

**MINUTES  
BOARD OF ZONING APPEALS  
REVIEW MEETING  
LAKEWOOD CITY HALL  
AUDITORIUM  
MAY 18, 2023  
6:30 P.M.  
MEETING IS RECORDED  
<https://www.lakewoodoh.gov/videos-2/>**

**1. ROLL CALL**

Members Present

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

Administrative Staff

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

All present. During the pre-review meeting, an election was held to fill the chair vacated by Ms. Otter's departure. Michael Alexander was voted in as the new chair and Jillian Bolino was voted in as the vice chair. There was some discussion of the cases to be presented, the administration discussed the discrepancies relating to the parcel and property line lengths and setbacks in the submitted documents for 1464 Riverside, and there was some discussion about the unique parcel presented in 17909 Lake. Regarding the deferred item 1655 Roosevelt, there was some discussion about the massing and the reduced height proposal for the new garage at 1655 Roosevelt.

**2. APPROVE MINUTES OF THE APRIL 20, 2023, MEETING**

A motion was made by Mr. Alexander, seconded by Ms. Bolino to **APPROVE** the April 20, 2023, meeting minutes. All the members voted yea; the motion passed.

**3. OPENING REMARKS**

Ms. Nocht read the Opening Remarks into the record.

**OLD BUSINESS**

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

Applicant and property owner Christopher Walling proposes the construction of a new garage on the previously demolished garage site. The proposed garage has a calculated height of 17 feet, permitted maximum is 15 feet. The property is in the R1H, Single Family High-Density District. (Page 4)

- Variance 1: Request a variance to exceed the maximum permitted height of an accessory structure. The permitted accessory structure height is 15 feet calculated. The proposed garage height is calculated at 17 feet. Request a variance to exceed the permitted maximum height by 4 feet, as proposed. Pursuant to section 1121.05(b) Height Regulations (Ord. 91-95. Passed 10-7-1996.)

Owner and applicant Christopher Walling was on hand to present the request. The application had been deferred in December 2022 after the board discussed the application and shared their comments that the request to exceed garage height was excessive, with a 4-foot request. Mr. Walling shared his revised drawings which necessitated a 2-foot height variance. The board discussion revolved around the fact that the only similar request that had been granted was for a property that abutted an industrial use, and for a property that was 18,000 sq feet and the garage was 125 feet from the street. The board members felt that the massing of the garage at the requested height was too great and didn't align with past granted requests. Mr. Walling stated that he did not wish to modify the request any further as he planned on using the upstairs to store equipment for maintenance of his Lakewood properties. The board voted to defer the request and advised Mr. Walling that they would vote in June, either on a revised drawing or on the current drawing.

A motion was made by Mr. Santiago, seconded by Mr. Alexander to **DEFER** the request. All the members voted yea; the motion passed.

**5. Docket No. 04-06-23**  
**1077 Wilbert Rd.**  
**\*\*\*DEFERRED**

Applicants Susan Broadwater and Paul Beegan of Beegan Architectural Design, for property owners Ben and Laurie Manti, propose the demolition of the existing garage and the construction of a new garage that exceeds the allowable height. The property is located in the R1M Single-Family Medium Density Residential District. (Page 7)

- Variance 1: Request a variance to exceed the maximum height of an accessory structure. The maximum permitted accessory structure height is 15 feet, a height which is pursuant to 1103.01(q). The proposed height of the new garage is calculated as 19 feet, 3 ½ inches. Request a variance to exceed the permitted accessory structure height by 4 feet, 3 ½ inches, as proposed. Pursuant to Section 1121.05(b) Height Regulations (Ord. 91-95. Passed 10-7-1996.)

The applicant requested a deferral prior to the meeting. No action was required from the members.

**NEW BUSINESS**

**6. Docket No. 05-08-23**  
**1464 Riverside Dr.**

Applicant Gary Fischer of Fischer and Associates Architects for property owner Linda Fredrickson of Jude Home LLC proposes the demolition of the existing primary construction, and the construction of a primary structure attached to the existing detached garage. The property is a through lot with no rear yard, and frontage on both Graber Ave. and Riverside Dr.. The proposal exceeds permitted maximum primary area coverage, reduces the side and combined side yard setbacks and reduces the front setback on Graber Ave. The property is located in the R2 Single- and Two-Family Residential District. (Page 9)

- Variance 1: Request a variance to reduce the setback of the primary structure. The existing garage is 3 feet, 4 inches from the closest side yard, and when connected to the new primary structure is required to meet side yard requirements. Request a variance to place primary

structure 3 feet, 4 inches from the side property line, as proposed. Pursuant to Schedule 1121.07 Minimum Yard Requirements (Ord. 91-95. Passed 10-7-1996.)

- Variance 2: Request a variance to reduce the front yard setback of the of the primary structure on the Graber Ave. frontage, as proposed the primary structure is placed 7 ft, 7 inches from the public right of way . The requirement is a 12 ft. minimum from the public right of way. Request a variance to reduce the front yard by 4 feet, 5 inches from the side property line, as proposed. Pursuant to Schedule 1123.07 Minimum Yard Requirements (Ord. 91-95. Passed 10-7-1996.)
- Variance 3: Request a variance to reduce the combined total side yard setbacks. A total of 15 feet combined side yards is required, 12 ft, 4 inches is proposed. Request a variance to reduce the required combined side yard setbacks by 2 ft, 8 inches, as proposed Pursuant to Schedule 1121.07 Minimum Yard Requirements (Ord. 91-95. Passed 10-7-1996.)
- Variance 4: Request a variance to exceed maximum allowable primary lot coverage. The requirement is a maximum of 25%. The lot is 5,698 sq. ft., and the proposed primary lot coverage is 2,186 sq. ft. , or 45.3% primary lot coverage. Request a variance to exceed primary lot coverage by 20.3%, as proposed. Pursuant to Section 1121.09 (Ord. 08-2021. Passed 5-17-21.)

Neither the owner nor applicant was on hand to present the request, the board voted to defer the request.

A motion was made by Mr. Alexander, seconded by Ms. Bolino to **DEFER** the request. All members voted yea; the motion passed.

**7. Docket No. 05-09-23  
17514 Detroit Ave.  
St. James School**

Applicant Gabriel Fey of HSB Architects for property owner Jess Oster proposes the renovation and conversion of a commercial building on the St James property to multi-family use. The proposal includes the addition of a rooftop patio with an enclosed vestibule and an unroofed patio deck. The requirement for unroofed patio decks to be higher in elevation than 42 inches and no greater in area than 300 sq. ft., the parcel is a through lot without a rear yard. The proposal is for a 1,155 sq. ft. unroofed patio deck at 40 feet, 10 inches above grade. The property is located in the C2 Retail Commercial District. (Page 17)

- Variance 1: Request a variance to exceed the allowable permitted height and area of an unroofed patio deck. Request a variance to place 1,155 sq. ft of unroofed patio deck at a height of 40 feet 10 inches above grade. Pursuant to Section 1127.03(d) Fence Placement and Types) Height Regulations (Ord. 91-95. Passed 10-7-96.

Gabriel Fey of HSB Architects was on hand for property owner Jess Oster to present the request for an unroofed patio on the deck on the existing roof. The patio was proposed as an amenity to the luxury penthouse office to be used for meeting purposes. The adaptive reuse of the St James buildings is estimated to be an investment of 4 million dollars to renovate the existing school and rectory buildings. Administrative comments on the history of unroofed patio deck request shows that other similar commercial request had been approved with more intense use and no negative consequences either observed or reported.

A motion was made by Mr. Alexander, seconded by Ms. Bolino to **APPROVE** the request. All the members voted yea; the motion passed.

**8. Docket No. 05-10-23  
17909 Lake Rd.**

Applicant Jill Brandt of Brandt Architecture for property owner Matt Vesperman proposes the construction of a breezeway connecting the primary structure to a new attached garage. The property is a wedge shape, and due to the shape of the lot any primary structure will fail to meet the rear yard setback requirement. The proposal does not meet the rear yard setback requirement or the combined side yard setback requirement. The rear yard must be a minimum of 40 feet and the combined side yard total must be 25 feet. The property is located in the R1L Single-Family Low-Density District Single- and Two-Family Residential District. (Page 42)

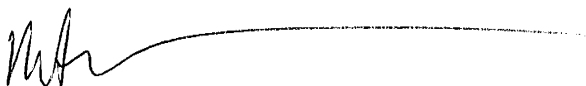
- Variance 1: Request a variance to reduce the rear setback on a wedge-shaped lot. The requirement is for a 40-foot setback from the rear property line. Request a variance to place a new attached garage and breezeway approximately 10 feet, 1 inch from the rear property line, as proposed. Pursuant to Section 1121.07 Minimum Yard Requirements for Principal Buildings (Ord. 15-15. Passed 9-21-2015.)
- Variance 2: Request a variance to reduce the combined setback total. The requirement is for each side setback to be a minimum of 10 feet and in some combination when combined total a minimum of 25 feet. One side is an existing 5-foot, 9-inch setback, and the other side is proposed at approximately 14 feet, for a combined total of 20 feet, 9 inches. Request a variance to reduce the combined side yard setback to 20 feet 9 inches, as proposed. Pursuant to Section 1121.07 Minimum Yard Requirements for Principal Buildings (Ord. 15-15. Passed 9-21-2015.)

Applicant Jill Brandt and property owner Matt Vesperman were on hand to present the request. Ms. Brandt described her efforts to design a structure that would meet the needs of the client and meet the code. The administration presented comments about the code and the unique pie-shaped lot. With its shape, almost any addition to the rear of the structure would require a variance to the rear yard setback, and due to the shape of the lot and the combined side yard setbacks were difficult to achieve. A survey of properties on the block showed that homes with rectangular lots had deep back yards that would permit the type of addition that Mr. Vesperman proposed, and that many parcels did not meet the minimum side yard or the combined side yard setbacks.

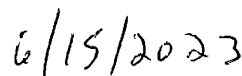
A motion was made by Mr. Santiago and seconded by Mr. Pigott to **APPROVE** the request. All the members voted yea; the motion passed.

**ADJOURN**

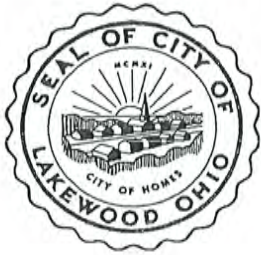
A motion was made by Mr. Alexander, seconded by Ms. Bolino to **ADJOURN** the meeting at 7:02 p.m. All the members voted yea; the motion passed.



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. Chris Wadkins

2. Vince Annichini

3. Bill Brand

4. \_\_\_\_\_

5. \_\_\_\_\_

6. \_\_\_\_\_

7. \_\_\_\_\_

8. \_\_\_\_\_

9. \_\_\_\_\_

10. \_\_\_\_\_

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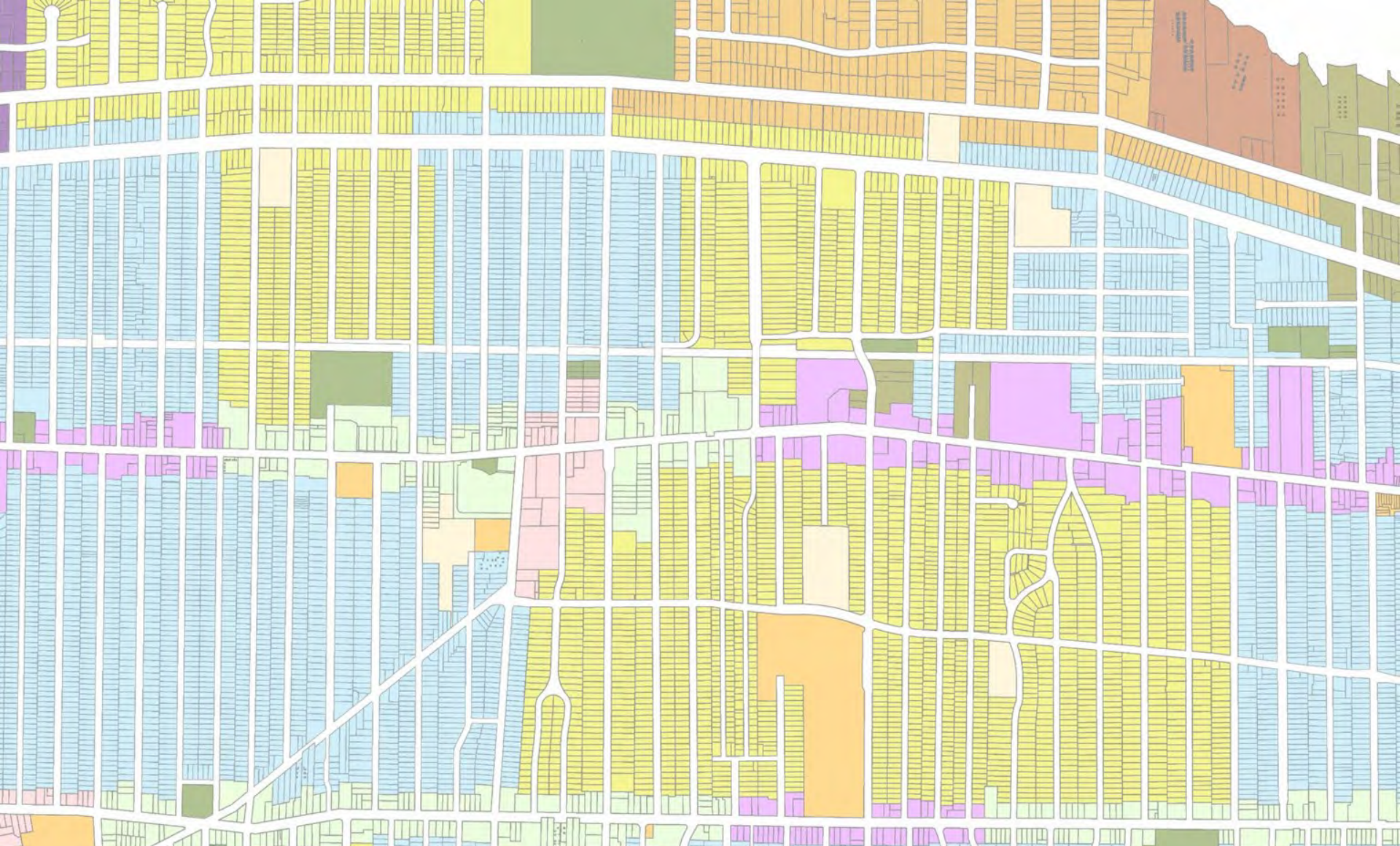
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Prepared by: The City of Lakewood Law Department, 12650 Detroit Ave., Lakewood, Ohio 44107

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, May 18, 2023



# Board of Zoning Appeals

## **1173.04 Variances**

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

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

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





**Board of Zoning Appeals-**

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

Regular Meeting: 6:30 p.m.

**Members**

*Vice Chair:* Michael Alexander

Jeffrey Pigott

Jillian Bolino

Anthony Santiago

**Staff**

*Board Secretary:* Michelle Nohta

*Legal Counsel:* Myriam Miranda

*Building Department:* Justin Maskaluk

# Board of Zoning Appeals

## May 18, 2023 Agenda

1. Roll Call
2. Vote on April 20, 2023 meeting minutes
3. Opening Remarks

### **OLD BUSINESS**

4. 1655 Roosevelt -12-32-22
5. 1077 Wilbert Ave- 04-06-23 DEFERRED

### **NEW BUSINESS**

6. 1464 Riverside 05-08-23
7. 17514 Detroit Ave 05-06-23
8. 17909 Lake Rd

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

# Roll Call



**Board of Zoning Appeals**

A detailed zoning map of a city, showing various colored zones (yellow, blue, green, orange, pink, purple) and street layouts. The map is the background of the entire slide.

