

**MINUTES
BOARD OF ZONING APPEALS
REVIEW MEETING
LAKEWOOD CITY HALL
AUDITORIUM
JUNE 15, 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

Administrative Staff

Michelle Nocht, Senior Planner, Secretary
Justin Maskaluk, Property Maintenance Inspector
Myriam Miranda, Chief Prosecutor

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

During the 6:00 p.m. pre-review meeting, there was discussion about motions and voting with only three members present for a quorum, Ms. Miranda, the city's representative from the law department, advised the board members. Ms. Bolino had given Ms. Nocht notice that she would be arriving late to the pre-review due to work. There was some discussion about the return of the deferred application for 1655 Roosevelt and that the board had asked Mr. Walling to reduce the height of the proposed garage at the May meeting and stated that they would vote at this meeting on the item. There was also some discussion of 2011 Lark and the difference for setbacks required in residential districts versus commercial districts, as well as the special variance process for noise which is handled by the building commissioner. Ms. Nocht also informed the board that 1077 Wilbert Rd. had been deferred until the August meeting.

2. APPROVE MINUTES OF THE MAY 18, 2023, MEETING

A motion was made by Mr. Pigott, seconded by Ms. Bolino to **APPROVE** the May 18, 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 3)

- 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. Letters of support were provided prior to the meeting (made part of record). Mr. Walling discussed non-conforming structures near his home, and presented the letters of support he had solicited from his neighbors. Mr. Walling stated his parents may move into the property and would need additional storage. Administrative comments were displayed, and Mr. Pigott discussed several elements of practical difficulty. Discussion ensued about height and practical difficulty.

A motion was made by Mr. Pigott, seconded by Mr. Alexander to **APPROVE** the request. Mr. Alexander, Mr. Pigott voted yea, and Ms. Bolino voted nay. The request was **DENIED**.

The applicant was advised he was prohibited from returning to the board with a garage height variance request for 6 months.

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 6)

- 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. 06-11-23
2011 Lark

Applicant and owner Jim Miketo of Neighborhood Drummer LLC proposes the installation of two heat pump units eight inches from the south property line on the west side of the building. The existing structure is 3 feet 5 inches from the property line. The requirement is 5 feet. The property is located in the C2 Commercial Retail District. (Page 8)

- Variance 1: Request a variance to reduce the side yard setback of the primary structure. The required side yard is 5 feet. The existing side yard is 3 feet 5 inches. Request a variance of 2 feet 9 inches to place two heat pump units 8 inches from the side property line, each unit is

29 inches in width and will be placed 4 inches from the existing structure, as proposed. Pursuant to Schedule 1129.07 Yard Requirements (Ord. 12-11. Passed 5-2-2011.) *


*Note: Special Variance Required for decibel rating exceeding the allowable rating of 70: The Board of Zoning Appeals is not given the authority to grant a variance to Chapter 15: Noise Control. The power to grant the special variance is given to the building commissioner pursuant to section 505.12(a) Special Variances (Ord. 66-76. Passed 12-6-1976.) and the test given is unnecessary hardship. Any area variance granted will be contingent on the units either being compliant with the ratings specified in Chapter 15 or applying for and receiving a special variance from the building commissioner.

Applicant and owner Jim Miketo of Neighborhood Drummer LLC was present to explain the request. Discussion began with the location of the units. Staff did not receive any public comments prior to the meeting. Staff presented comments. Mr. Miketo told the board that the units were added to provide for the basement units, and said the adjacent driveway rarely had cars drive past the side porches on his building and the adjacent building, because the drive was so narrow. Public comment was taken. Adjacent neighbor Mr. Ralph Piunno stated that if the applicant installed compressor blankets that reduced the decibel rating by 30-50% from the current ratings of 75 and 76 decibel ratings respectively, he would have no objection, his concerns were related to noise from the units due to their proximity to his garden. Ms. Nochta reiterated that the noise request would be handled through the building commissioner, the board would only vote on the area request for a reduction in the side yard setback.

A motion was made by Mr. Alexander, seconded by Ms. Bolino to **APPROVE** the request as presented. Mr. Alexander, Ms. Bolino, and Mr. Pigott voted yea; the motion passed.

ADJOURN

A motion was made by Ms. Bolino, seconded by Mr. Pigott to **ADJOURN** the meeting at 7:02 p.m. Mr. Alexander, Ms. Bolino, and Mr. Pigott 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 Bradley

2. Jim Mikato

3. Ralph Prun

4. _____

5. _____

6. _____

7. _____

8. _____

9. _____

10. _____

11. _____

[Signature]

[Signature]

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, June 15, 2023

page 1 of 1

Subject: Request for Neighbor's Agreement - Garage Height Variance at 1655 Roosevelt ave.

Dear Neighbor,

I am writing to request your support and agreement regarding a variance request I have submitted to the Building Zoning Board for an increase in the height of my garage.

As you may be aware, the current city ordinance allows for a maximum garage height of 15'. However, I am seeking a variance to construct a garage with a height of 17', which is an increase of two feet from the standard allowed by the city's regulations.

I believe this variance is necessary for several reasons. Firstly, the increased height will allow me to accommodate the storage needs while maintaining the overall aesthetic and functionality of the garage. Additionally, the proposed height is in line with the architectural style and dimensions of the neighboring properties, ensuring a harmonious and consistent appearance within our community.

It is important to note that I have taken into consideration the impact of the increased height on our surrounding neighbors. The design of the garage, including appropriate setbacks, will ensure that there are no adverse effects on sunlight, privacy, or any other aspects that may concern you or the neighboring properties.

I value our neighborhood and respect the input you may have, which is why I am reaching out to you directly to request your support for this variance. Your signature on this form will demonstrate that you are in support of the proposed garage height increase and acknowledge that it will not negatively impact your property or quality of life.

I would be grateful for your understanding and cooperation in this matter. If you have any questions or concerns regarding the variance request, I am more than willing to address them and provide further clarification. Please feel free to contact me at 216-870-9204 or 1655roosevelt@gmail.com

Thank you for taking the time to consider my request. Your support means a lot to me, and I truly believe this will only benefit not only this property but the property values around me.

Sincerely,

Chris Walling

VOTER'S NAME:

CARRIE KARCHER

YES I SUPPORT

NO I DO NO SUPPORT



COMMENTS:

14226 Cedarwood Ave

Subject: Request for Neighbor's Agreement - Garage Height Variance at 1655 Roosevelt ave.

Dear Neighbor,

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It is important to note that I have taken into consideration the impact of the increased height on our surrounding neighbors. The design of the garage, including appropriate setbacks, will ensure that there are no adverse effects on sunlight, privacy, or any other aspects that may concern you or the neighboring properties.

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Thank you for taking the time to consider my request. Your support means a lot to me, and I truly believe this will only benefit not only this property but the property values around me.

Sincerely,

Chris Walling

VOTER'S NAME:

AMANDA L FERRY

YES I SUPPORT

NO I DO NOT SUPPORT



COMMENTS:

Amanda L Ferry

1657 Blossom Park Ave

Subject: Request for Neighbor's Agreement - Garage Height Variance at 1655 Roosevelt ave.

Dear Neighbor,

I am writing to request your support and agreement regarding a variance request I have submitted to the Building Zoning Board for an increase in the height of my garage.

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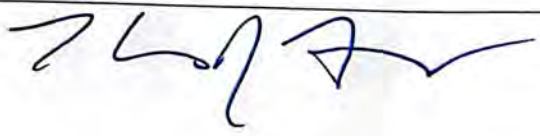
Thank you for taking the time to consider my request. Your support means a lot to me, and I truly believe this will only benefit not only this property but the property values around me.

Sincerely,

Chris Walling

VOTER'S NAME: THOMAS J FERRY
YES I SUPPORT NO I DO NO SUPPORT

COMMENTS:


1657 Blossom Park Ave

Subject: Request for Neighbor's Agreement - Garage Height Variance at 1655 Roosevelt ave.

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Thank you for taking the time to consider my request. Your support means a lot to me, and I truly believe this will only benefit not only this property but the property values around me.

Sincerely,

Chris Walling

VOTER'S NAME:

Chris Walling

[Signature]

YES | SUPPORT

NO | DO NO SUPPORT



COMMENTS:

1658 Roosevelt Ave

Subject: Request for Neighbor's Agreement - Garage Height Variance at 1655 Roosevelt ave.

Dear Neighbor,

I am writing to request your support and agreement regarding a variance request I have submitted to the Building Zoning Board for an increase in the height of my garage.

As you may be aware, the current city ordinance allows for a maximum garage height of 15'. However, I am seeking a variance to construct a garage with a height of 17', which is an increase of two feet from the standard allowed by the city's regulations.

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It is important to note that I have taken into consideration the impact of the increased height on our surrounding neighbors. The design of the garage, including appropriate setbacks, will ensure that there are no adverse effects on sunlight, privacy, or any other aspects that may concern you or the neighboring properties.

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I would be grateful for your understanding and cooperation in this matter. If you have any questions or concerns regarding the variance request, I am more than willing to address them and provide further clarification. Please feel free to contact me at 216-870-9204 or 1655roosevelt@gmail.com

Thank you for taking the time to consider my request. Your support means a lot to me, and I truly believe this will only benefit not only this property but the property values around me.

Sincerely,

Print
+
Sign

Chris Walling

VOTER'S NAME:

Melissa M. Hastings Melissa M.

YES I SUPPORT

NO I DO NOT SUPPORT



COMMENTS:

Great Idea!

1658 Roosevelt Ave

Subject: Request for Neighbor's Agreement - Garage Height Variance at 1655 Roosevelt ave.

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Thank you for taking the time to consider my request. Your support means a lot to me, and I truly believe this will only benefit not only this property but the property values around me.

Sincerely,

Chris Walling

VOTER'S NAME: <u>Seth Simons</u>	
YES I SUPPORT <input checked="" type="checkbox"/>	NO I DO NOT SUPPORT <input type="checkbox"/>

COMMENTS:

1659 Roosevelt Ave

Subject: Request for Neighbor's Agreement - Garage Height Variance at 1655 Roosevelt ave.

Dear Neighbor,

I am writing to request your support and agreement regarding a variance request I have submitted to the Building Zoning Board for an increase in the height of my garage.

