_oh/0-0-0-72898) ]

Lakewood Code "1123.09 MAXIMUM LOT AREA COVERAGE.

(a) The principal building, including attached accessory dwelling units, shall not cover more than thirty-five percent (35%) of the lot area.

(b) Arbors, trellises, exterior steps, fences, and living fences shall be excluded from the lot coverage limitation.

(c) An accessory structure or structures shall not cover more than twenty-five percent (25%) of the area of the rear yard except as provided in Section 1123.03. Accessory dwelling units are not subject to this provision and instead are regulated by Section 1161.03(bb).

(d) The maximum lot coverage shall not exceed 85%. (Ord. 07-2023. Passed 11-20-23.)"

=====

## PLEASE EXPLAIN THE STATUS OF THE VARIANCE FOR BUILDING HEIGHT CODE

Please describe any action taken on this code variation.

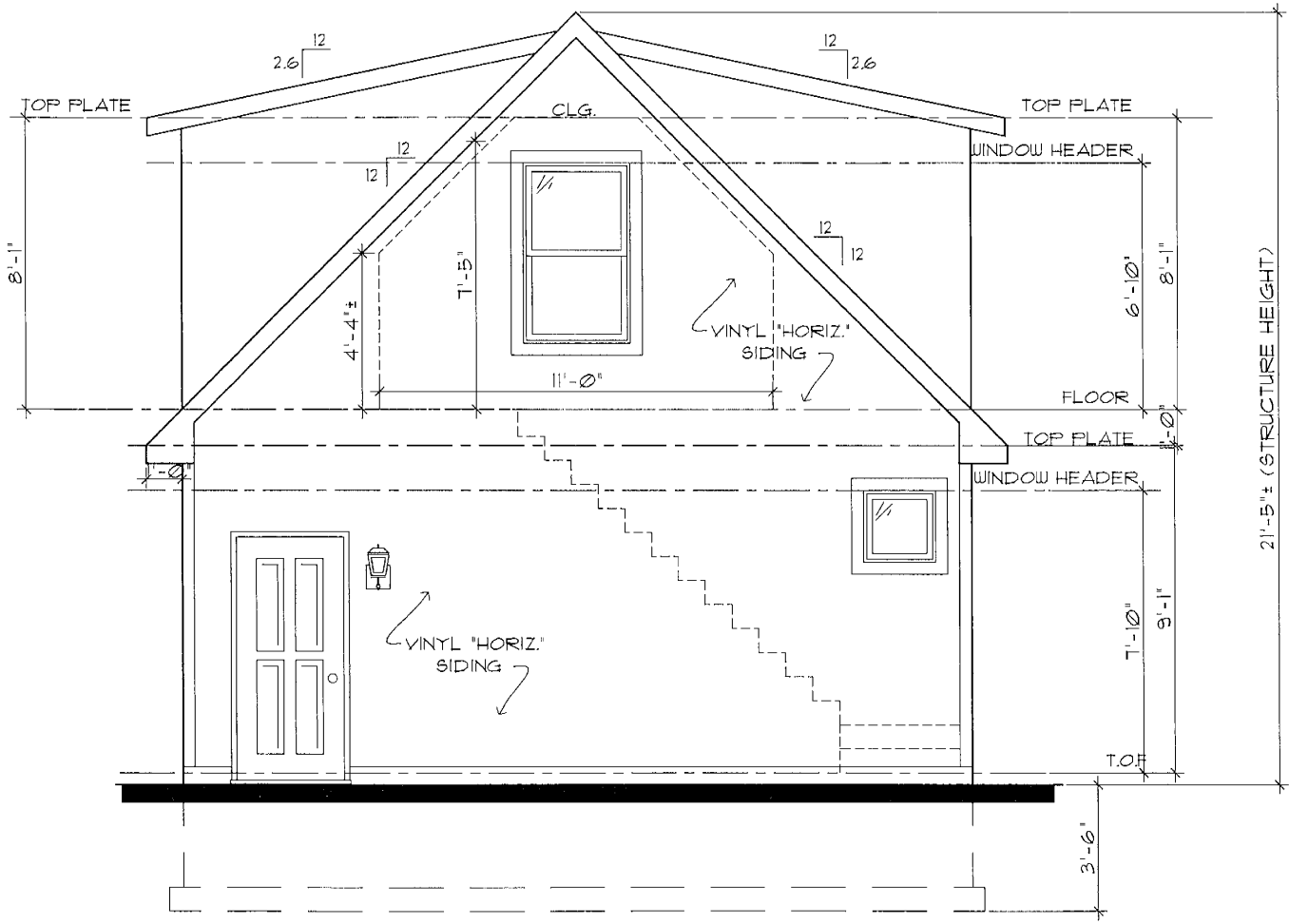
The drawings submitted with the application [page 48, attached] for variance indicate a "garage" structure with a height of 21 feet 5 inches. Lakewood Building and Housing is copied here for input.

Both Lakewood Code CHAPTER 1121 Single-Family Residential Districts, 1121.05 HEIGHT REGULATIONS

[[https://codelibrary.amlegal.com/codes/lakewood/latest/lakewood\\_oh/0-0-0-72760#JD\\_1121.05](https://codelibrary.amlegal.com/codes/lakewood/latest/lakewood_oh/0-0-0-72760#JD_1121.05)], and Lakewood Code

CHAPTER 1123 Single- and Two-Family Residential Districts, 1123.05 HEIGHT REGULATIONS

[[https://codelibrary.amlegal.com/codes/lakewood/latest/lakewood\\_oh/0-0-0-72879](https://codelibrary.amlegal.com/codes/lakewood/latest/lakewood_oh/0-0-0-72879)] state "An accessory structure, except an antenna, shall not exceed fifteen (15) feet in height above grade as determined by the Commissioner."



## Johanna Schwarz

---

**From:** Michelle Nochta  
**Sent:** Thursday, February 13, 2025 9:42 AM  
**To:** Johanna Schwarz  
**Subject:** Fw: Bza25-000001 neighbor support #3



**Michelle Nochta, AICP**  
Senior Planner and ADA Coordinator

**City of Lakewood, Ohio**  
**Dept. of Planning and Development**  
12650 Detroit Ave.  
Lakewood, OH 44107

(216) 529-5906  
[Michelle.Nochta@lakewoodoh.gov](mailto:Michelle.Nochta@lakewoodoh.gov)

---

**From:** anlak <anlak@cox.net>  
**Sent:** Wednesday, February 12, 2025 5:02 PM  
**To:** Michelle Nochta <Michelle.Nochta@lakewoodoh.gov>  
**Subject:** Bza25-000001 neighbor support

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

Board of Zoning Appeals,

This email is to evidence our support for the variance requested by our neighbors, Francis (Trey) Hornung and Kyle Scarberry, in their plan to build a shed that is 10'x16' and 11'1" tall.

We understand it will be placed in the north west corner of their property, three feet from the north and west property lines and near the north east corner of our property.

Thank you,

Angelo and Chrisanne Licata  
1063 Kirtland Ln  
Sent from my iPad

**Johanna Schwarz**

---

**From:** Michelle Nochta  
**Sent:** Wednesday, February 12, 2025 2:25 PM  
**To:** Planning Dept  
**Subject:** Fw: BZA25-000001Neighbor Support



**Michelle Nochta, AICP**  
Senior Planner and ADA Coordinator

**City of Lakewood, Ohio**  
**Dept. of Planning and Development**  
12650 Detroit Ave.  
Lakewood, OH 44107

(216) 529-5906  
[Michelle.Nochta@lakewoodoh.gov](mailto:Michelle.Nochta@lakewoodoh.gov)

---

**From:** Justin Walstrom <justinwalstrom@gmail.com>  
**Sent:** Wednesday, February 12, 2025 1:46 PM  
**To:** Michelle Nochta <michelle.nochta@lakewoodoh.gov>  
**Subject:** BZA25-000001Neighbor Support

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

This email is to evidence our support for the variance requested by our neighbors, Francis (Trey) Hornung and Kyle Scarberry, in their plan to build a shed that is 10'x16' and 11'1" tall.

We understand it will be placed in the northwest corner of their property, three feet from their north and west property lines.

Thank you,

Justin and Nick Walstrom  
1062 Edgewater Ln

Justin Walstrom  
814-577-0198

# Board of Zoning Appeals

Board Pre-review in the East Conference room between 6:00-6:30 p.m.  
Regular Meeting begins in the Auditorium at 6:30 p.m.



## City of Lakewood Department of Planning and Development

### Board of Zoning Appeals -Staff

- Michelle Nocht, Board Secretary
- Andrew Fleck, Legal Counsel
- Justin Maskaluk, Building Dept.

### Board of Zoning Appeals Members

- Michael Alexander, Chair
- Jillian Bolino, Vice Chair
- Matt Markling, member
- Jeffrey Pigott, member
- Anthony Santiago, member

# 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

## February 20, 2025

### Agenda

1. Roll Call
2. Vote to approve **January 16, 2025**, meeting minutes
3. Opening Remarks

#### **OLD BUSINESS**

4. 1464 Riverside Drive

#### **NEW BUSINESS**

5. 1052 Edgewater Lane
6. Appeal Denial of Solicitor's Permit- Christopher Brynner
7. 2143 Glenbury Ave.
8. 17852 Lake Rd.

# Docket No. 01-01-25 OLD BUSINESS

Applicant Gary R. Fischer of Fischer & Associates Architects LLC for property owner Linda Frederickson proposes the construction of a new two-family home on an existing lot. The property is located in the R2, Single- and Two-Family District.



Docket No. 01-01-25

1464 Riverside Dr

Docket No. 01-01-25

1464 Riverside Dr.

Applicant Gary R. Fischer of Fischer & Associates Architects LLC for property owner Linda Frederickson proposes the construction of a new two-family home with an attached two car garage on an existing lot. The property is located in the R2, Single- and Two-Family District. (Page 4)

**Variance 1:** Owner proposes the construction of a new home with an attached two-car garage. The two proposed side yards are 5 feet and 7 feet, combined the total is 12 feet where 15 feet is the minimum required. Request a variance to reduce the permitted combined side yard setback total to 12 feet, as proposed. Pursuant to schedule 1123.07 Minimum Yard Requirements (Ord.91-95. Passed 10-07-96.)

**Variance 2:** Owner proposes the construction of a new house with an attached two car garage; the maximum total primary lot coverage permitted is 35%, the proposed is 46%. Request a variance to increase the maximum permitted total primary structure lot coverage to 46%, as proposed. Pursuant to section 1123.09(a) Maximum Lot Coverage (Ord. 07-2023. 11-20-23)



# Docket No. 01-01-25

# 1464 Riverside Dr.

Docket No. 01-01-25

1464 Riverside Dr.

Applicant Gary R. Fischer of Fischer & Associates Architects LLC for property owner Linda Frederickson proposes the construction of a new two-family home on an existing lot. The property is located in the R2, Single- and Two-Family District. (Page 3)

**Variance 1:** Owner proposes the construction of a new home that will be attached to the existing two-car garage. The garage currently sits 7 feet 10 inches from Graber Drive, the required setback on Graber Drive is 12 feet. Request a variance to reduce the required front setback on Graber Drive from the required 12 feet to the proposed **7 feet 10 inches**, as proposed. Pursuant to schedule 1123.07 Minimum Yard Requirements (Ord.15-15. Passed 9-21-15.)

**Variance 2:** Owner proposes the construction of a new house attached to the existing two car garage which sits 1 foot 8 inches from the side property line, the required side yard minimum setback for a primary structure is 5 feet. Request a variance to reduce the required minimum side setback from 5 feet to **1 foot 8 inches**, as proposed. Pursuant to schedule 1123.07 Minimum Yard Requirements (Ord.15-15. Passed 9-21-15.)

**Variance 3:** Owner proposes the construction of a new house attached to the existing two car garage, the required minimum combined side yard setback total is 15 feet, the site plan shows 1 foot 8 inches feet on the west side and 7 feet on the east side for a combined side yard total of **8 feet 8 inches**. Request a variance to reduce the combined side yard total from the required 15 feet to **8 feet 8 inches**, as proposed. Pursuant to schedule 1123.07 Minimum Yard Requirements (Ord.15-15. Passed 9-21-15.)

**Variance 4:** Owner proposes the construction of a new house attached to the existing two car garage; the maximum total primary lot coverage permitted is 35%, the proposed total primary lot coverage is 48%. Request a variance to increase the **total permitted primary structure lot coverage to 48%**, as proposed. Pursuant to section 1123.09(a) Maximum Lot Coverage (Ord. 07-2023. Passed 11-20-23)

# FIRST SUBMISSION

LOT SIZE	- 5,875 SQ. FT.
HOUSE	- 2,216 SQ. FT.
EXT. GAR.	- 412 SQ. FT.
NEW GAR.	- 240 SQ. FT.
LOT COVERAGE	- .48% INCL. GAR. & PORCHES.
IM. SURF. BLDG, DRIVE & S.W.	- 3,617 SQ. FT. = 62%

LOT SIZE	- 5,875 SQ. FT.
HOUSE	- 2,216 SQ. FT.
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NEW GAR.	- 240 SQ. FT.
LOT COVERAGE	- .48% INCL. GAR. & PORCHES.
IM. SURF. BLDG, DRIVE & S.W.	- 3,617 SQ. FT. = 62%

EXISTING STREET CURB, & SIDEWALK

PROPERTY LINE, TYP.

1ST. FLR. RF. EDGE.

FOUNDATION LINE.

2ND. FLR. RF. EDGE.

NEW 2 STY HOUSE

AERIAL SITE LOCATION MAP  
1" = 30'-0"

CONC. FRAMED STAIR, RAILS & SLAB, DASHED.

NEW ADDITION 1 CAR GARAGE (240 SQ.FT.)

CONC. SLAB FOR ACCESS.

EXISTING 2 CAR GARAGE (412 SQ.FT.)

EXISTING STREET CURB, & SIDEWALK

R.O.W.

3' CONC. SIDEWALK OWNERS SEL. CONC. SIDEWALK  
NEW FRAMED & PORCH, DI

LINE OF BU EXTERIOR FIN. DASHED, TY

CONC. FRAMED STAIR, RAILS & SLAB, DASHED.

CONC. SLAB FOR ACCESS.

NEW DRIVEWAY T.M.E., GAR. EXTG., NEW OHD & NEW GAR. DR., APRONS AS INDICATED.

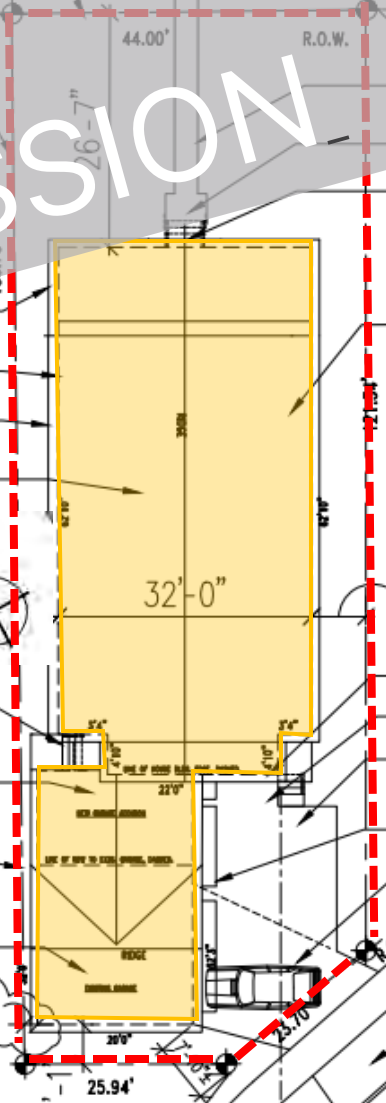
EXISTING DRIVEWAY

EXT'G. CONCRETE PAVED APRON & CURB CUT.

7' 0"

1' 8"

7' 10"



Drawin

COVER

ARCH.

Fischer

22.1

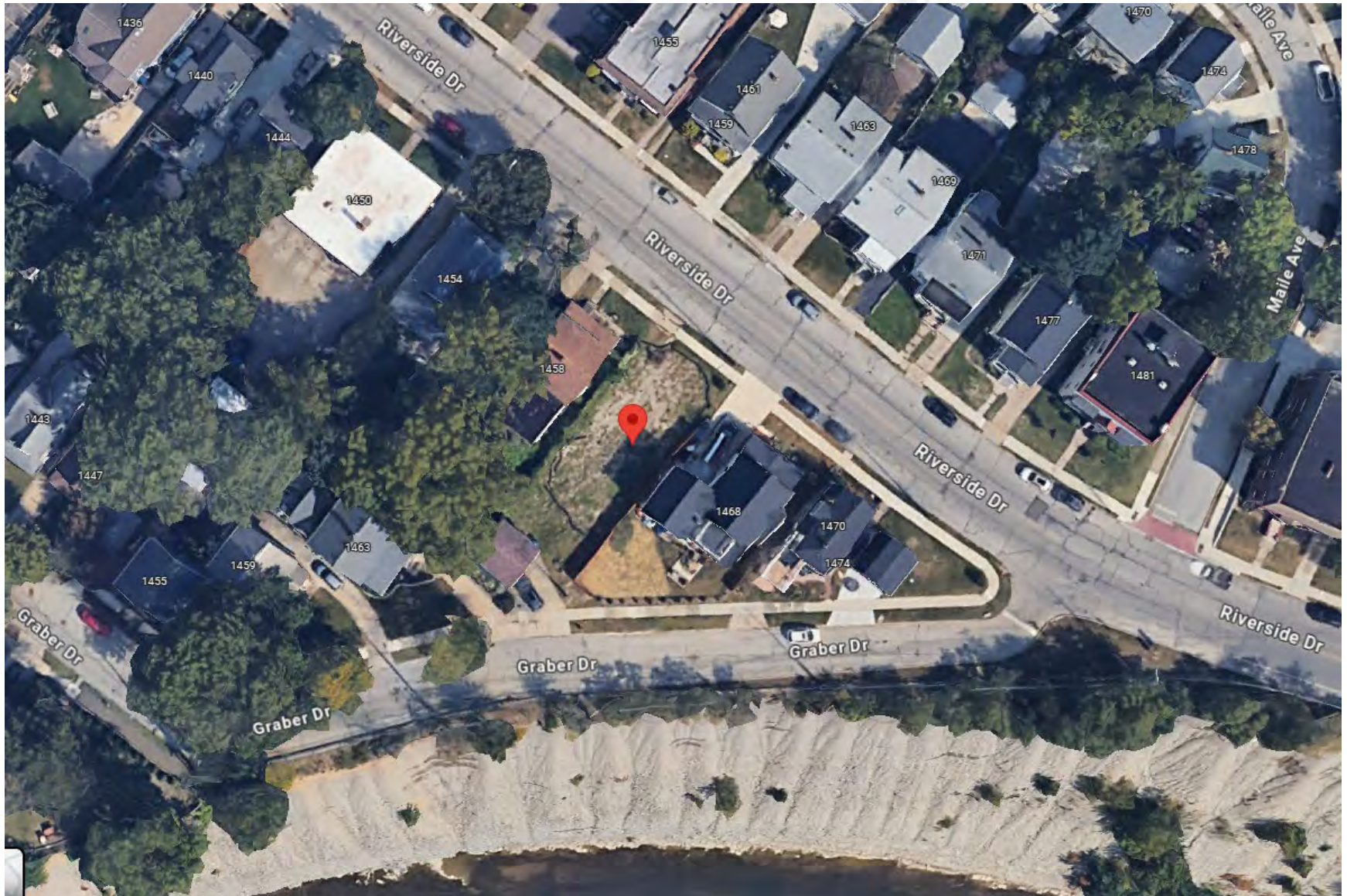
SHEET

Seal

NUMBER DR. 40.00' R.O.W.

# Docket No. 01-01-25

AERIAL SITE LOCATION MAP  
1" = 30'-0"



Docket No. 01-01-25













TRUSSES, MODIFIED ATTIC TRUSSES OR SCISSOR TRUSS PER  
 DE 2x6 STUD UNDER EACH INTERIOR TRUSS SUPPORT  
 & STIC. FRAMING WHERE APPLICABLE.  
 DE STICK FRAMING TO ACCOMMODATE SMALL ROOF BUMP  
 E DRAINAGE. REFERENCE RAFTER SIZE LIST BELOW.  
 E ABOVE RESIDENTIAL ROOF TRUSS DECK TO EXTEND  
 C.

TRUSS CLAD WD.  
 SEL. BY OWNER.  
 WINDOWS U.G.M.

NEW LIFETIME ASPHALT  
 SHINGLES AS SELECTED  
 BY OWNER.

AGE ROOF PEAK  
 3'-9" ± V.I.F.  
 NEW

TRAPPED GUTTER  
 AND TRIM

ROOF STRUCT. BUD.  
 28'-10" ± V.I.F.  
 GAV. TO MATCH

JAMES HARDIE  
 LAP SIDING  
 FIGURE, TYP.

CONC. ENTRY PAD.

10'-0" ± 2'-0" SECTIONAL OVER HEAD GARAGE  
 DOOR W/ TRMS. PER OWNERS SEL. PROVIDE  
 SHEAR WALL. REF. DETAIL #2/A-100.

STEP FOUNDATION & FOOTING AS REQUIRED TO  
 MAINTAIN REQUIRED UNDISTURBED BEARING.

SPECIAL WINDOW NOTES:  
 1. ALL EXTERIOR WINDOWS MUST BE INSULATED.  
 2. ALL WINDOW GLAZING 3'-0" SOFT. OR LARGER SHALL HAVE REAL GLAZING.  
 3. SELECTED WINDOW MANUFACTURER MUST VERIFY ANY WINDOWS REQUIRING  
 THIS PLAN PER MANUFACTURER'S PLAN SPECIFICATIONS

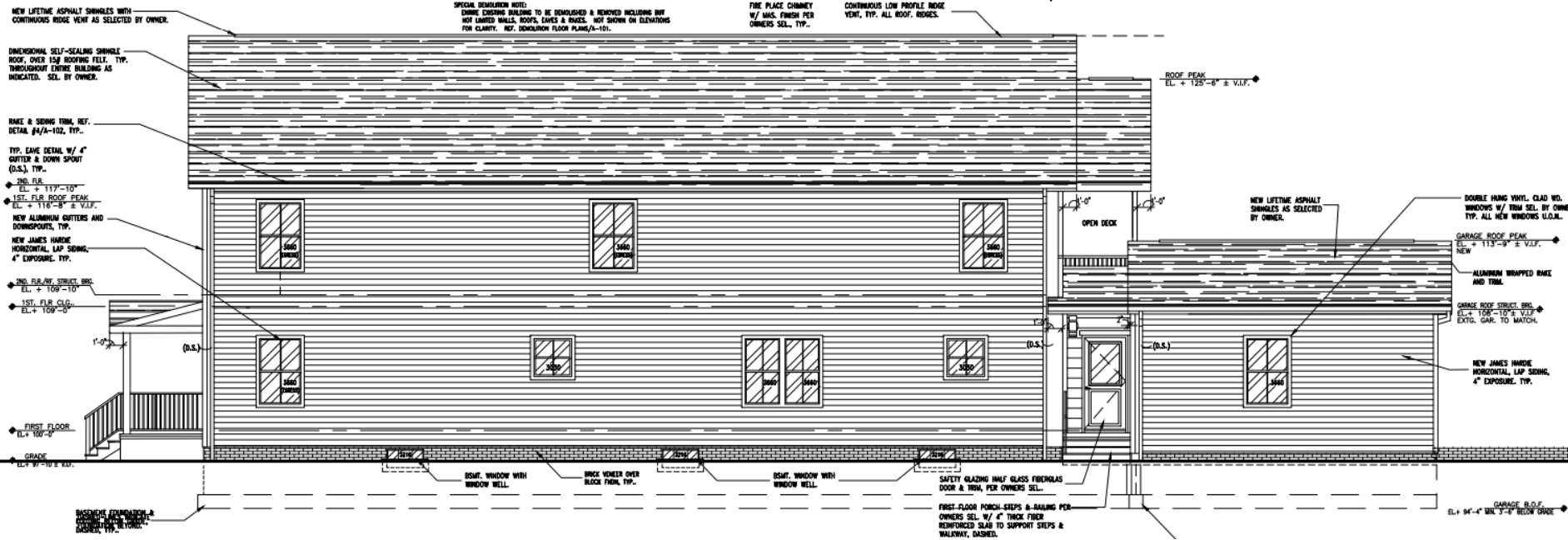


SOUTH EAST ELEVATION  
 1/4" = 1'-0"

2. ALL WINDOW GLAZING 8'-0" SOFT, OR LARGER SHALL HAVE TINT. GLAZING.  
 3. SELECTED WINDOW MANUFACTURER MUST VERIFY MET WINDOWS MEETING TINT. GLAZING PER APPLICABLE OHIO RECREATIONAL CODE REQUIREMENTS.  
 4. SELECTED WINDOW MANUFACTURER SHALL COORDINATE WITH OWNER FOR SELECTED OPERABLE WINDOWS, TYP. THROUGHOUT.