# Approve Meeting Minutes for April 20, 2023



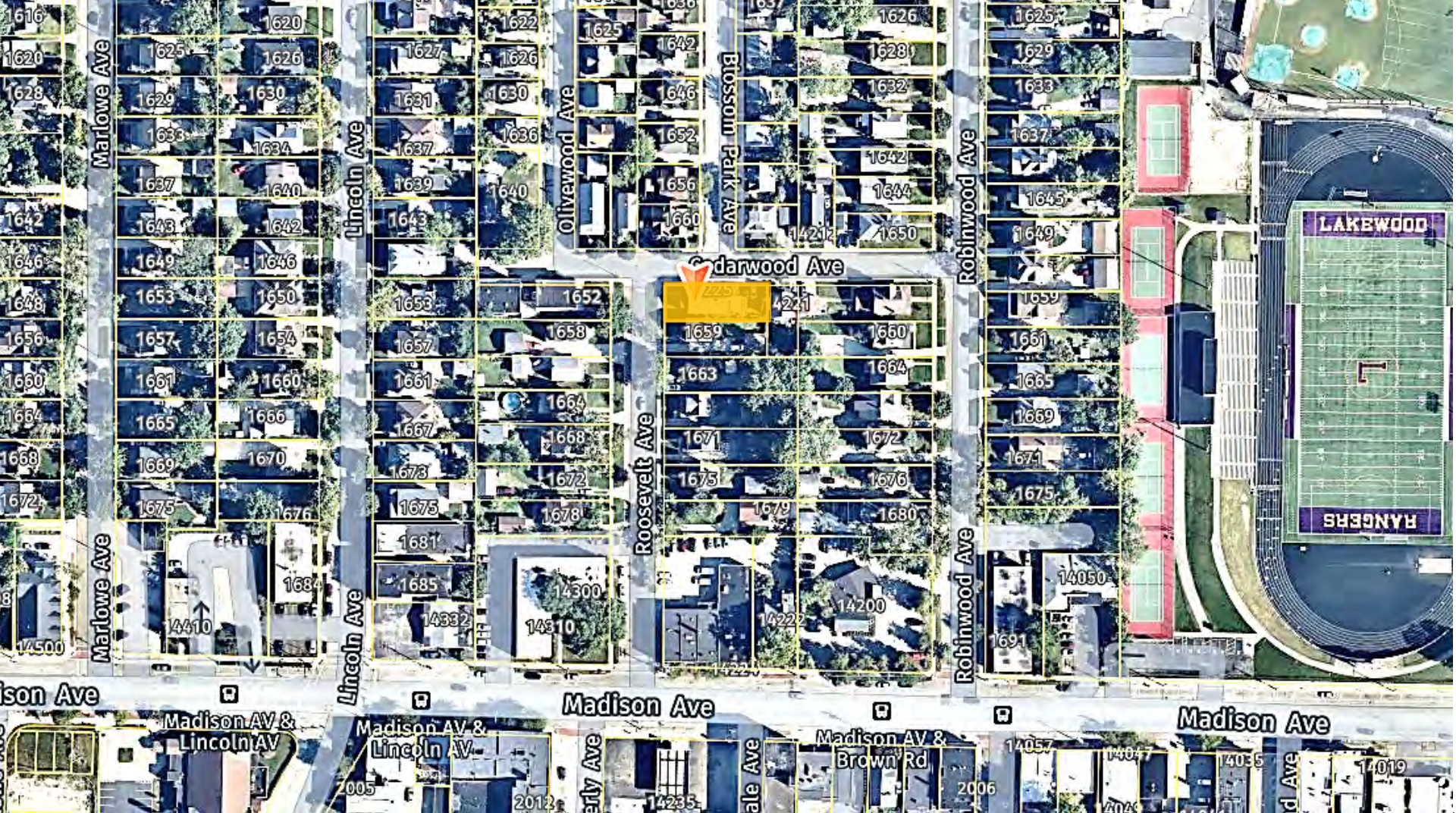
**Board of Zoning Appeals**



# Opening Remarks



**Board of Zoning Appeals**



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

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



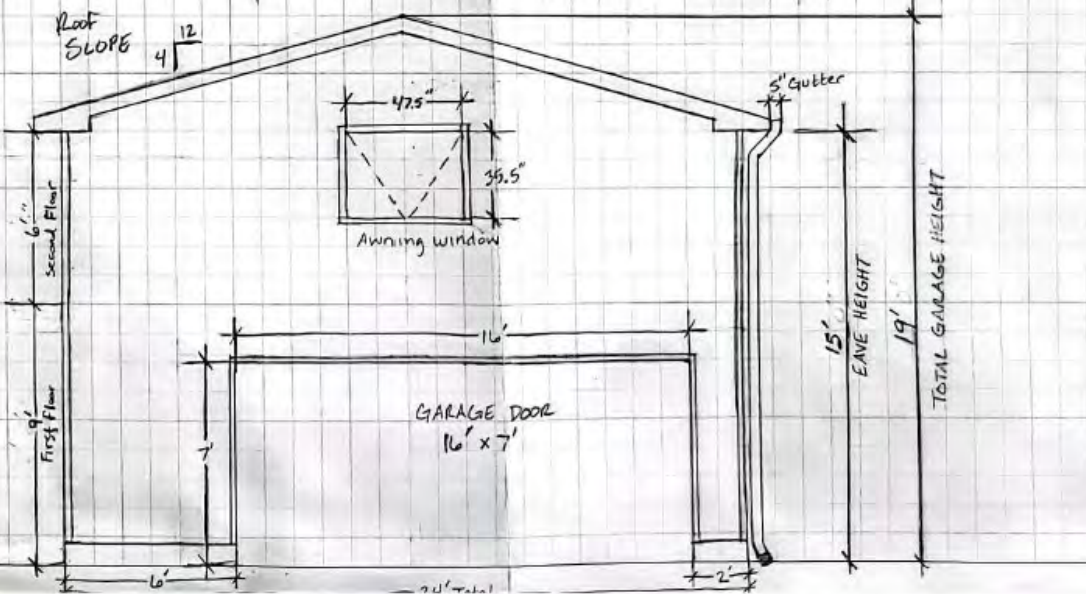
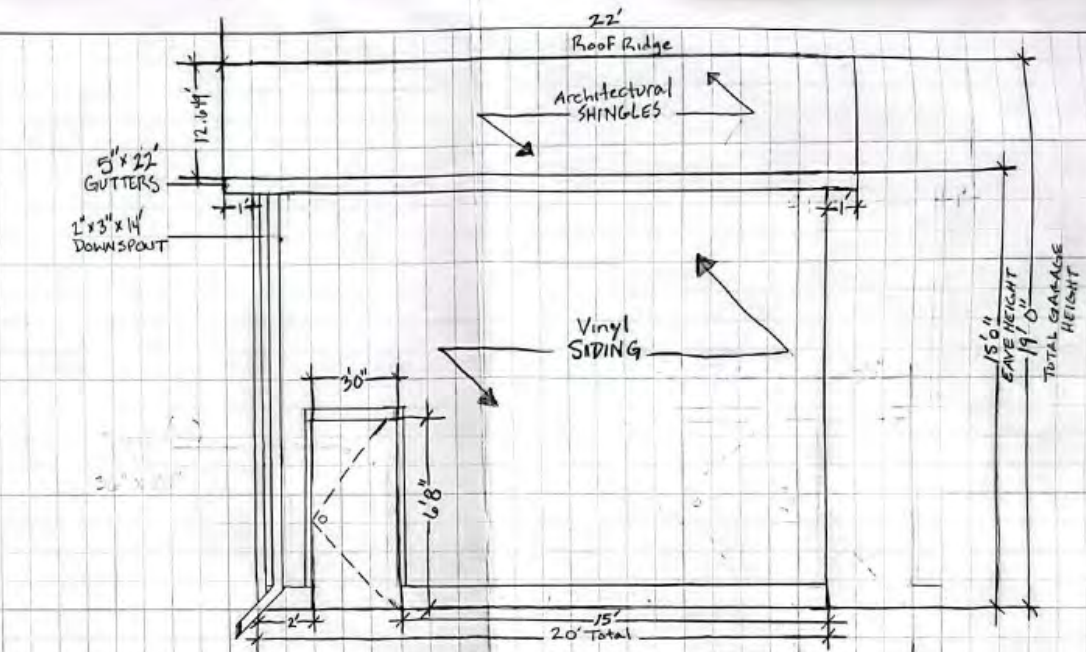
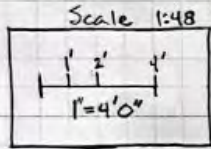


1655 Roosevelt Ave.



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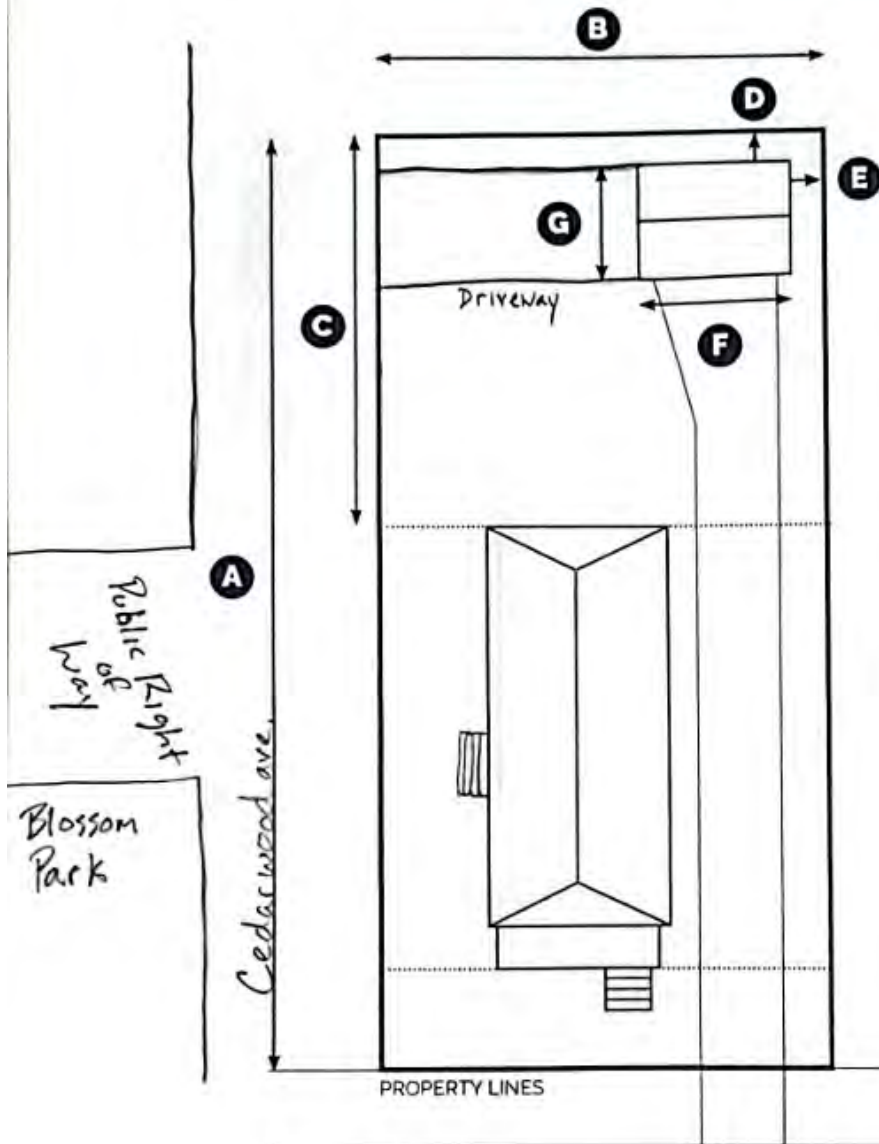
Date	
Project	
Item of Work	1 sq = 1/4" = 1'0" Scale 1" = 4 1/4 = 4' 1:48
Needed By	
Completed By	
Cell Phone #	



# DETACHED GARAGE PLACEMENT PLACEMENT WORKSHEET

12650 Detroit Ave, Lakewood OH 44107  
building@lakewoodoh.net  
(216) 529-6270

PROPERTY ADDRESS: 11655 Roosevelt ave, Lakewood, OH. 44107



## DETACHED GARAGE (IN FEET)

<b>A</b>	LOT DEPTH	115'
<b>B</b>	LOT WIDTH	40'
<b>C</b>	REAR YARD <del>DEPTH</del> <sup>WIDTH</sup>	45'6"
<b>D</b>	<del>FRONT</del> <sup>SIDE</sup> SETBACK	3'
<b>E</b>	<del>FRONT</del> <sup>REAR</sup> SETBACK	18"
<b>F</b>	GARAGE <del>WIDTH</del> <sup>DEPTH</sup>	20'
<b>G</b>	GARAGE <del>DEPTH</del> <sup>WIDTH</sup>	24'
<b>-</b>	GARAGE AREA (WIDTH X DEPTH)	480 SF

## DRIVE WAY

REPLACEMENT	Y (N)
DRAIN	Y (N)

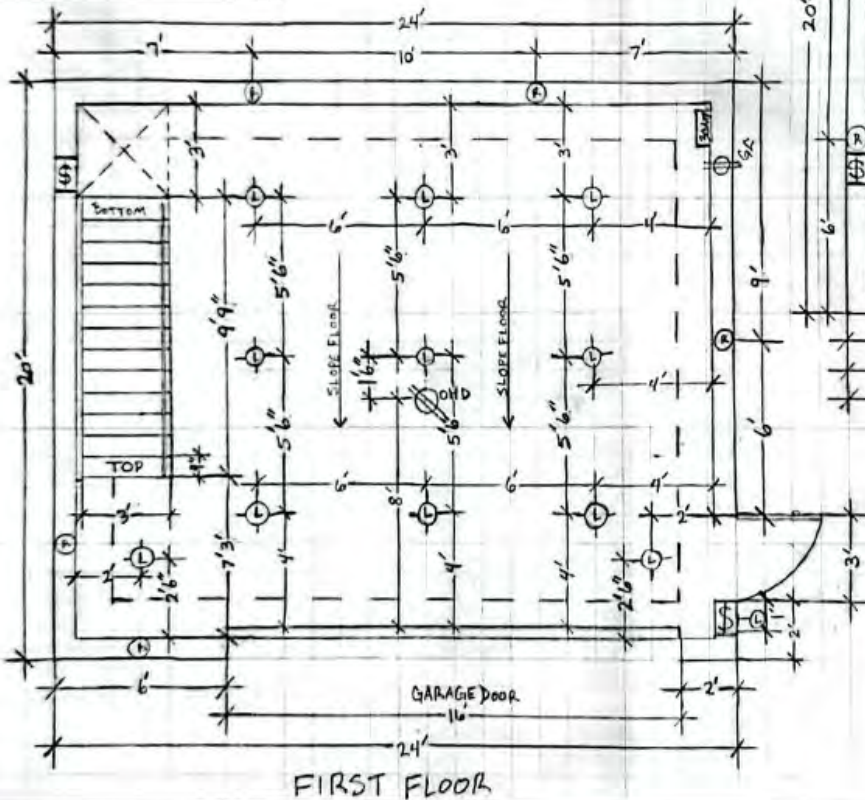
**SITE PLAN**

PUBLIC RIGHT OF WAY  
Roosevelt Ave.

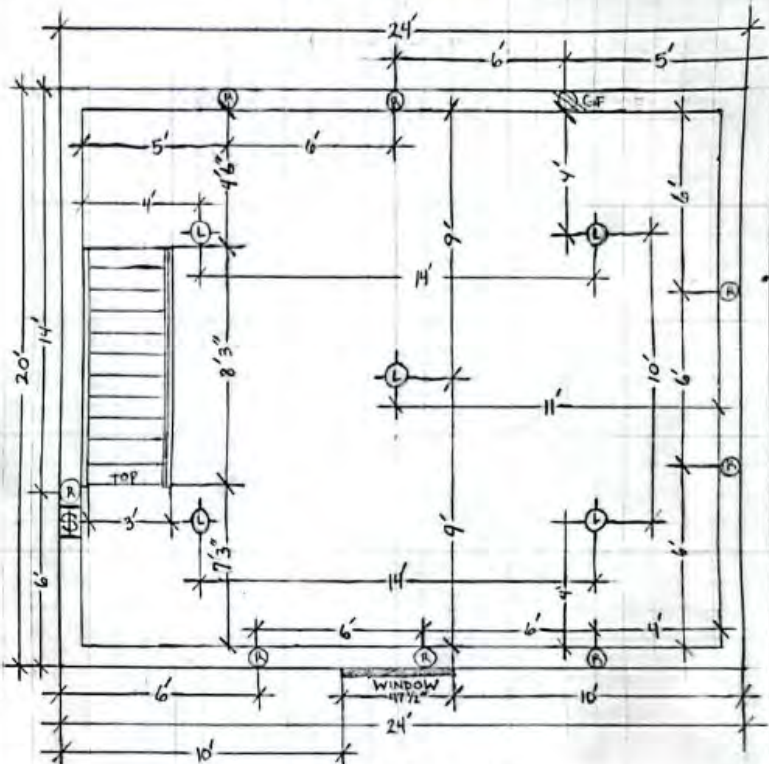


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Date	
Project	Garage - Interior - first floor + Second floor
Item of Work	
Needed By	
Completed By	
Cell Phone #	

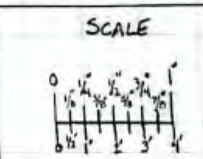


FIRST FLOOR



SECOND FLOOR

- KEY
- Ⓐ = Lightswitch
  - Ⓡ = Receptacle
  - Ⓛ-Ⓛ: Lights: Recessed, Surface mount, wall mount
  - 30 AMP: Sub-Panel with Disconnect Rating
  - Ⓢ: 110V Duplex ceiling mounted door operator receptacle









1655 Roosevelt



## **Docket No. 12-32-22**

### **1655 Roosevelt Ave.**

Applicant and property owner Christopher Walling proposes the construction of a new garage on the previously demolished garage site. The proposed garage has a calculated height of 17 feet, permitted maximum is 15 feet. The property is in the R1H, Single Family High-Density District. (Page 4)

- Variance 1: Request a variance to exceed the maximum permitted height of an accessory structure. The permitted accessory structure height is 15 feet calculated. The proposed garage height is calculated at 17 feet. Request a variance to exceed the permitted maximum height by 4 feet, as proposed. Pursuant to section 1121.05(b) Height Regulations (Ord. 91-95. Passed 10-7-1996.)

## Owner/agent responses- 1173.04 Variances

Applicant responses to the factors to be considered and weighed when determining whether an applicant will experience practical difficulty:

(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 parcel sits higher than street level.

(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. Residential zoning all around.

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

Yes, The property value will increase substantially from granting this variance and in turn, increase the value of the surrounding properties.

(4) Whether the variance(s) is substantial; Yes, This is a 2 story garage with a 4' height variance.