As you may be aware, the current city ordinance allows for a maximum garage height of 15'. However, I am seeking a variance to construct a garage with a height of 17', which is an increase of two feet from the standard allowed by the city's regulations.

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Thank you for taking the time to consider my request. Your support means a lot to me, and I truly believe this will only benefit not only this property but the property values around me.

Sincerely,

Chris Walling

VOTER'S NAME: *Carla J. Frederico*

YES I SUPPORT

NO I DO NOT SUPPORT



COMMENTS:

14221 Cedarwood Ave

Johanna Schwarz

From: Michelle Nochta
Sent: Wednesday, June 14, 2023 7:24 AM
To: susan beegan-ad.com
Cc: Johanna Schwarz
Subject: Re: 1077 Wilbert- BZA May 18-DEFERRED to August 17, 2023

Hi Susan,
My apologies, when you sent the new drawings I assumed you were ready to return to the BZA in June. We will hold the deferral until August.
Thanks,

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

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

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

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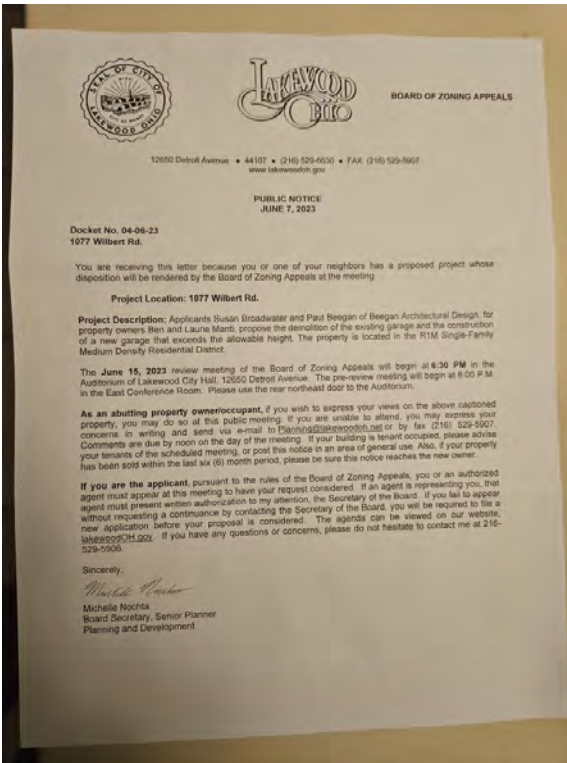


From: susan beegan-ad.com <susan@beegan-ad.com>
Sent: Wednesday, June 14, 2023 1:39 AM
To: Michelle Nochta <Michelle.Nochta@lakewoodoh.net>
Subject: RE: 1077 Wilbert- BZA May 18-DEFERRED to August 17, 2023

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

Hello Michelle,

Our client received the following letter. I am confused, why are they on the June 15th agenda? I thought they were deferred until 8/17. Both Paul and myself are out of town this week. Please advise.



Thanks,
Susan

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

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

Date: 6/6/23 11:42 AM (GMT-08:00)

To: "susan [beegan-ad.com](mailto:susan@beegan-ad.com)" <susan@beegan-ad.com>, Johanna Schwarz <Johanna.Schwarz@lakewoodoh.net>

Subject: Re: 1077 Wilbert- BZA May 18-DEFERRED to August 17, 2023

Thank you Susan.

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

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

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(216) 529-5906 direct

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From: susan [beegan-ad.com](mailto:susan@beegan-ad.com) <susan@beegan-ad.com>
Sent: Tuesday, June 6, 2023 2:28 PM
To: Michelle Nochta <Michelle.Nochta@lakewoodoh.net>
Subject: RE: 1077 Wilbert- BZA May 18-DEFERRED to August 17, 2023

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I have not heard from the owner yet. But if you need to get something out, go with option A. However, it may change once the owner decides.

Susan Broadwater

Beegan Architectural Design
15703 Madison Ave
Lakewood, Ohio 44107
216-521-9000

From: Michelle Nochta <Michelle.Nochta@lakewoodoh.net>
Sent: Tuesday, June 6, 2023 2:20 PM
To: susan [beegan-ad.com](mailto:susan@beegan-ad.com) <susan@beegan-ad.com>
Subject: Re: 1077 Wilbert- BZA May 18-DEFERRED to August 17, 2023

You are - but I need to know which Option to put on the agenda- A or B

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

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From: susan [beegan-ad.com](mailto:susan@beegan-ad.com) <susan@beegan-ad.com>
Sent: Tuesday, June 6, 2023 2:18 PM

To: Michelle Nochta <Michelle.Nochta@lakewoodoh.net>
Subject: RE: 1077 Wilbert- BZA May 18-DEFERRED to August 17, 2023

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I thought we were on the agenda until the August 17th meeting?

Susan Broadwater

Beegan Architectural Design
15703 Madison Ave
Lakewood, Ohio 44107
216-521-9000

From: Michelle Nochta <Michelle.Nochta@lakewoodoh.net>
Sent: Tuesday, June 6, 2023 1:33 PM
To: susan [beegan-ad.com](mailto:susan@beegan-ad.com) <susan@beegan-ad.com>
Cc: Planning Dept <Planning@lakewoodoh.net>
Subject: Re: 1077 Wilbert- BZA May 18-DEFERRED to August 17, 2023

Hi Susan,
We need to get the agenda out today, have the clients made a selection?

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

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Lakewood, Ohio 44107

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(216) 529-5906 direct

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From: susan [beegan-ad.com](mailto:susan@beegan-ad.com) <susan@beegan-ad.com>
Sent: Thursday, June 1, 2023 12:27 PM
To: Michelle Nochta <Michelle.Nochta@lakewoodoh.net>
Subject: RE: 1077 Wilbert- BZA May 18-DEFERRED to August 17, 2023

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

Hello Michelle,

They haven't decided yet. When they do I will send a presentation with the correct design.

Thanks,

Susan Broadwater

Beegan Architectural Design
15703 Madison Ave
Lakewood, Ohio 44107
216-521-9000

From: Michelle Nochtsa <Michelle.Nochtsa@lakewoodoh.net>
Sent: Thursday, June 1, 2023 10:50 AM
To: susan [beegan-ad.com](mailto:susan@beegan-ad.com) <susan@beegan-ad.com>
Subject: Re: 1077 Wilbert- BZA May 18-DEFERRED to August 17, 2023

Hi Susan,
Which option would your client like on the agenda for the meeting- Option A or B?
Thanks,

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

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

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From: susan [beegan-ad.com](mailto:susan@beegan-ad.com) <susan@beegan-ad.com>
Sent: Tuesday, May 30, 2023 12:39 PM
To: Justin Maskaluk <Justin.Maskaluk@lakewoodoh.net>; William A. Wagner <William.Wagner@lakewoodoh.net>
Cc: Michelle Nochtsa <Michelle.Nochtsa@lakewoodoh.net>
Subject: RE: 1077 Wilbert- BZA May 18-DEFERRED to August 17, 2023

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

Thank you, however, I don't want the designed reviewed. On our original design for the this project we had the shed style dormer. When we submitted it for BZA review, the mean height had been determined as from the bottom of the dormer eave to the top of the main roof since the dormer had a prominent eave. It was also about a foot taller. We are trying to figure out if the mean height would still be measured from the bottom of the dormer eave to the top of the roof. If so, would the gable dormer, which does not have a dominant front eave, be the better option since it would be measured from the main roof eave to the top of the roof.

Or does that not matter and regardless of dormer style, the mean height will only be measured from the bottom of the main roof eave to the top of the main roof?

I apologize for the confusion. I hope this makes sense.

Susan Broadwater

Beegan Architectural Design
15703 Madison Ave
Lakewood, Ohio 44107
216-521-9000

From: Justin Maskaluk <Justin.Maskaluk@lakewoodoh.net>
Sent: Tuesday, May 30, 2023 12:22 PM
To: susan [beegan-ad.com](mailto:susan@beegan-ad.com) <susan@beegan-ad.com>; William A. Wagner <William.Wagner@lakewoodoh.net>
Cc: Michelle Nochta <Michelle.Nochta@lakewoodoh.net>
Subject: RE: 1077 Wilbert- BZA May 18-DEFERRED to August 17, 2023

Good afternoon,

The Board of zoning appeals dose not regulate visual values or design. As such the factor being considered for ither design would be the same height.

Thank you,



Justin A. Maskaluk
Property Maintenance Inspector
Division of Housing & Building
City of Lakewood
216-529-6281
12650 Detroit Road
Lakewood, Ohio 44107
Fax: 216-529-5930
Justin.maskaluk@lakewoodoh.net

From: susan [beegan-ad.com](mailto:susan@beegan-ad.com) <susan@beegan-ad.com>
Sent: Tuesday, May 30, 2023 12:09 PM
To: William A. Wagner <William.Wagner@lakewoodoh.net>
Cc: Michelle Nochta <Michelle.Nochta@lakewoodoh.net>; Justin Maskaluk <Justin.Maskaluk@lakewoodoh.net>
Subject: RE: 1077 Wilbert- BZA May 18-DEFERRED to August 17, 2023

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

Hello,

These 2 drawings show the measurements for the bottom and top of the main roof plus the mean height of that roof. Both heights are the same between the 2 drawings. The difference being the style of gable.

We were hoping to see if you think we would be able to get a variance for either design with those heights indicated.

Thanks,

Susan Broadwater

Beegan Architectural Design
15703 Madison Ave
Lakewood, Ohio 44107
216-521-9000

From: William A. Wagner <William.Wagner@lakewoodoh.net>

Sent: Friday, May 26, 2023 12:46 PM

To: susan [beegan-ad.com](mailto:susan@beegan-ad.com) <susan@beegan-ad.com>

Cc: Michelle Nochta <Michelle.Nochta@lakewoodoh.net>; Justin Maskaluk <Justin.Maskaluk@lakewoodoh.net>

Subject: RE: 1077 Wilbert- BZA May 18-DEFERRED to August 17, 2023

Beegan,

The design is not in question unless your on a corner lot of garage is in the front of home.

For reviewing purposes, we need the mid-span of the roof. I would list in the measurements the bottom of the soffit to the top of the ridge only of the main roof only.