SPECIAL REVISION NOTE:  
 SOME EXISTING BUILDING TO BE DEMOLISHED & REMOVED INCLUDING BUT NOT LIMITED WALLS, ROOF, SIDES & BASES. NOT SHOWN ON ELEVATIONS FOR CLARITY. REF. DEMOLITION FLOOR PLANS/3-101.

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



NEW LIFETIME ASPHALT SHINGLES WITH CONTINUOUS RIDGE VENT AS SELECTED BY OWNER.

DIMENSIONAL SELF-SEALING SHINGLE ROOF OVER 1/2\"/>

RAKE & SIDING TRIM, REF. DETAIL #4/A-102, TYP.

TYP. EAVE DETAIL W/ 4\"/>

2ND FLR

1ST FLR ROOF PEAK

NEW ALUMINUM GUTTERS AND DOWNSPOUTS, TYP.

NEW JAMES HARDIE HORIZONTAL LAP SIDING, 4\"/>

2ND FLR/RF STRUCT BRG

1ST FLR CLG

1'-0"

(D.S.)

FIRST FLOOR

GRADE

EL. + 100'-0"

BASEMENTS FOUNDATION & ROOFING TO BE DEMOLISHED & REMOVED. NOT SHOWN, DASHED, TYP.

FIRE PLACE CHIMNEY W/ MAS. FINISH PER OWNERS SEL., TYP.

CONTINUOUS LOW PROFILE RIDGE VENT, TYP. ALL ROOF RIDGES.

ROOF PEAK

EL. + 125'-0" ± V.I.F.

OPEN DECK

NEW LIFETIME ASPHALT SHINGLES AS SELECTED BY OWNER.

DOUBLE HANG VINYL CLAD WD. WINDOWS W/ TINT SEL. BY OWNER. TYP. ALL NEW WINDOWS U.G.A. NEW

GARAGE ROOF PEAK

EL. + 113'-0" ± V.I.F.

ALUMINUM WRAPPED RAKE AND TRIM

GARAGE ROOF STRUCT BRG

EL. + 108'-10" ± V.I.F.

EXTG. GAR. TO MATCH

NEW JAMES HARDIE HORIZONTAL LAP SIDING, 4\"/>

BSMT. WINDOW WITH WINDOW WELL

BRICK VENEER OVER BLOCK TRIM, TYP.

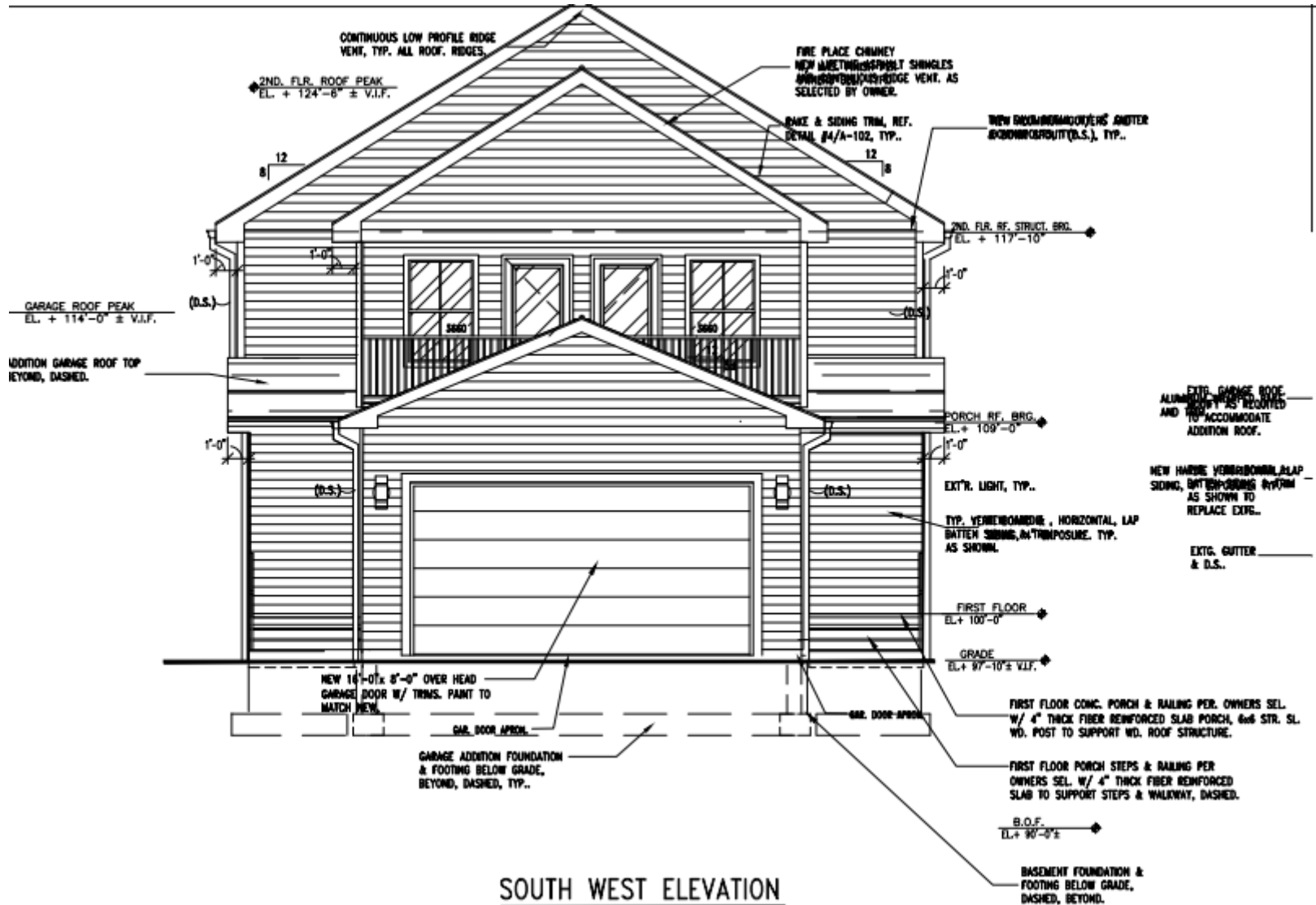
BSMT. WINDOW WITH WINDOW WELL

SAFETY GLAZING HALF GLASS FIBERGLAS DOOR & TRIM, PER OWNERS SEL.

FIRST FLOOR PORCH STEPS & RAILING PER OWNERS SEL. W/ 4\"/>

GARAGE R.O.F.

EL. + 94'-4" MIN. 3'-0" BELOW GRADE



**SOUTH WEST ELEVATION**

1/4" = 1'-0"



Docket No. 01-01-25



Docket No. 01-01-25



Docket No. 01-01-25



Docket No. 01-01-25





Docket No. 01-01-25



Docket No. 01-01-25



Docket No. 01-01-25



Docket No. 01-01-25



# Docket No. 01-01-25

View across riverside

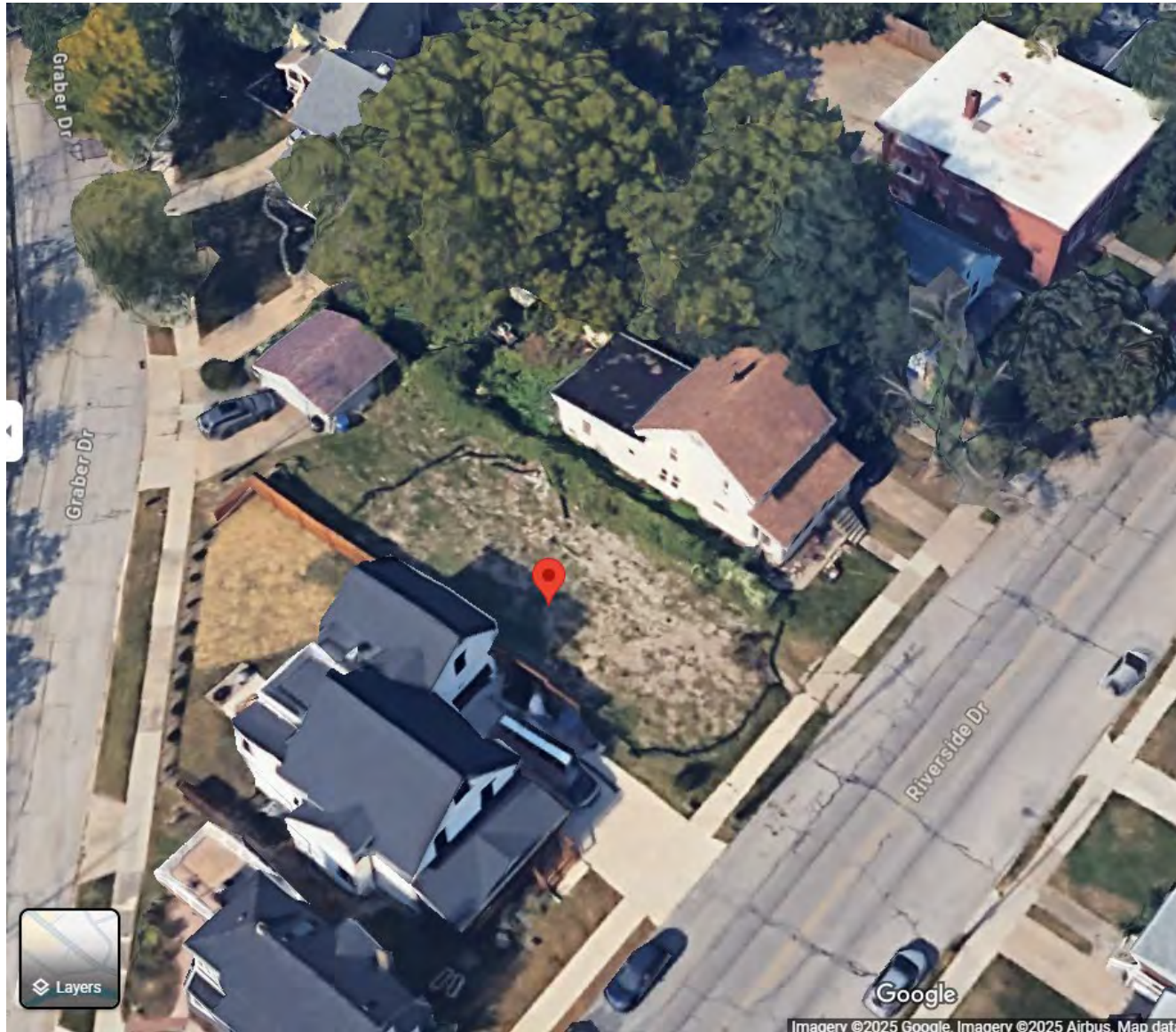


# Docket No. 01-01-25

View across riverside



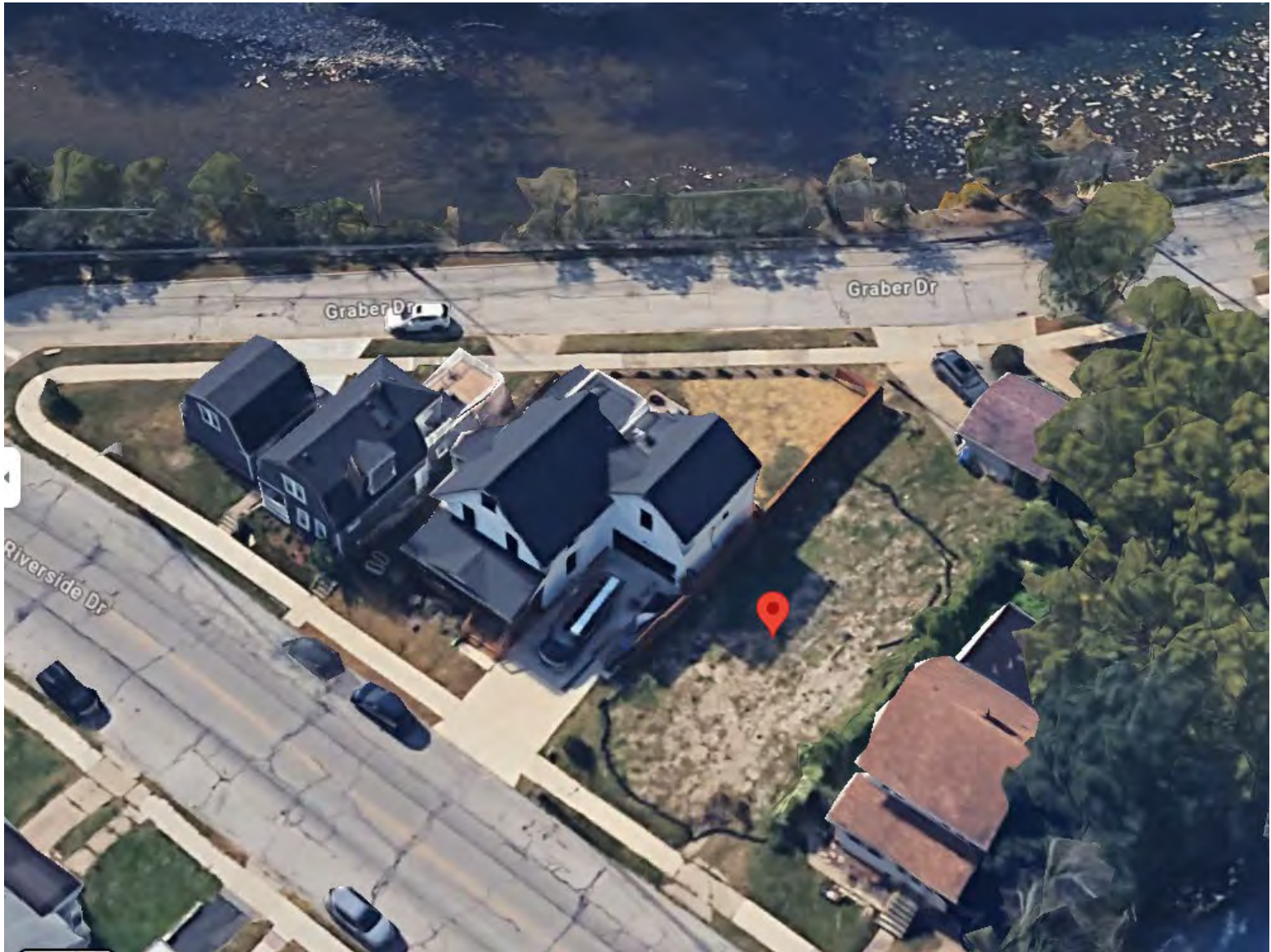
# Docket No. 01-01-25



Docket No. 01-01-25



Docket No. 01-01-25



# Docket No. 01-01-25

Homes to the south on Riverside



# Docket No. 01-01-25

# 1464 Riverside Dr

(page 1 of 2)

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;

The unique configuration of the property fronting on two streets, the existing garage and the narrowness of the lot makes it difficult to build a new home without gaining variances. The adjacent property to the south have also had variances in order to build.

(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;

The existing adjacent lots are also non-conforming and it seems that a number of variances were granted in order for the new homes to be built.

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

The best use of the property is in keeping it residential in nature.

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

Given the nature of the lot we feel that the variances are minimal in nature.

# Docket No. 01-01-25

1464 Riverside Dr

(CONTINUED page 2 of 2)

## 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);

The neighborhood is a mixture of multi-family and single family. The new construction will not negatively affect the adjacent properties or the character of the neighborhood

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

Delivery of government services will not be affected by the variances.

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

When the owner purchased the property, she was not aware of the restrictions.

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

We feel that in order to provide the owner with their beneficial use that the variances are required. She wants to live on the property and due to health reasons, the necessity of her family living on the property with her requires the variances which are minimal given the lot constraints.

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

The spirit of the code and substantial justice served by providing the variances to allow the owner to build on her property.

# Docket No. 01-01-25

# 1464 Riverside Dr

## Administrative Comments

- The lot is unique in that it has two front yards and no rear yard.
- The previous home was demolished in May of 2023, the garage was kept.
- Three of the four requested variances are required due to the new garage addition connecting the primary to the existing. **Revised plan submitted, number of variances is reduced to two requests: combined side yard and maximum lot coverage.**
- In the proposal the only route from rear door of Apartment 2 to the garage is to the man door. The route is approx. will be 1 foot 8 inches wide if the fence is removed. Currently with the existing fence leaves a 9.6-inch walkway. The attached garage cannot be accessed internally from either apartment. **Revised plan allows for path of travel from each unit to the garage, this issue is resolved.**
- **If the garage was detached, the primary lot coverage would be 30% which is compliant, and the garage is now 453 sq. ft. , if detached it would be compliant, however the applicant would still need one variance for the combined side yard total.**
- If the existing garage is attached to the primary structure by building code a full foundation on the existing garage is required. The type of foundation under the existing garage is currently unverified.
- The applicant shall be required to resolve any noncompliance with building codes through the plan review and permitting process with the city building department, regardless of area variances
- The applicant shall be required to resolve any noncompliance with city design guidelines through the review and approval process with the Architectural Board of Review (ABR)



9/17/21

Gary Fischer  
Fischer & Associates Architects  
554 West 9<sup>th</sup> St.  
Lorain, OH 44052

September 29, 2022. Plans were for a rear addition to the existing house; 3 variances were approved by BZA.

Re: Docket No. 09-29-21  
1464 Riverside Dr.

Dear Applicant:

At the 9/16/2021 meeting, the Board of Zoning Appeals considered the addition of an attached garage 18 feet, 10 inches by 13 feet, 4 inches on the rear of the existing house. The property is a through lot with two front yards. Three variances are required to build as proposed. Property is in the R2, Single-and Two-Family Residential district. (Page 46)

- **Variance 1:** A primary structure may cover 25% of a lot, the proposed addition increases primary lot coverage to 34%. Request a variance to exceed primary lot coverage, pursuant to ordinance 1123.09(a) Maximum Lot Coverage (Ord. 91-95. Passed 10-7-1996.)
- **Variance 2:** Unroofed patio decks are permitted if they are 300 square feet or less in area and with an elevation no higher than First floor elevation above grade or less, leaving a rear yard setback of not less than 30 feet. The proposed unroofed patio deck is approximately 288 square feet in area at the second story elevation above grade (approx. 17 feet above grade) at 40 feet from the public right of way. Request a variance to exceed maximum height allowed for an unroofed patio deck and to reduce the minimum required rear yard setback for an unroofed patio deck, pursuant to ordinance 1123.03 Permitted Accessory Uses (Ord. 24-98. Passed 5-18-1998.)
- **Variance 3:** Minimum required side yard is 5 feet, and the combined total of the side yards must be a minimum of 15 feet. Proposed addition reduces the combined side yard total to 13 feet, seven inches. Request a variance to reduce the total of combined side yards to less than fifteen feet, pursuant to ordinance Schedule 1123.07: Minimum Yard Requirements (Ord. 91-95. Passed 10-7-1996.)

The Board **APPROVED** the requests for Variance 1 and Variance 2 as presented.

The Board **APPROVED** the request for Variance 3 at one foot, five inches (1', 5").

# Docket No. 12-23-24

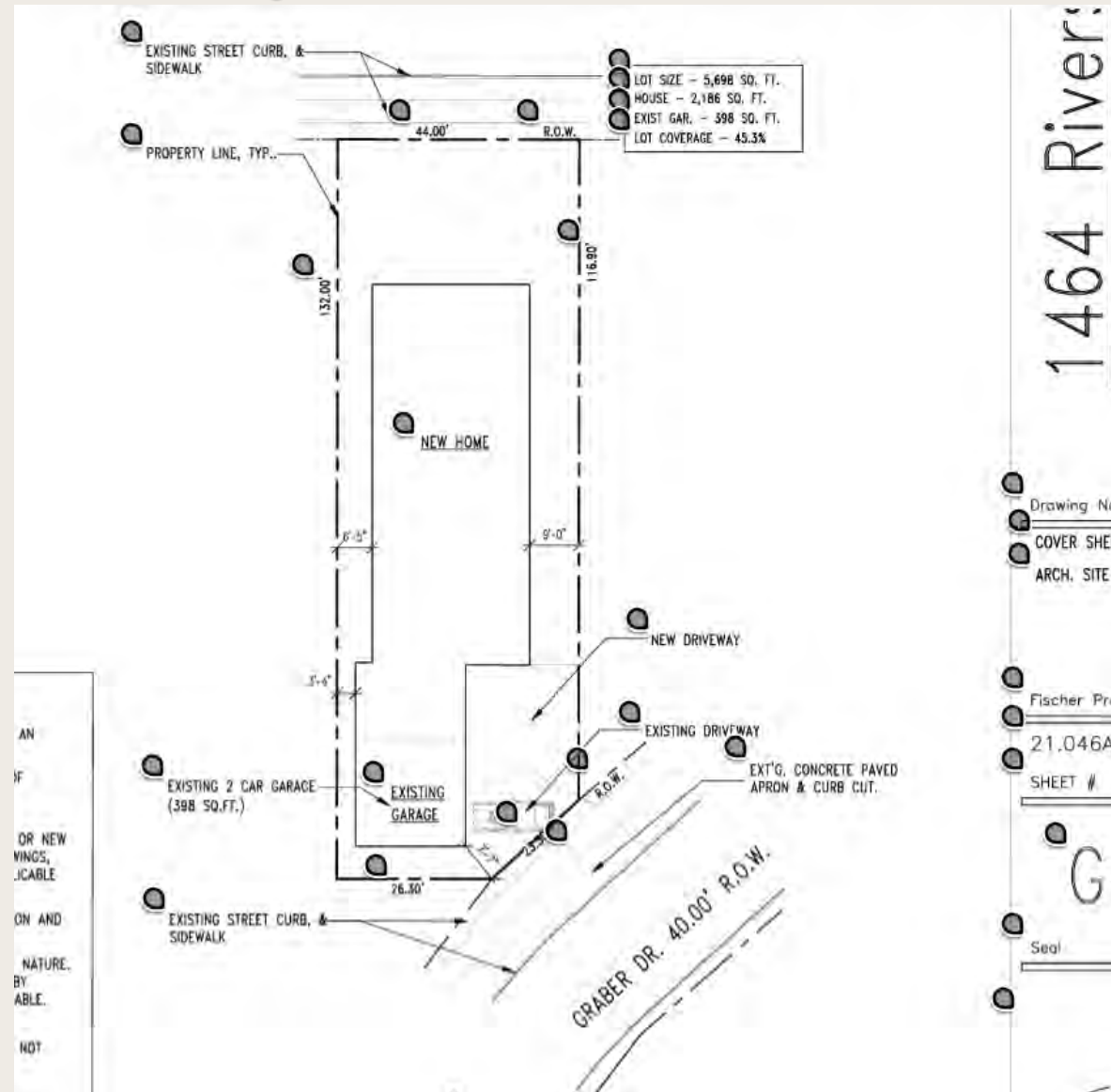
# History 1464 Riverside Dr

Submitted in May 2023- for new primary house construction.