(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, There are many tall structures surrounding this property and would only alter the character in a positive way. This structure and variance would not cause a detriment to the neighboring properties. The garage sits further back than the neighboring property and will basically appear as another single-family home with a garage on the first floor and storage on the second floor. I've remained cognizant of my neighbors well being for their property throughout the designing of this project and spoke with them personally. They raised no issue with what I'm planning.

### Owner/agent responses- 1173.04 Variances

Applicant responses to the factors to be considered and weighed when determining whether an applicant will experience practical difficulty:

(6) Whether the variance(s) would adversely affect the delivery of governmental services (e.g., water, sewer, refuse removal); No, I called the DIG number, had a worker come out and he verified that all utilities in-ground and above (power lines) are not impeded or disrupted by these plans.

(7) Whether the property owner purchased the property with knowledge of the zoning restriction; No, When I bought the property, the existing garage was structurally unsound and would sway from my body weight pushing against it. I felt compelled to have it razed for the safety of myself and my neighbor's property. I never wanted to raze the previous garage, but since it was necessary, and now I have a blank canvas, I figured why not build as large as I can to maximize the value, again keeping in mind of my neighbors.

(8) Whether the property owner's predicament feasibly can be obviated through some method other than a variance(s); and No, I am in no predicament and do not wish to obviate from my plans for the height variance. If I did, it would limit the head space in the second floor and would not achieve the goals I set out to do.

(9) Whether the spirit and intent of the Code would be observed, and substantial justice done by granting the variance(s). Yes, I believe the spirit of the code will remain intact by granting this 4' variance. There are many tall structures around this property, including the subject property. This would conform to those structures while keeping the integrity of the neighborhood's likeness. Basically, this is going to look really amazing once it's finished by the Lakewood High vocational program and be a staple of the neighborhood. I've spoken to numerous neighbors around who walk their dogs/kids past my home and compliment me on the work I've done. I've told them about the plans, and they are in full support of it. This would not disrupt my neighbors and with the location of this garage, it makes better sense to build something prominent, yet more so conforming to the home style of the neighboring property rather than the old single-story garages it's surrounded by. The surrounding garages on other parcels simply do not have the uniqueness of my parcel nor the footprint available to build something great like this.



## Administrative Comments

- Request for height should meet the practical difficulty test
- Applicant has reduced the size of the request, originally the proposed height was 19 feet.
- Applicant wants two stories to add storage space
- Applicant is working with Lakewood high school technical program; high school students will construct the garage as part of the Westshore Trades program
- The rear yard is approx. 1,746 square ft, 25% of that is 435 sq ft., 480 sq ft is the min. guaranteed garage size permitted by code
- Does not abut any commercial or industrial uses
- Survey of block of Roosevelt- no two-story garages
- Can not be used as a dwelling unit, not permitted by code



## Administrative Comments

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





The rear yard is approx. 1746 sq ft.  
25% of that is 435 sq ft, 480 sq ft is  
The minimum guaranteed garage size permitted



1655 Roosevelt



Google 3-d facing east on Roosevelt



1655 Roosevelt Ave.



Old google shot of previous garage

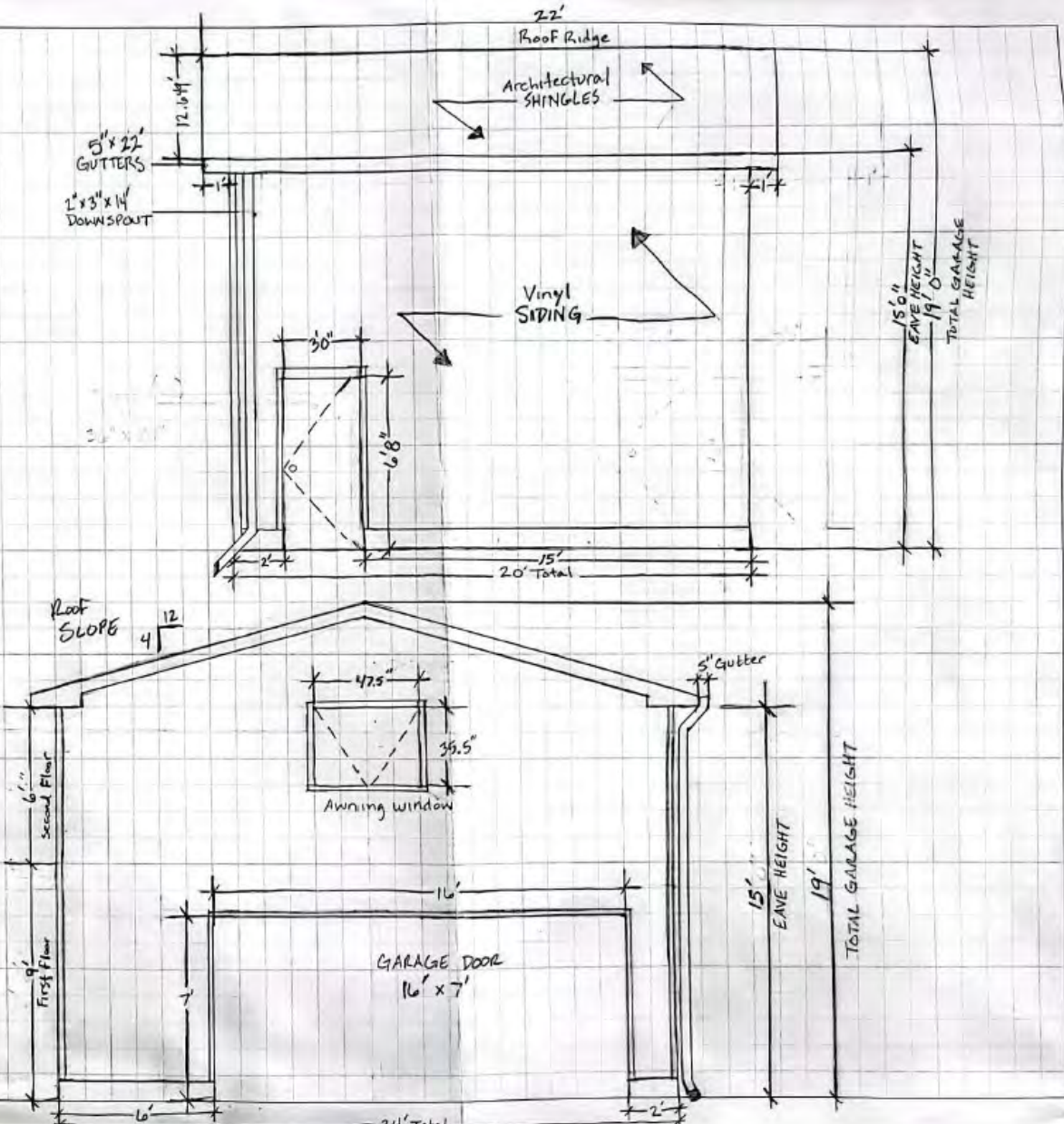
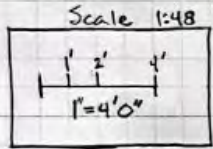


1655 Roosevelt Ave.



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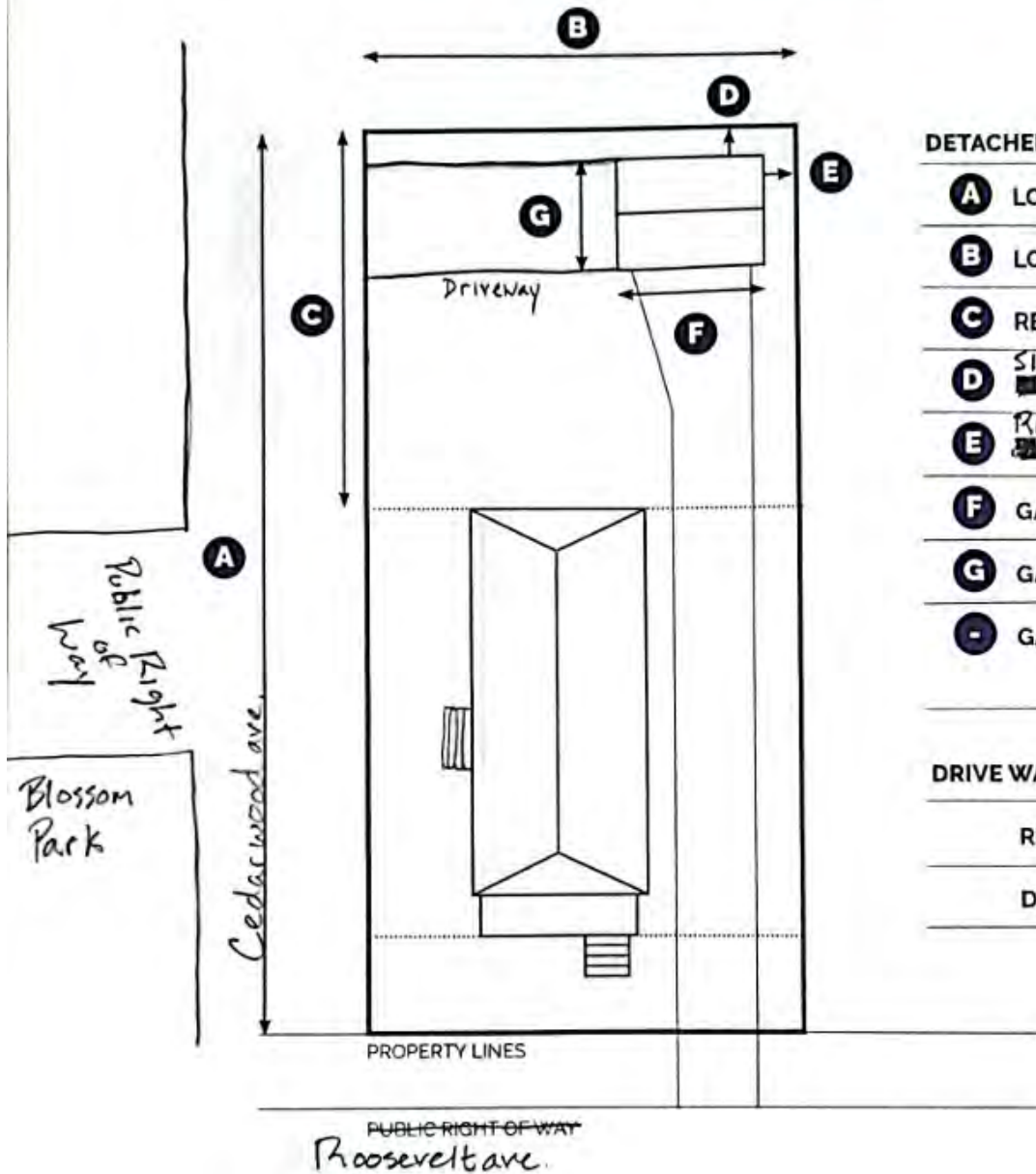
Date	
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(216) 529-6270

PROPERTY ADDRESS: 11655 Roosevelt ave, Lakewood, OH. 44107



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<b>E</b>	<del>FRONT</del> <sup>REAR</sup> SETBACK	18"
<b>F</b>	GARAGE <del>WIDTH</del> <sup>DEPTH</sup>	20'
<b>G</b>	GARAGE <del>DEPTH</del> <sup>WIDTH</sup>	24'
<b>-</b>	GARAGE AREA (WIDTH X DEPTH)	480 SF

## DRIVE WAY

REPLACEMENT	Y <input checked="" type="radio"/> N
DRAIN	Y <input checked="" type="radio"/> N

SITE PLAN

## **Docket No. 12-32-22**

### **1655 Roosevelt Ave.**

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## Public Comment

Received via email-

Meeting attendee(s)





## Docket No. 05-08-23 1464 Riverside

Applicant Gary Fischer of Fischer and Associates and property owner Linda Fredrickson of Jude Homes LLC. Proposes the demolition of the existing single family home and the construction of a new Side by side two-family home attached to the existing garage. The property is located in the R2 Single and Two-Family District.





1464 Riverside



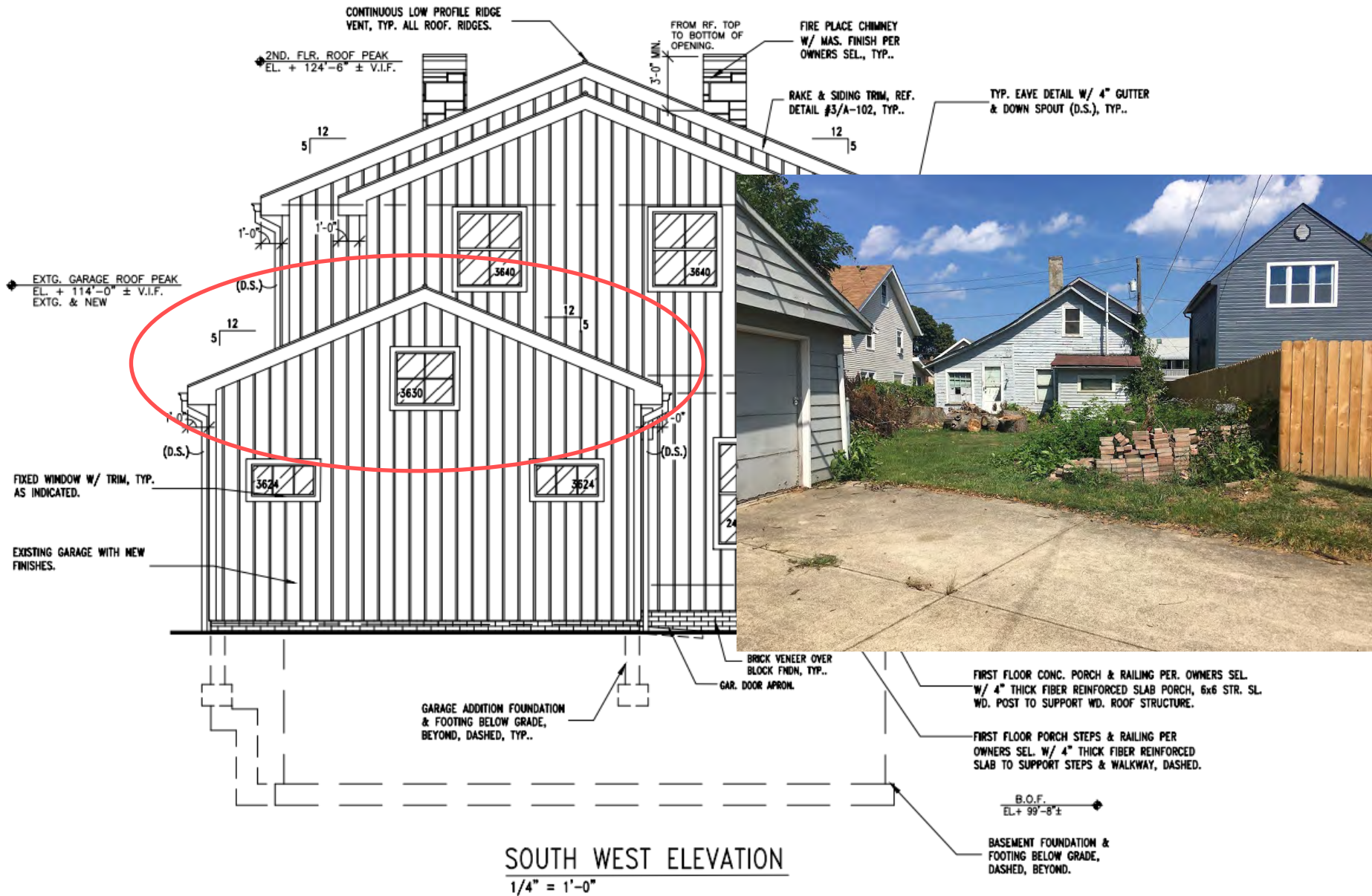












The proposed roof line is reversed from the existing

1464 Riverside

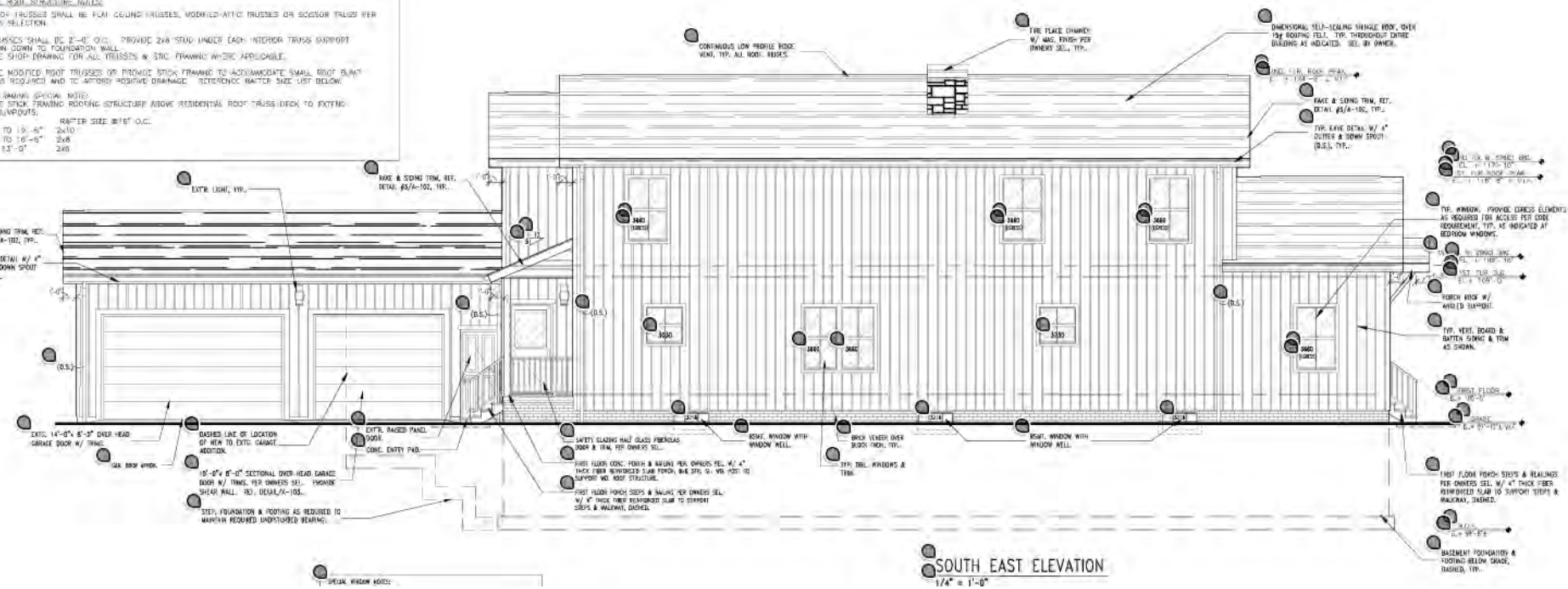
**RESIDENTIAL ROOF STRUCTURE ANALYSIS**

ALL ROOF TRUSSES SHALL BE PLAN CEILING TRUSSES, MODIFIED ATTIC TRUSSES OR SCISSOR TRUSSES PER DIM-KN-1 SELECTION.