William A. Wagner
Assistant Building Commissioner
Residential Building Official
12560 Detroit Avenue
Lakewood, Ohio 44107

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

Sent: Thursday, May 25, 2023 2:10 PM

To: William A. Wagner <William.Wagner@lakewoodoh.net>; Justin Maskaluk <Justin.Maskaluk@lakewoodoh.net>

Subject: Fw: 1077 Wilbert- BZA May 18-DEFERRED to August 17, 2023

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

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

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

www.lakewoodoh.gov

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From: susan beegan-ad.com <susan@beegan-ad.com>
Sent: Wednesday, May 24, 2023 2:14 PM
To: Michelle Nochta <Michelle.Nochta@lakewoodoh.net>
Subject: RE: 1077 Wilbert- BZA May 18-DEFERRED to August 17, 2023

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Hello Michelle,

I want to run these proposed designs past you for the revised garage. We brought the mean height down to 16'-4" which is the same height of a garage we received a variance for early this year. The difference between the 2 designs is the style of dormer on the back. It is my understanding from William's email that the dormer eaves will not be considered in determining the height. I just wanted to see if you thought one or the other would be a good candidate for a variance.

Thank you for your help.

Susan Broadwater
Beegan Architectural Design
15703 Madison Ave
Lakewood, Ohio 44107
216-521-9000

From: William A. Wagner <William.Wagner@lakewoodoh.net>
Sent: Tuesday, May 23, 2023 1:04 PM
To: susan beegan-ad.com <susan@beegan-ad.com>
Cc: Michelle Nochta <Michelle.Nochta@lakewoodoh.net>; Justin Maskaluk <Justin.Maskaluk@lakewoodoh.net>
Subject: RE: 1077 Wilbert- BZA May 18-DEFERRED to August 17, 2023

Beegan,

Apologies for the confusion, Building and BZA had a lengthy discussion on how we are to calculate the max height on accessory structures. Accessory structures for the time being are going to be calculated from the mid-span of the primary roof to grade not to exceed 15 feet. This calculation needs to be provided/detailed in project submittals. Dormers for now are not being calculated or being considered part of the calculation for roof heights.

Regards,



William A. Wagner
Assistant Building Commissioner
Residential Building Official
12560 Detroit Avenue
Lakewood, Ohio 44107

From: Michelle Nochtta <Michelle.Nochtta@lakewoodoh.net>
Sent: Tuesday, May 23, 2023 9:29 AM
To: William A. Wagner <William.Wagner@lakewoodoh.net>; Justin Maskaluk <Justin.Maskaluk@lakewoodoh.net>
Subject: Fw: 1077 Wilbert- BZA May 18-DEFERRED to August 17, 2023

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

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

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(216) 529-5906 direct

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From: susan [beegan-ad.com](mailto:susan@beegan-ad.com) <susan@beegan-ad.com>
Sent: Thursday, May 18, 2023 11:28 AM
To: Michelle Nochta <Michelle.Nochta@lakewoodoh.net>
Subject: RE: 1077 Wilbert- BZA May 18-DEFERRED to August 17, 2023

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Hello Michelle,

We are looking at options to redesign this garage to bring the height down to an acceptable variance height while still providing floor space on the inside. I know on the last design you measured the height from the eave of the shed dormer. On the attached photo, which eave would you be measuring from?

Also, could you direct me where I would find that information on the city website? I would appreciate it. I found the garage packet, but it did not have an example with a dormer.

Thanks,

Susan Broadwater

Beegan Architectural Design
15703 Madison Ave
Lakewood, Ohio 44107
216-521-9000

From: Michelle Nochta <Michelle.Nochta@lakewoodoh.net>
Sent: Tuesday, May 9, 2023 2:18 PM
To: susan [beegan-ad.com](mailto:susan@beegan-ad.com) <susan@beegan-ad.com>
Cc: Johanna Schwarz <Johanna.Schwarz@lakewoodoh.net>
Subject: Re: 1077 Wilbert- BZA May 18-DEFERRED to August 17, 2023

Thank you - we will defer this case to the August 17, 2023 meeting

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

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

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(216) 529-5906 direct

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From: susan [beegan-ad.com](mailto:susan@beegan-ad.com) <susan@beegan-ad.com>
Sent: Tuesday, May 9, 2023 1:51 PM
To: Michelle Nochta <Michelle.Nochta@lakewoodoh.net>
Subject: RE: 1077 Wilbert- BZA May 18

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Hello Michelle,

The owner would like to defer this while we work on a redesign to bring the height down. Could we defer this for 3 months?

Thanks,

Susan Broadwater

Beegan Architectural Design
15703 Madison Ave
Lakewood, Ohio 44107
216-521-9000

From: Michelle Nochta <Michelle.Nochta@lakewoodoh.net>
Sent: Monday, May 8, 2023 1:45 PM
To: susan [beegan-ad.com](mailto:susan@beegan-ad.com) <susan@beegan-ad.com>
Subject: Re: 1077 Wilbert- BZA May 18

Ok, thanks for the update

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

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

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

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From: susan [beegan-ad.com](mailto:susan@beegan-ad.com) <susan@beegan-ad.com>
Sent: Monday, May 8, 2023 1:35 PM
To: Michelle Nochta <Michelle.Nochta@lakewoodoh.net>
Subject: RE: 1077 Wilbert- BZA May 18

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Michelle,

We are meeting tomorrow.

Thanks,

Susan Broadwater

Beegan Architectural Design
15703 Madison Ave
Lakewood, Ohio 44107
216-521-9000

From: Michelle Nochta <Michelle.Nochta@lakewoodoh.net>
Sent: Monday, May 8, 2023 1:19 PM
To: susan [beegan-ad.com](mailto:susan@beegan-ad.com) <susan@beegan-ad.com>
Subject: Re: 1077 Wilbert- BZA May 18

Hi Susan,

Have you heard back from your client on whether the application is deferred or withdrawn?

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

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

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(216) 529-5906 direct

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From: susan [beegan-ad.com](mailto:susan@beegan-ad.com) <susan@beegan-ad.com>
Sent: Thursday, May 4, 2023 9:58 AM
To: Michelle Nochta <Michelle.Nochta@lakewoodoh.net>
Subject: RE: 1077 Wilbert- BZA May 18

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Thanks Michelle,

I will check with the client and get back to you.

Susan Broadwater

Beegan Architectural Design
15703 Madison Ave
Lakewood, Ohio 44107
216-521-9000

From: Michelle Nochtta <Michelle.Nochtta@lakewoodoh.net>

Sent: Thursday, May 4, 2023 9:57 AM

To: susan [beegan-ad.com](mailto:susan@beegan-ad.com) <susan@beegan-ad.com>

Subject: Re: 1077 Wilbert- BZA May 18

You can defer once - and set a date for the return to the board that is reasonable- typically 1-3 months.

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

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

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(216) 529-5906 direct

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From: susan [beegan-ad.com](mailto:susan@beegan-ad.com) <susan@beegan-ad.com>

Sent: Thursday, May 4, 2023 9:48 AM

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

Subject: RE: 1077 Wilbert- BZA May 18

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How many times can we defer?

Susan Broadwater

Beegan Architectural Design
15703 Madison Ave

Lakewood, Ohio 44107
216-521-9000

From: Michelle Nochta <Michelle.Nochta@lakewoodoh.net>
Sent: Thursday, May 4, 2023 9:46 AM
To: susan [beegan-ad.com](mailto:susan@beegan-ad.com) <susan@beegan-ad.com>
Subject: Re: 1077 Wilbert- BZA May 18

Thanks Susan, just to clarify- is this a deferral or a withdrawal?

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

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

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(216) 529-5906 direct

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From: susan [beegan-ad.com](mailto:susan@beegan-ad.com) <susan@beegan-ad.com>
Sent: Thursday, May 4, 2023 9:44 AM
To: Michelle Nochta <Michelle.Nochta@lakewoodoh.net>
Subject: RE: 1077 Wilbert- BZA May 18

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Hello Michelle,

Please remove this project from the next meeting. The client is getting pricing to help make a decision on how they want to proceed.

Thanks,

Susan Broadwater
Beegan Architectural Design
15703 Madison Ave
Lakewood, Ohio 44107
216-521-9000

From: michelle.nochta@lakewoodoh.net <michelle.nochta@lakewoodoh.net>
Sent: Thursday, May 4, 2023 9:41 AM

To: susan [beegan-ad.com](mailto:susan@beegan-ad.com) <susan@beegan-ad.com>

Subject: 1077 Wilbert- BZA May 18

Hello,

The deadline for the May 18 meeting was yesterday at noon. I didn't see a resubmission for 1077 Wilbert Rd. , are you proceeding with the same drawings to the meeting on the 18th?