The given parcel dimensions did not match those of previously approved plans and a survey was requested.

The application was voided in September 2023 due to lack of response.

The house was demolished in May/June of 2023 by the owner.



1464 Riverside Dr

Drawing No  
COVER SHEET  
ARCH. SITE

Fischer Pro  
21.046A  
SHEET #

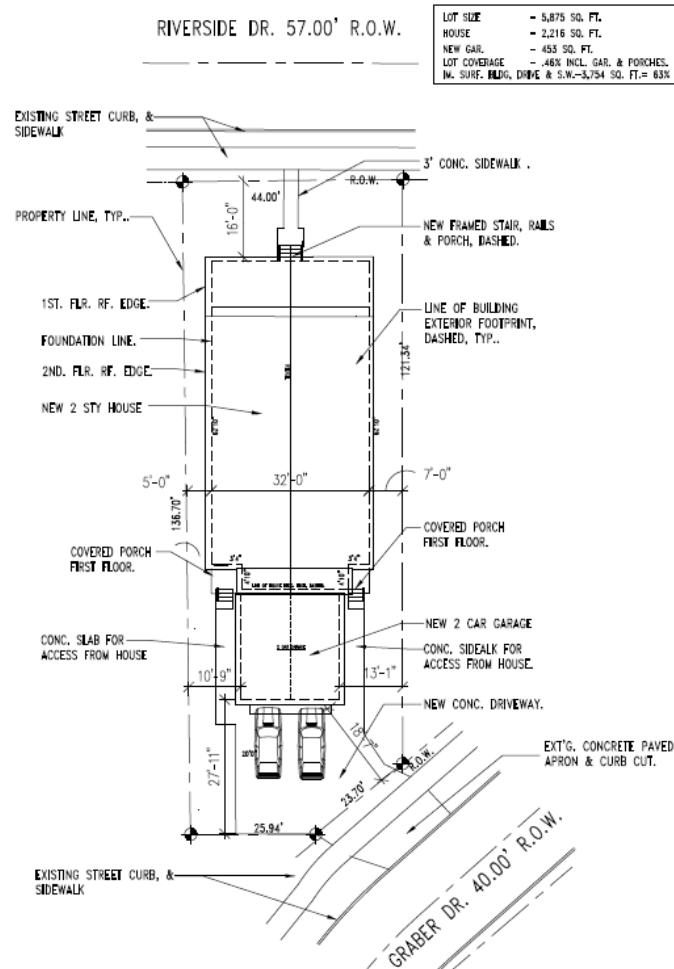
Seal

Docket No. 01-01-25

1464 Riverside Dr

## Public Comment

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

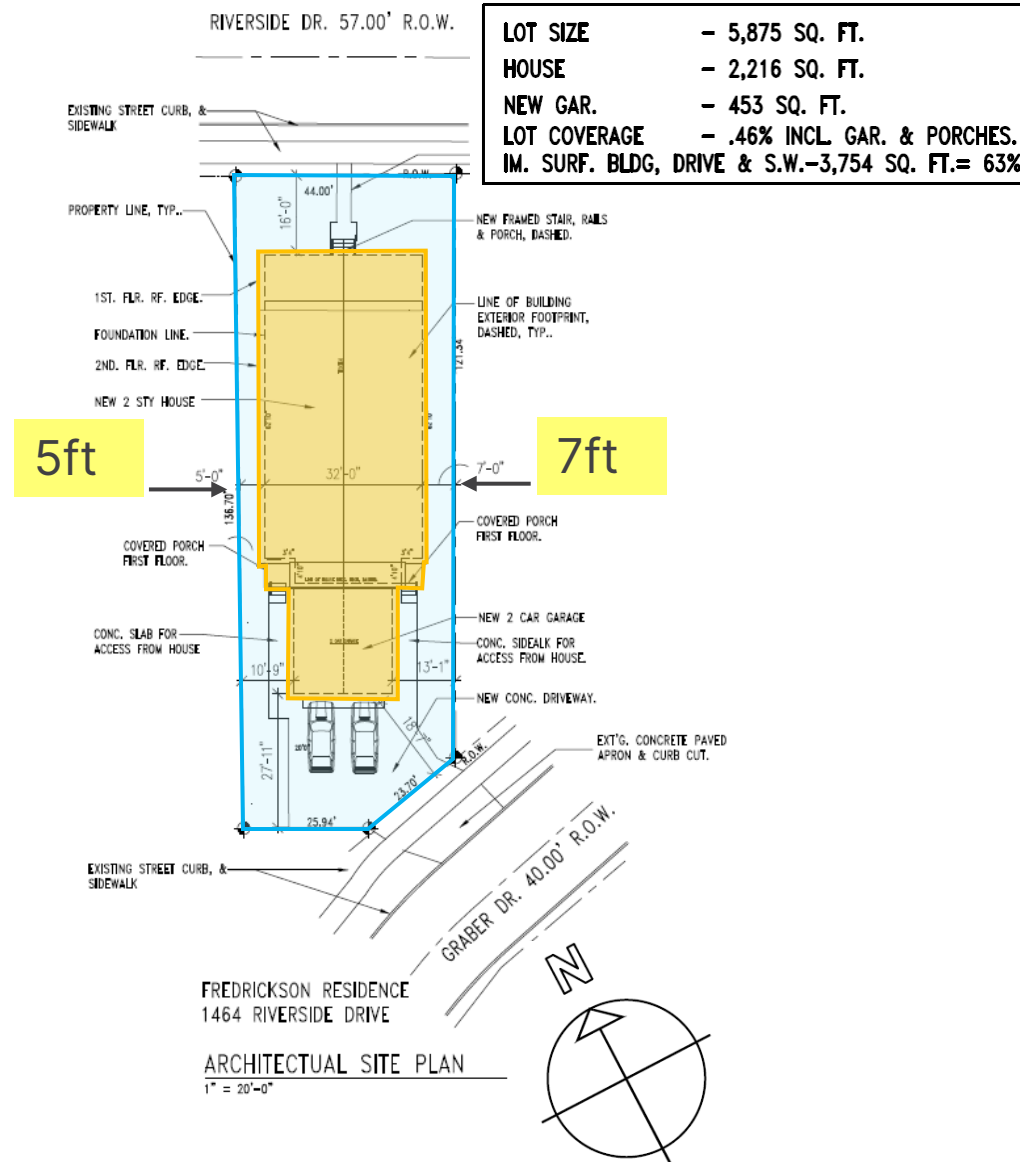


FREDRICKSON RESIDENCE  
1464 RIVERSIDE DRIVE

ARCHITECTURAL SITE PLAN

1" = 20'-0"





Docket No. 01-01-25

1464 Riverside Dr

Docket No. 01-01-25

1464 Riverside Dr.

Applicant Gary R. Fischer of Fischer & Associates Architects LLC for property owner Linda Frederickson proposes the construction of a new two-family home with an attached two car garage on an existing lot. The property is located in the R2, Single- and Two-Family District. (Page 4)

**Variance 1:** Owner proposes the construction of a new home with an attached two-car garage. The two proposed side yards are 5 feet and 7 feet, combined the total is 12 feet where 15 feet is the minimum required. Request a variance to reduce the permitted combined side yard setback total to 12 feet, as proposed. Pursuant to schedule 1123.07 Minimum Yard Requirements (Ord.91-95. Passed 10-07-96.)

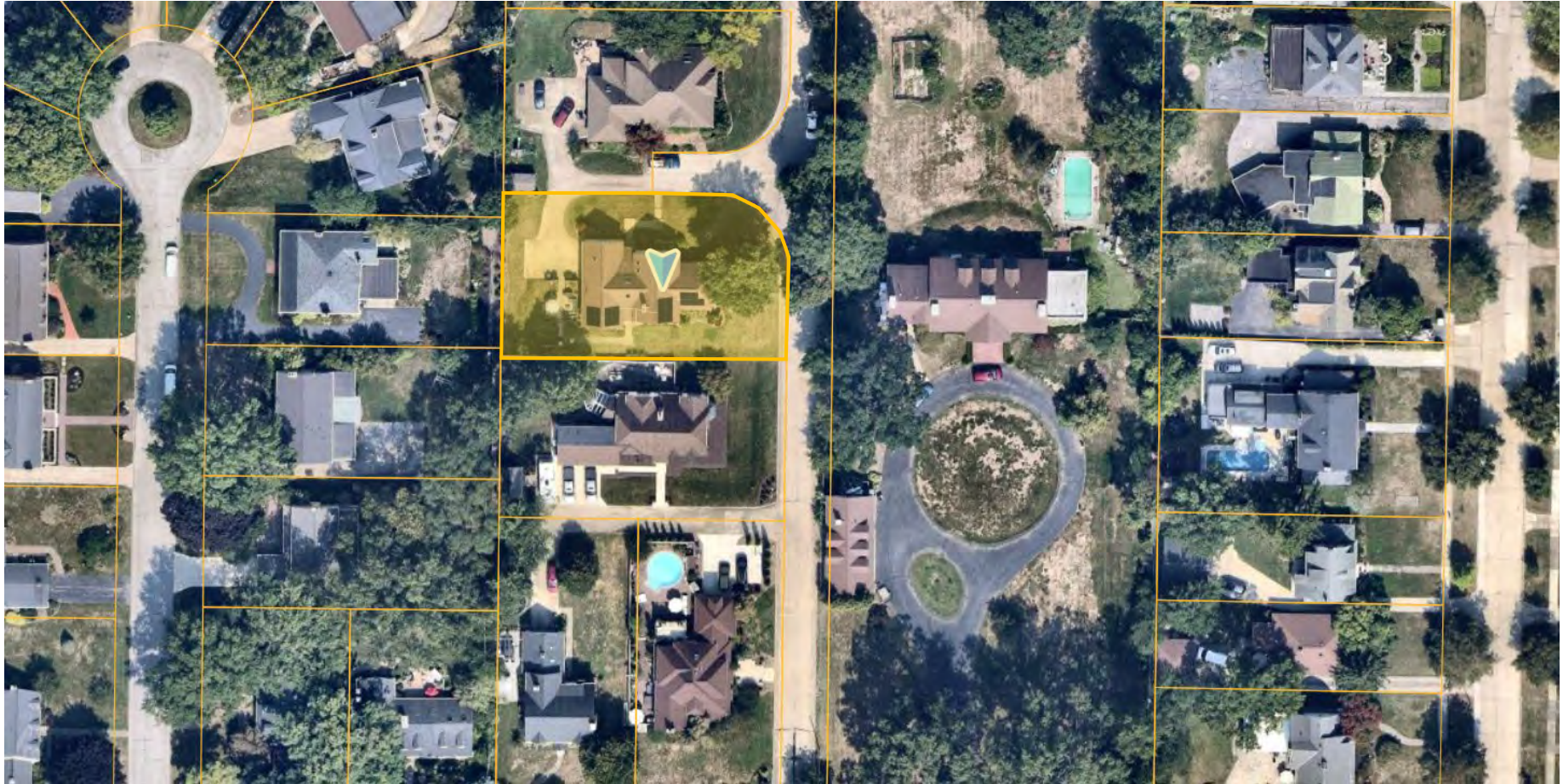
**Variance 2:** Owner proposes the construction of a new house with an attached two car garage; the maximum total primary lot coverage permitted is 35%, the proposed is 46%. Request a variance to increase the maximum permitted total primary structure lot coverage to 46%, as proposed. Pursuant to section 1123.09(a) Maximum Lot Coverage (Ord. 07-2023. 11-20-23)

# #2 Hornung Shed – 1052 Edgewater Lane

**Docket No. 02-02-25**

**NEW BUSINESS**

**1052 Edgewater Lane- Owner and applicant Francis Hornung III proposes the construction of a detached shed. Property is located in the R1M Single Family District**



Docket No. 02-02-25

NEW BUSINESS

1052 Edgewater Lane- Owner and applicant Francis Hornung III proposes the construction of a detached shed. Property is located in the R1M Single Family District



## Docket No. 02-02-25

1052 Edgewater Lane- Owner and applicant Francis Hornung III proposes the construction of a detached shed. Property is located in the R1M Single Family District



## **Docket No. 02-02-25**

1052 Edgewater Lane- Owner and applicant Francis Hornung III proposes the construction of a detached shed. Property is located in the R1M Single Family District

## **Docket No. 02-02-25**

### **1052 Edgewater Ln.**

Applicant and property owner Francis C. Hornung III proposes the installation of a shed in the rear yard. The property is located in the R1M, Single-Family Medium Density District. (Page 27)

**Variance 1:** Owner proposes a shed that is 10 feet wide and 16 feet long, which totals 160 sq. feet in area and is 11' 1" in height. The maximum permitted shed height is 10 feet. Request a variance to increase the maximum permitted shed height to 11'1", as proposed. Pursuant to section 1121.03 (f) Permitted Accessory Uses (Ord. 07-2023. Passed 11-20-23.)

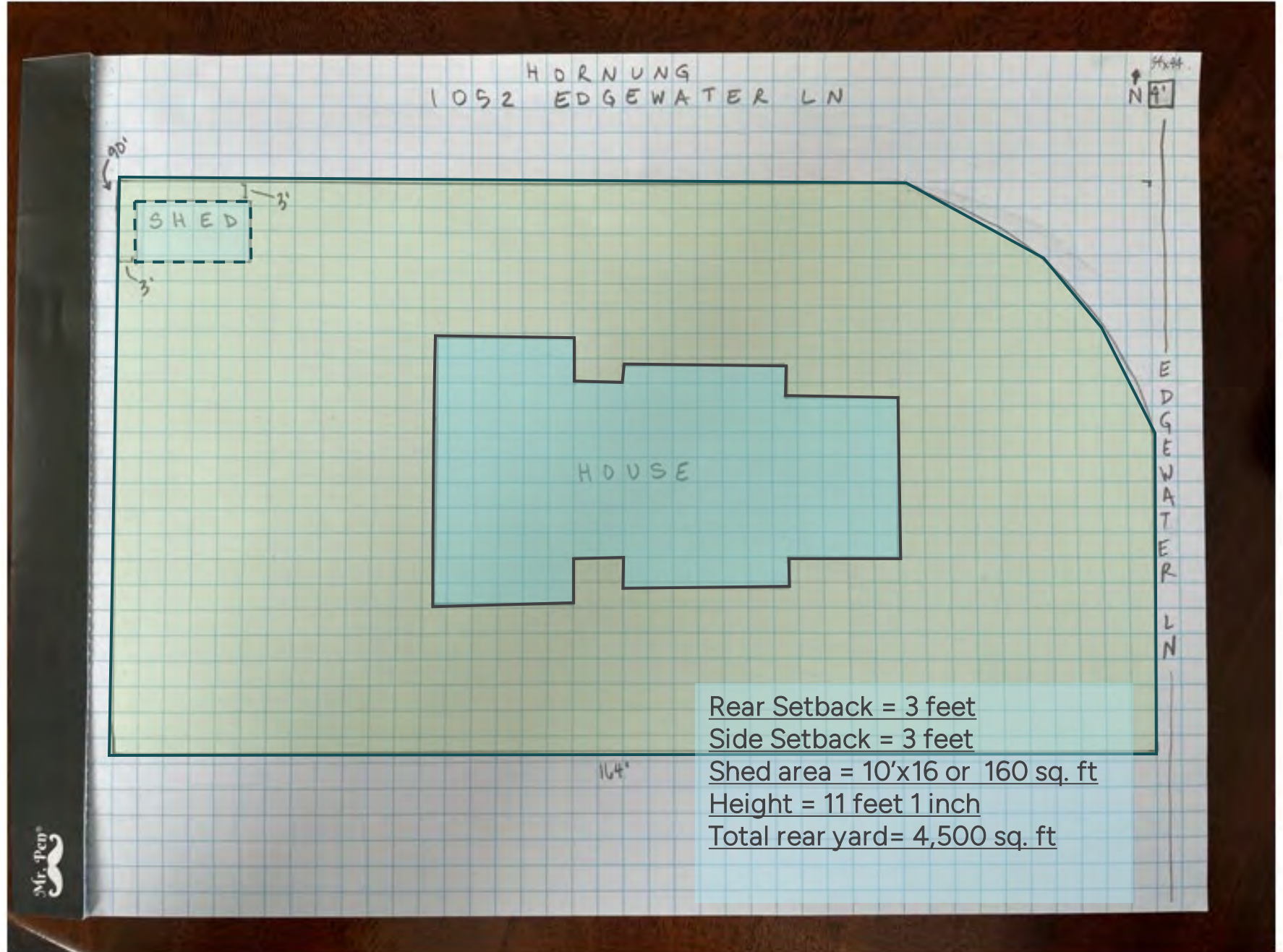
Docket No. 01-02-25

1052 Edgewater Lane



Proposed Height **11'1"** where 10' is the maximum permitted height for shed

Scaled site plan. Each square is 4 feet. House is cited in the center of the property.



Rear Setback = 3 feet  
Side Setback = 3 feet  
Shed area = 10'x16 or 160 sq. ft  
Height = 11 feet 1 inch  
Total rear yard = 4,500 sq. ft

Zoomed-in further (property is in center with orange dot). Proposed shed location is the dark blue rectangle