ALL TRUSSES SHALL BE 2"-0" O.C. PROVIDE 2x8 STUD UNDER EACH INTERIOR TRUSS SUPPORT LOCATION DOWN TO FOUNDATION WALL. PROVIDE STUD DRAWING FOR ALL TRUSSES & STIC. FRAMING WHERE APPLICABLE.

PROVIDE MODIFIED ROOF TRUSSES OR PROVIDE STIC FRAMING TO ACCOMMODATE SMALL ROOF DUMP OUTS AS REQUIRED AND TO AFFORD POSITIVE DRAINAGE. REFERENCE BATTERY SIZE LIST BELOW.

**STIC FRAMING SPECIAL NOTE:**  
 PROVIDE STIC FRAMING ROOFING STRUCTURE ABOVE RESIDENTIAL ROOF TRUSS (EVEN TO EXTEND ROOF DUMP OUTS).  
 SPANS: RAFTER SIZE @ 16" O.C.  
 TP-0" TO 1.9'-0" 2x10  
 1.9'-0" TO 1.6'-0" 2x8  
 LP TO 8.3'-0" 2x6



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







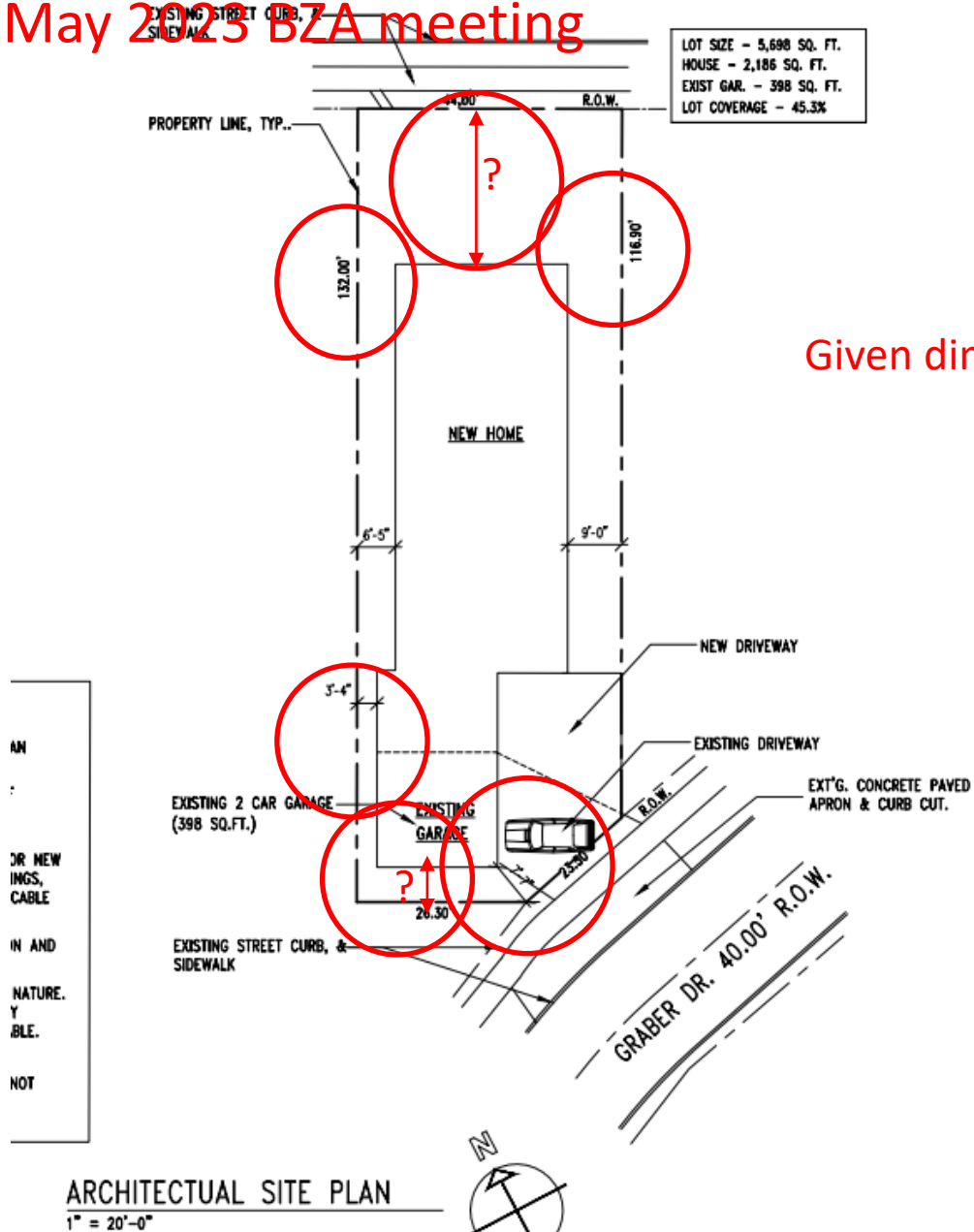


1464 Riverside

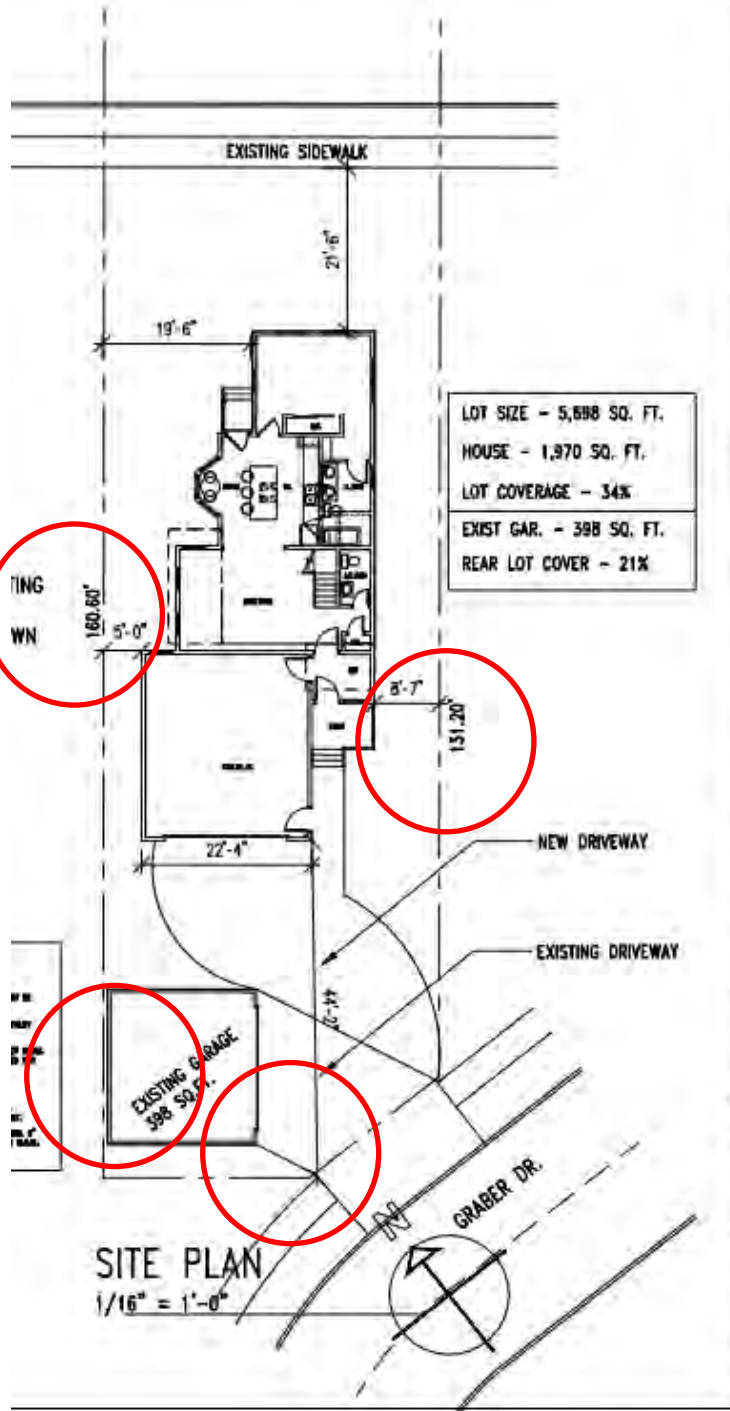


1464 Riverside

Submitted for May 2023 BZA meeting



Given dimensions contradict



LOT SIZE - 5,698 SQ. FT.  
 HOUSE - 1,870 SQ. FT.  
 LOT COVERAGE - 34%  
 EXIST GAR. - 398 SQ. FT.  
 REAR LOT COVER - 21%

FISCHER & ASSOCIATES  
 ARCHITECTS INC.  
 354 West North Street  
 Lakota, Ohio 44122  
 (419) 441-2500  
 E. mail: fisch@fischarch.com

1464 Riverside Drive  
 (Alterations)  
 1464 Riverside Drive  
 Lakewood, Ohio

PRELIMINARY  
 NOT FOR  
 CONSTRUCTION

Given Dimensions contradict

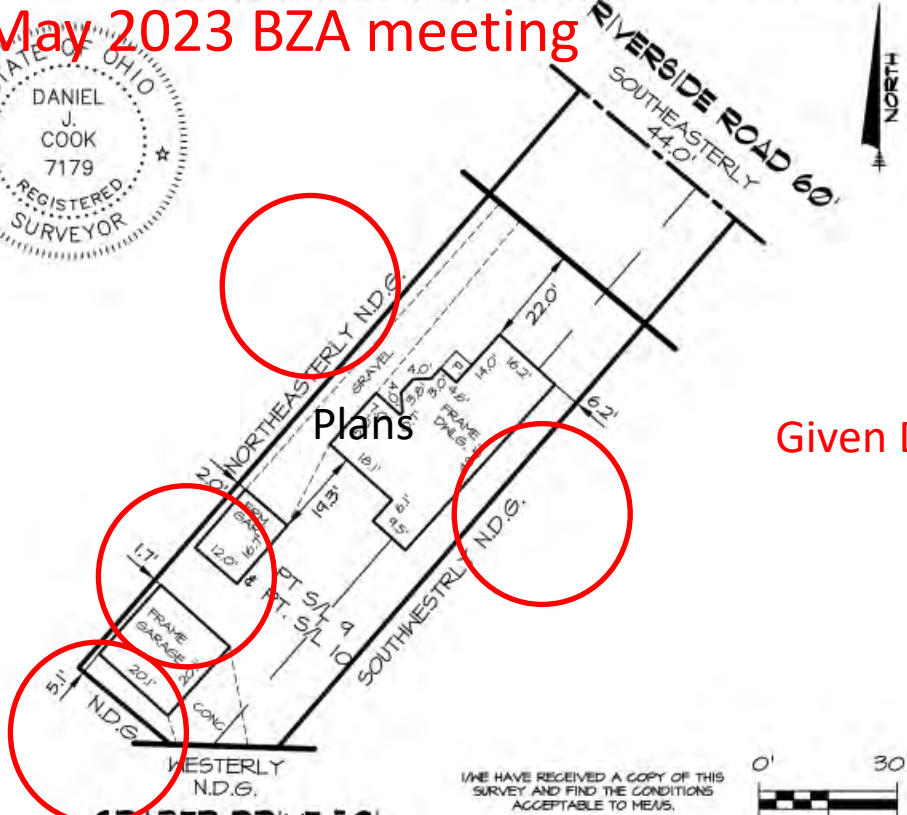
Submitted for

de

Submitted for May 2023 BZA meeting



**MORTGAGE LOCATION SURVEY**

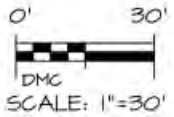


Plans

Given Dimensions contradict

N.D.G.=NO DISTANCE GIVEN  
**GRABER DRIVE 50'**

WE HAVE RECEIVED A COPY OF THIS SURVEY AND FIND THE CONDITIONS ACCEPTABLE TO MEAS.



Address 1464 Riverside Road  
State of Ohio, County of Cuyahoga  
City of Lakewood, Ohio  
New Owner Jude Homes LLC

Buyer/Owner  
Allotment: C. C. Southern's  
Volume: 4 Page: 60  
Client Order No. 17-1657  
Date May 22, 2017  
Present Owner Crest Properties Group LLC

C & A Order No.  
CL171385

This is to certify to N/A and/or Cleveland Home Title Agency, LTD; First American Title Ins. Co.  
that a visual inspection of the property and buildings shown (if any) has been made and there are no apparent encroachments or visible easements unless otherwise shown. This service was not performed for the purpose of establishing boundary lines, and is not to be used for that purpose.

This Mortgage Location Survey has been prepared in accordance with Chapter 4733-38, Ohio Administrative Code, and is not a boundary survey pursuant to Chapter 4733-37, Ohio Administrative Code.

*Daniel J. Cook*  
Daniel J. Cook - Reg. Surveyor

1464 Riverside



## Owner/agent responses- 1173.04 Variances

Applicant responses to the factors to be considered and weighed when determining whether an applicant will experience practical difficulty:

(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 site is a unique site located between two streets and is a small narrow lot.

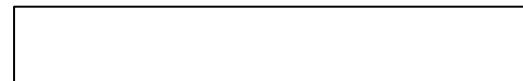
(2) Whether the property in question is located near a non-conforming or non-harmonious use, structure, or site conditions, or whether the property in question abuts a less restrictive zoning district;

The new structure will be in keeping with the adjacent property and the neighborhood in general.

(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 owner wishes to use the property to construct her home and take advantage of the R2 zoning. Given the lot size and configuration, the variances are necessary to build almost any livable structure.

(4) Whether the variance(s) is substantial;  
the variances are similar to those granted for the site previously. The lot coverage is similar to the adjacent property. The rear setback is requested in order to re-use the existing garage. The variances are minor and are basically granting variances for the existing garage.



## Owner/agent responses- 1173.04 Variances

Applicant responses to the factors to be considered and weighed when determining whether an applicant will experience practical difficulty:

(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 will not be substantially altered by the construction of the new home. The new configuration and size will not negatively impact the neighboring properties.

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

No government services will be affected by the variance.

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

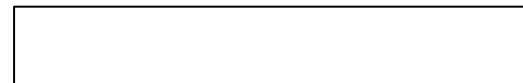
The owner was unaware that a variance or variances were required in order to improve the property.

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

To construct the minimal amount of home; a variance will be required and therefore this is necessary.

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

The spirit and intent of the code will be met through the granting of the variance due to the existing garage and the size, location and nature of the lot.