Thanks,

Michelle Nochta, AICP

Senior Planner and ADA Coordinator - Planning and Development

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

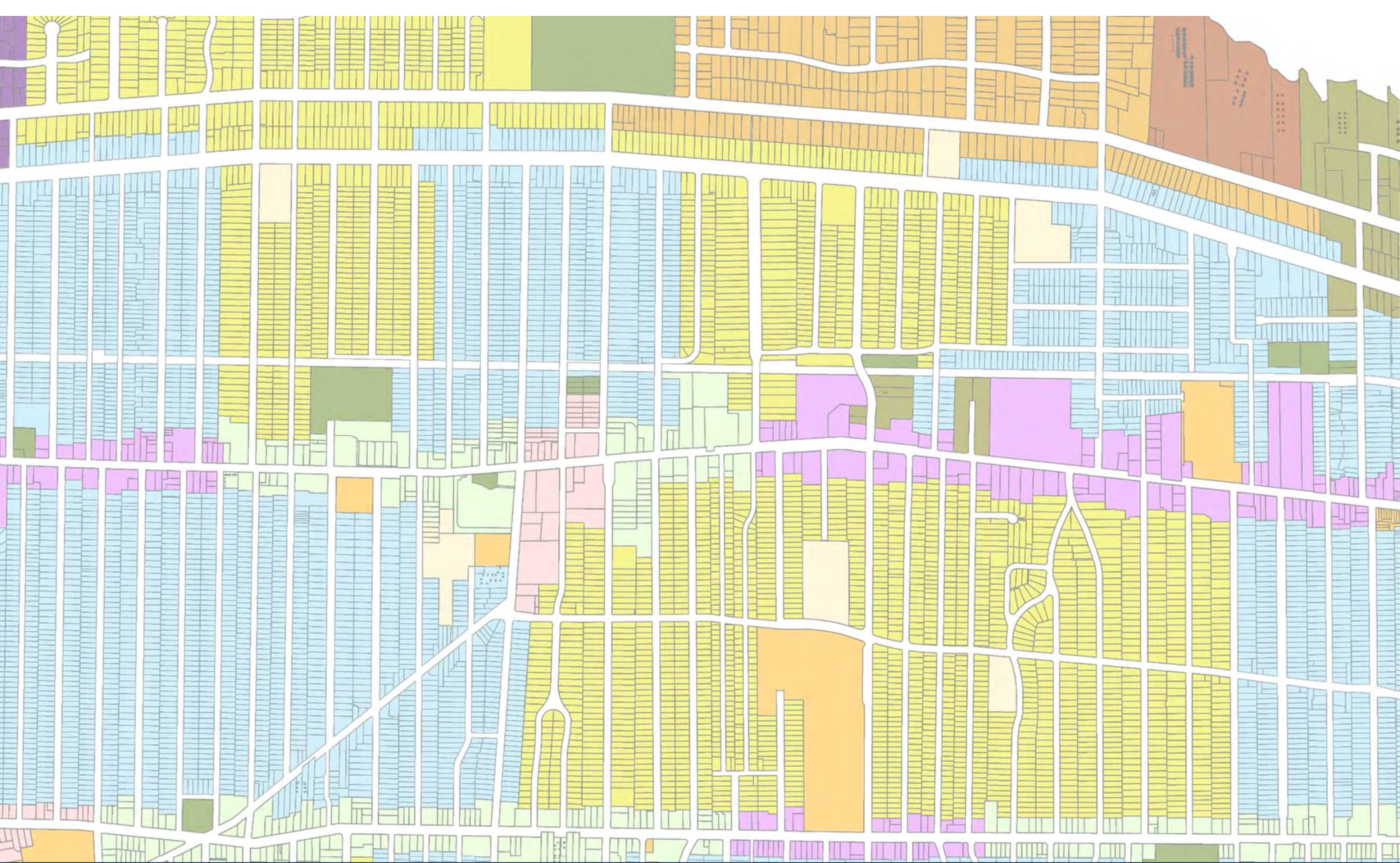
(216) 529-6630 main

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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.)



A colorful zoning map background with various colored blocks (yellow, green, blue, pink, orange) and street grids. A white rectangular box with a dark blue border is centered on the map, containing text.

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 Nochta

Legal Counsel: Myriam Miranda

Building Department: Justin Maskaluk

Board of Zoning Appeals

June 15, 2023 Agenda

1. Roll Call
2. Vote on May 18, 2023 meeting minutes
3. Opening Remarks

OLD BUSINESS

4. 1655 Roosevelt –
5. 1077 Wilbert- DEFERRED Until 8-17-23

NEW BUSINESS


6. 2011 Lark

A detailed zoning map of a city, showing various colored zones (yellow, blue, green, orange, pink, purple) and street layouts. A large white rectangular box is overlaid on the map, containing the text "Roll Call".

Roll Call



Board of Zoning Appeals

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

Approve Meeting Minutes for May 18, 2023



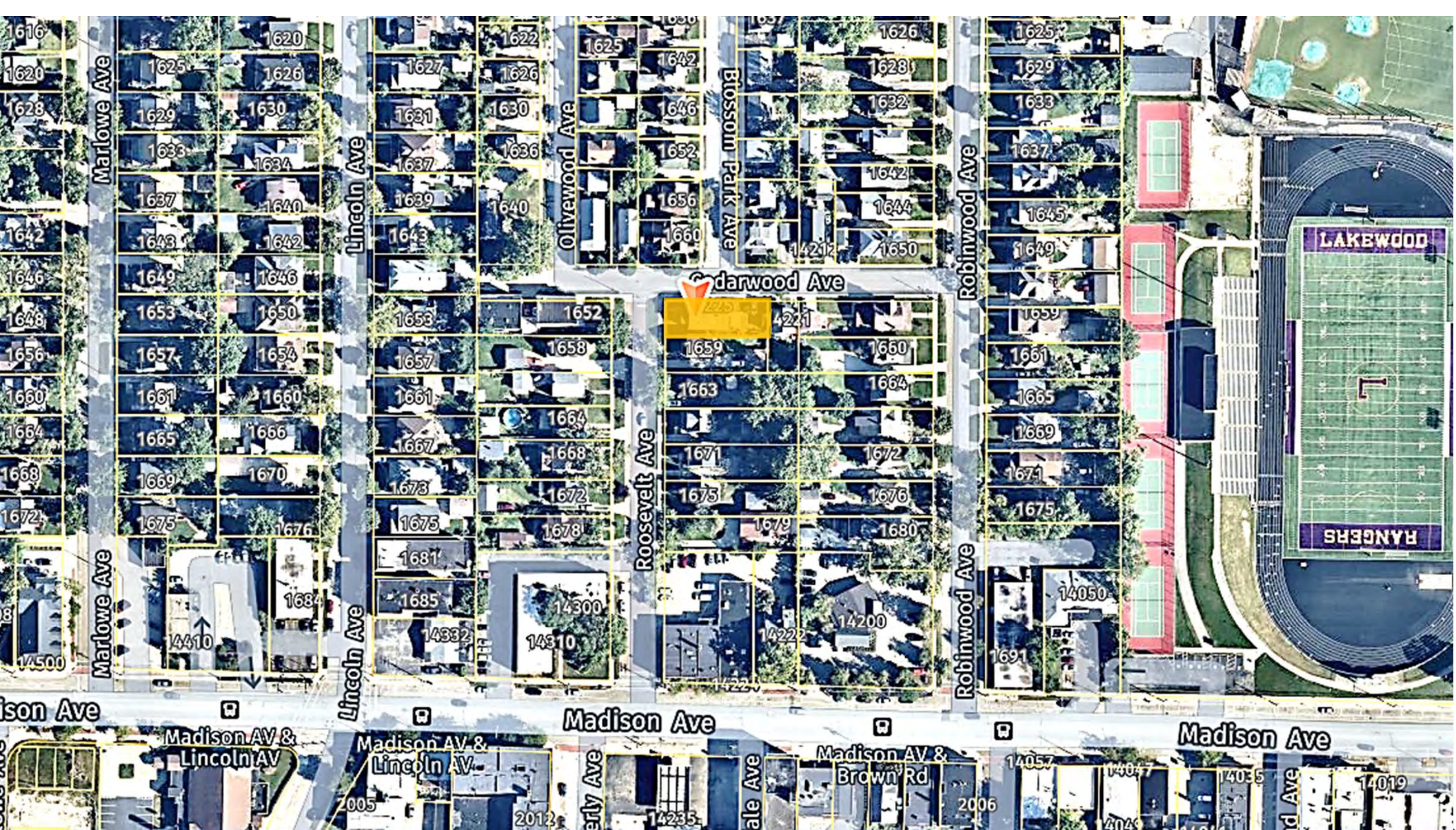
Board of Zoning Appeals

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.

Opening Remarks



Board of Zoning Appeals



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 single-story garage. The property is located in the R2 Single- and Two-Family District.



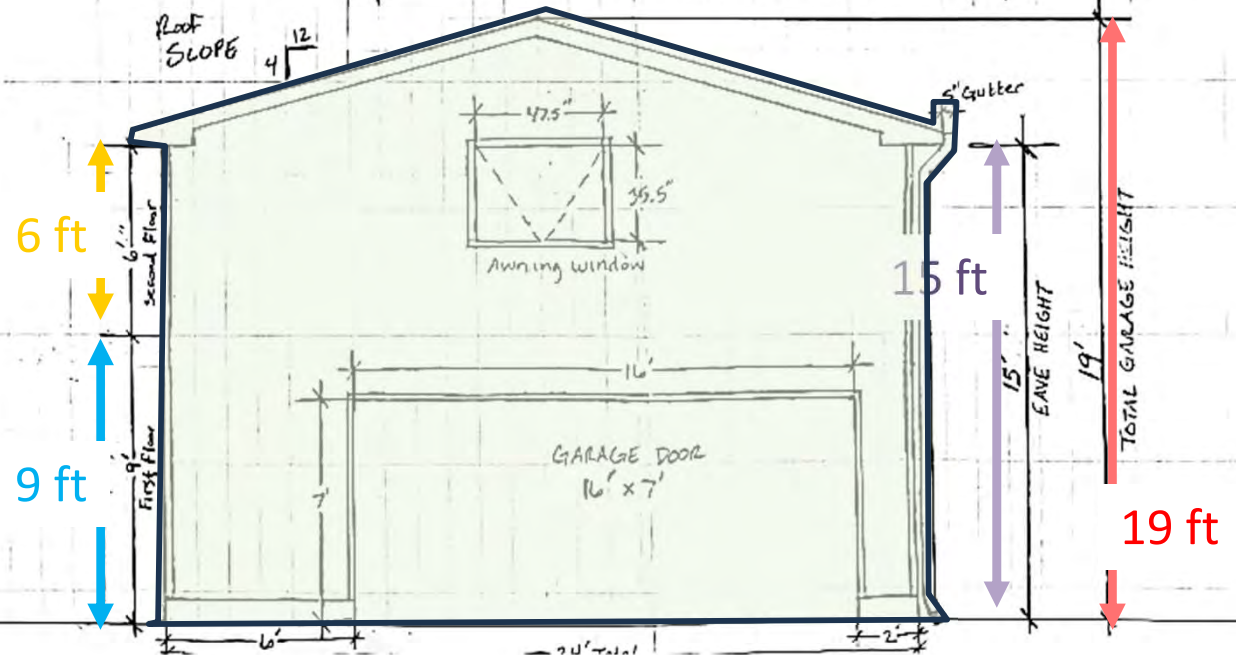
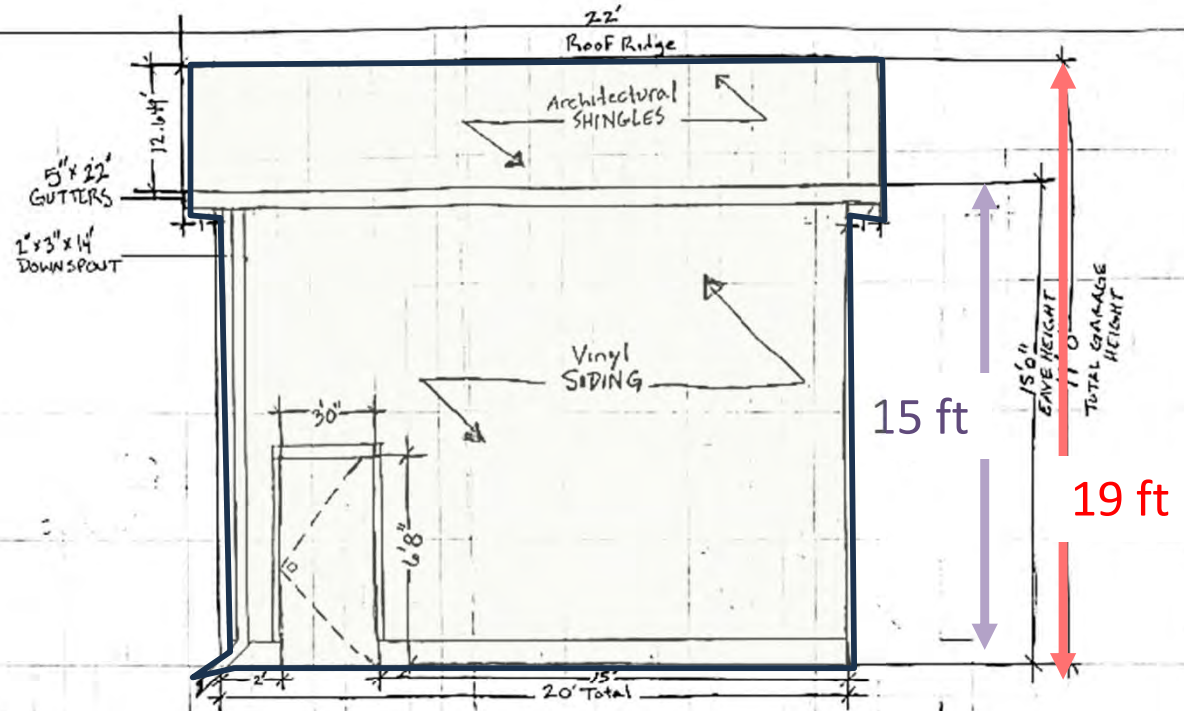
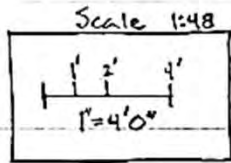