Docket No. 01-02-25

1052 Edgewater Lane



Docket No. 01-02-25

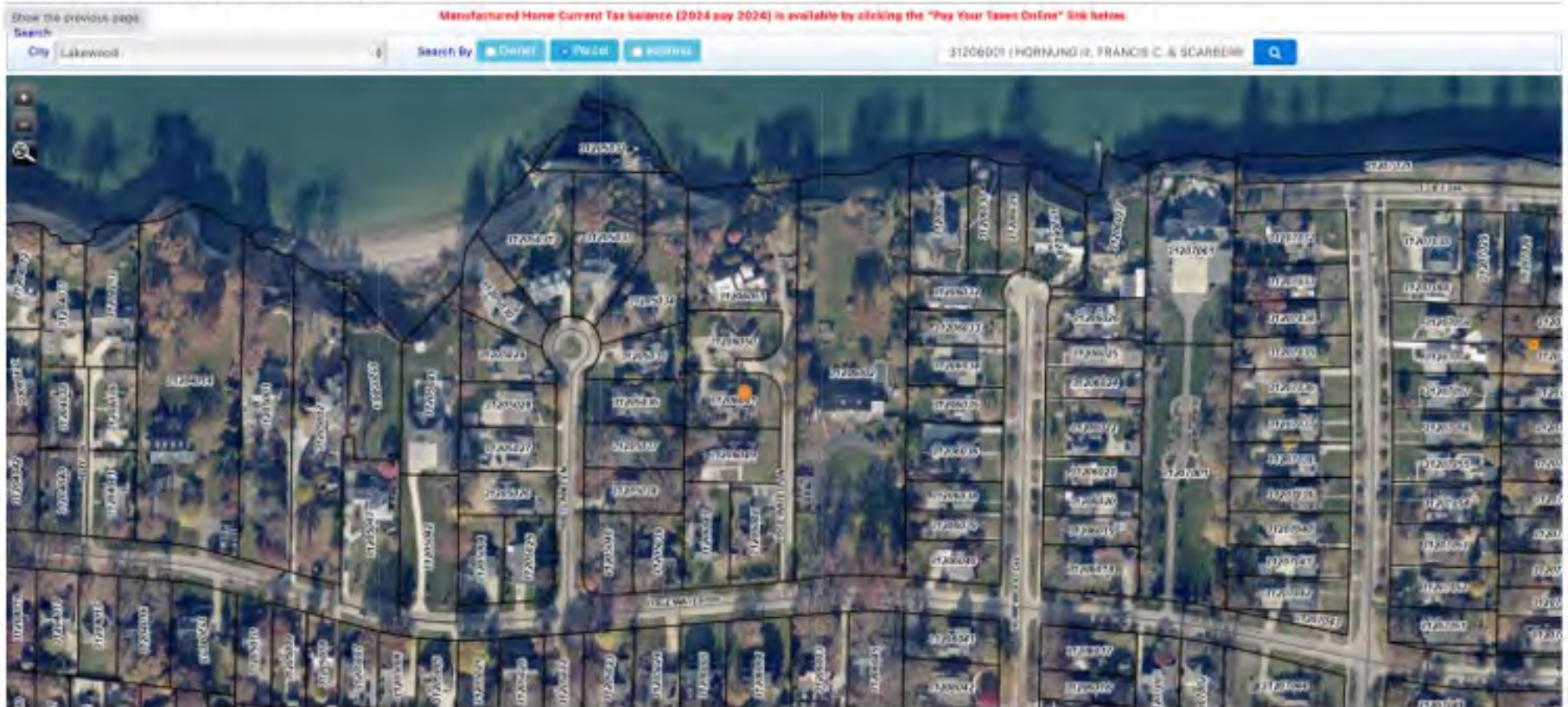
1052 Edgewater Lane



Docket No. 01-02-25

1052 Edgewater Lane

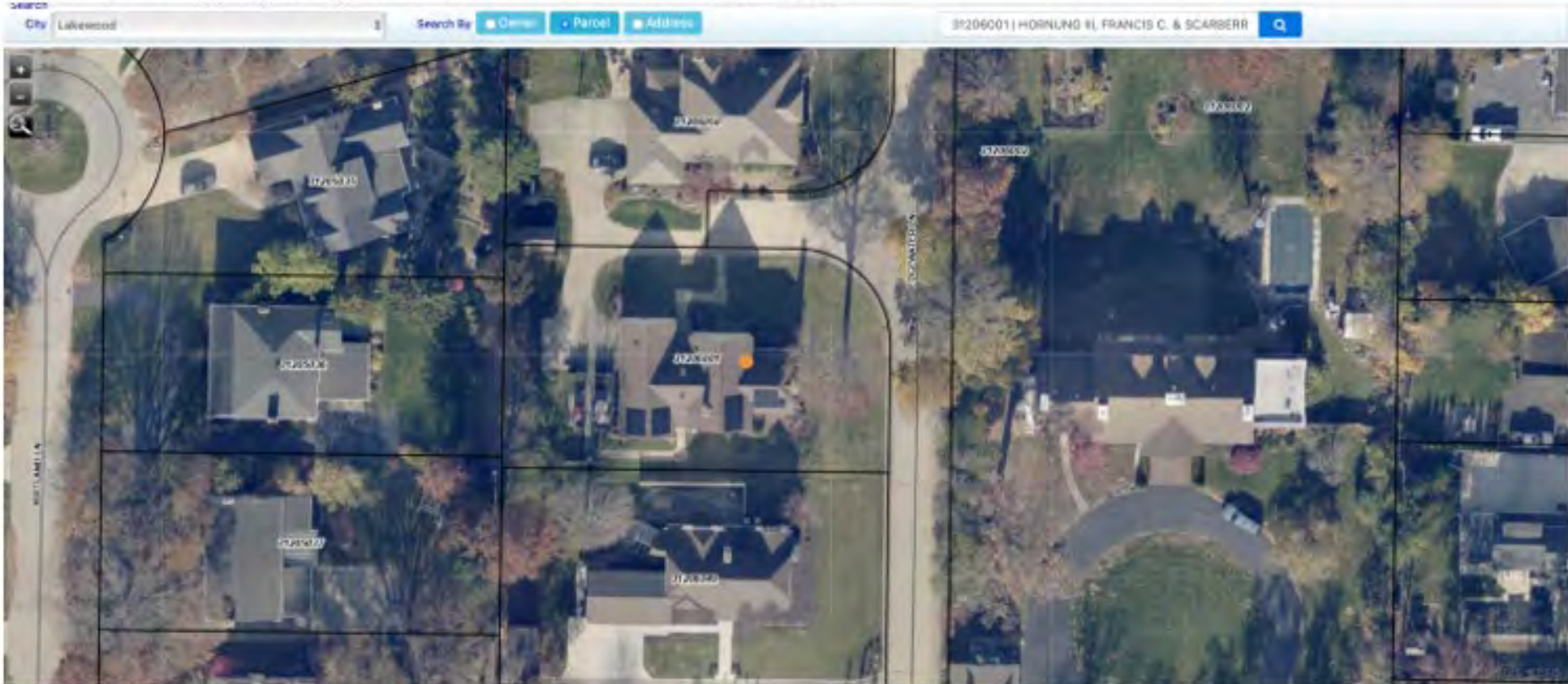
### Neighborhood context



Docket No. 01-02-25

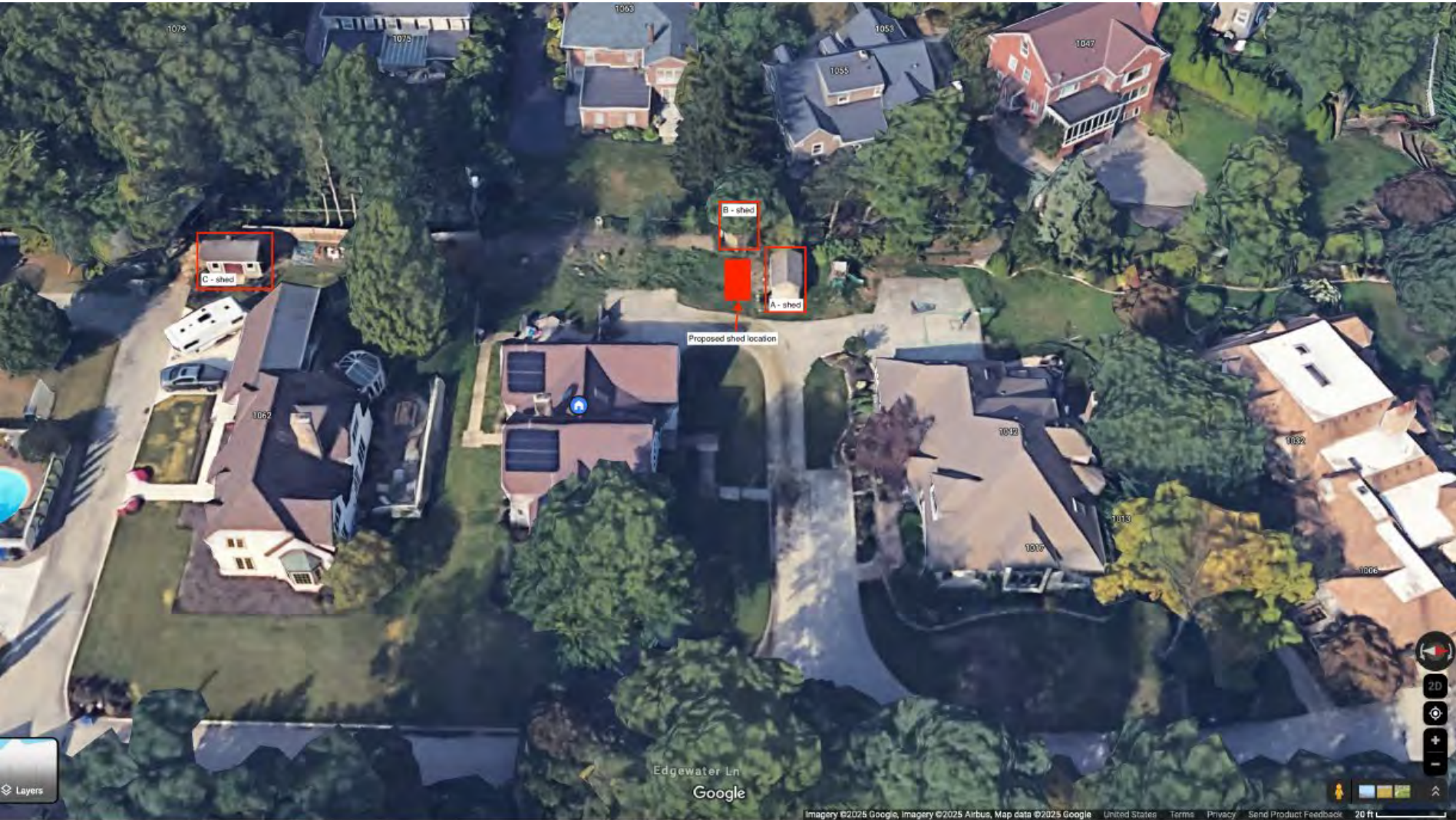
1052 Edgewater Lane

Zoomed in (property is in center with orange dot)

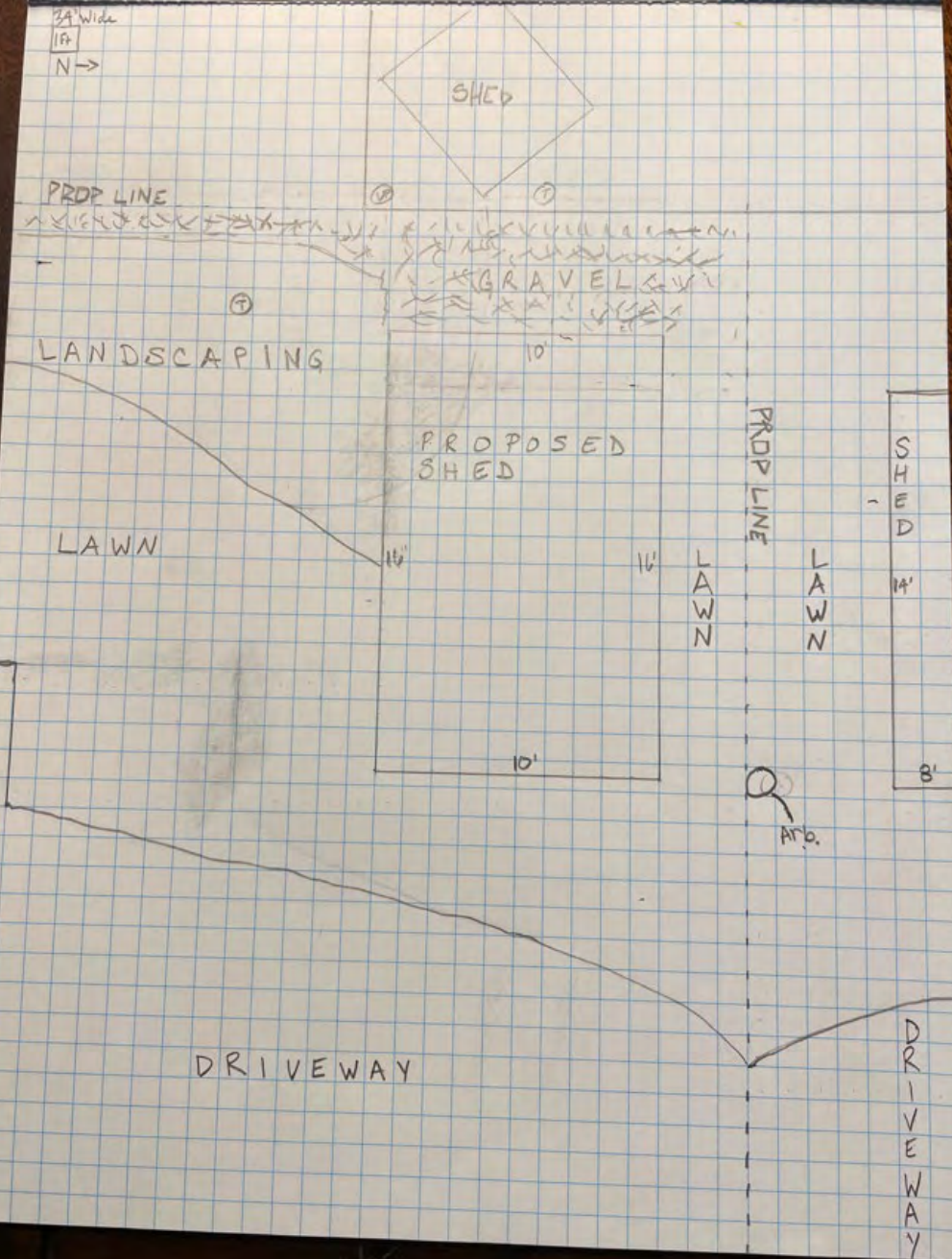


Docket No. 01-02-25

1052 Edgewater Lane



34" Wide  
1/8"  
N →



Docket No. 01-02-25

1052 Edgewater Lane

Rear Setback = 3 feet

Side Setback = 3 feet

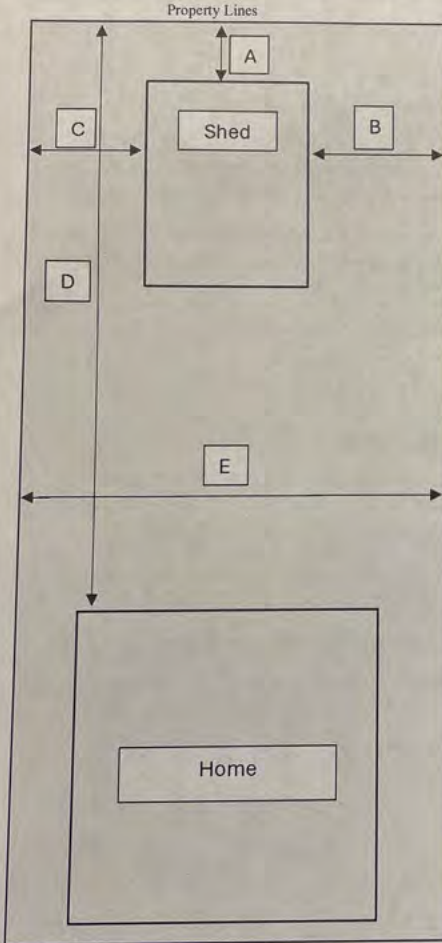
Shed area = 10'x16 or 160 sq. ft

Height = 11 feet 1 inch

Total rear yard = 4,500 sq. ft



**Tool and Storage sheds**



Height of Shed: 11' 1"  
 Shed Width: 10'  
 Shed Depth: 16'  
 Shed Area (width x depth): 160 sq Ft

A- Rear Setback: 3'  
 B- Side Setback: 3'  
 C- Side Setback: 77'  
 D- Rear Yard Depth: 50'  
 E- Rear Yard Width: 90'  
 Total Rear Yard: 4,500 sq Ft

-Please check Zoning District for allowable shed square footage. The allowable square footage is what is acceptable without providing any additional information.

-If shed exceeds allowable square footage then provide total rear yard square footage in the above area. Also, include in this box any other structure square footage you have in the rear yard i.e. detached decks, garage, gazebo, pergola, greenhouse, etc. List this total below.

Total Square footage of additional rear yard structures: N/A

\*If shed is a manufactured product (purchased prebuilt) then provide a model number and submit any printouts that show construction and installation information.

\*If shed is being stick framed or custom framed then provide a basic plan showing construction i.e. wall and roof framing, exterior covering (siding), roof material and proposed base or footings.

**Docket No. 01-02-25**

**1052 Edgewater Lane**

Rear Setback = 3 feet  
Side Setback = 3 feet  
Shed area = 10'x16 or 160 sq. ft  
Height = 11 feet 1 inch  
Total rear yard= 4,500 sq. ft



**Docket No. 01-02-25**

**1052 Edgewater Lane**



**Docket No. 01-02-25**

**1052 Edgewater Lane**



**Docket No. 01-02-25**

**1052 Edgewater Lane**



**Docket No. 01-02-25**

**1052 Edgewater Lane**

# Docket No. 01-02-25

# 1052 Edgewater Ln

(page 1 of 3)

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;

No - None of these conditions exist..

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

No - None of these conditions exist.

(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);

N/A - This is not an investment property and therefore a yield / return is not a consideration for this variance.

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

No - We are requesting an area variance of 80 square feet to build a 10'x16' shed, larger than the 80 square foot area permitted by right. We will also maintain the required setbacks from neighboring properties. We are also requesting a height variance of 1' 11" to have a total height to the ridge of 11' 1", exceeding the 10' by-right height.

# Docket No. 01-02-25

1052 Edgewater Ln

(CONTINUED page 2 of 3)

## 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 - Sheds are common in our neighborhood. There are sheds on properties in three immediate abutting properties. Our neighbor to the north has a 8'x14' shed, located in their south west corner of their property, and our proposed shed would be adjacent to it. Our neighbor to the west has a 6'x6' shed in their south east corner and it would be adjacent to our shed. Our neighbor to the south has a 10'x16' shed on their south west corner.

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

No - The delivery of governmental services would not be impacted.

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

No - We were not aware of the zoning restriction on shed size when we purchased the property in 2021.

# Docket No. 01-02-25

1052 Edgewater Ln

(CONTINUED page 3 of 3)

## 1173.04 Variances

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

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

**No - I am not aware of another method to meet our outside storage needs.**

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

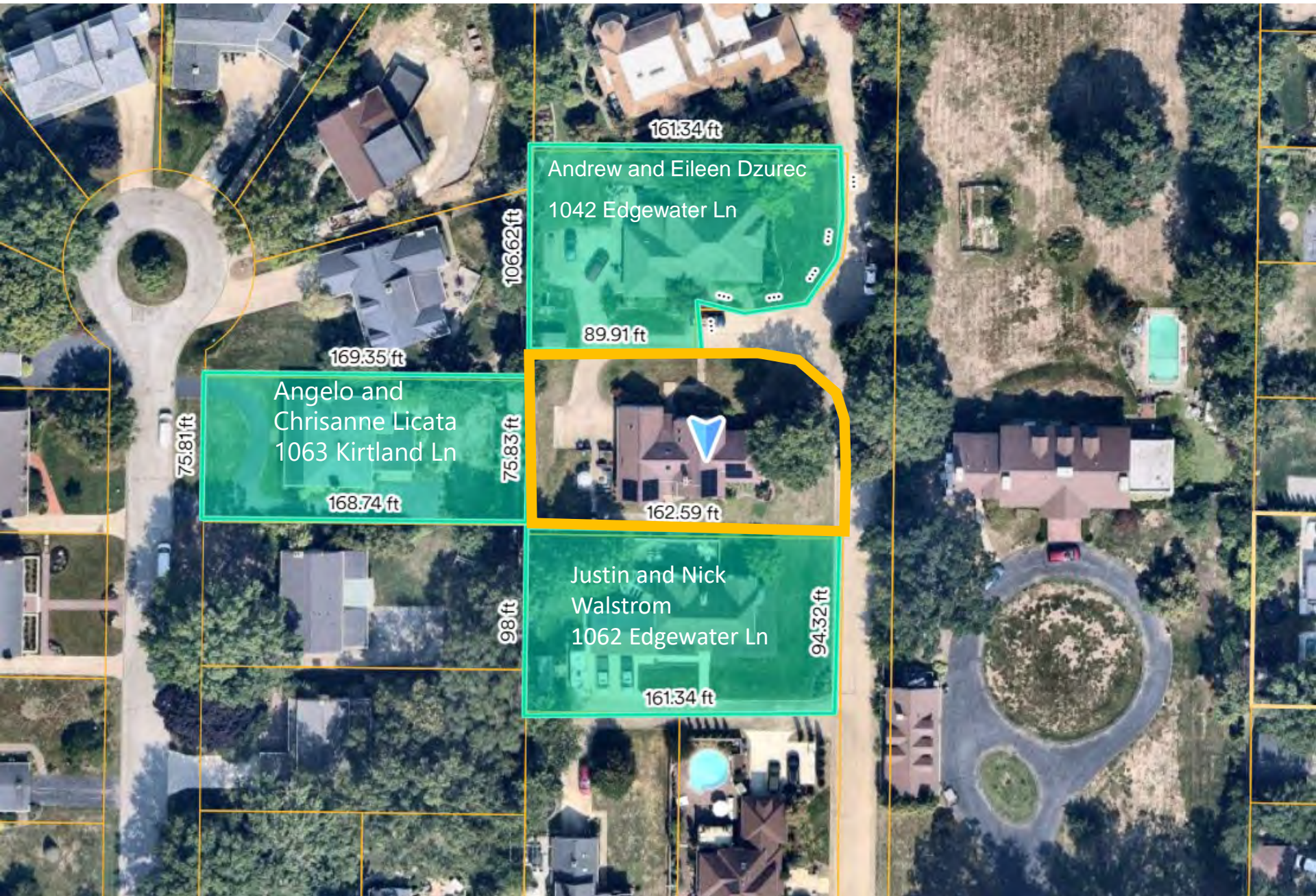
**Yes - We would appreciate receiving this variance so we can properly store the yard care equipment necessary to maintain a property of 1/3 acre as well as some of the children's toys for our growing family. We have an attached two car garage that has reached its storage limit while also allowing both cars to park inside. We request this variance due to the commonality of sheds in the neighborhood, the non-substantial nature of the request and location of the shed in our backyard.**

**Docket No. 01-02-25**

**1052 Edgewater Lane**

**Administrative Comments**

- No area variance needed, or location variance, only height variance is required
- Similar in height to other nearby sheds on neighboring properties
- Modest request, a detached garage could be built at 15 feet to the midpoint, the 80-foot height and 80-foot size limitation is for shed



161.34 ft

Andrew and Eileen Dzurec  
1042 Edgewater Ln

106.62 ft

89.91 ft

169.35 ft

Angelo and  
Chrisanne Licata  
1063 Kirtland Ln

75.83 ft

168.74 ft

162.59 ft

Justin and Nick  
Walstrom  
1062 Edgewater Ln

98 ft

161.34 ft

94.32 ft

75.81 ft

Docket No. 01-02-25

1052 Edgewater Lane

Public Comment-Letter of Support from 1062 Edgewater Ln

Board of Zoning Appeals,

This email is to evidence our support for the variance requested by our neighbors, Francis (Trey) Hornung and Kyle Scarberry, in their plan to build a shed that is 10'x16' and 11'1" tall.

We understand it will be placed in the northwest corner of their property, three feet from their north and west property lines.

Thank you,

Justin and Nick Walstrom

1062 Edgewater Ln

Docket No. 01-02-25

1052 Edgewater Lane

Public Comment-Letter of Support from 1042 Edgewater Ln

Board of Zoning Appeals,

This email is to evidence our support for the variance requested by our neighbors, Francis (Trey) Hornung and Kyle Scarberry, in their plan to build a shed that is 10'x16' and 11'1" tall.

We understand it will be placed in the northwest corner of their property, three feet from the north and west property lines and adjacent to our shed along our south property line.

Thank you,

Andrew and Eileen Dzurec

1042 Edgewater Ln

Docket No. 01-02-25

1052 Edgewater Lane

## Public Comment-Letter of Support from 1063 Kirtland Ln

Board of Zoning Appeals,

This email is to evidence our support for the variance requested by our neighbors, Francis (Trey) Hornung and Kyle Scarberry, in their plan to build a shed that is 10'x16' and 11'1" tall.

We understand it will be placed in the north west corner of their property, three feet from the north and west property lines and near the north east corner of our property.

Thank you,

Angelo and Chrisanne Licata  
1063 Kirtland Ln  
Sent from my iPad

## **Docket No. 02-02-25**

1052 Edgewater Lane- Owner and applicant Francis Hornung III proposes the construction of a detached shed. Property is located in the R1M Single Family District

## **Docket No. 02-02-25**

### **1052 Edgewater Ln.**

Applicant and property owner Francis C. Hornung III proposes the installation of a shed in the rear yard. The property is located in the R1M, Single-Family Medium Density District. (Page 27)

**Variance 1:** Owner proposes a shed that is 10 feet wide and 16 feet long, which totals 160 sq. feet in area and is 11' 1" in height. The maximum permitted shed height is 10 feet. Request a variance to increase the maximum permitted shed height to 11'1", as proposed. Pursuant to section 1121.03 (f) Permitted Accessory Uses (Ord. 07-2023. Passed 11-20-23.)

Docket No. 01-02-25

1052 Edgewater Lane



Proposed Height **11'1"** where 10' is the maximum permitted height for shed

# #3 Brynner Appeal

## Docket No. 02-03-25

Applicant Christopher Brynner of Best Choice Roofing appeals the denial for a solicitor's permit pursuant to section 741.12 - Appeal Procedure.

### Subject: Appeal of Application Denial

Dear Board Members

I hope this letter finds you well. My name is Christopher Brynner, and I am writing to formally appeal the decision to deny my application, which I was informed of on January 16, 2025, by the Law Office. I would also like to express my sincere apologies for any inconvenience my mistake may have caused due to not fully understanding the application requirements.

When completing the initial application, I was under the impression that any infractions occurring over 7 years ago were not required to be disclosed. The incident in question took place almost 20 years ago, and I now understand that I was mistaken in this regard. I take full responsibility for this oversight and regret any confusion it may have caused.

I would like to emphasize that I am an upstanding citizen and a proud homeowner in the wonderful community of Lakewood. My daughter currently attends Lakewood High School, and we have built lasting memories in this city. I am committed to contributing positively to our community, and this new business opportunity would allow me to educate homeowners about the importance of their roofing systems, as well as guide them through the necessary steps they need to take.

I respectfully ask for your reconsideration of my application, and I am more than happy to provide any additional information or clarification you may require. I truly believe this opportunity will not only benefit my business but also serve the residents of Lakewood and contribute to the continued growth of our city.

Thank you for your time and understanding. I look forward to the opportunity to better explain my situation.