## Administrative Comments

- Previously approved plans were to renovate and add an addition to the existing house. New plans are to demolish the existing house and build a new house and attach it to the existing garage
- Dimensions given in previously approved plans are markedly different from newly submitted plans for
  - Length of side property lines
  - Distance from garage to side setback
  - Distance of existing garage to public right of way
- A boundary survey by a registered surveyor is required by the building department for all new construction. The applicant has provided a mortgage location survey, which is not a boundary survey.
- The submitted drawings do not match the setback on the mortgage survey, or the previously submitted drawings, or the county GIS that was submitted with the new site plan. There are 4 different sets of numbers
- **The administration recommends that the board defer the application and require the applicant to provide a boundary survey and a site plan that is based on the boundary survey. The boundary survey is necessary to eliminate the uncertainty created by the discrepancies in the applicant's provided documents.**





# Public Comment

Received via email-

Meeting attendee(s)





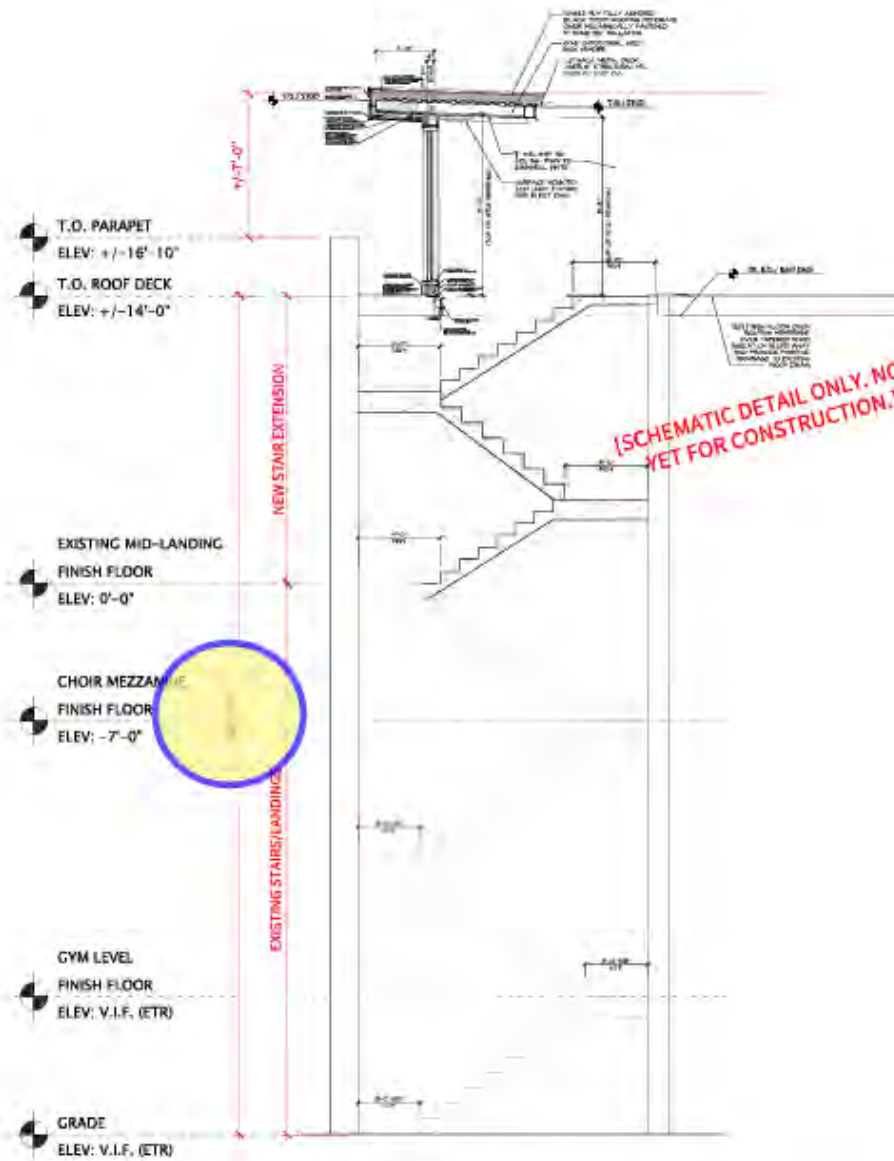
## Docket No. 05-09-23 17514 Detroit Ave

Applicant Gabriel Fey of HSB Architects for property owner Jess Oster proposes the adaptive reuse of a commercial building on the St. James property for multi-family use and proposes the addition of an unroofed rooftop patio deck. The property is located in the C2 Retail District.



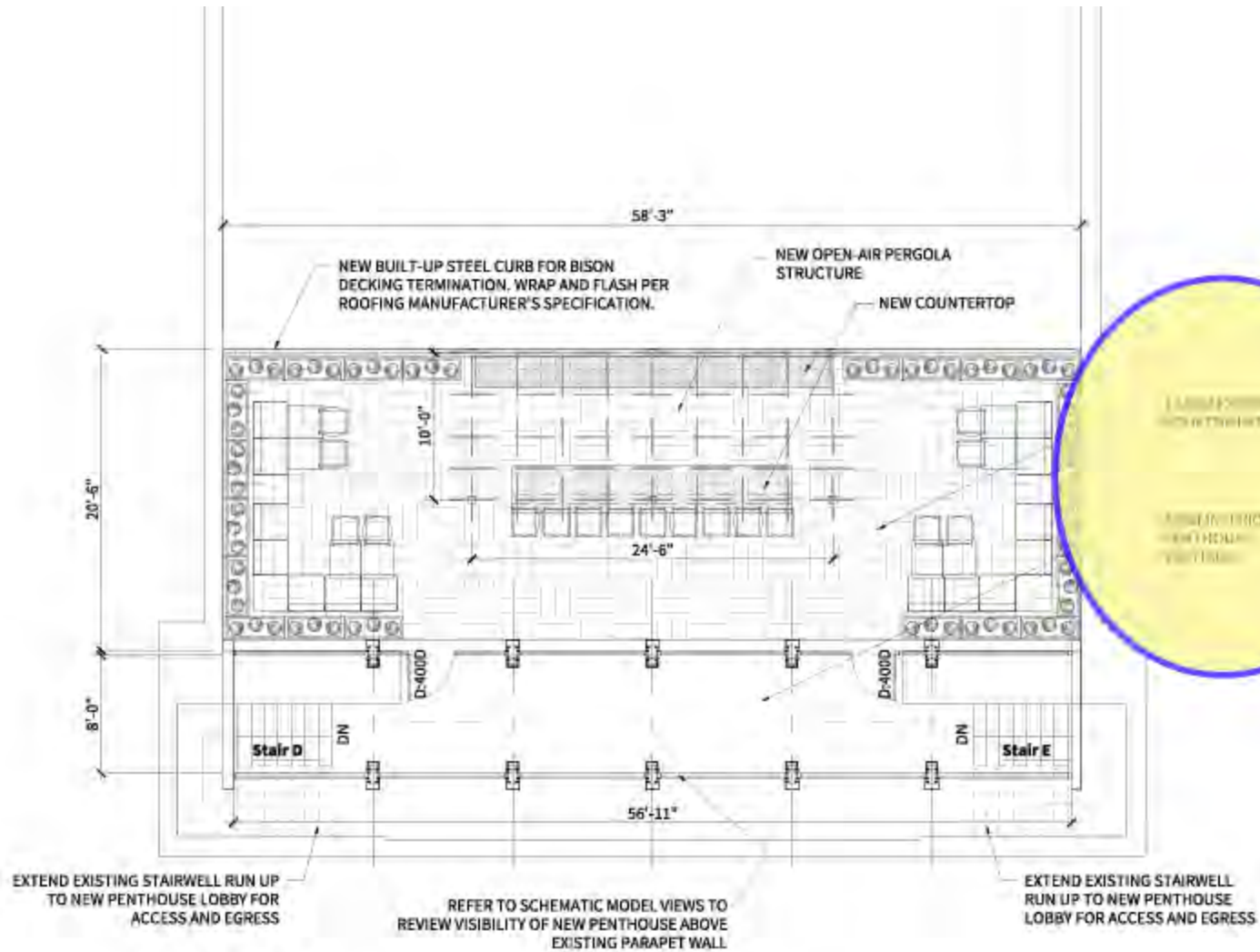


17514 Detroit Ave



# EXISTING + NEW STAIRWELL SECTION

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



# ROOFTOP DECK FLOOR PLAN 'A'

SCALE: 3/32" = 1'-0"

1  
SK-1

**Docket No. 05-09-23**  
**17514 Detroit Ave.**  
**St. James School**

Applicant Gabriel Fey of HSB Architects for property owner Jess Oster proposes the renovation and conversion of a commercial building on the St James property to a multi-family use. The proposal includes the addition of a rooftop patio with an enclosed vestibule and unroofed patio deck. The requirement for unroofed patio decks to be higher in elevation than 42 inches and no greater in area than 300 sq. ft., the parcel is a through lot without a rear yard. The proposal is for a 1,155 sq. ft. unroofed patio deck at 40 feet, 10 inches above grade. The property is located in the C2 Retail Commercial District. (Page 17)

- Variance 1: Request a variance to exceed the allowable permitted height and area of an unroofed patio deck. Request a variance to place 1,155 sq. ft of unroofed patio deck at a height of 40 feet 10 inches above grade. Pursuant to Section 1127.03(d) Fence Placement and Types) Height Regulations (Ord. 91-95. Passed 10-7-96.)



17514 Detroit Ave



17514 Detroit Ave



17514 Detroit Ave



17514 Detroit Ave



17514 Detroit Ave



17514 Detroit Ave



17514 Detroit Ave



17514 Detroit Ave



17514 Detroit Ave



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17514 Detroit Ave



17514 Detroit Ave



17514 Detroit Ave



17514 Detroit Ave

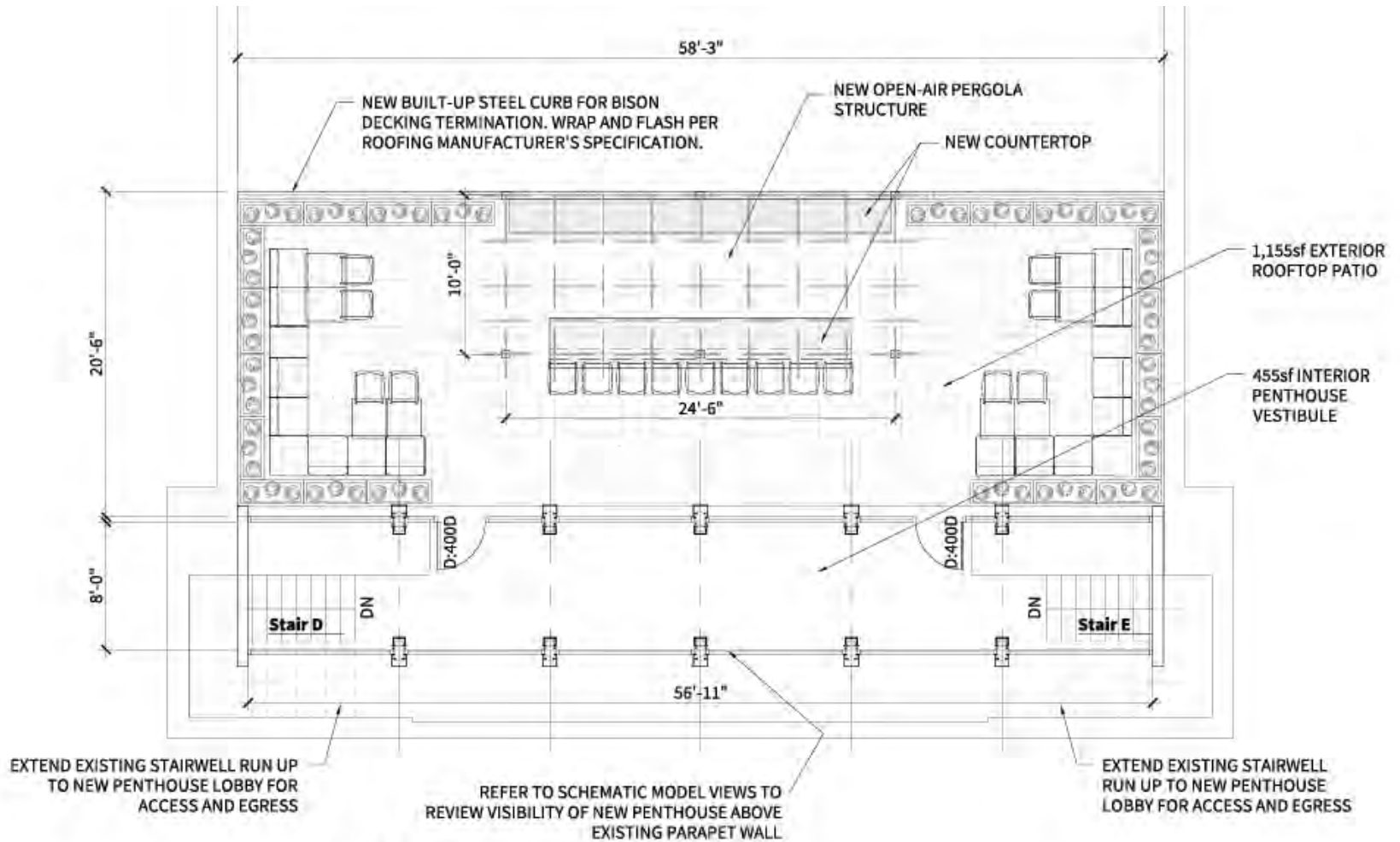












**ROOFTOP  
DECK FLOOR PLAN 'A'**

SCALE: 3/32" = 1'-0"

1  
SK-1



RECENT 2021 - 2023 INTERIOR RENOVATIONS MAINTAINED (AND IMPROVED) THE HISTORIC CHARACTERISTICS OF THE BUILDING, WHILE CHANGING INTERIOR USE. THIS PROPOSED ROOFTOP PENTHOUSE AIMS TO HAVE THE SAME GOAL: MINIMAL IMPACT TO EXISTING CHARACTERISTICS OF THE BUILDING, WHILE ADDING NEW USE AT THE PENTHOUSE LEVEL.

INTENT IS TO RETAIN ALL EXISTING HISTORIC FEATURES AND MATERIALS. MAJOR IMPACT OF NEW PROPOSED WORK WOULD BE MODIFYING TPO ROOFING MATERIAL. ALL EXISTING PARAPETS, COPING, BRICK, AND ORNAMENTATION WOULD REMAIN. NEW PENTHOUSE TO BE ADDITIVE, NOT REDUCTIVE.