1655 Roosevelt Ave.



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

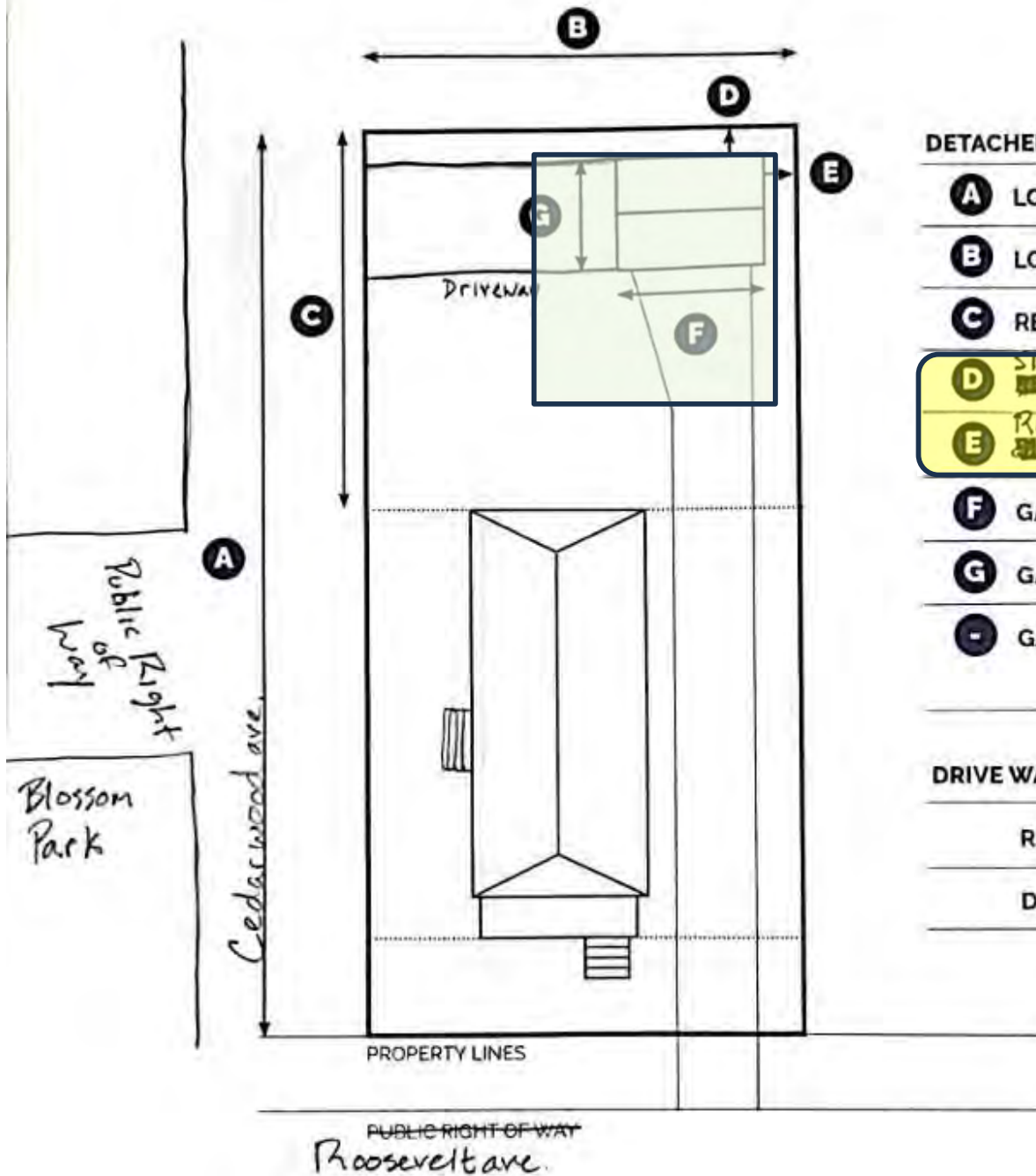


1655 Roosevelt

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



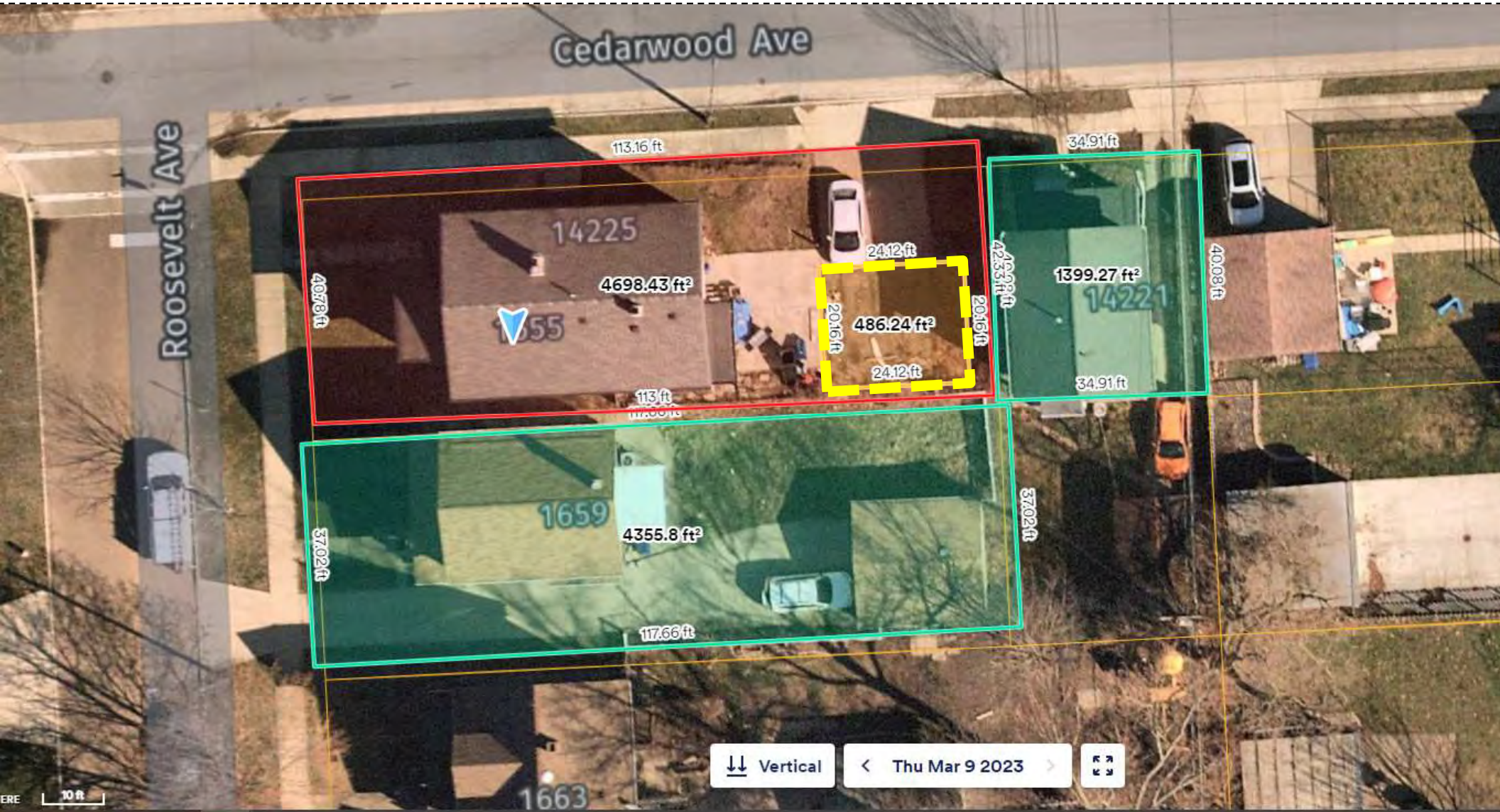
DETACHED GARAGE (IN FEET)