Sincerely, Christopher Brynner

## Appeal From Applicant

Applicant Christopher Brynner of Best Choice Roofing appeals the denial for a solicitor's permit pursuant to section 741.12 - Appeal Procedure.

Dear Board Members

I hope this letter finds you well. My name is Christopher Brynner, and I am writing to formally appeal the decision to deny my application, which I was informed of on January 16, 2025, by the Law Office. I would also like to express my sincere apologies for any inconvenience my mistake may have caused due to not fully understanding the application requirements.

When completing the initial application, I was under the impression that any infractions occurring over 7 years ago were not required to be disclosed. The incident in question took place almost 20 years ago, and I now understand that I was mistaken in this regard. I take full responsibility for this oversight and regret any confusion it may have caused.

I would like to emphasize that I am an upstanding citizen and a proud homeowner in the wonderful community of Lakewood. My daughter currently attends Lakewood High School, and we have built lasting memories in this city. I am committed to contributing positively to our community, and this new business opportunity would allow me to educate homeowners about the importance of their roofing systems, as well as guide them through the necessary steps they need to take.

I respectfully ask for your reconsideration of my application, and I am more than happy to provide any additional information or clarification you may require. I truly believe this opportunity will not only benefit my business but also serve the residents of Lakewood and contribute to the continued growth of our city.

Thank you for your time and understanding. I look forward to the opportunity to better explain my situation.

Sincerely, Christopher Brynner

# Appeal Procedures

- Law Department staff will instruct the board members

# #4 Garage Camhi-Galt- 2143 Glenbury

Docket No. 02-04-25

## 2143 Glenbury Ave.

Applicant and property owner Maya Camhi proposes the demolition and replacement of an existing two car garage. The property is located in the R1H, Single-Family High-Density District



**Docket No. 02-04-25**

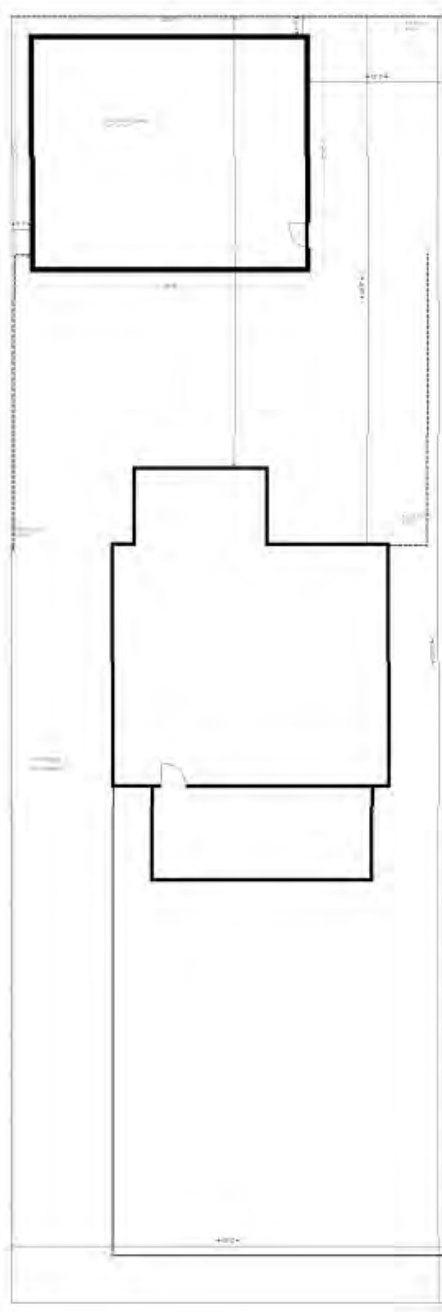
**2143 Glenbury Ave.**

Docket No. 02-04-25

2143 Glenbury Ave.

Applicant and property owner Maya Camhi proposes the demolition and replacement of an existing two car garage. The property is located in the R1H, Single-Family High-Density District. (Page 43)

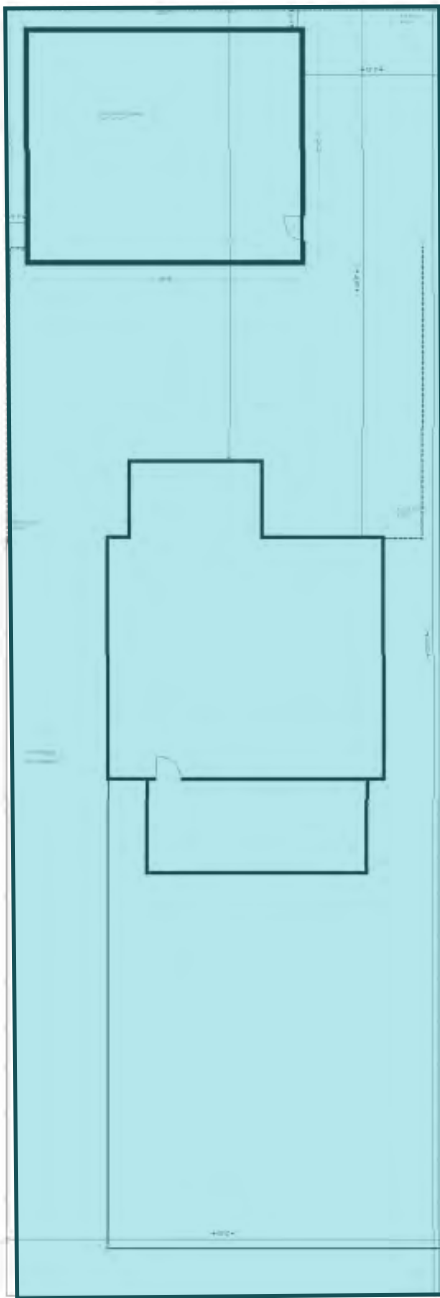
**Variance 1:** Owner proposes the demolition of an existing two car garage and the construction of a new two car garage that is 22' x 26' feet, totaling 572 sq feet in area. Maximum permitted rear lot coverage is 480 sq. ft. Request a variance to exceed maximum permitted rear lot coverage by to build a two-car garage that is 572 sq. ft, as proposed. Pursuant to 1121.03(a) Permitted Accessory Uses (Ord. 07-2023, Passed 11-20-23)



Docket No. 02-04-25  
2143 Glenbury Ave.

Docket No. 02-04-25

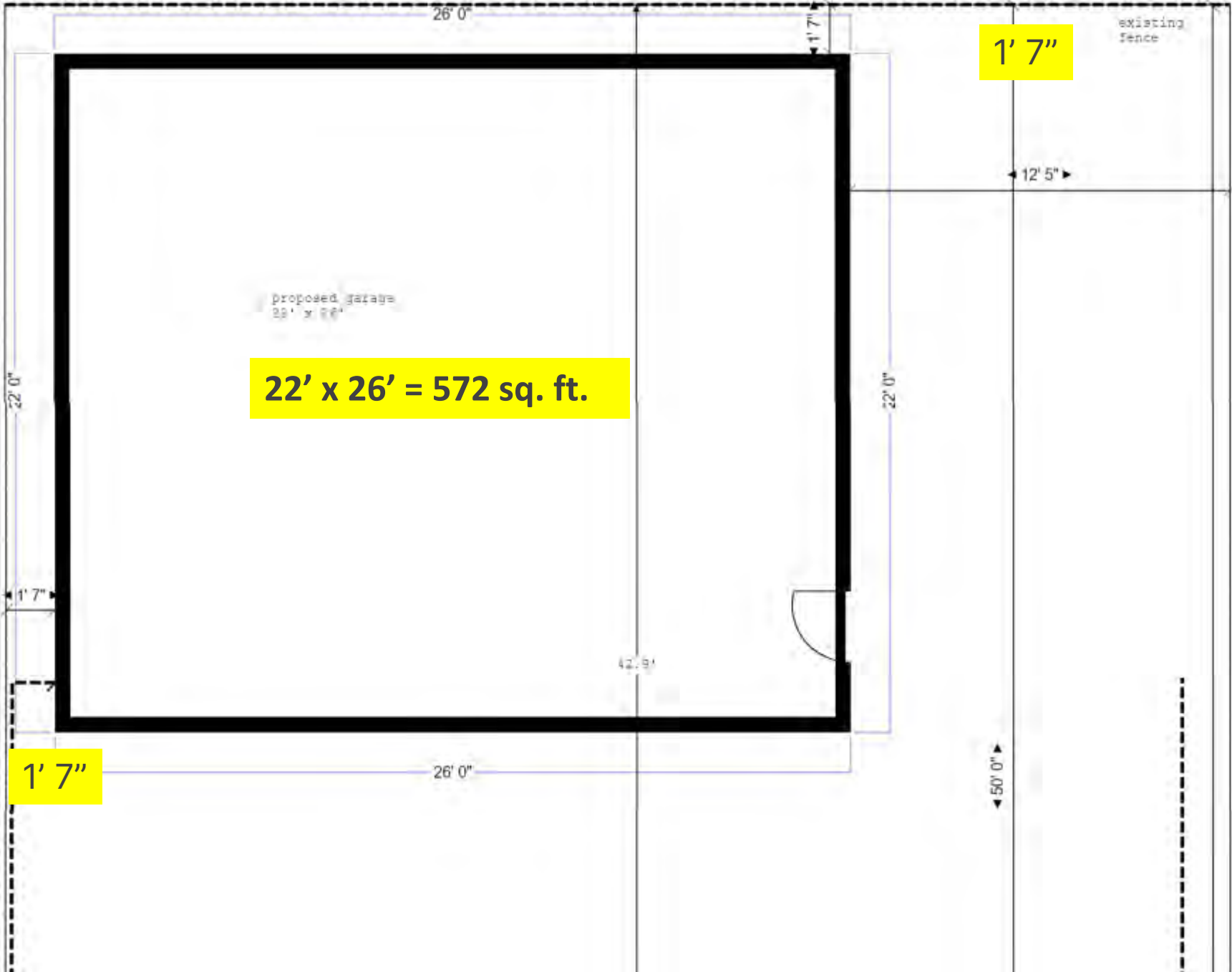
2143 Glenbury Ave.



22' x 26' = 572 sq. ft. Proposed garage

28'x38'= 925 sq.ft approx., existing house footprint(not including front porch)

Lot size = 40'x 120'= 4,800 sq. ft.



22' x 26' = 572 sq. ft.

1' 7"

1' 7"

50' 0"

existing fence

proposed garage  
22' x 26'

26' 0"

26' 0"

22' 0"

12' 5"

22' 0"

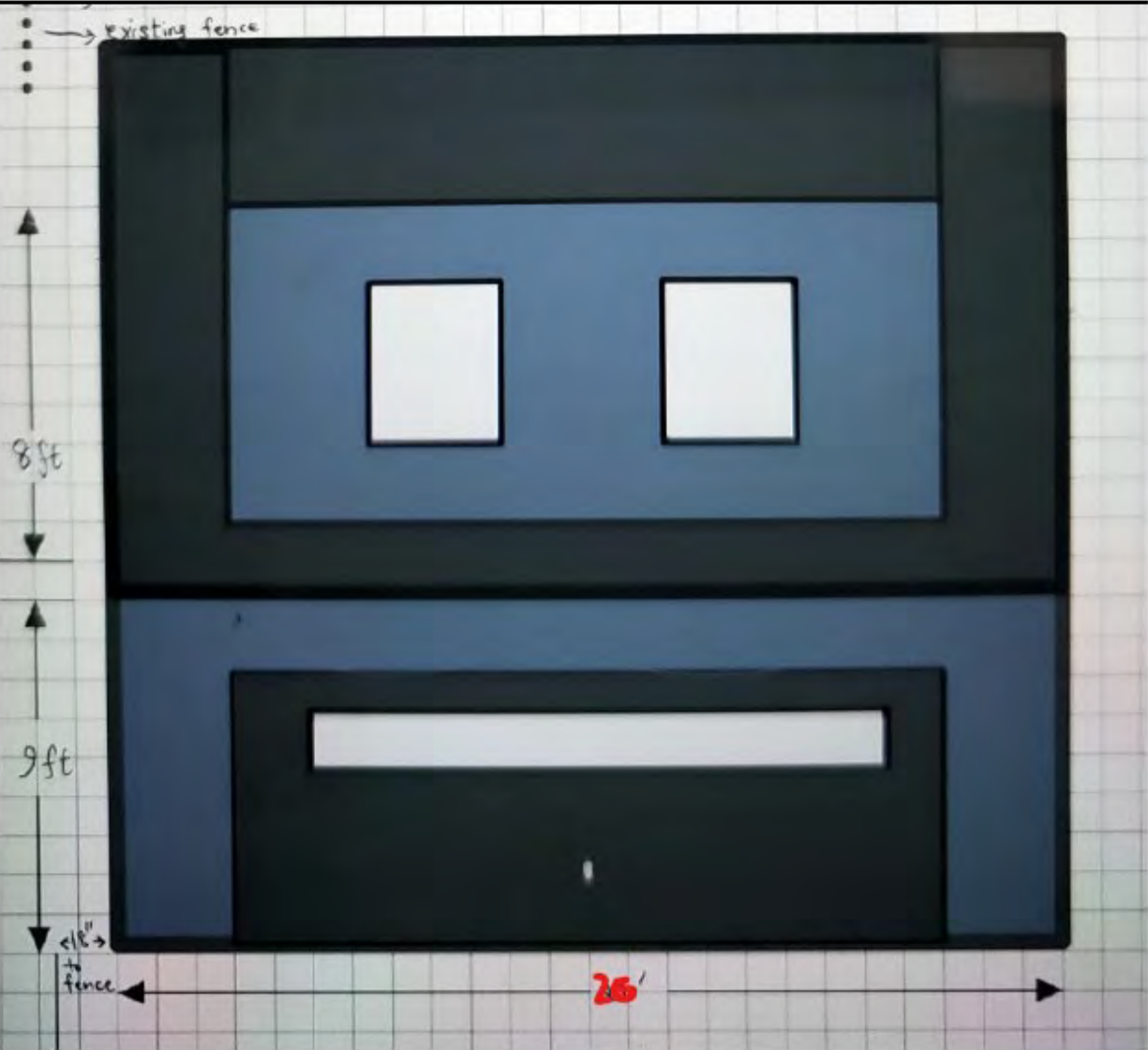
1' 7"

1' 7"

42.9'

Docket No. 02-04-25

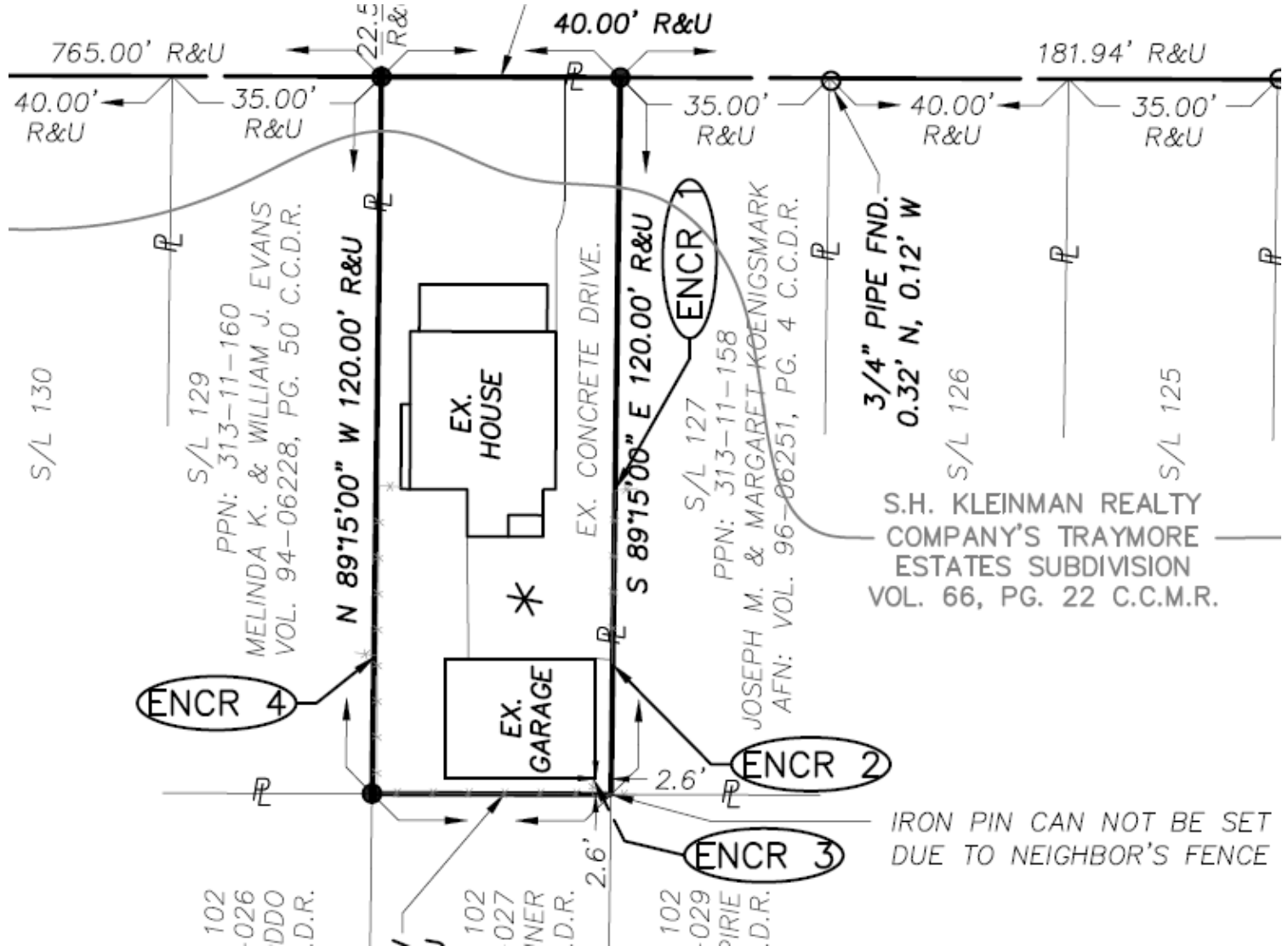
2143 Glenbury Ave





Docket No. 02-04-25

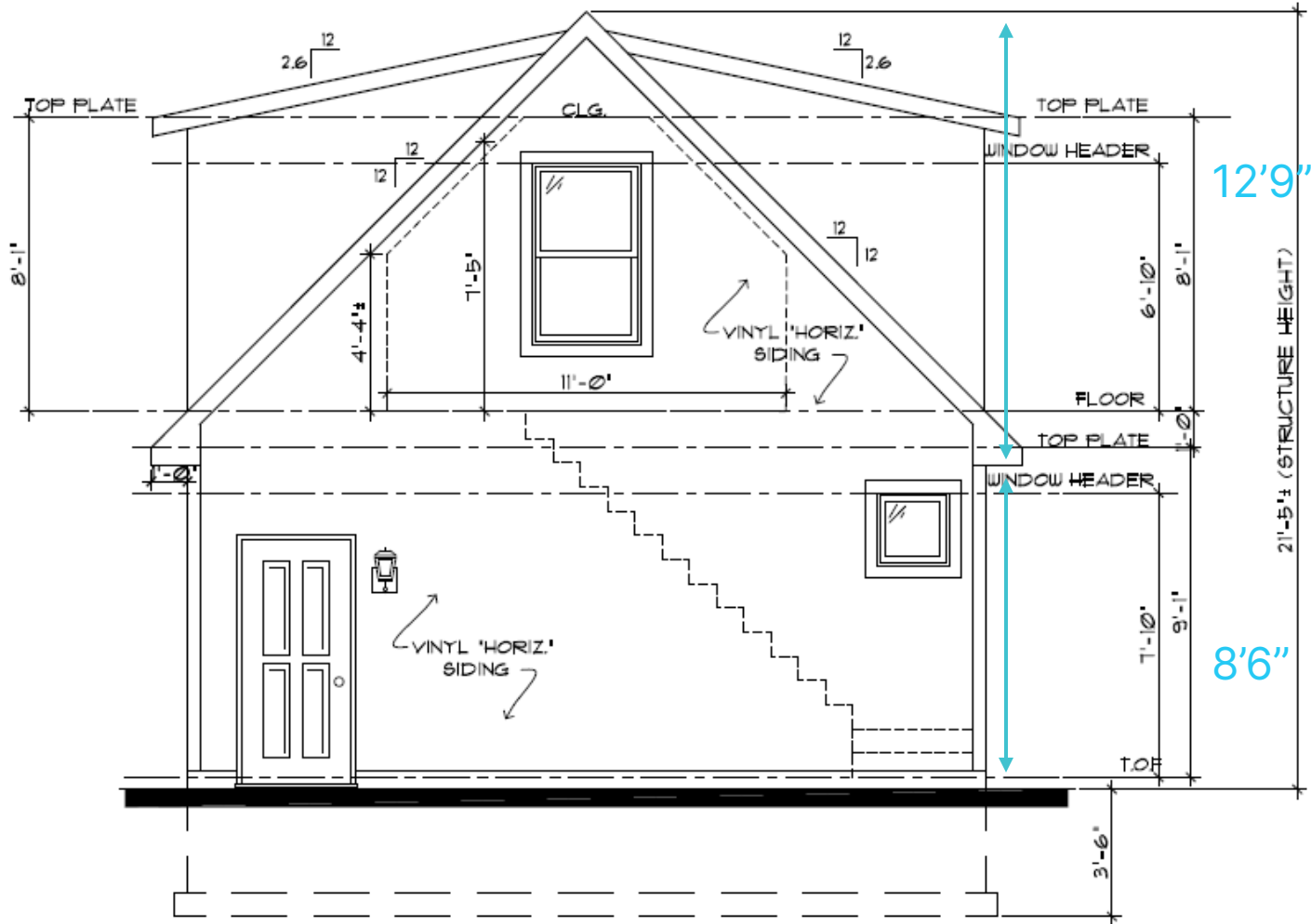
2143 Glenbury Ave.