17514 Detroit Ave





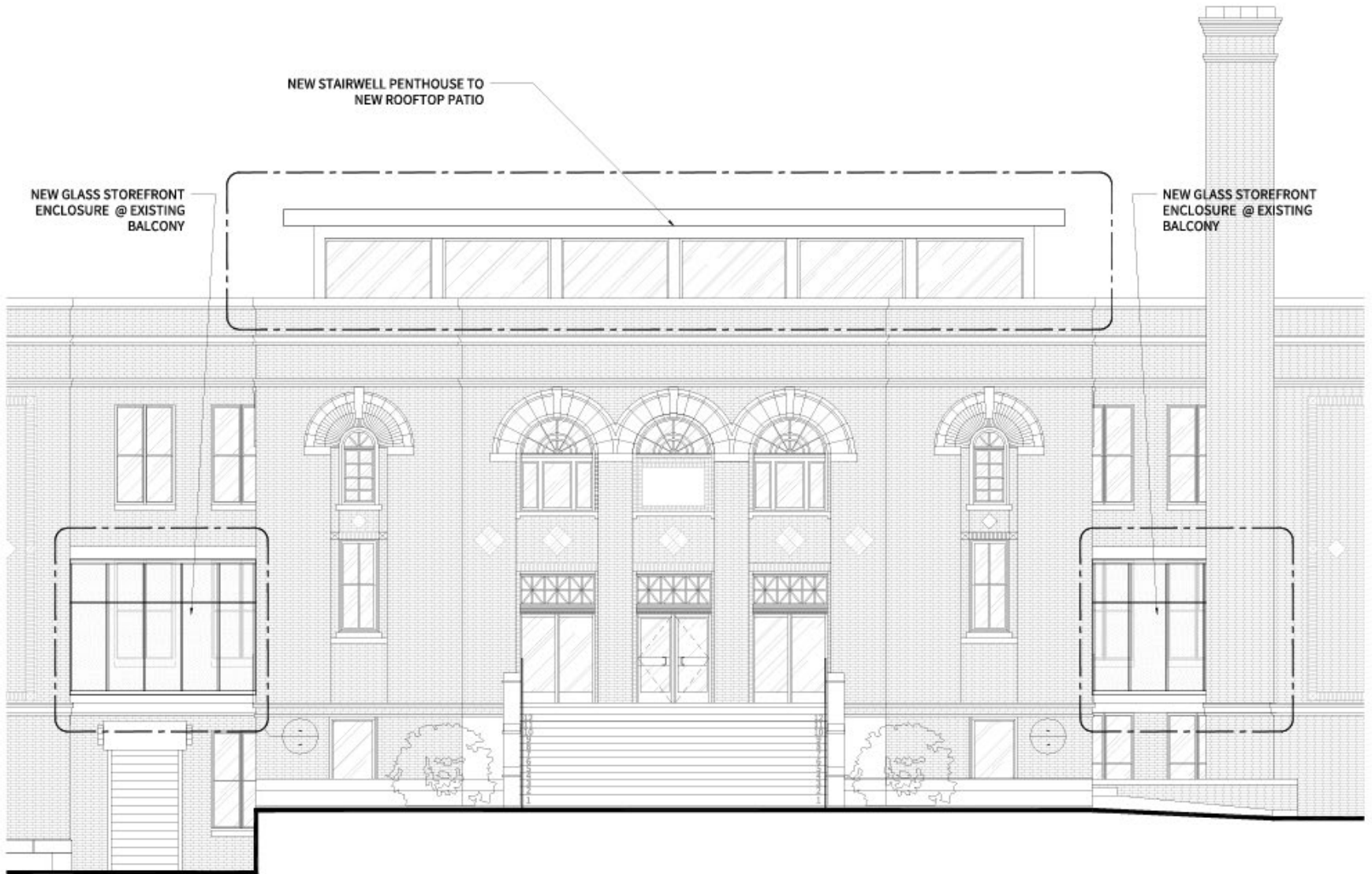
17514 Detroit Ave



17514 Detroit Ave



17514 Detroit Ave



NEW STAIRWELL PENTHOUSE TO  
NEW ROOFTOP PATIO

NEW GLASS STOREFRONT  
ENCLOSURE @ EXISTING  
BALCONY

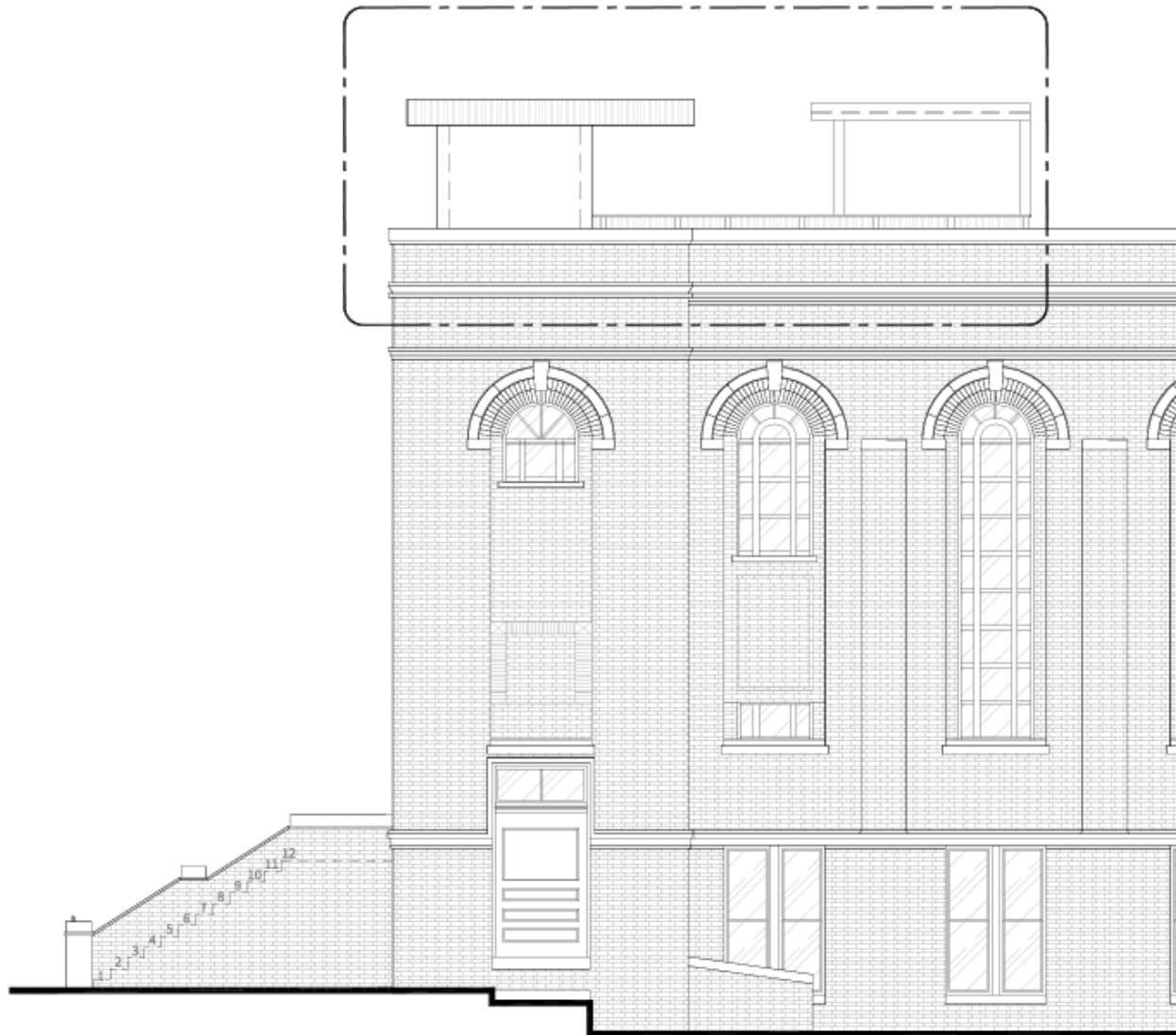
NEW GLASS STOREFRONT  
ENCLOSURE @ EXISTING  
BALCONY

## SOUTH ELEVATION

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

2

SK-1

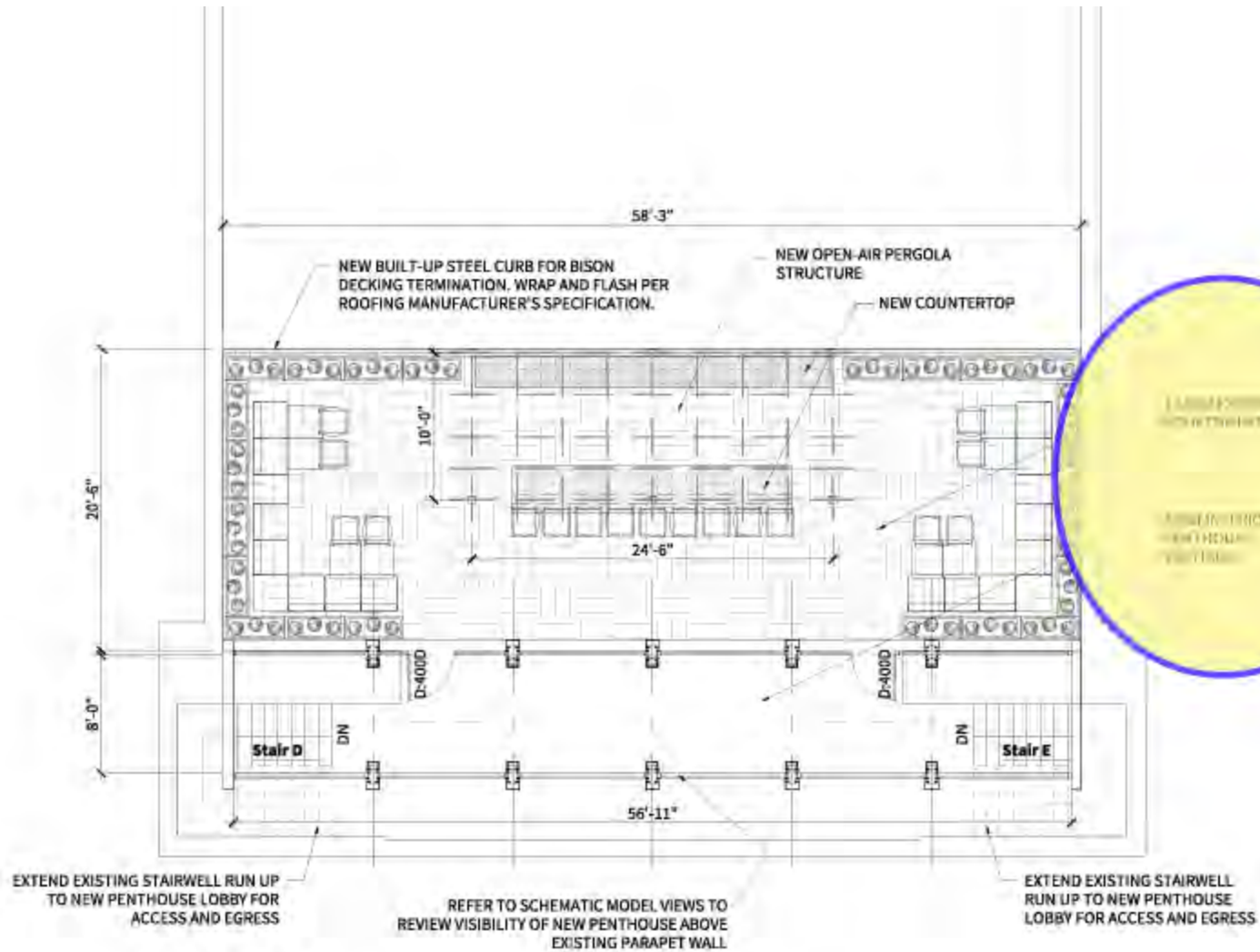


# WEST ELEVATION

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

3  
SK-1

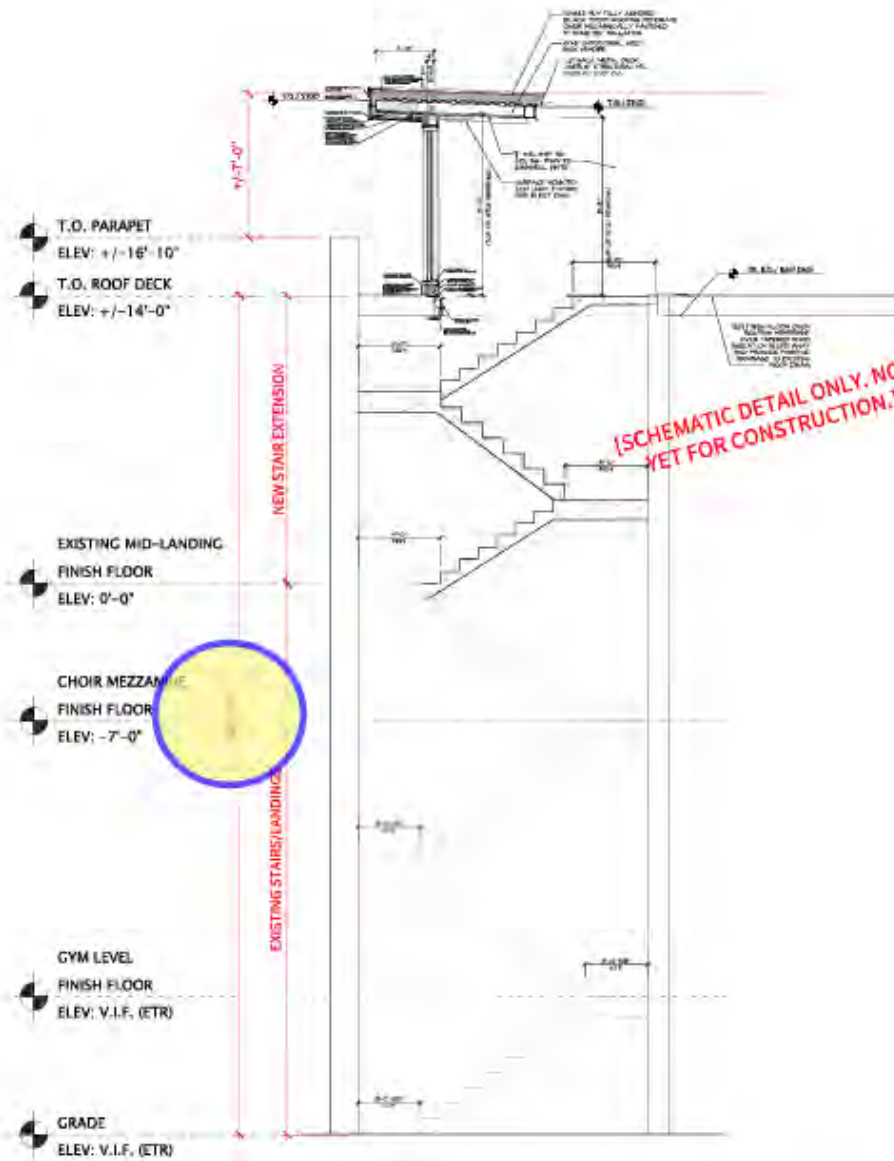




# ROOFTOP DECK FLOOR PLAN 'A'

SCALE: 3/32" = 1'-0"

1  
SK-1



# EXISTING + NEW STAIRWELL SECTION

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

4  
SK-1

**Docket No. 05-09-23**  
**17514 Detroit Ave.**  
**St. James School**

Applicant Gabriel Fey of HSB Architects for property owner Jess Oster proposes the renovation and conversion of a commercial building on the St James property to a multi-family use. The proposal includes the addition of a rooftop patio with an enclosed vestibule and unroofed patio deck. The requirement for unroofed patio decks to be higher in elevation than 42 inches and no greater in area than 300 sq. ft., the parcel is a through lot without a rear yard. The proposal is for a 1,155 sq. ft. unroofed patio deck at 40 feet, 10 inches above grade. The property is located in the C2 Retail Commercial District. (Page 17)

- Variance 1: Request a variance to exceed the allowable permitted height and area of an unroofed patio deck. Request a variance to place 1,155 sq. ft of unroofed patio deck at a height of 40 feet 10 inches above grade. Pursuant to Section 1127.03(d) Fence Placement and Types) Height Regulations (Ord. 91-95. Passed 10-7-96.)

## Owner/agent responses- 1173.04 Variances

Applicant responses to the factors to be considered and weighed when determining whether an applicant will experience practical difficulty:

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

**Not Applicable**

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

**Yes; Property is along primary commercial thoroughfare of Detroit Ave**

(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);

**Property was previously vacant and generating zero economic benefit for the previous owner/city of Lakewood. New Owner's have recently invested \$6 Million into retrofitting the building and adding new tenants and jobs to the area. This proposed Phase 2 will offer additional interest for investors of Lakewood, while also aiding in offsetting costs of Phase 1.**



## Owner/agent responses- 1173.04 Variances

Applicant responses to the factors to be considered and weighed when determining whether an applicant will experience practical difficulty:

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

Not when considering this is a commercial property along a primary commercial corridor (not a residence along a residential street).

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

No

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

No

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

Unknown

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

No

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

Yes



## Administrative Comments

- The Board has previously permitted unroofed patio decks for MF and other projects. The size and height of this project are both greater than previously approved projects
- The patio is part of a 4 million adaptive reuse investment in historic buildings.
- The upscale outdoor space will support the commercial use
- There have been no negative consequences observed or reported when such variances have been granted in the past.

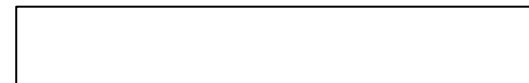


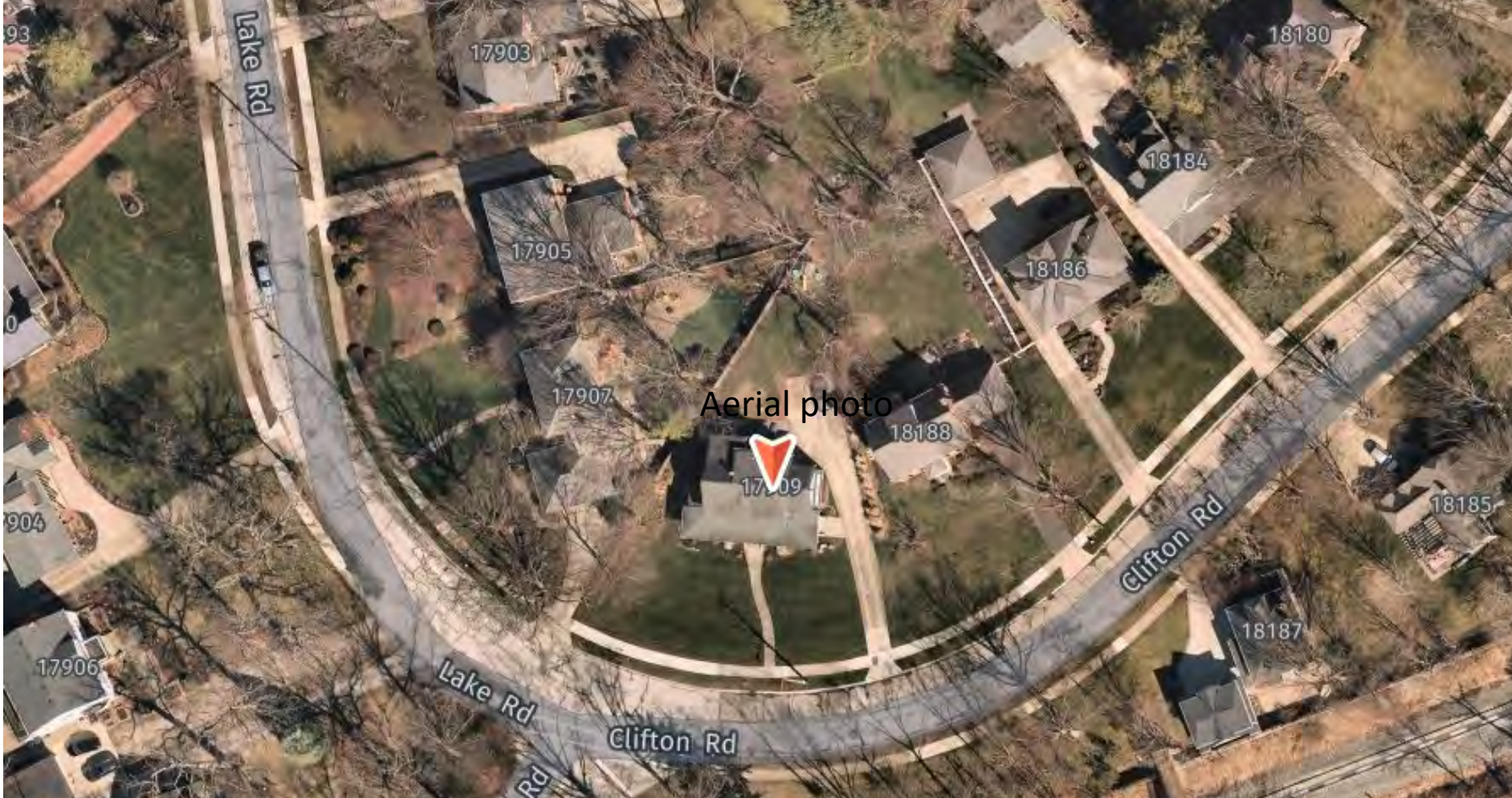


## Public Comment

Received via email-

Meeting attendee(s)





**Docket No. 05-10-23**  
**17909 Lake Road**



Applicant Jill Brandt of Brandt Architecture and property owner Matt Vesperman. Proposes the construction of a breezeway and attached garage. The property is located in the R1L Single Family Low-Density District.

pictures



STRUCTURE TO INCLUDE KITCHEN AND PANTRY. SCOPE SHALL ALSO INCLUDE NEW DRIVEWAY. SCOPE SHALL ALSO INCLUDE FRAMING REPAIRS TO BASEMENT

KITCHEN RENOVATION SHALL BE PHASE II SCOPE OF WORK.