A	LOT DEPTH	115'
B	LOT WIDTH	40'
C	REAR YARD ^{WIDTH} DEPTH	45'6"
D	FRONT SIDE SETBACK	3'
E	FRONT REAR SETBACK	18"
F	GARAGE ^{DEPTH} WIDTH	20'
G	GARAGE ^{WIDTH} DEPTH	24'
-	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



1655 Roosevelt



113.16 ft

34.91 ft

14225

4698.43 ft²

24.12 ft

4235 ft
4008 ft

1399.27 ft²

14221

4008 ft

3

486.24 ft²

20.16 ft

20.16 ft

24.12 ft

34.91 ft

113 ft

117.66 ft

659

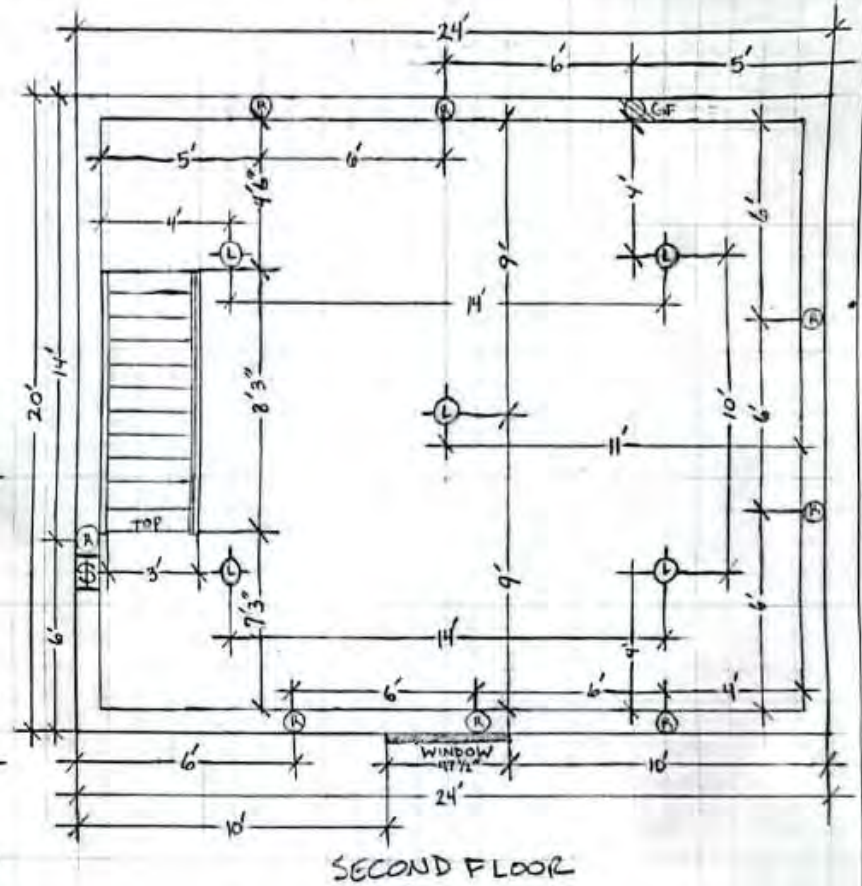
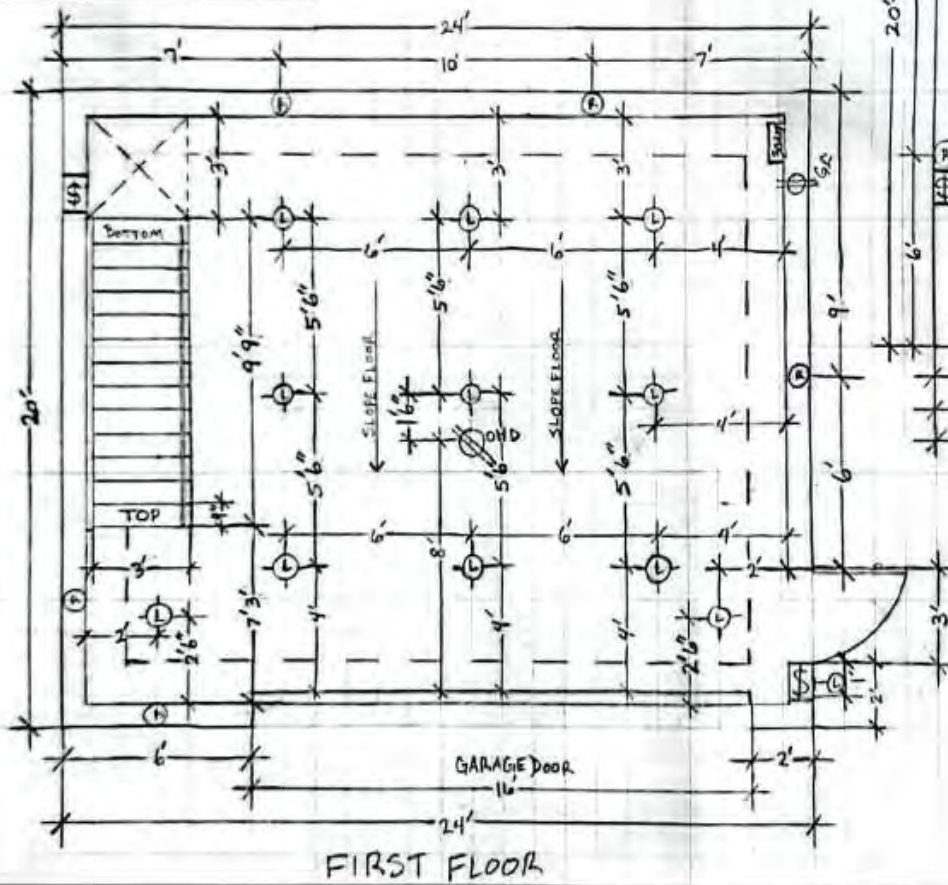
3702 ft

1655 Roosevelt



THE CONTRACTOR OF CHOICE®

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



KEY

- ⊗ = Lightswitch
- Ⓡ = Receptacle
- Ⓛ ⊖ = Lights: Recessed, surface/mant, wall mount
- Ⓜ 30 AMP = Sub-Panel with Disconnect Rating
- ⊗ OHD = 110V Duplex ceiling mounted door operator receptacle

SCALE







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

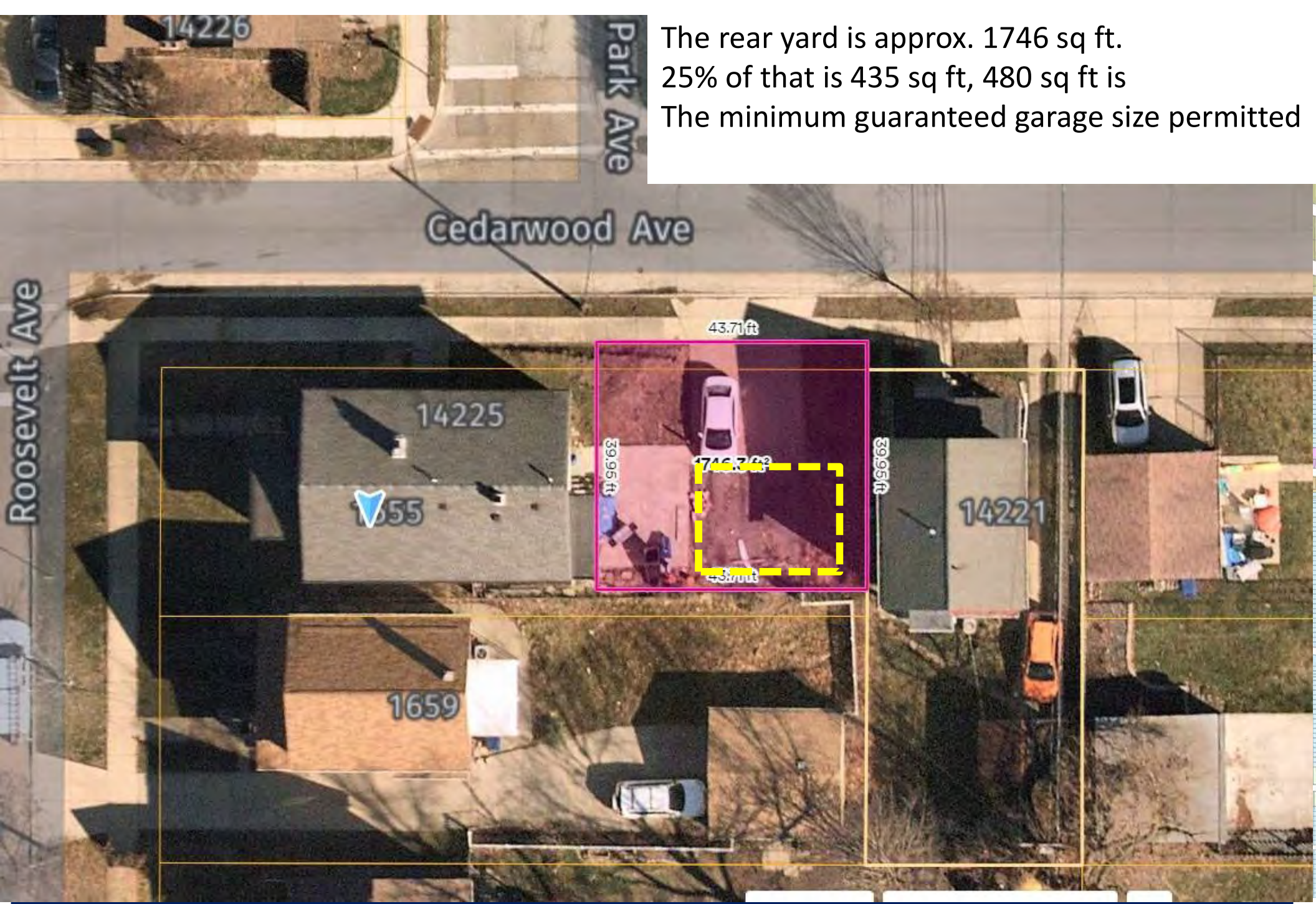
- Request for height should meet the practical difficulty test
- Applicant has reduced the size of the request, originally the proposed height was 19 feet, **amended proposal is for 17 feet**
- Applicant wants two stories to add storage space
- Applicant is working with Lakewood high school technical 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