Docket No. 02-04-25

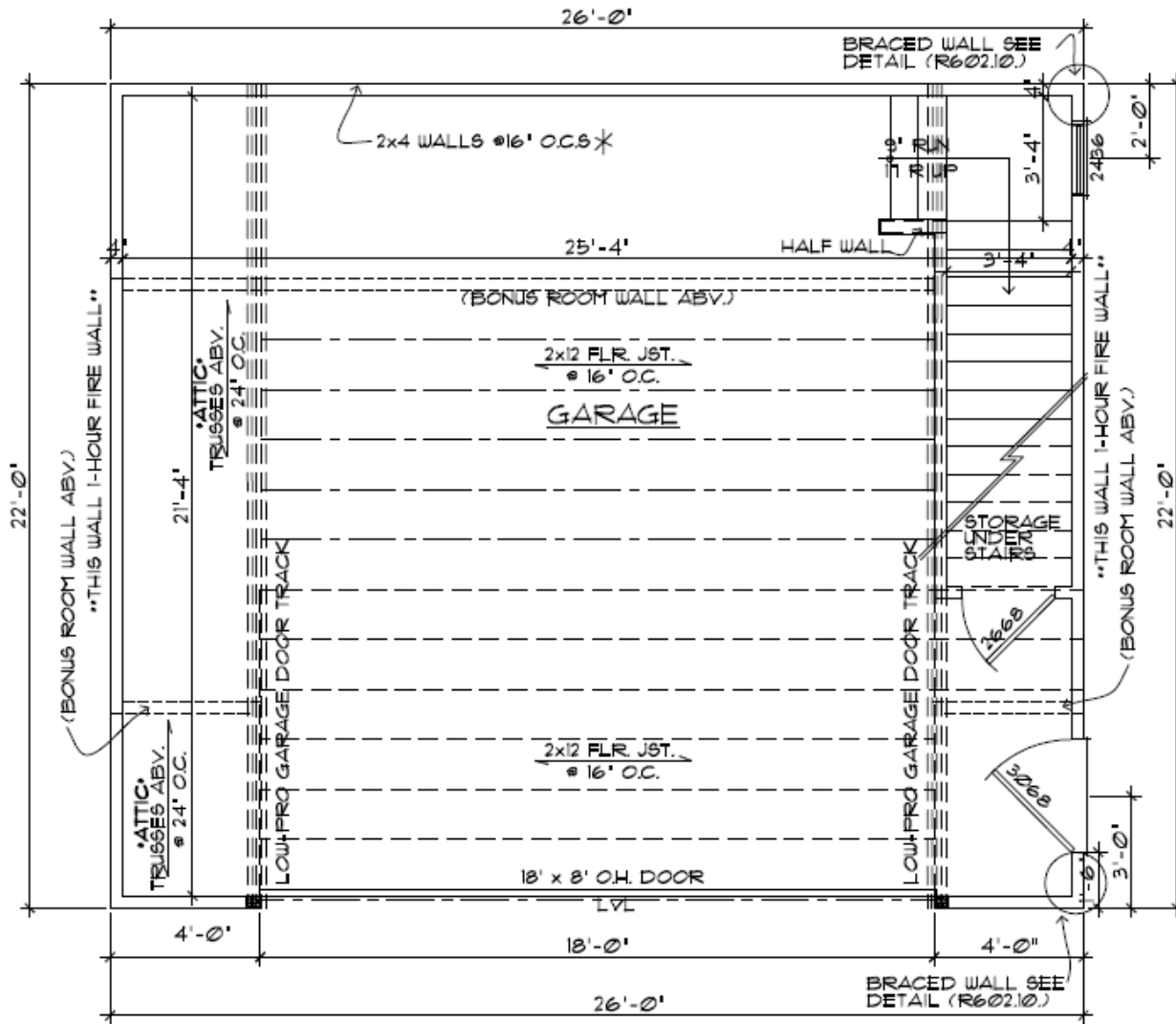
2143 Glenbury Ave.

$8'6'' + (12'9''/2) = 15 \text{ ft}$ - no variance required



Docket No. 02-04-25

2143 Glenbury Ave.



Docket No. 02-04-25

2143 Glenbury Ave.



Docket No. 02-04-25

2143 Glenbury Ave.



Docket No. 02-04-25

2143 Glenbury Ave.



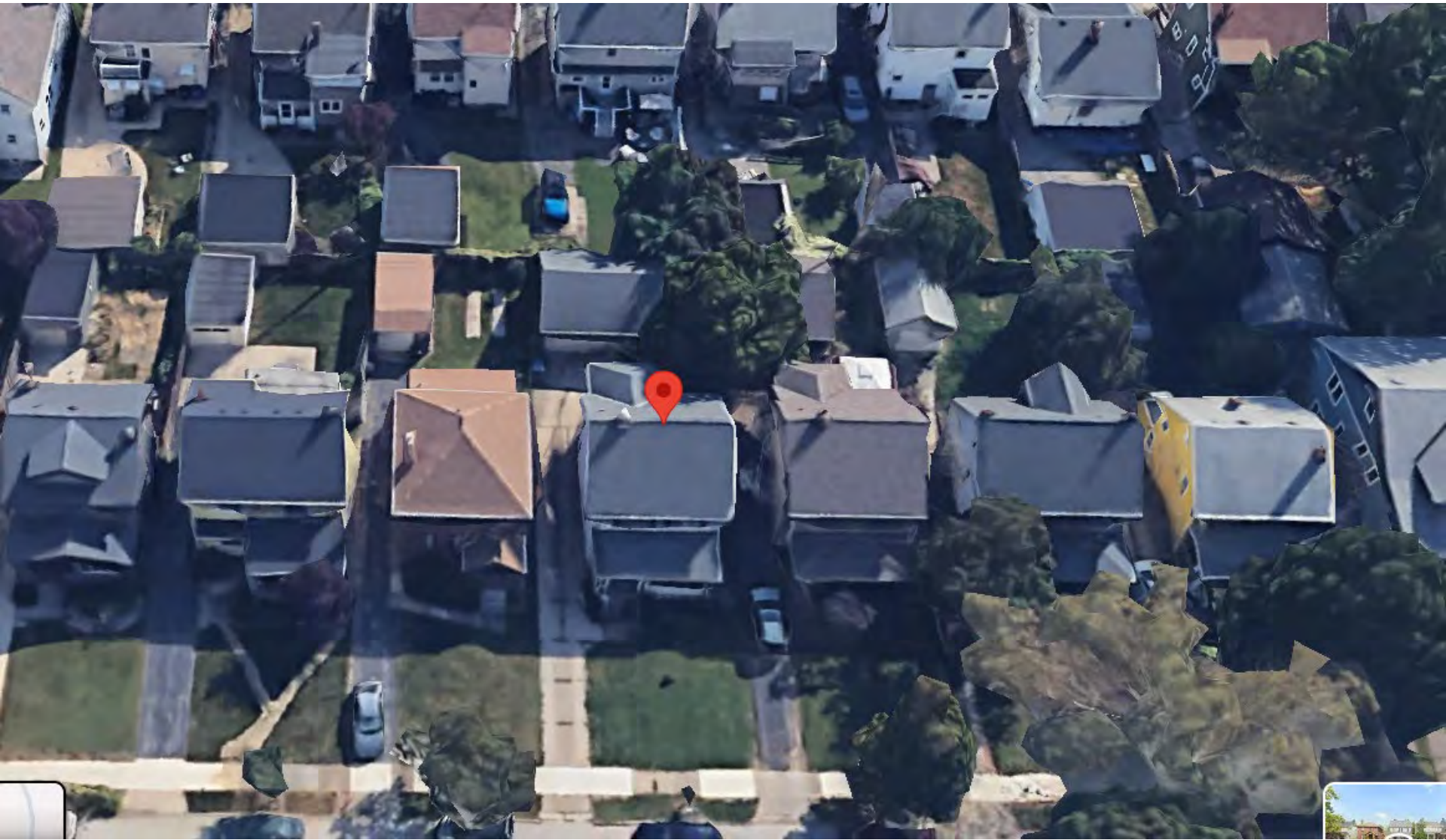
Docket No. 02-04-25

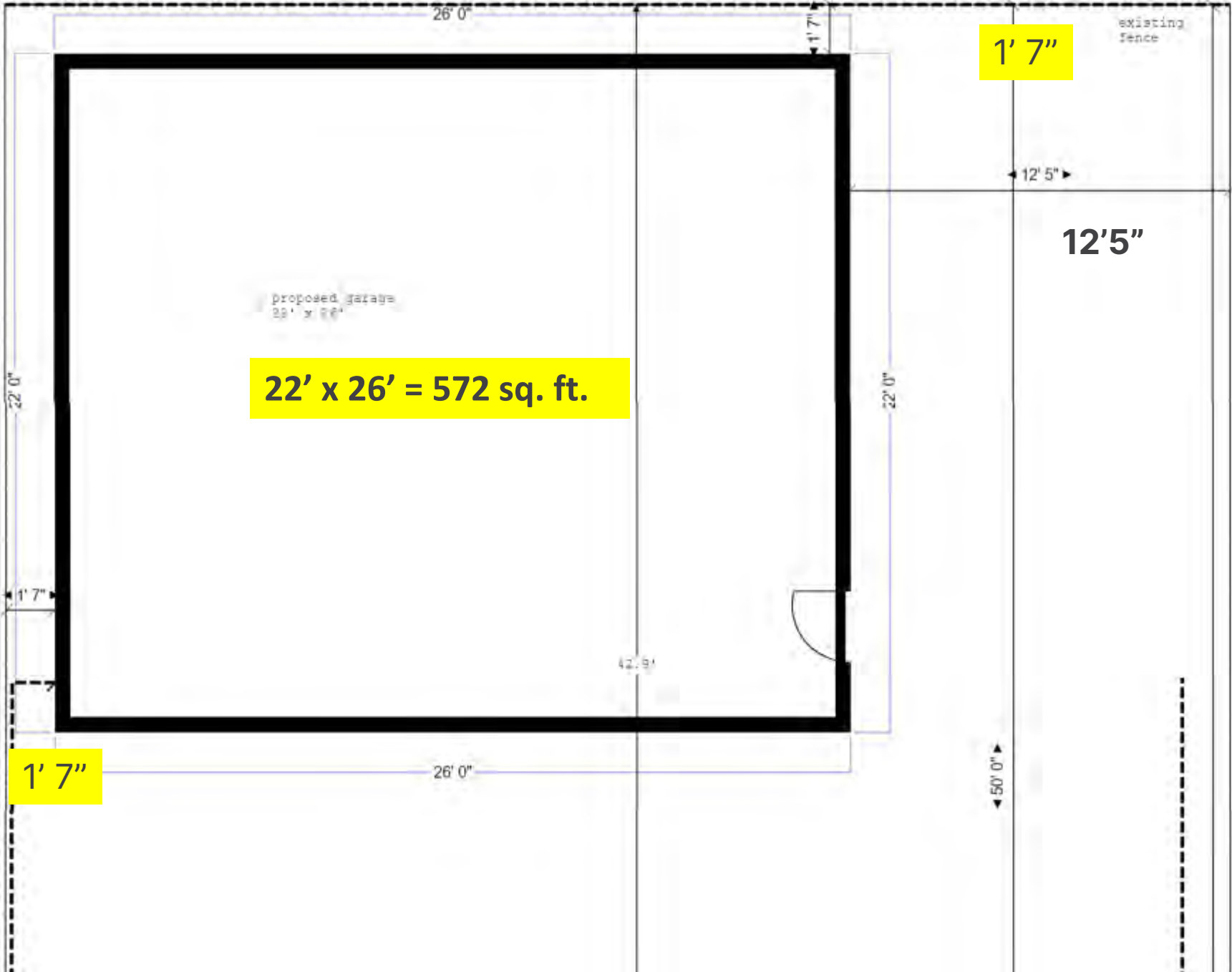
2143 Glenbury Ave.



Docket No. 02-04-25

2143 Glenbury Ave.





**22' x 26' = 572 sq. ft.**

**1' 7"**

12' 5"

**12' 5"**

**1' 7"**

50' 0"

existing fence

proposed garage  
22' x 26'

42.9'

26' 0"

1' 7"

22' 0"

1' 7"

26' 0"

22' 0"

50' 0"

# Docket No. 02-04-2025

# 2143 Glenbury

(page 1 of 3)

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;

Yes, the owners are requesting a variance due to practical difficulties arising from the property's current conditions. The property serves as the owner's primary residence, and the existing garage accommodates two midsize cars. If the garage were built without a variance, it would be limited to a depth of 20 feet and a width of 24 feet, allowing only the minimum recommended parking clearances between structures and adjacent vehicles. This would leave little margin for maneuvering.

Additionally, due to the house's setback and the garage's proximity to the primary structure (less than 20 feet), vehicles must enter the garage at an angle to avoid the back fence and house, requiring precise maneuvering. A wider garage would enhance maneuverability while also providing modest storage space and a staircase to the loft area.

(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);

Without a variance, the new garage would be smaller than the existing one, reducing functionality. The proposed design maximizes space by increasing the depth by 2 feet while removing a 40-inch stairway, resulting in a net gain of 1.5 feet for improved accessibility.

# Docket No. 02-04-2025

(CONTINUED page 2 of 3)

# 2143 Glenbury

## 1173.04 Variances

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

((3) continued)

The current 20-foot depth poses challenges for parking larger vehicles and limits storage options, making vehicle size a key consideration for the owners. The additional size would better accommodate modern vehicles while providing modest storage. Additionally, given the limited size of the primary structure, the owners intend to maximize the loft space within height restrictions to create a functional bonus living area.

The 2,000-square-foot back lot has limited improvement potential. The proposed plan preserves a 12-by-20-foot space to the south of the garage, ideal for outdoor storage and private living space.

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

No, the requested secondary structure footprint is less than 20% above the allotted footprint by Code, which is not a substantial deviation.

(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 variance will not affect the character of the neighborhood or pose substantial detriment to an adjoining property. According to property records, the existing garage is 102 years old. The owners propose replacing it to improve structural integrity and stormwater management. The current garage footprint is 500 square feet, with external dimensions of approximately 20 feet by 25 feet (internal dimensions: 19 feet 10 inches by 24 feet 9 inches).

The proposed design extends the width by one foot and the depth by two feet. To maintain the overall footprint, the roof will have no side overhangs, keeping the total width at 26 feet—consistent with the current structure. Additionally, the new garage will comply with code requirements, ensuring appropriate setbacks from property lines and fences.

# Docket No. 02-04-2025

# 2143 Glenbury

(CONTINUED page 3 of 3)

## 1173.04 Variances

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

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

No, the variance will not adversely affect the delivery of governmental services. In fact, it will improve stormwater runoff management and enhance utility service capabilities, including the addition of EV charging.

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

No, the owner was not aware of the zoning restriction upon purchase of the property, but also did not expect to expand. However, after ten years of residence and a limited housing inventory, the owners have decided to improve the property to accommodate current needs and improve the function and value of the home.(8)

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

No, the garage could be connected to the primary structure via a skybridge, which would bring the proposed size into compliance with Code and eliminate the need for a variance. However, this solution is not practical due to additional costs and the owners' desired functionality for the space.

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

Yes, granting this variance aligns with the spirit and intent of the Code, ensuring a fair and reasonable outcome. The requested increase is modest and enables meaningful improvements that complement the aesthetics and functionality of the area. The owners welcome any additional guidance from the BZA regarding potential space allotment variances beyond the current request. Thank you.

**Docket No. 02-04-25**

**2143 Glenbury Ave.**

## Administrative Comments

- No height variance required
- The house is modest in size, the variance provides an opportunity to add a small amount of usable space
- The lot is 4,800 square feet, which is slightly undersized. A newly created lot in the district would be required to be 5,000 square feet minimum
- Due to the small size of the rear yard, 480 sq. ft is the default garage area permitted
- The existing garage is 500 sq. feet, the owners propose the additional space for larger vehicles, storage and living area

Public Comment -received

Michelle Nocht  
Board Secretary, Senior Planner  
Planning and Development

As an abutting property owner/occupant, I wish to object to the variance requested for the project described in item 7 of the agenda for Docket No. 02-04-25 Meeting of Board of Zoning Appeals and to express my views on Docket No. 02-04-25 Meeting of Board of Zoning Appeals regarding a submitted proposal that my research shows is associated with the Cuyahoga County parcel 31311159 that Cuyahoga County records show for 2143 Glenbury Avenue, Lakewood, 44107, with owner in the record listed as "GALT, DAMON".

My attendance is still uncertain with such short notice.

Please reply to the issues listed below so I can properly prepare for Docket No. 02-04-25 Meeting of Board of Zoning Appeals or prepare for later discussion of the matter.

Thank you.

Best regards,

Martin Brett  
2139 Glenbury Avenue

Public Comment -received

SHORT NOTICE OF Docket No. 02-04-25 MEETING OF Board of Zoning Appeals

This email is marked "URGENT" since only two business days were allowed for a response to my questions in reply to your notification of the proposal submitted by "Applicant and property owner Maya Camhi." The notice received by USPS delivery late on Friday, February 14, 2025, describes the proposal submitted by "Applicant and property owner Maya Camhi." Monday, February 17, 2025, is a legal and banking holiday.

PLEASE reply as soon as possible if the agenda for the meeting in the notice changes or if a continuance is granted.

Public Comment -received

DID THE PRELIMINARY REVIEW OF THE APPLICATION DETERMINE COMPLIANCE WITH 1173.04(a)(1) "Proof of ownership, legal interest, or written authority to make the application."?

The notice received by USPS delivery late on Friday, February 14, 2025, describes the proposal submitted by "Applicant and property owner Maya Camhi."

The Cuyahoga County property information tool [<https://myplace.cuyahogacounty.gov/>] lists the owner of parcel 31311159 at 2143 Glenbury Avenue, Lakewood, 44107, as "GALT, DAMON".

Per Lakewood code 1173.04 VARIANCES (a)(2) "Upon receipt of a request for a variance(s), the Commissioner shall, within three (3) working days, make a preliminary review of the application to determine compliance with the requirements of subsection (a)(1) hereof." 1173.04(a)(1) lists as a submission requirement "Proof of ownership, legal interest, or written authority to make the application." [[https://codelibrary.amlegal.com/codes/lakewood/latest/lakewood\\_oh/0-0-0-75449#JD\\_1173.04](https://codelibrary.amlegal.com/codes/lakewood/latest/lakewood_oh/0-0-0-75449#JD_1173.04)]

Public Comment -received

Was the preliminary review part of the posting in local news media that may have been missed?

=====

DO DELINQUENT PROPERTY TAXES IMPEDE THE APPLICATION PROCESS?

The Cuyahoga County property information tool [<https://myplace.cuyahogacounty.gov/>] lists delinquent property taxes for parcel 31311159 at 2143 Glenbury Avenue, Lakewood, 44107. Lakewood Finance Department is copied to allow their input.

=====

DO YOU GUARANTEE THE SAFETY OF ATTENDEES TO THE MEETING?

City of Lakewood Police Department [copied here] received a report that DAMON GALT made threats to use a firearm. City of Lakewood Police Department never advised to disregard the threats DAMON GALT made. Please advise if there will be weapons screening for the meeting.

Public Comment -received

=====

PLEASE DISTINGUISH BETWEEN EVENTS FOR THE "PRE-REVIEW" AT 6:00 PM AND THOSE EVENTS FOR THE "REVIEW" AT 6:30 PM HELD IN A DIFFERENT VENUE.

THE online agenda [agenda: [https://www.lakewoodoh.gov/wp-content/uploads/2025/02/BZAAgenda\\_022025A.pdf](https://www.lakewoodoh.gov/wp-content/uploads/2025/02/BZAAgenda_022025A.pdf)] referenced in the mailed notification does not describe the difference between the two sessions that both presumably meet for Docket No. 02-04-25.

=====

ARE BOTH THE THE CITY HALL EAST CONFERENCE ROOM AND THE CITY HALL AUDITORIUM ADA ACCESSIBLE?

=====

PLEASE PROVIDE A COPY OF THE DOCUMENT - IF ANY EXISTS - THAT CONFIRMS THAT THE "narrative establishing and substantiating the justification for the variance(s) pursuant to the criteria set forth in subsections (c) or (d) of this Section 1173.04" SINCE THE NOTIFICATION AND THE AGENDA COPY OF THE SUBMISSION DOES NOT INCLUDE ANY SUBSTANTIATION OF JUSTIFICATION.

Both the definition of AREA VARIANCE in Lakewood Code 1103.02(nnn) and the definition of USE VARIANCE in Lakewood Code 1103.02(ooo) include the concept of hardship substantiation for the variation

[[https://codelibrary.amlegal.com/codes/lakewood/latest/lakewood\\_oh/0-0-0-72568](https://codelibrary.amlegal.com/codes/lakewood/latest/lakewood_oh/0-0-0-72568)]:

"VARIANCE, AREA means an area variance that is reviewed by the Board who shall determine whether an applicant has demonstrated that the literal enforcement of the Code will, in the case of an area variance, result in practical difficulty according to the criteria set forth in Subsection 1173.04(c)."

"VARIANCE, USE means a use variance that is reviewed by the Commission who shall approve or disapprove an application to allow a use not permitted under this Code in the zoning district in which the property is located, the Commission must find that the applicant has demonstrated that the literal enforcement of the Code will result in unnecessary hardship according to the criteria set forth in Subsection 1173.04(d).

Public Comment -received

=====

PLEASE CONFIRM THAT THE REQUEST IS FOR CONSIDERATION OF VARIATION IN Lakewood Code 1121.03(a) PERMITTED ACCESSORY USES INDICATED BY THE AGENDA ITEM 7 ON PAGE 2[ [https://codelibrary.amlegal.com/codes/lakewood/latest/lakewood\\_oh/0-0-0-72733#JD\\_1121.03](https://codelibrary.amlegal.com/codes/lakewood/latest/lakewood_oh/0-0-0-72733#JD_1121.03) ]

That code section reads: "A garage not to exceed 480 square feet in area or the requirement of Section 1121.09(c), whichever is greater but shall not exceed the requirements of Section 1121.09(d)." The Section 1121.09(c) closely mimics maximum lot coverage constraints for accessory structure or structures set at 25% per Lakewood Code 1123.09(c), discussed later.

[[https://codelibrary.amlegal.com/codes/lakewood/latest/lakewood\\_oh/0-0-0-72898](https://codelibrary.amlegal.com/codes/lakewood/latest/lakewood_oh/0-0-0-72898) ]

=====

Public Comment -received

=====

PLEASE EXPLAIN THE STATUS OF OTHER CODE SECTION VARIATIONS SINCE THE REQUEST IS NOT FOR VARIATION IN MAXIMUM LOT COVERAGE AND IS NOT A "MINOR AREA VARIANCE" DESCRIBED IN Lakewood Code 1173.04(b)(2) [[https://codelibrary.amlegal.com/codes/lakewood/latest/lakewood\\_oh/0-0-0-75449](https://codelibrary.amlegal.com/codes/lakewood/latest/lakewood_oh/0-0-0-75449)]

PLEASE describe any action taken on these code variations.

The definition given in Lakewood Code 1103.02(mmm) [[https://codelibrary.amlegal.com/codes/lakewood/latest/lakewood\\_oh/0-0-0-72568](https://codelibrary.amlegal.com/codes/lakewood/latest/lakewood_oh/0-0-0-72568)] for "VARIANCE, MINOR AREA":  
"VARIANCE, MINOR AREA means an area variance(s) of less than ten percent (10%) of the permitted lot coverage, or of the required side yard or rear yard, according to the criteria set forth in Subsection 1173.04(b). The Commissioner may grant minor area variance(s)."

Public Comment -received

"Rear yard" calculation is specified in Lakewood Code 1103.02(sss):  
"YARD, REAR means the unoccupied area extending the width of the lot between the rear line of the principal structure or any part thereof and the rear lot line."

"Maximum lot coverage" considers more than the pad that the structure rests on.

The definition given in Lakewood Code 1103.02(rr-2) for "LOT COVERAGE, MAXIMUM":

"LOT COVERAGE, MAXIMUM means the portion of the lot covered by any structure or constructed element that impedes infiltration of stormwater into the ground or disrupts vegetated surfaces. For purposes of determining maximum lot coverage, buildings, structures, or constructed elements that allow some infiltration, such as decks, patios and driveways, porous pavers or concrete, or other elements that disturb ground cover shall be counted towards the total surface coverage unless it is demonstrated it is a functional and integral part of a stormwater system and best management practice as determined by the City Engineer or designee".