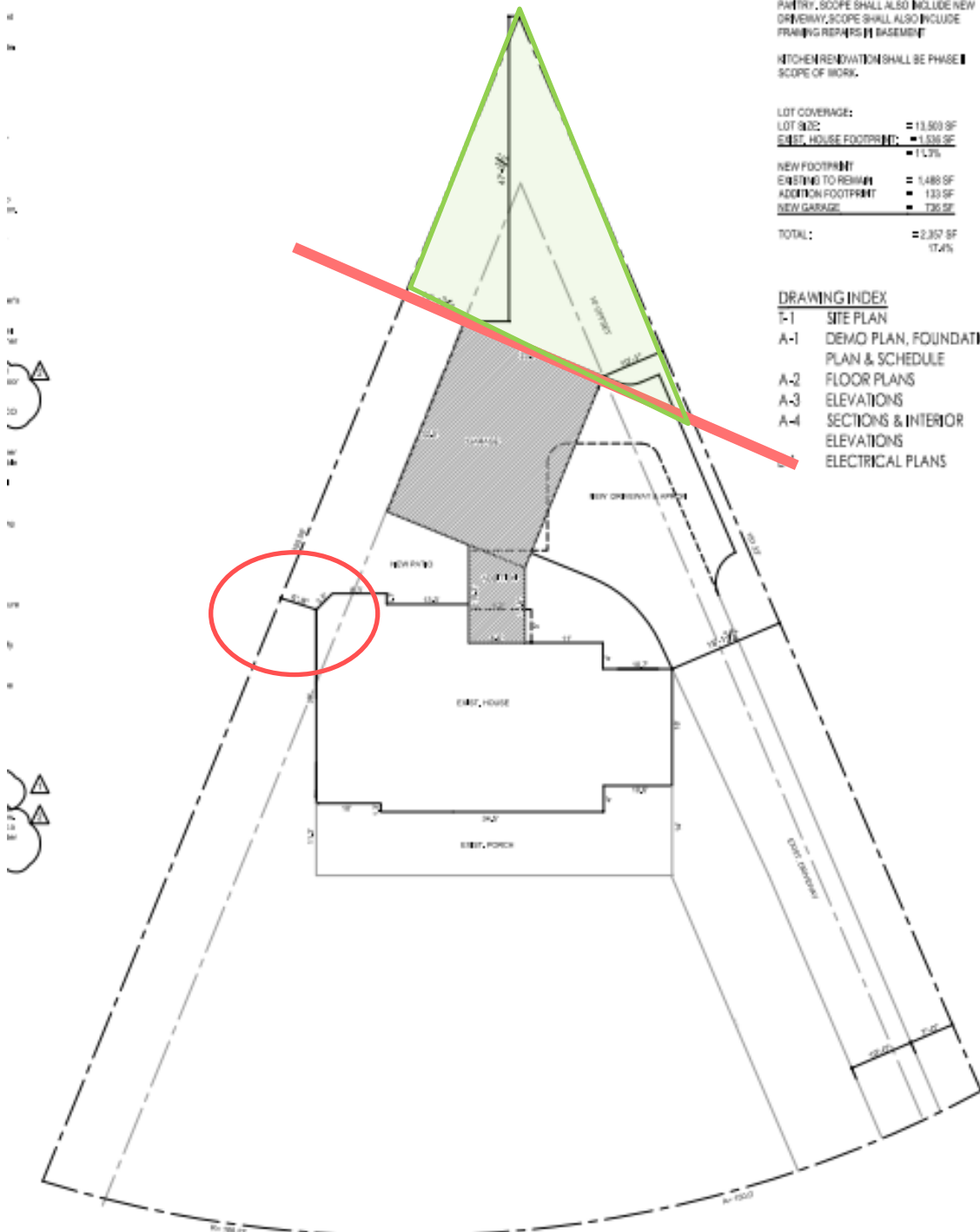
LOT COVERAGE:  
 LOT 902 = 11,500 SF  
 EXIST. HOUSE FOOTPRINT = 1,538 SF  
 = 13.3%

NEW FOOTPRINT  
 EXISTING TO REMAIN = 1,488 SF  
 ADDITION FOOTPRINT = 133 SF  
 NEW GARAGE = 735 SF

TOTAL: = 2,357 SF  
 17.4%

**DRAWING INDEX**

- T-1 SITE PLAN
- A-1 DEMO PLAN, FOUNDATION PLAN & SCHEDULE
- A-2 FLOOR PLANS
- A-3 ELEVATIONS
- A-4 SECTIONS & INTERIOR ELEVATIONS
- ELECTRICAL PLANS



DRIVEWAY, SCOPE SHALL ALSO INCLUDE FRAMING REPAIRS IN BASEMENT

KITCHEN RENOVATION SHALL BE PHASE II SCOPE OF WORK.

LOT COVERAGE:  
LOT SIZE: = 13,503 SF  
EXIST. HOUSE FOOTPRINT: = 1,536 SF  
= 11.3%

NEW FOOTPRINT  
EXISTING TO REMAIN = 1,488 SF  
ADDITION FOOTPRINT = 133 SF  
NEW GARAGE = 736 SF

TOTAL: = 2,357 SF  
17.4%

4

Rear Yard- green

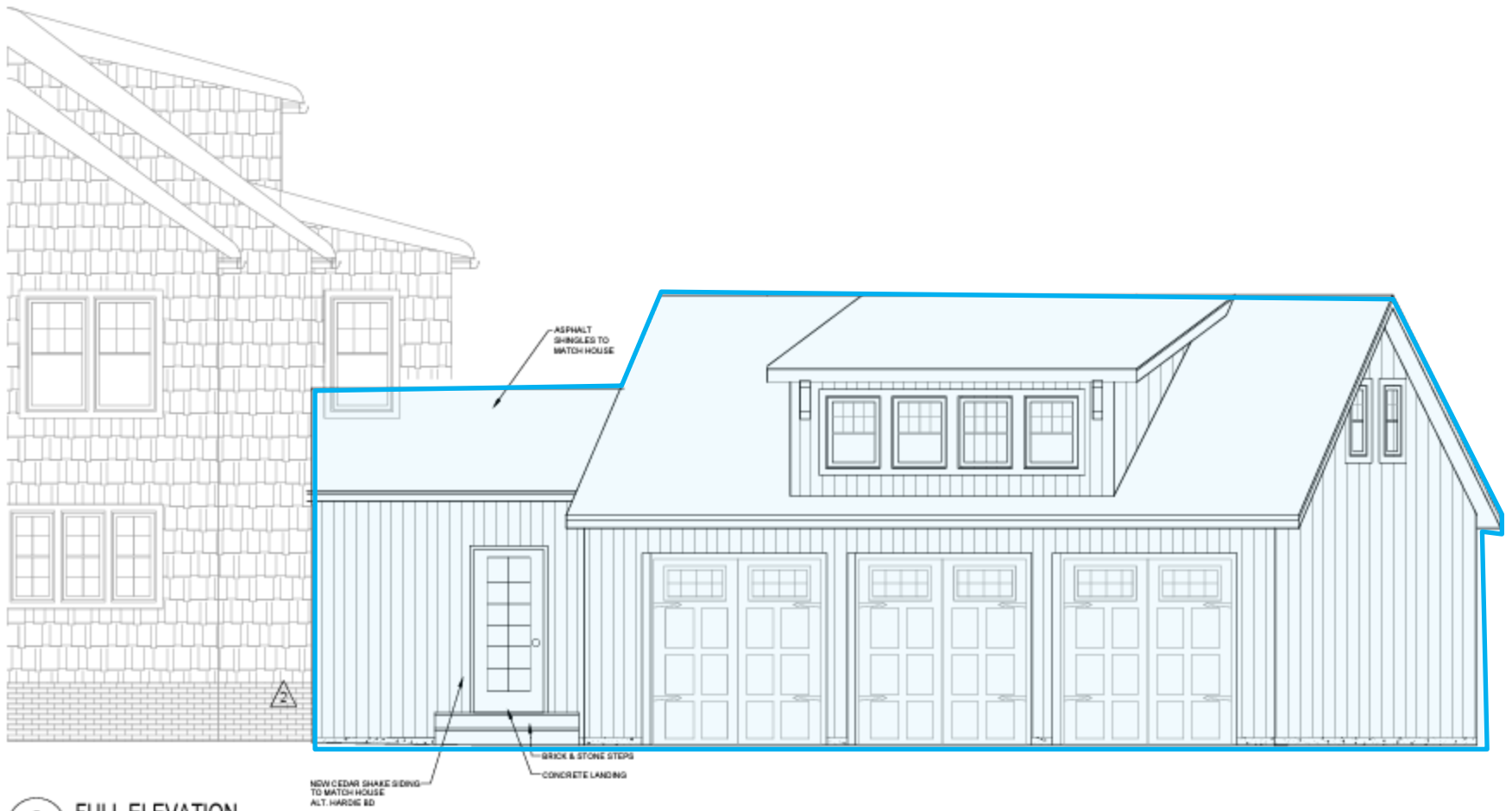
Rear Yard- setback

DRAWING INDEX

- T-1 SITE PLAN
- A-1 DEMO PLAN, FOUNDATION PLAN & SCHEDULE
- A-2 FLOOR PLANS
- A-3 ELEVATIONS
- A-4 SECTIONS & INTERIOR ELEVATIONS
- E-1 ELECTRICAL PLANS

Existing Side Yard 5'9"

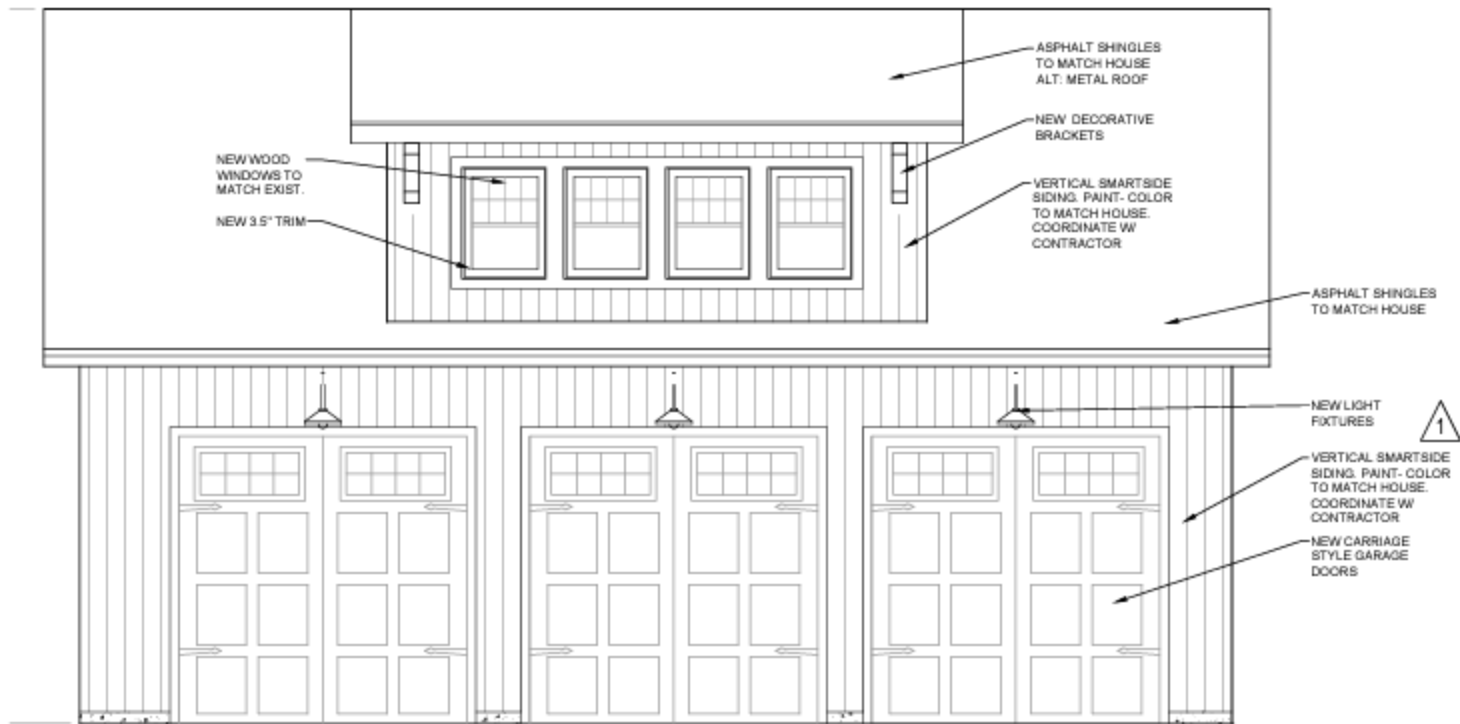




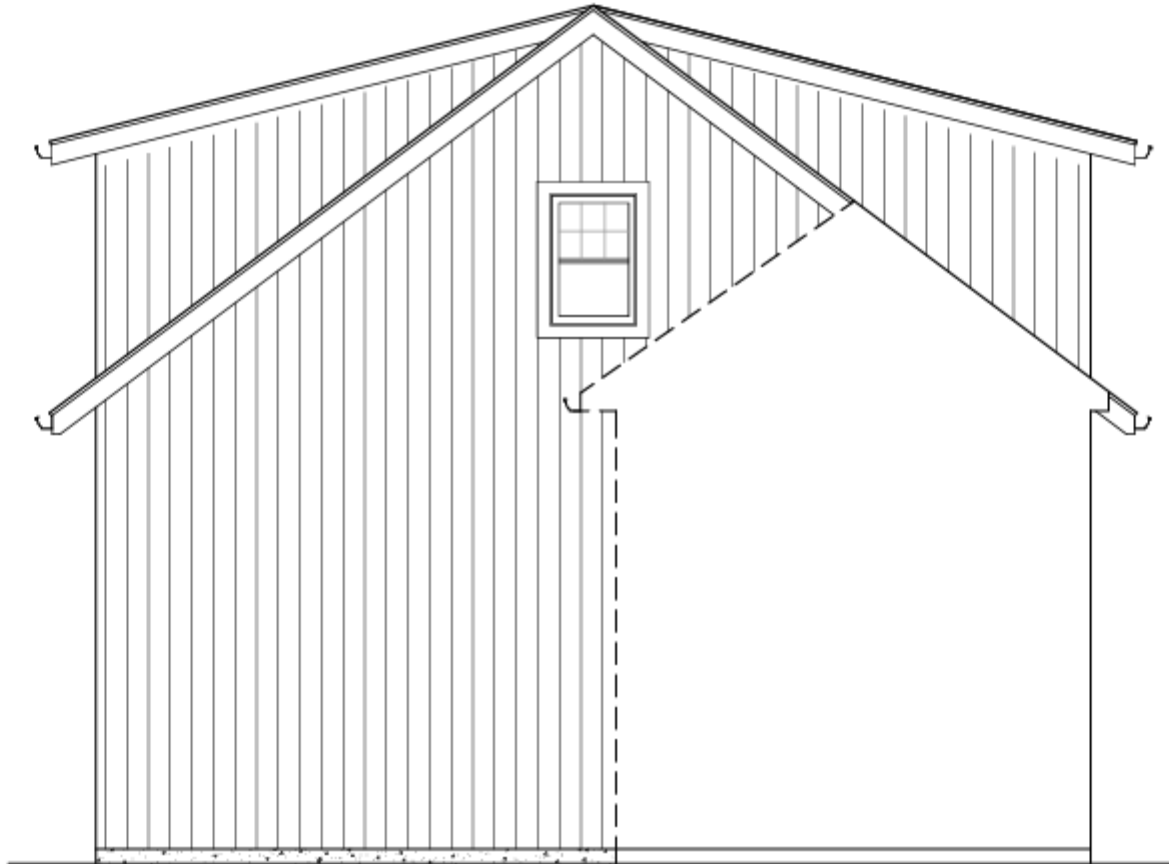
5 FULL ELEVATION  
 A-3 SCALE: 1/4" = 1'-0"