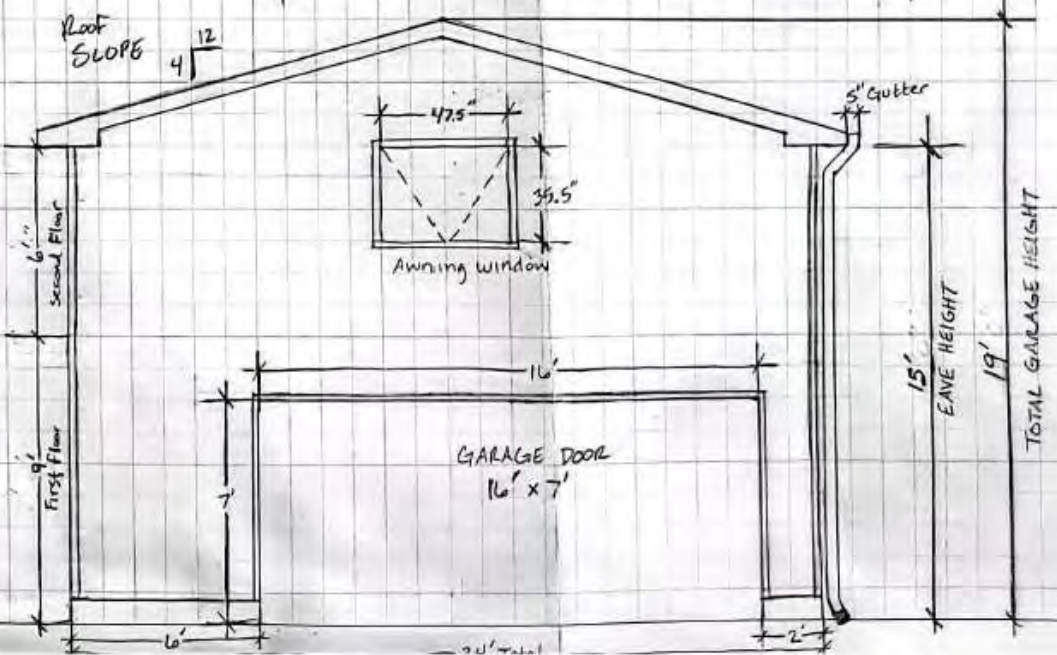
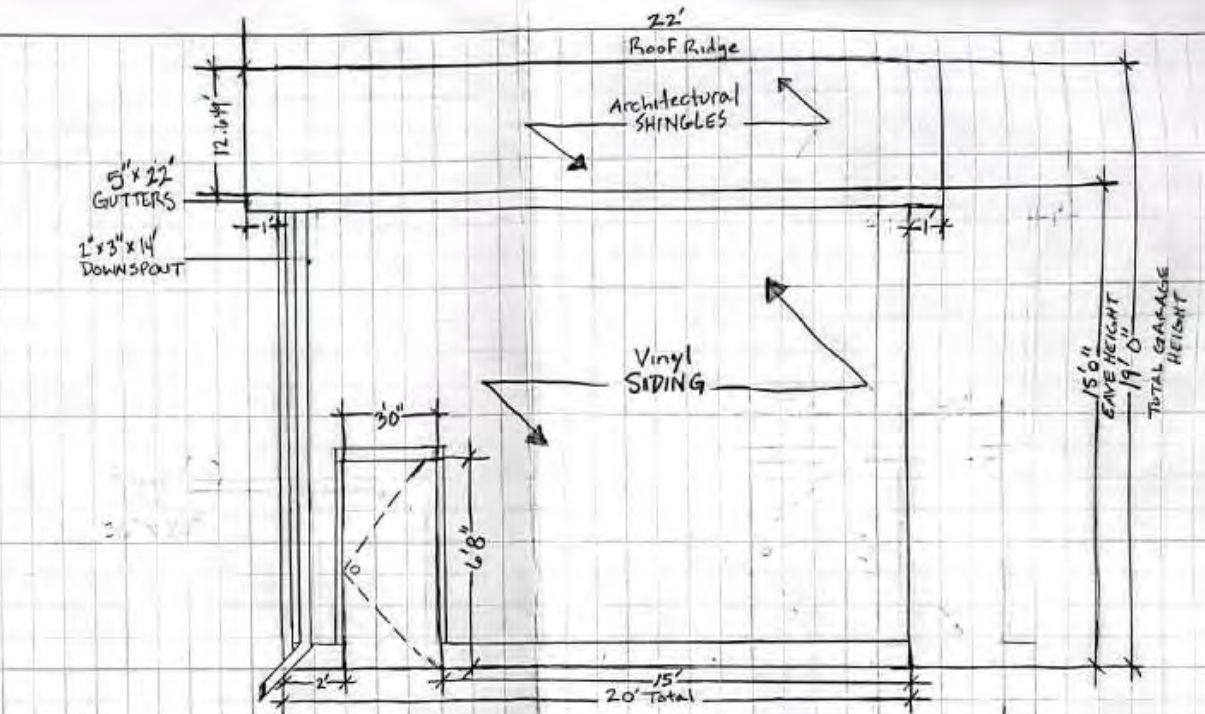
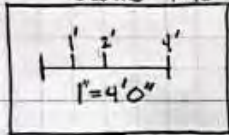
1655 Roosevelt Ave.



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

Scale 1:48

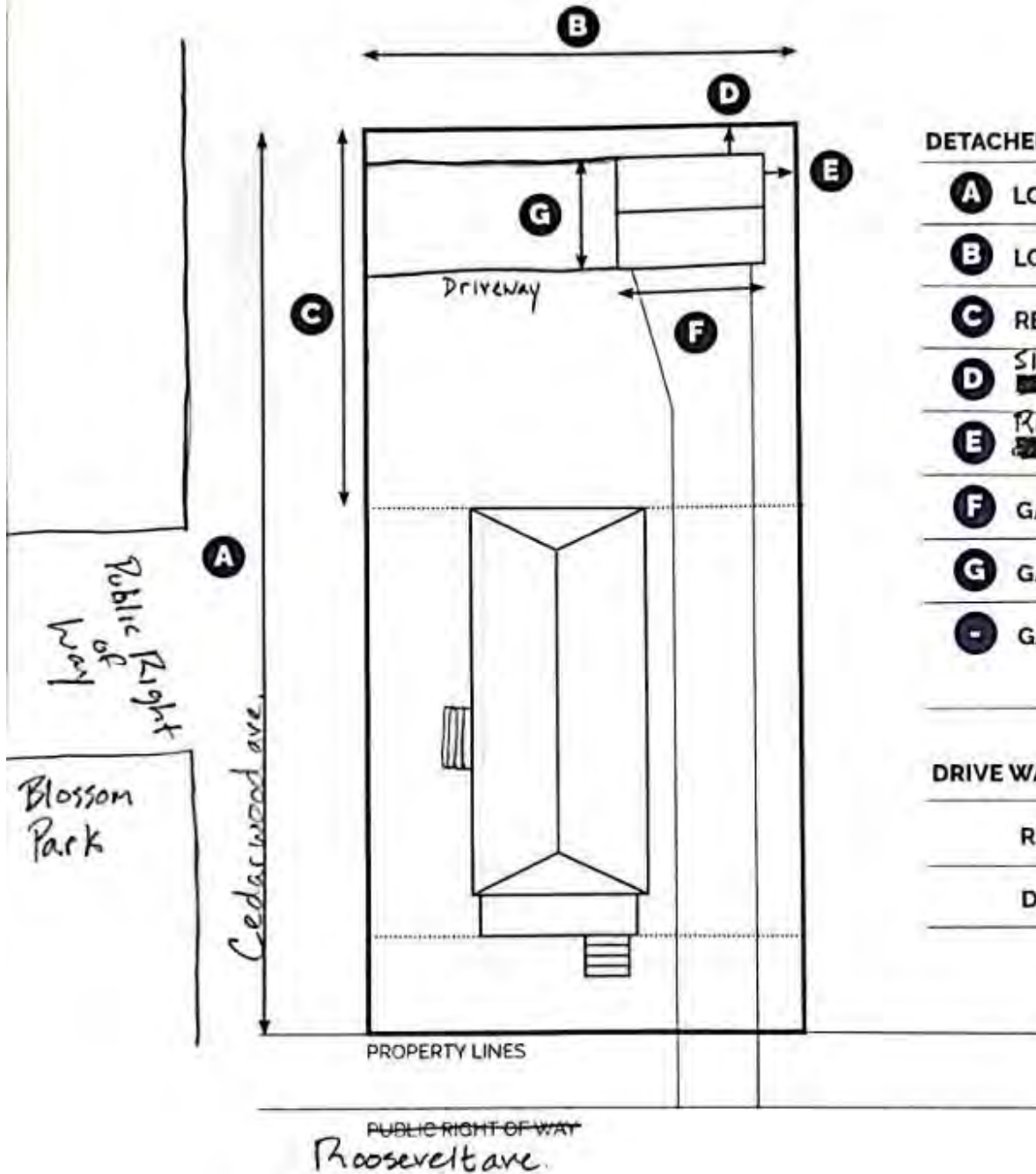


1655 Roosevelt

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)

A	LOT DEPTH	115'
B	LOT WIDTH	40'
C	REAR YARD DEPTH ^{WIDTH}	45'6"
D	REAR ^{SIDE} SETBACK	3'
E	REAR ^{REAR} SETBACK	18"
F	DEPTH ^{DEPTH}	20'
G	WIDTH ^{WIDTH}	24'
-	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.