Public Comment -received

Maximum lot coverage constraints for accessory structure or structures are at 25% per Lakewood Code 1123.09(c).

[[https://codelibrary.amlegal.com/codes/lakewood/latest/lakewood\\_oh/0-0-0-72898](https://codelibrary.amlegal.com/codes/lakewood/latest/lakewood_oh/0-0-0-72898) ]

Lakewood Code "1123.09 MAXIMUM LOT AREA COVERAGE.

(a) The principal building, including attached accessory dwelling units, shall not cover more than thirty-five percent (35%) of the lot area.

(b) Arbors, trellises, exterior steps, fences, and living fences shall be excluded from the lot coverage limitation.

(c) An accessory structure or structures shall not cover more than twenty-five percent (25%) of the area of the rear yard except as provided in Section 1123.03. Accessory dwelling units are not subject to this provision and instead are regulated by Section 1161.03(bb).

(d) The maximum lot coverage shall not exceed 85%.  
(Ord. 07-2023. Passed 11-20-23.)"

=====

Public Comment -received

PLEASE EXPLAIN THE STATUS OF THE VARIANCE FOR BUILDING HEIGHT CODE

Please describe any action taken on this code variation.

The drawings submitted with the application [page 48, attached] for variance indicate a "garage" structure with a height of 21 feet 5 inches. Lakewood Building and Housing is copied here for input.

Both Lakewood Code CHAPTER 1121 Single-Family Residential Districts, 1121.05 HEIGHT REGULATIONS

[\[https://codelibrary.amlegal.com/codes/lakewood/latest/lakewood\\_oh/0-0-0-72760#JD\\_1121.05\]](https://codelibrary.amlegal.com/codes/lakewood/latest/lakewood_oh/0-0-0-72760#JD_1121.05), and Lakewood Code CHAPTER 1123 Single- and Two-Family Residential Districts, 1123.05 HEIGHT REGULATIONS

[\[https://codelibrary.amlegal.com/codes/lakewood/latest/lakewood\\_oh/0-0-0-72879\]](https://codelibrary.amlegal.com/codes/lakewood/latest/lakewood_oh/0-0-0-72879)

state "An accessory structure, except an antenna, shall not exceed fifteen (15) feet in height above grade as determined by the Commissioner."

Public Comment -received

Dear Lakewood City Planning office,

We are writing to express our support for the proposal submitted by our neighbors at 2143 Glenbury Ave to replace their garage. We are an abutting property owner at address 2147 Glenbury Ave.

We believe the proposed replacement will be an enhancement to the property and the neighborhood. Our neighbors have always been more than considerate of us and we trust they will continue to follow any necessary regulations to ensure the project is completed responsibly.

We kindly ask that you give this proposal your favorable consideration.

Thank you for your time and attention.

Sincerely,

Joey & Vicky Bodzewski

2147 Glenbury Ave

**Docket No. 02-04-25**

**2143 Glenbury Ave.**

Docket No. 02-04-25

2143 Glenbury Ave.

Applicant and property owner Maya Camhi proposes the demolition and replacement of an existing two car garage. The property is located in the R1H, Single-Family High-Density District. (Page 43)

**Variance 1:** Owner proposes the demolition of an existing two car garage and the construction of a new two car garage that is 22' x 26' feet, totaling 572 sq feet in area. Maximum permitted rear lot coverage is 480 sq. ft. Request a variance to exceed maximum permitted rear lot coverage by to build a two-car garage that is 572 sq. ft, as proposed. Pursuant to 1121.03(a) Permitted Accessory Uses (Ord. 07-2023, Passed 11-20-23)



**#5 Addition Maddox- 17852 Lake Ave**

**Docket No. 02-05-25**

**17852 Lake Rd**

Applicant David T. Maddux of The Arcus Group for property owner Jack Griffiths proposes the construction of several additions to the principal structure, including a rear addition that has a second-floor unroofed patio deck. The property is in the R1L, Single-Family Low-Density District



# Docket No. 02-05-25

## 17852 Lake Rd

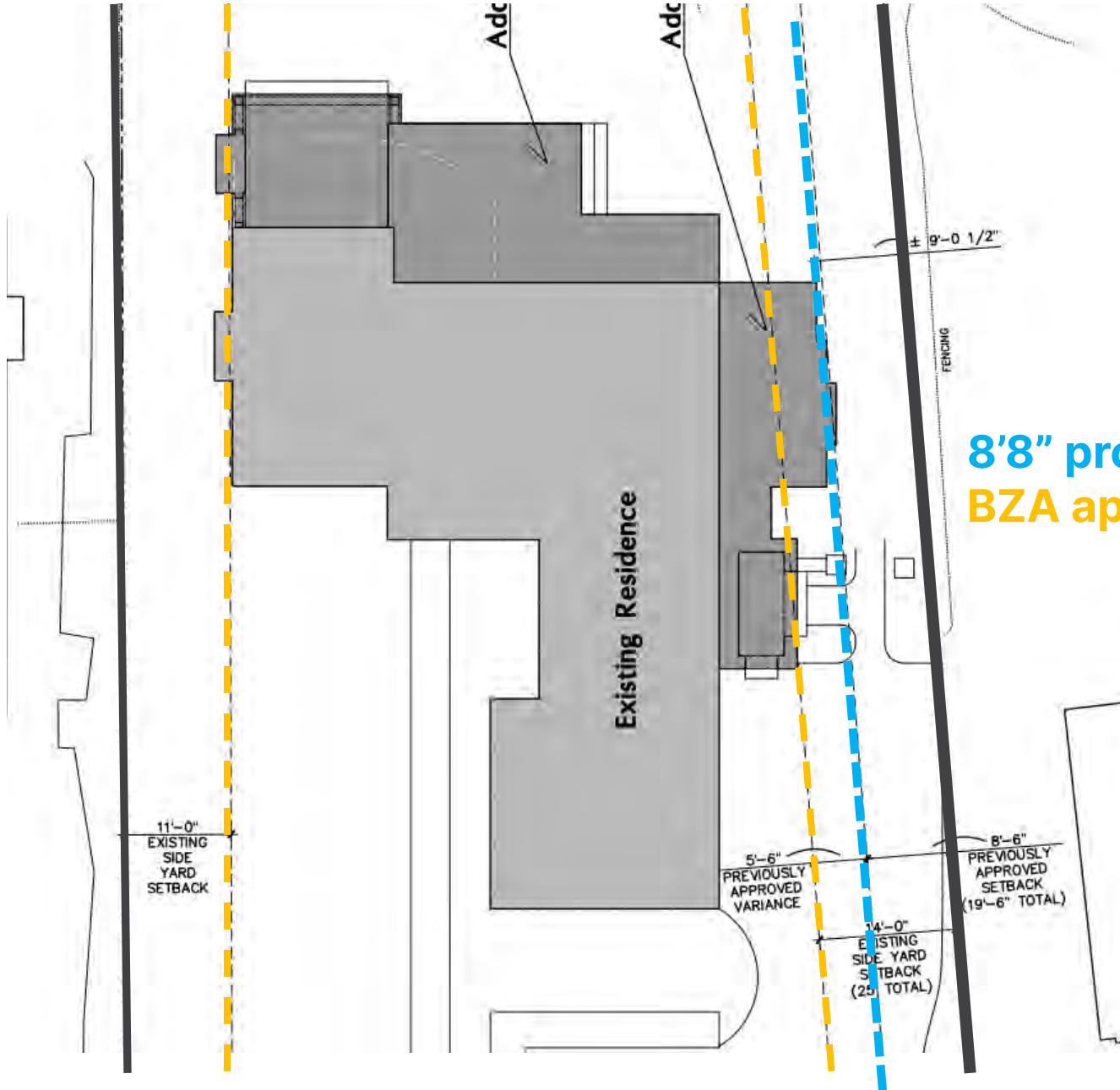
17852 Lake Rd.

Applicant David T. Maddux of The Arcus Group for property owner Jack Griffiths proposes the construction of several additions to the principal structure, including a rear addition that has a second-floor unroofed patio deck. The property is in the R1L, Single-Family Low-Density District. (Page 54)

**Variance 1:** Owner proposes the construction of several additions to the principal structure. An addition to the side of the home will reduce one side yard to **8'8"** where 10 feet is the minimum required. Request a variance to reduce the permitted size of the side yard to 8'8" as proposed. Pursuant to Schedule 1121.07 Minimum Yard Requirements for Principal Buildings (Ord. 91-95 Passed 10-07-1996)

**Variance 2:** Owner proposes the construction of several additions to the principal structure. An addition to one side of the home will reduce the combined side yard setback total to **19'8"** where the minimum required is 25 ft. Request a variance to reduce the permitted combined side yard total to 19'8" as proposed. Pursuant to Schedule 1121.07 Minimum Yard Requirements for Principal Buildings (Ord. 91-95 Passed 10-07-1996)

**Variance 3:** Owner proposes an addition on the rear of the principal structure that includes a **217** sq. foot unroofed patio deck on the second floor at a height of 9 feet. The maximum permitted is 300 sq. ft in area and 42 inches above grade. Request a variance to increase the maximum permitted height to 9 feet and the maximum permitted area to 521 sq. feet as proposed. Pursuant to 1121.03(d) Permitted Accessory Uses (Ord. 07-2023 Passed 11-20-2023)



**8'8" proposed setback**  
**BZA approved 8'6" in 2022**



**Site Plan**  
 SCALE 1" = 10'-0"

EXISTING LOT AREA 25,892 S.F.  
 EXISTING LOT COVERAGE 2,439 S.F. (9.4%)  
 PROPOSED LOT COVERAGE 3,139 S.F. (12.1%)  
 ALLOWABLE LOT COVERAGE 25%

Docket No. 02-05-25

17852 Lake Rd

217 sq ft elevated unroofed patio deck to match existing 2<sup>nd</sup> floor elevation



**Rear Elevation**

SCALE 1/8" = 1'-0"



17852 Lake Rd



Docket No. 02-05-25

17852 Lake Rd



**Docket No. 02-05-25**

**17852 Lake Rd**

Applicant David T. Maddux of The Arcus Group for property owner Jack Griffiths proposes the construction of several additions to the principal structure, including a rear addition that has a second-floor unroofed patio deck. The property is in the R1L, Single-Family Low-Density District





Docket No. 02-05-25

17852 Lake Rd

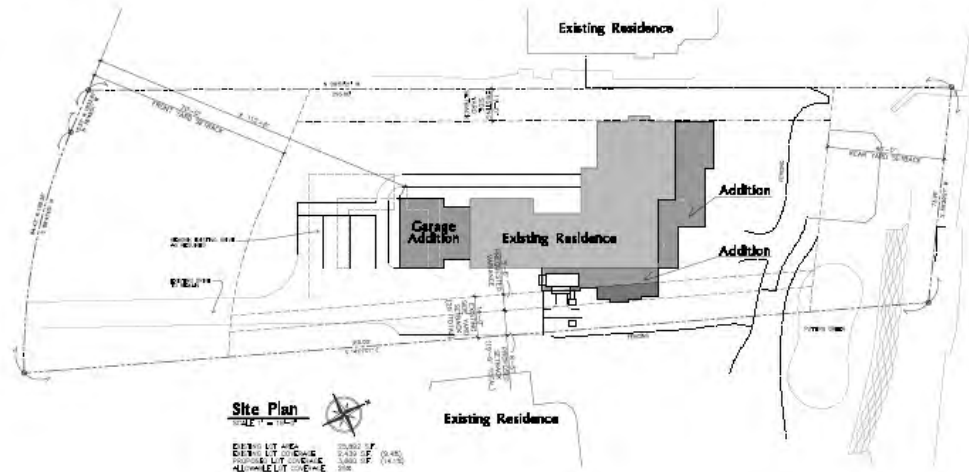
# Addition and Renovation of: The Griffiths Residence

17852 Lake Road

Lakewood, Ohio

### Drawing Index:

- A-1 Site Plan & Context
- A-2 First Floor Plan
- A-3 Second Floor Plan
- A-4 Existing Elevations
- A-5 Proposed Elevations
- A-6 Renderings



17854 Lake Road



17852 Lake Road



17850 Lake Road

Existing Street Context

PRELIMINARY  
NOT FOR  
CONSTRUCTION

NO.	DATE	REVISION

Addition & Renovation for  
The Griffiths Residence

Ohio

17852 Lake Road  
Lakewood



Site Plan  
& Context

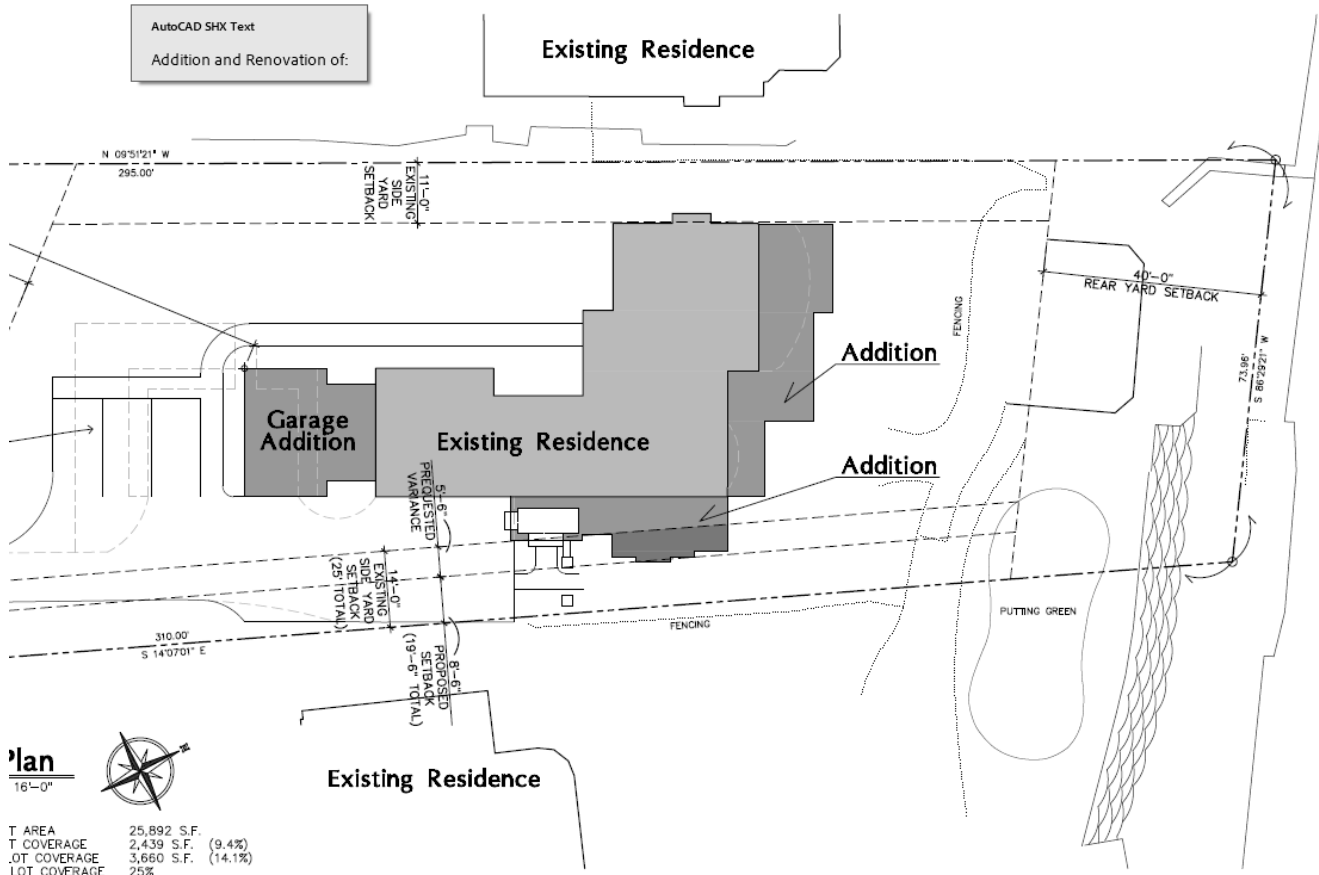
A-1  
Shawn Harkin  
Copyright © 2020  
Project No. 17852 Lake Road  
Drawn By: SHH  
Checked By: EST

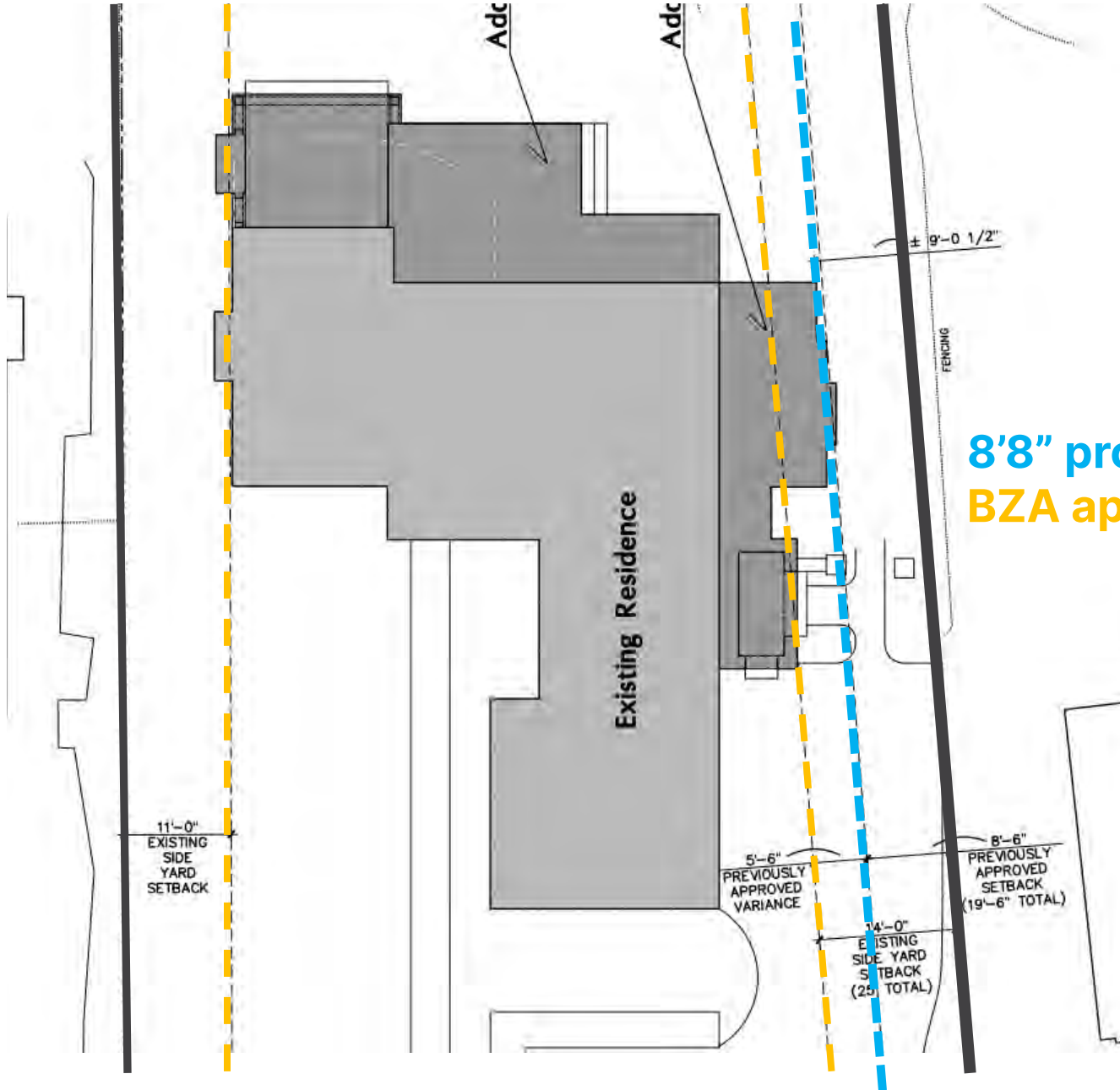
Preliminary  
Not For  
Construction

Docket No. 02-05-25

17852 Lake Rd

Lakewood, Ohio





**Site Plan**  
SCALE 1" = 10'-0"

25,892 S.F.  
2,439 S.F. (9.4%)  
3,138 S.F. (12.1%)  
25%

EXISTING LOT AREA  
EXISTING LOT COVERAGE  
PROPOSED LOT COVERAGE  
ALLOWABLE LOT COVERAGE

**8'8" proposed setback**  
**BZA approved 8'6" in 2022**

**Existing Residence**



### Second Floor Plan

SCALE 1/4" = 1'-0"

1,968 SQ. FT.— EXISTING SECOND FLOOR
468 SQ. FT.— SECOND FLOOR ADDITION
<b>2,436 SQ. FT.— TOTAL FIRST FLOOR</b>
521 SQ. FT.— BALCONY (NOT INCLUDED)

Docket No. 02-05-25

17852 Lake Rd



**Front Elevation**

SCALE 1/8" = 1'-0"

Docket No. 02-05-25

17852 Lake Rd



**Right Side Elevation**

SCALE 1/8" = 1'-0"

Docket No. 02-05-25

17852 Lake Rd



**Left Side Elevation**

SCALE 1/8" = 1'-0"

Docket No. 02-05-25

17852 Lake Rd

217 sq ft elevated unroofed patio deck to match existing 2<sup>nd</sup> floor elevation



**Rear Elevation**

SCALE 1/8" = 1'-0"

Docket No. 02-05-25

17852 Lake Rd



Docket No. 02-05-25

17852 Lake Rd



Docket No. 02-05-25

17852 Lake Rd



Existing Rear Veranda View



Proposed Rear Veranda View

liminary  
For  
fic

Docket No. 02-05-25

17852 Lake Rd



Existing Rear Kitchen View



Proposed Rear Kitchen View

# Docket No. 02-05-25

# 17852 Lake Rd

(page 1 of 2)

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;

This lot is a beautiful narrow lake front lot, where the house is built far off the street , close to the bluff. Due to the position of the existing home we are requesting a variance to make the home wider in lieu of going deeper.

(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;

n/a

(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);

To maintain the architectural character of the existing home and neighborhood, the variance would allow us to extend the home and maintain the character while not adversely affecting the surrounding properties.

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

The variance is the smallest viable amount to achieve the result.

(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

# Docket No. 02-05-25

17852 Lake Rd

(CONTINUED page 2 of 2)

## 1173.04 Variances

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

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

no

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

n/a

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

n/a

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

The spirit of the code is to ensure architectural character , massing and separation of surrounding homes. This design achieves that.