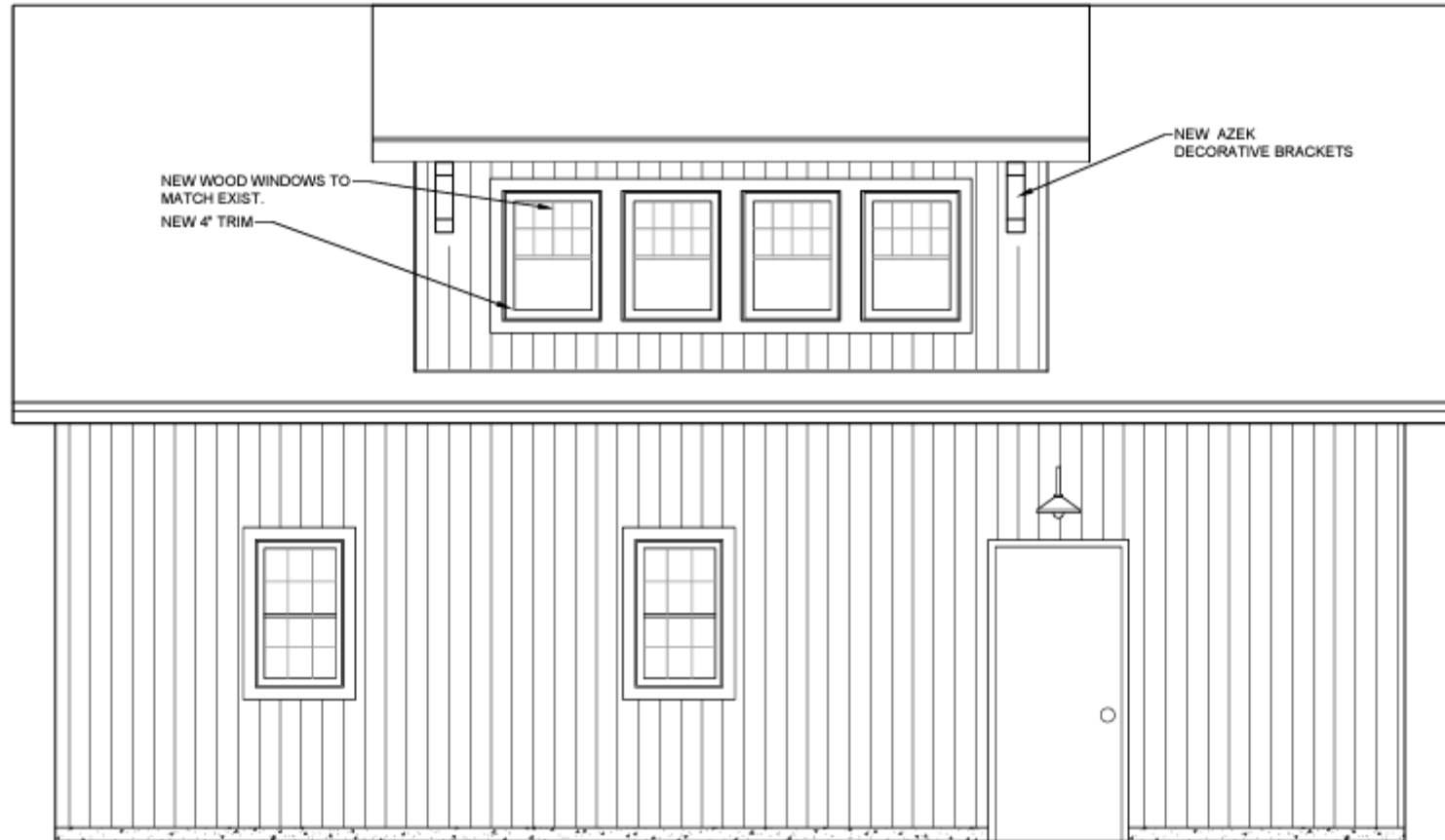
6 FULL ELEVATION  
A-3 SCALE: 1/4" = 1'-0"



4 EAST ELEVATION  
A-3 SCALE: 1/4" = 1'-0"

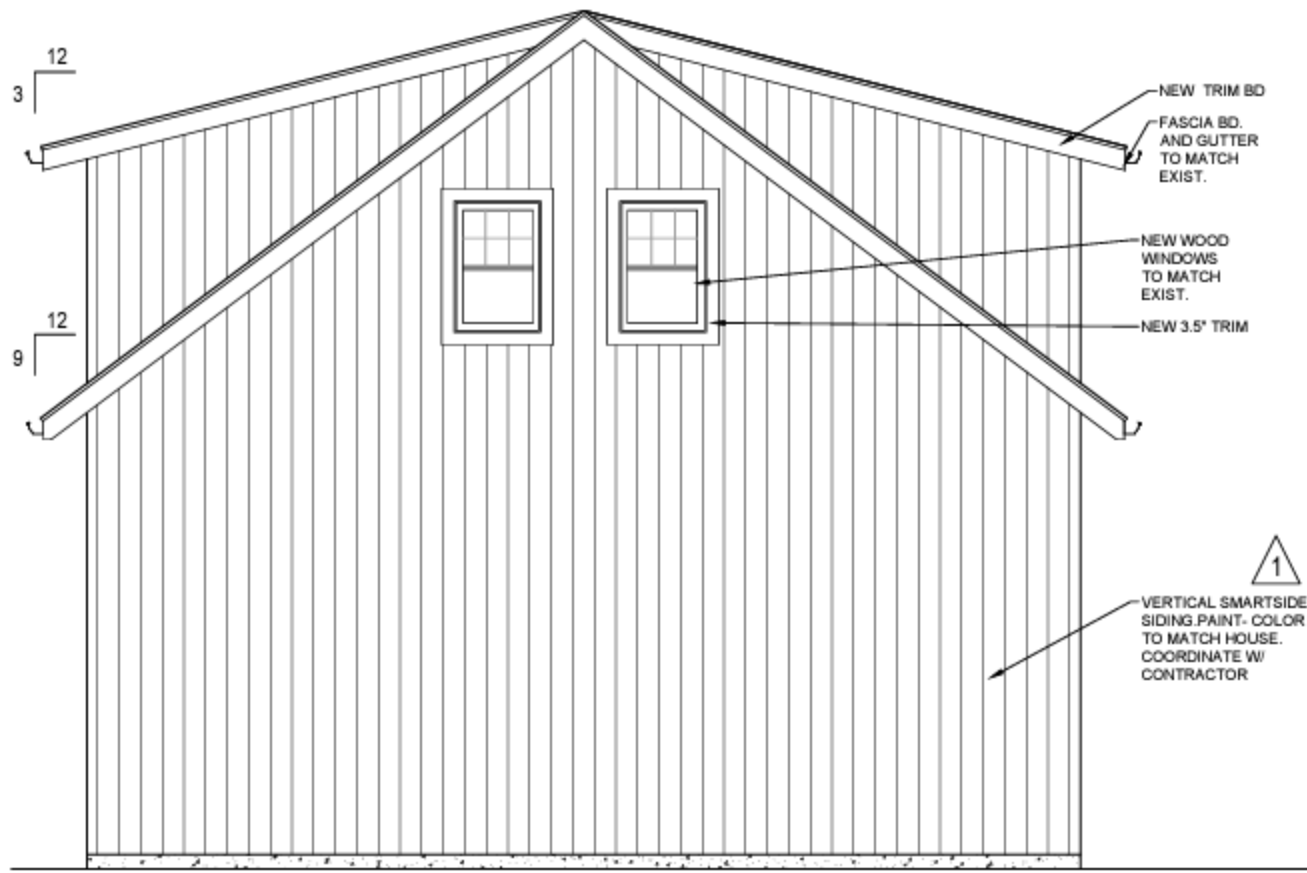


1 SOUTH ELEVATION  
A-3 SCALE: 1/4" = 1'-0"



2 WEST ELEVATION  
A-3 SCALE: 1/4" = 1'-0"





3  
 A-3
 
**NORTH ELEVATION**  
 SCALE: 1/4" = 1'-0"

**Docket No. 05-10-23**

**17909 Lake Rd.**

Applicant Jill Brandt of Brandt Architecture for property owner Matt Vesperman proposes the construction of a breezeway connecting the primary structure to a new attached garage. The property is a wedge shape, and due to the shape of the lot any primary structure will fail to meet the rear yard setback requirement. The proposal does not meet the rear yard setback requirement or the combined side yard setback requirement. The rear yard must be a minimum of 40 feet and the combined side yard total must be 25 feet. The property is located in the R1L Single-Family Low-Density District Single- and Two-Family Residential District. (Page 42)

Variance 1: Request a variance to reduce the rear setback on a wedge-shaped lot. The requirement is for a 40-foot setback from the rear property line. Request a variance to place a new attached garage and breezeway approximately 10 feet, 1 inch from the rear property line, as proposed. Pursuant to Section 1121.07 Minimum Yard Requirements for Principal Buildings (Ord. 15-15. Passed 9-21-2015.)

Variance 2: Request a variance to reduce the combined setback total. The requirement is for each side setback to be a minimum of 10 feet and in some combination when combined total a minimum of 25 feet. One side is an existing 5-foot, 9-inch setback, and the other side is proposed at approximately 14 feet, for a combined total of 20 feet, 9 inches. Request a variance to reduce the combined side yard setback to 20 feet 9 inches, as proposed. Pursuant to Section 1121.07 Minimum Yard Requirements for Principal Buildings (Ord. 15-15. Passed 9-21-2015.)

## Owner/agent responses- 1173.04 Variances

Applicant responses to the factors to be considered and weighed when determining whether an applicant will experience practical difficulty:

(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, it is an irregular, pie shaped lot. The house is set fairly deep in the lot limiting the buildable area in the rear yard.

(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 neighborhood has curving streets which create many irregular shaped lots in this area.

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

No, The property does not have a garage which is a common amenity in homes and adds value. Given the shape of the lot & the way the rear yard setback is determined and the need for space to maneuver in & out of the garage, any garage in the rear yard would need a variance.

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

The total side yard setback required is 25'-0" and we are proposing 20'-2 3/4". The variance is less than 5' and not substantial. Given the way the rear set back is determined, we are proposing a 10' setback vs the 40' required. That is seemingly substantial. However when calculated from the furthest rear property line ( the apex) the furthest rear point of the building is 47'-3 1/2". It is not close to any structures on adjacent lots.



## Owner/agent responses- 1173.04 Variances

Applicant responses to the factors to be considered and weighed when determining whether an applicant will experience practical difficulty:

(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 garage is in the back of the lot and will not alter the street view. We are matching the architectural style and materials of the house to keep in character with the neighborhood.

(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;

No

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

No Given the shape of the lot & the way the rear yard setback is determined and the need for space to maneuver in & out of the garage, any garage in the rear yard would need a variance.

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

Yes, it is an irregularly shaped lot and the strict interpretation of the code significantly limits the buildable area in the rear of the property. Denying the variance request would deny the homeowner the ability to develop their property (a garage) that is granted to others.



## Administrative Comments

- Due to the irregularly shaped lot any addition to the primary structure would require a variance
- A detached structure in the same location would not require setback variance but would require a height variance
- Requirement for side yards in R1L is 10 feet for each side yard, and combined must meet 25 feet
- Survey of 19 houses on the same block from Clifton Extension to Clifton Extension, 8 houses with Forest addresses, and 11 with Lake Rd addresses. Distances are approx. Using Nearmaps software.
- Two of the nineteen properties have 25 feet or more combined side-yard setbacks, and three meet the minimum 10 feet for each side-yard requirement
- Typical rear lot on the block is approx. 150 ft deep. It is due to the unique shape of the lot that the rear yard is shallow- there is only 1 other parcel that has the pie shape and the same truncated rear yard



## Administrative Comments

Address	number	side	side	combined	rear yard
Lake	17895	6	15	21	158
Lake	17897	2	6	8	168
Lake	17899	10	11	21	171
Lake	17901	7	10	17	148
Lake	17903	8	11	19	164
Lake	17905	17	8	25	123
Lake	17907	9	13	22	13
Lake	17909	5	18	23	10
Lake	18188	4	8	12	74
Lake	18186	13	6	19	42
Lake	18184	5	12	17	97
Lake	18180	5	2	7	142
Forest	1132	17	3	20	123
Forest	1130	13	5	18	178
Forest	1128	3	12	15	144
Forest	1126	3	5	8	197
Forest	1124	14	5	19	152
Forest	1122	10	6	16	155
Forest	1120	11	12	23	190
Forest	1116	22	10	32	196



**Docket No. 05-10-23**

**17909 Lake Rd.**

Applicant Jill Brandt of Brandt Architecture for property owner Matt Vesperman proposes the construction of a breezeway connecting the primary structure to a new attached garage. The property is a wedge shape, and due to the shape of the lot any primary structure will fail to meet the rear yard setback requirement. The proposal does not meet the rear yard setback requirement or the combined side yard setback requirement. The rear yard must be a minimum of 40 feet and the combined side yard total must be 25 feet. The property is located in the R1L Single-Family Low-Density District Single- and Two-Family Residential District. (Page 42)

Variance 1: Request a variance to reduce the rear setback on a wedge-shaped lot. The requirement is for a 40-foot setback from the rear property line. Request a variance to place a new attached garage and breezeway approximately 10 feet, 1 inch from the rear property line, as proposed. Pursuant to Section 1121.07 Minimum Yard Requirements for Principal Buildings (Ord. 15-15. Passed 9-21-2015.)

Variance 2: Request a variance to reduce the combined setback total. The requirement is for each side setback to be a minimum of 10 feet and in some combination when combined total a minimum of 25 feet. One side is an existing 5-foot, 9-inch setback, and the other side is proposed at approximately 14 feet, for a combined total of 20 feet, 9 inches. Request a variance to reduce the combined side yard setback to 20 feet 9 inches, as proposed. Pursuant to Section 1121.07 Minimum Yard Requirements for Principal Buildings (Ord. 15-15. Passed 9-21-2015.)



## Public Comment

Received via email-

Meeting attendee(s)

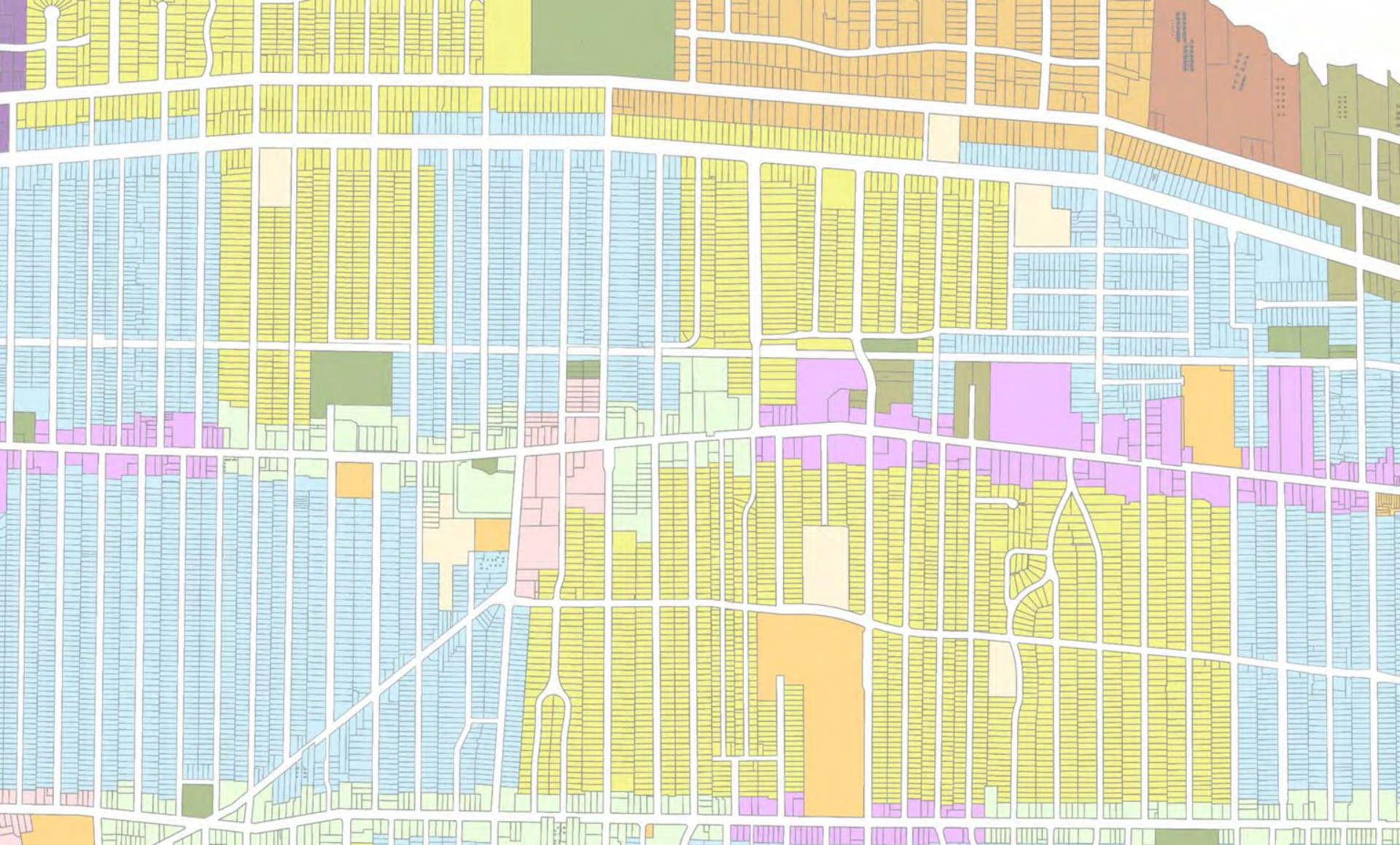




Adjourn



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