## Docket No. 02-05-25

### 17852 Lake Rd

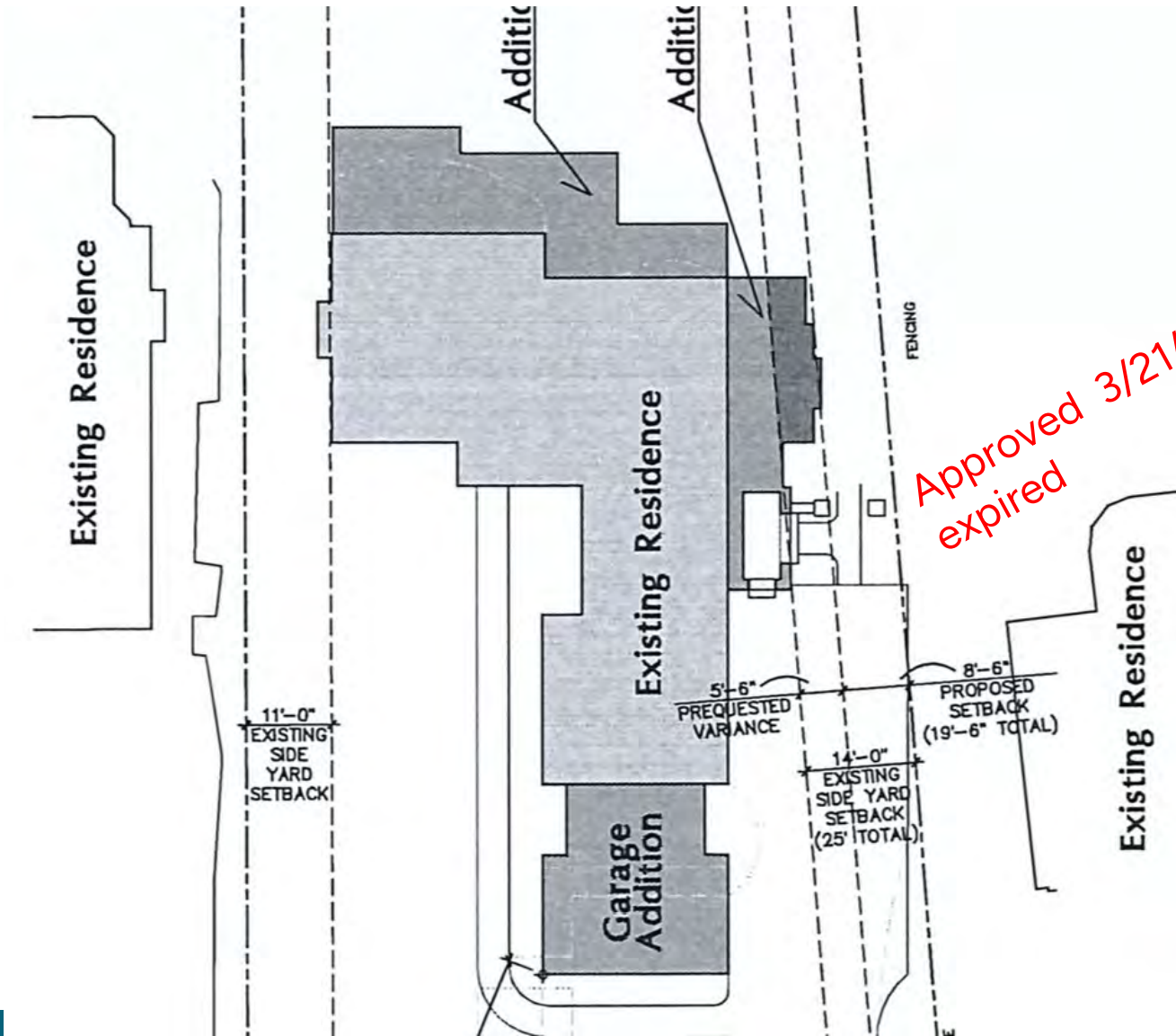
- Administrative Comments
  - Updated plans, previously submitted plans were approved 3/21/22 for a 521 sq. ft elevated unroofed patio deck at 8'10" above grade, a reduction of one side setback to 8'6" and the reduction of the combined side yard setbacks to 19'6".
  - These requests are almost identical, with a slight reduction in the amount requested for sideyards, down by 2 inches.
  - There is a reduction in the size of the unroofed patio deck to 217 sq. ft. , down from the previously approved 521 sq. ft.
  - There is no standard in the code to
  - If the patio deck had a roof it would be approved by right, it would have a greater profile than the unroofed.



Docket No. 02-05-25

Expired- approved Proposed setback was 8' 6"

17852 Lake Rd



Approved 3/21/22-  
expired

## Docket No. 02-05-25

### 17852 Lake Rd

Page 1 of 2

#### Public Comment

Dear Board of Zoning Appeals:

We are writing today in regards to Docket No. 03-06-22, which concerns a project at 17852 Lake Road. For the reasons set forth below, we are opposed to this project.

We have lived in Clifton Park for over 15 years. In that time, we have seen a severe decline in the historic quality of the neighborhood. New homes have been shoe-horned into spaces where homes were not intended to be built. Huge garages and side-yard buildings have wrecked the well-planned character of the neighborhood. Variance after variance, project after project, we've seen the historic quality of Clifton Park destroyed. Why do people want to move into an historic neighborhood like Clifton Park, then immediately put on additions to make their homes look like McMansions from Westlake? More importantly, why do we allow it to happen?

Clifton Park was designed so that people walking and driving down the road could see the lake. Homes on the north and south side of the street were staggered so that every home had a lake view. Little by little, that design has been eroded by lot splits, construction of "modern" homes on small lots, and side yard expansions. At some point, the City of Lakewood has to stand up for our residents and put an end to the degradation of Clifton Park.

## Docket No. 02-05-25

### 17852 Lake Rd

Public Comment

Page 2 of 2

As you know, Clifton Park is on the National Register of Historic Places. We have zoning rules, including side yard minimums and garage limitations for good reasons. It's your job to enforce those rules. Why have the historic designation and the zoning laws if they are going to be routinely ignored? I know that it is not easy to be a member of a rule-enforcing body. For over ten years, I sat on the Planning Commission and the Board of Zoning Appeals, before serving on City Council. It can be difficult to say "no" to people who want to alter their personal property for their own benefit, to the detriment of their neighbors. But we are relying on you to stand up for the neighborhood and the residents.

Respectfully,

Brian & Maureen Powers

17855 Lake Road

Lakewood OH 44107

Board of Zoning Appeals (BZA)  
Lakewood City Hall  
12650 Detroit Ave.  
Lakewood, OH 44107

**Re: Formal Objection to Variance Request for 17853 Lake Road  
Representation of Mr. Gallagher (17850 Lake Road)**

Dear Members of the Lakewood Board of Zoning Appeals,

I am writing as the legal representative for Mr. John Gallagher, the neighboring resident of 17850 Lake Road, to formally object to the variance requests submitted by Mr. Griffiths for the property located at 17852 Lake Road.

The requested variances seek to extend multiple property additions beyond the established side-yard setback requirements and construct a rear addition with a second-floor expansion that encroaches further toward the lake bluff. If granted, these variances would disrupt the zoning integrity of the neighborhood, diminish neighboring property values, and set a harmful precedent for future non-compliant development. The proposed expansion exceeds the intended scale and spacing of homes in the area, undermining the purpose of setback regulations designed to preserve neighborhood character, and environmental stability.

**Grounds for Objection**

**1. Side-Yard Setback Requirements**

The City of Lakewood Zoning Code establishes clear setback requirements to ensure uniform development and protect the interests of all property owners. The requested variance would allow the proposed building additions to extend closer to the lake than any other home on the street, disrupting the established building alignment and unfairly benefitting the applicant at the direct expense of my client's property value.

Side-yard setback requirements were originally established to preserve the grand historic nature of the lakefront homes in Clifton Park, maintaining open sightlines to the lake for all residents. The neighborhood was intentionally designed over 100 years ago with side-yard spacing to maximize lake views, and this historic character should be preserved. Furthermore, Clifton Park is listed on the National Register of Historic Places, reinforcing the importance of protecting its architectural integrity and community design.

Mr. Griffiths has applied for multiple substantial variances, including a side-yard setback reduction to 8'8", despite the minimum required setback of 10 feet in the designated R1L-Residential Single Family Low-Density District. Additionally, the second variance allows for excessive expansion into the lake-facing rear yard.

## **2. Mr. Gallagher's Prior Consent to the 2022 Variance Was Based on Limited Project Scope**

In 2022, the applicant received a variance for the contemplated additions. At the time, Mr. Gallagher consented under the belief that the project was limited to a garage extension, a side door addition requiring a variance, and a reconstruction of the inefficient glass window section of the family/living room. Discussions with the property owner focused on a simple property line variance for the side door, and the applicant indicated that there would be no obstruction to Mr. Gallagher's western lake view. Despite his request, no stakes were placed to outline the project footprint before the zoning meeting, preventing him from fully assessing the impact. Only after reviewing the actual construction plans did he realize the project extends far beyond what was conveyed, including a massive industrial-style wall that will significantly block his lake view, diminish privacy, and disrupt the character of his property.

Additionally, the anticipated year-long construction and foundation work pose serious risks to land stability and the connected break wall due to the project's proximity to the property line. These concerns were never disclosed prior to the variance approval. Given that Mr. Gallagher's prior consent was based on an incomplete and misleading understanding of the project's scope, the Board of Zoning Appeals should not rely on his previous approval as justification for granting additional variances. It is now clear that these additions will cause substantial and irreversible harm to his property.

## **3. Excessive Increase in Building Size**

The applicant's existing first-floor footprint is 1,645 square feet. The proposed additions will add an additional 1,502 square feet, nearly doubling the size to 3,147 square feet, a 90% increase. This excessive expansion is not necessary for reasonable use of the property and will have a disproportionate impact on Mr. Gallagher's home by blocking his panoramic lake views. Attached to this letter are before-and-after design renderings (not to precise scale), depicting how Mr. Gallagher's view shed will shrink from 160 degrees to 140 degrees. Additionally, the number of visible sunsets from Mr. Gallagher's property will be significantly reduced.

## **4. Substantial Harm to Mr. Gallagher's Property Rights**

If this variance is approved, Mr. Gallagher's property will suffer direct and measurable harm, including:

- **Obstruction of Lake View:** While zoning codes do not explicitly guarantee a right to a view, Lakewood's zoning principles prioritize preserving neighborhood character and preventing unnecessary harm to adjacent properties.
- **Reduction in Property Value:** Waterfront property values are strongly influenced by unobstructed lake views, natural scenery, and the ability to observe sunrise and sunset views. The orientation of

Mr. Gallagher's property is uniquely positioned to capture both sunrise and sunset views from late spring through late summer, which will be significantly impacted by this variance.

- **Aesthetic and Privacy Impacts:** The proposed additions extend beyond the established side-yard setback, creating an overpowering wall effect adjacent to Mr. Gallagher's den, family room, kitchen, and deck. This will reduce natural sunlight and cut off his open sightlines to the lake, diminishing his home's aesthetic appeal and privacy.

#### **5. Environmental and Safety Concerns**

The variance would permit construction closer to the lake's edge than existing zoning regulations allow, raising serious environmental and safety concerns, including:

- **Erosion & Land Stability Risks:** Cliffside construction poses significant erosion risks, and altering the natural buffer zone may destabilize the surrounding terrain, creating long-term safety concerns.
- **Stormwater Drainage Issues:** Extending the structure beyond the usual setback may disrupt natural water drainage patterns, leading to increased runoff onto neighboring properties and into Lake Erie.

These concerns directly contradict Lakewood's planning and environmental sustainability goals, which aim to mitigate soil erosion and effectively manage stormwater.

#### **6. Setting a Harmful Precedent**

Approving this variance would set a dangerous precedent, encouraging future non-compliant lakefront expansions that will degrade the neighborhood's character and create disputes between property owners. Granting this variance would:

- Undermine zoning predictability and fairness by allowing exceptions that favor one homeowner at the expense of others.
- Encourage further encroachments, leading to a loss of open space, privacy, and views for multiple property owners.
- Weaken zoning enforcement, making it more difficult to maintain the integrity of Lakewood's zoning laws.

#### **Request for Denial**

On behalf of Mr. Gallagher, I respectfully request that the Lakewood Board of Zoning Appeals deny this variance request for the following reasons:

1. It violates established setback requirements, giving one property owner unfair advantages at the expense of others.
2. It causes substantial harm to Mr. Gallagher's property, obstructing his lake view, reducing his property value, and encroaching on his space.
3. It poses environmental risks, including erosion and stormwater drainage issues.

4. It sets a dangerous precedent for future non-compliant lakefront development.

Applying the 'practical difficulty' test, the homeowner can reasonably modify the proposed plan to comply with existing zoning requirements without undue hardship. Additionally, I formally request the opportunity to speak at the upcoming zoning board hearing on behalf of Mr. Gallagher to present these concerns in greater detail.

Thank you for your time and consideration. Should you require additional documentation or wish to discuss this matter further, please do not hesitate to contact me.

Sincerely,

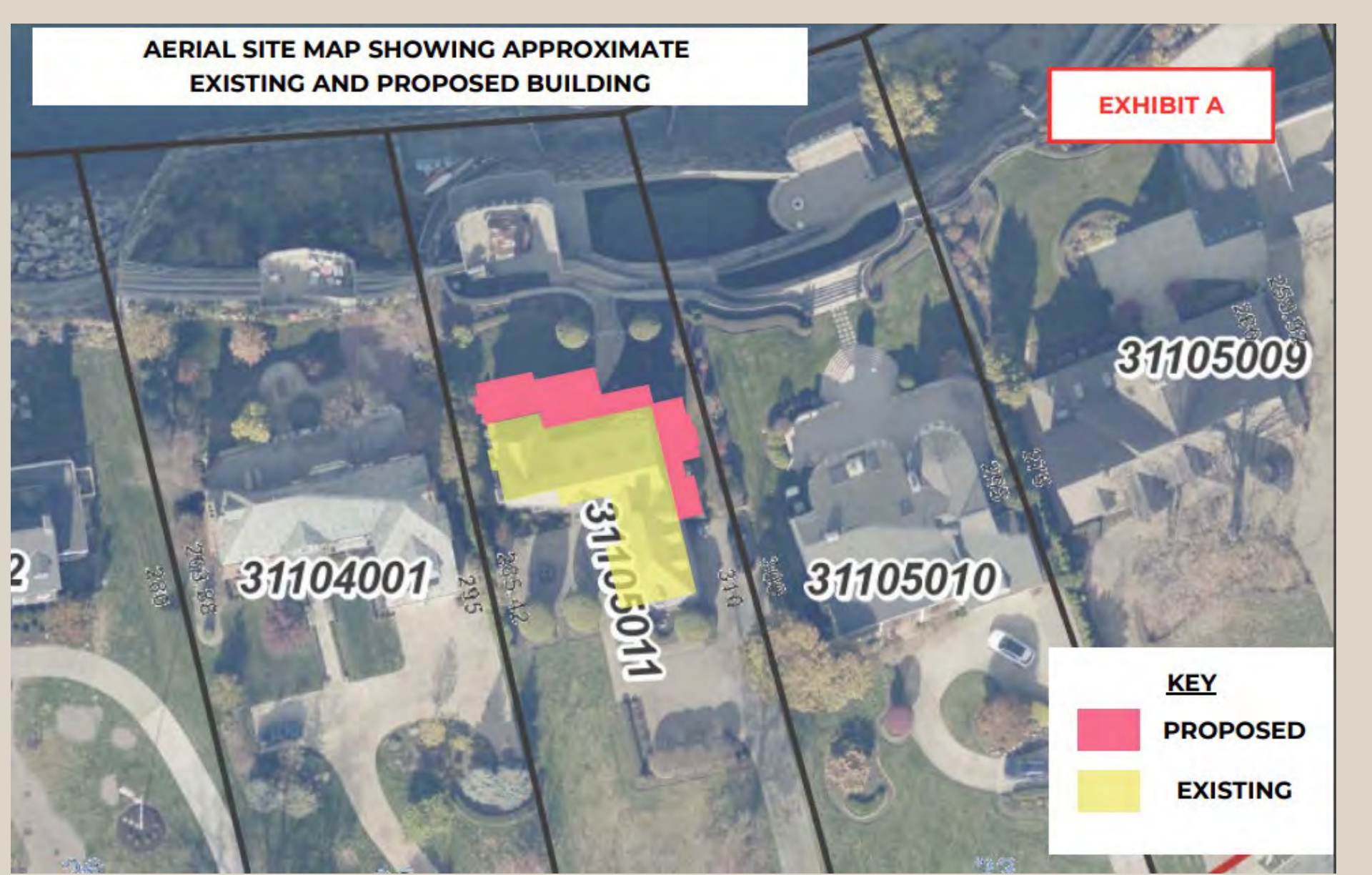
A handwritten signature in black ink, appearing to read 'A. Dever'.

**A. Steven Dever**

Legal Representative for Mr. John Gallagher

**AERIAL SITE MAP SHOWING APPROXIMATE  
EXISTING AND PROPOSED BUILDING**

**EXHIBIT A**



**KEY**

-  **PROPOSED**
-  **EXISTING**

**EXHIBIT B**

**31104001**

**31105011**

**31105010**

**31105001**



**KEY**  
**PROPOSED**

**AERIAL WITH SITE PLAN OVERLAY**



**EXHIBIT C**

**VIEW FROM PROPERTY BEFORE**



**VIEW FROM PROPERTY AFTER (APPROXIMATE)**



**OTHER VIEWS FROM PROPERTY (EXISTING)**





# Lake Road Variance



Date Created: 2/19/2025

### Legend

- Municipalities
- Right Of Way
- Platted Centerline
- Parcel
- Private Road

200 0 100 200 Feet

Projection:  
WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

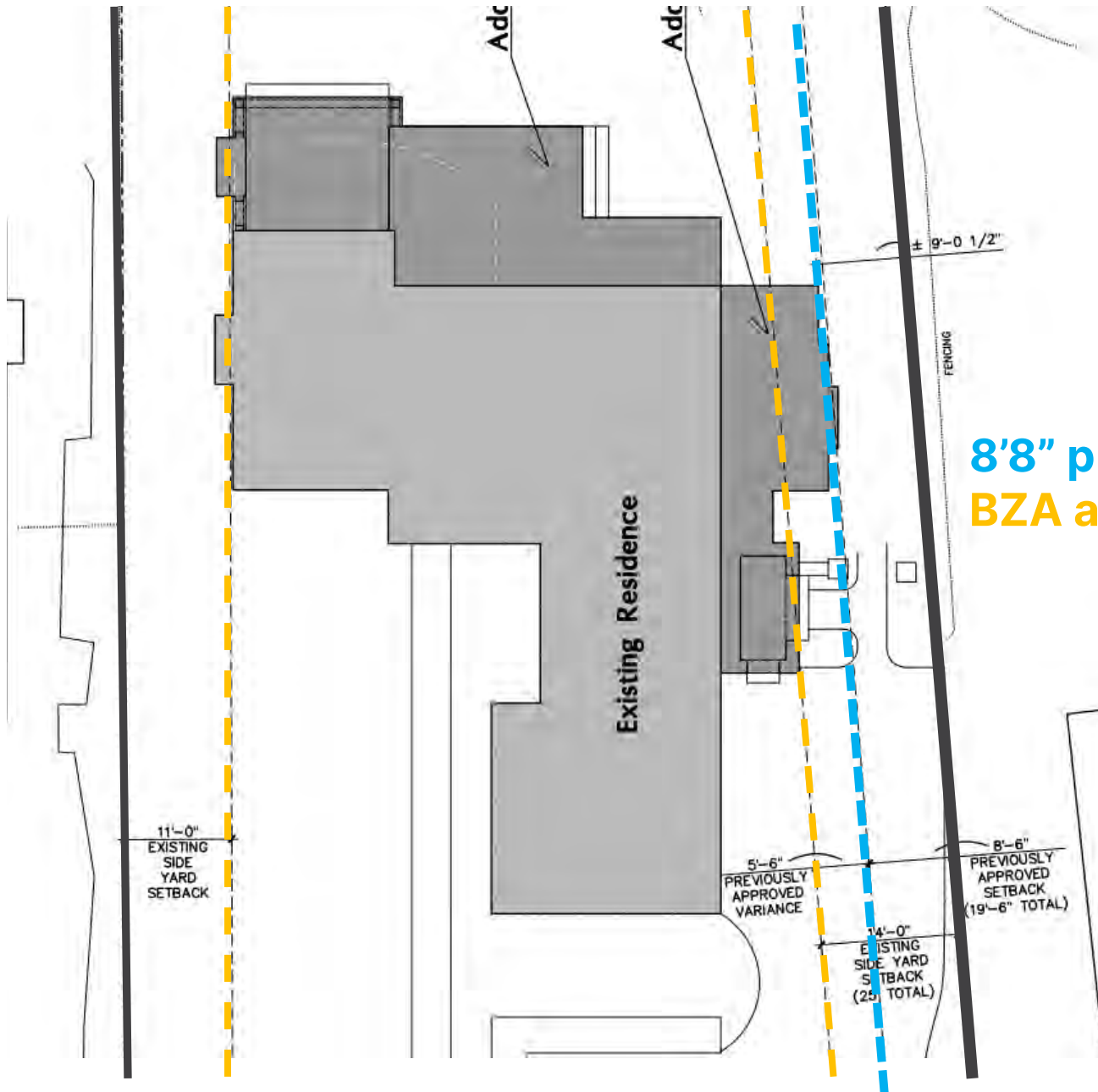
— Cuyahoga County —  
**Enterprise GIS**  
PUTTING CUYAHOGA COUNTY ON THE MAP











**Site Plan**  
SCALE 1/8" = 10'-0"

EXISTING LOT AREA 25,892 S.F.  
EXISTING LOT COVERAGE 2,439 S.F. (9.4%)  
PROPOSED LOT COVERAGE 3,139 S.F. (12.1%)  
ALLOWABLE LOT COVERAGE 25%

**8'8" proposed setback**  
**BZA approved 8'6" in 2022**

**Existing Residence**

Docket No. 02-05-25

17852 Lake Rd

217 sq ft elevated unroofed patio deck to match existing 2<sup>nd</sup> floor elevation



**Rear Elevation**

SCALE 1/8" = 1'-0"

## Docket No. 02-05-25

### 17852 Lake Rd

17852 Lake Rd.

Applicant David T. Maddux of The Arcus Group for property owner Jack Griffiths proposes the construction of several additions to the principal structure, including a rear addition that has a second-floor unroofed patio deck. The property is in the R1L, Single-Family Low-Density District. (Page 54)

**Variance 1:** Owner proposes the construction of several additions to the principal structure. An addition to the side of the home will reduce one side yard to **8'8"** where 10 feet is the minimum required. Request a variance to reduce the permitted size of the side yard to 8'8" as proposed. Pursuant to Schedule 1121.07 Minimum Yard Requirements for Principal Buildings (Ord. 91-95 Passed 10-07-1996)

**Variance 2:** Owner proposes the construction of several additions to the principal structure. An addition to one side of the home will reduce the combined side yard setback total to **19'8"** where the minimum required is 25 ft. Request a variance to reduce the permitted combined side yard total to 19'8" as proposed. Pursuant to Schedule 1121.07 Minimum Yard Requirements for Principal Buildings (Ord. 91-95 Passed 10-07-1996)

**Variance 3:** Owner proposes an addition on the rear of the principal structure that includes a **217** sq. foot unroofed patio deck on the second floor at a height of 9 feet. The maximum permitted is 300 sq. ft in area and 42 inches above grade. Request a variance to increase the maximum permitted height to 9 feet and the maximum permitted area to 521 sq. feet as proposed. Pursuant to 1121.03(d) Permitted Accessory Uses (Ord. 07-2023 Passed 11-20-2023)

# Adjourn



# Thank you!

## City of Lakewood Contact:

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