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)

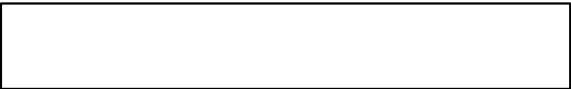
- Variance 1: Request a variance to exceed the maximum permitted height of an accessory structure. The permitted accessory structure height is 15 feet calculated. The proposed garage height is calculated at 17 feet. Request a variance to exceed the permitted maximum height by 4 feet, as proposed. Pursuant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



Public Comment

Received via email-

Meeting attendee(s)



Subject: Request for Neighbor's Agreement - Garage Height Variance at 1655 Roosevelt ave.

Dear Neighbor,

I am writing to request your support and agreement regarding a variance request I have submitted to the Building Zoning Board for an increase in the height of my garage.

As you may be aware, the current city ordinance allows for a maximum garage height of 15'. However, I am seeking a variance to construct a garage with a height of 17', which is an increase of two feet from the standard allowed by the city's regulations.

I believe this variance is necessary for several reasons. Firstly, the increased height will allow me to accommodate the storage needs while maintaining the overall aesthetic and functionality of the garage. Additionally, the proposed height is in line with the architectural style and dimensions of the neighboring properties, ensuring a harmonious and consistent appearance within our community.

It is important to note that I have taken into consideration the impact of the increased height on our surrounding neighbors. The design of the garage, including appropriate setbacks, will ensure that there are no adverse effects on sunlight, privacy, or any other aspects that may concern you or the neighboring properties.

I value our neighborhood and respect the input you may have, which is why I am reaching out to you directly to request your support for this variance. Your signature on this form will demonstrate that you are in support of the proposed garage height increase and acknowledge that it will not negatively impact your property or quality of life.

I would be grateful for your understanding and cooperation in this matter. If you have any questions or concerns regarding the variance request, I am more than willing to address them and provide further clarification. Please feel free to contact me at 216-870-9204 or 1655roosevelt@gmail.com

Thank you for taking the time to consider my request. Your support means a lot to me, and I truly believe this will only benefit not only this property but the property values around me.

Sincerely,

Chris Walling

VOTER'S NAME:

CARRIE KARCHER

YES I SUPPORT

NO I DO NOT SUPPORT



COMMENTS:

14226 Cedarwood Ave

Subject: Request for Neighbor's Agreement - Garage Height Variance at 1655 Roosevelt ave.

Dear Neighbor,

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Sincerely,

Chris Walling

VOTER'S NAME:

AMANDA L FERRY

YES I SUPPORT

NO I DO NOT SUPPORT



COMMENTS:

Amanda L Ferry

1657 Blossom Park Ave

Subject: Request for Neighbor's Agreement - Garage Height Variance at 1655 Roosevelt ave.

Dear Neighbor,

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Sincerely,

Chris Walling

VOTER'S NAME:

THOMAS J FERRY

YES I SUPPORT

NO I DO NOT SUPPORT



COMMENTS:



1657 Blossom Park Ave

Subject: Request for Neighbor's Agreement - Garage Height Variance at 1655 Roosevelt ave.

Dear Neighbor,

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Sincerely,

Chris Walling

VOTER'S NAME:

Chris Walling

Chris Walling

YES | SUPPORT

NO | DO NOT SUPPORT

COMMENTS:

1658 Roosevelt Ave

Subject: Request for Neighbor's Agreement - Garage Height Variance at 1655 Roosevelt ave.

Dear Neighbor,

I am writing to request your support and agreement regarding a variance request I have submitted to the Building Zoning Board for an increase in the height of my garage.

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Thank you for taking the time to consider my request. Your support means a lot to me, and I truly believe this will only benefit not only this property but the property values around me.

Sincerely,

Chris Walling

Print + Sign

VOTER'S NAME:

Melissa M. Hastings Melissa M. Hastings

YES I SUPPORT

NO I DO NOT SUPPORT

COMMENTS:

Great Idea!

1658 Roosevelt Ave

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Sincerely,

Chris Walling

VOTER'S NAME: <u>Seth Simons</u>	
YES I SUPPORT <input checked="" type="checkbox"/>	NO I DO NOT SUPPORT <input type="checkbox"/>

COMMENTS:

1659 Roosevelt Ave

Subject: Request for Neighbor's Agreement - Garage Height Variance at 1655 Roosevelt ave.

Dear Neighbor,

I am writing to request your support and agreement regarding a variance request I have submitted to the Building Zoning Board for an increase in the height of my garage.

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Thank you for taking the time to consider my request. Your support means a lot to me, and I truly believe this will only benefit not only this property but the property values around me.

Sincerely,

Chris Walling

VOTER'S NAME: *Carla J. Frederico*

YES | SUPPORT

NO | DO NOT SUPPORT



COMMENTS:

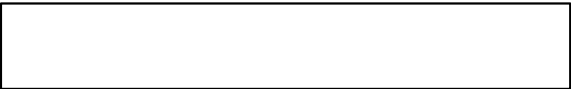
14221 Cedarwood Ave



Public Comment

Received via email-

Meeting attendee(s)





Docket No. 06-11-23 2011 Lark Street

Applicant and owner Jim Miketo of Neighborhood Drummer LLC proposes the installation of two heat pump units eight inches from the south property line on the west side of the building. The existing structure is three feet, five inches from the property line. The requirement is five feet. The property is located in the C2 Commercial Retail District.



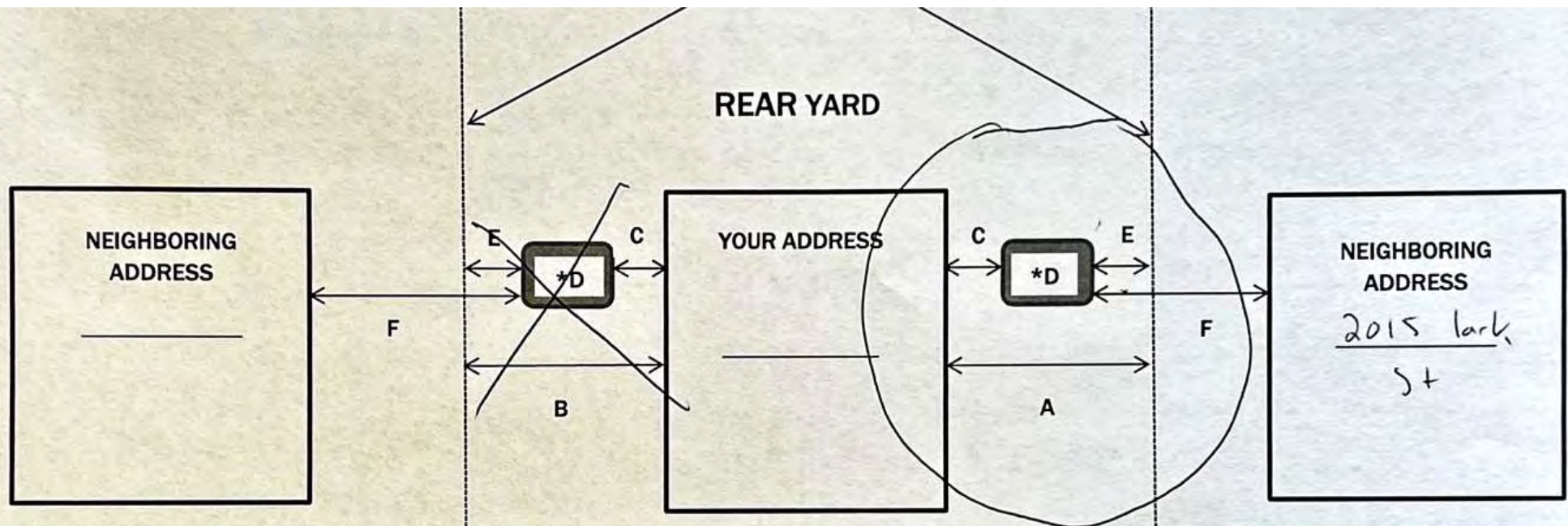
NEW BUSINESS

1. Docket No. 06-11-23 2011 Lark

Applicant and owner Jim Miketo of Neighborhood Drummer LLC proposes the installation of two heat pump units eight inches from the south property line on the west side of the building. The existing structure is three feet, five inches from the property line. The requirement is five feet. The property is located in the C2 Commercial Retail District. (Page 8)

- Variance 1: Request a variance to reduce the side yard setback of the primary structure. The required side yard is five feet. The existing side yard is three feet, five inches. Request a variance of 2 feet, 9 inches to place two heat pump units 8 inches from the side property line, each unit is 29 inches in width and will be placed 4 inches from the existing structure, as proposed. Pursuant to Schedule 1129.07 Yard Requirements (Ord. 12-11. Passed 5-2-2011.) *

*Note: Special Variance Required for decibel rating exceeding the allowable rating of 70: The Board of Zoning Appeals is not given the authority to grant a variance to Chapter 15: Noise Control. The power to grant the special variance is given to the building commissioner pursuant to section 505.12(a) Special Variances (Ord. 66-76. Passed 12-6-1976.) and the test given is unnecessary hardship. Any area variance granted will be contingent on the units either being compliant with the ratings specified in Chapter 15 or applying for and receiving a special variance from the building commissioner.



Distance "A" = 3 ft. 5 in.

Distance "B" = X ft. X in.

Distance "C" = 0 ft. 4 in.

AC Unit "D" = 20 in. X 29 in.

Distance "E" = 0 ft. 8 in.

Distance "F" = 12 ft. 6 in.

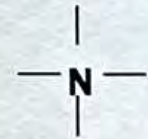
ANSI/AHRI Sound Rating of Unit _____

***Note:** The unit must be permanently screened from the adjacent neighbor and the Public Right-of-Way.

Proposed screening method:
lattice fence screen

FRONT YARD

THE LAKEWOOD BUILDING DEPARTMENT CANNOT DETERMINE PROPERTY LINES. PROPERTY LINES ARE THE SOLE RESPONSIBILITY OF THE HOMEOWNER.





15 BURLINGAME BL

U-HAUL
BUILT-IN VALUE!
• Max's 4th - Extra Space
• Secure Tie-Downs, Air Bags
• Smooth, Aluminum Floor
• Low Deck, 12' Load Ramp
• 12,000 Lbs Capacity
• Professional & Friendly Staff Available
LET'S GET YOU MOVING!



19 LAKEWOOD PARK

U-HAUL

BUILT-IN VALUE!

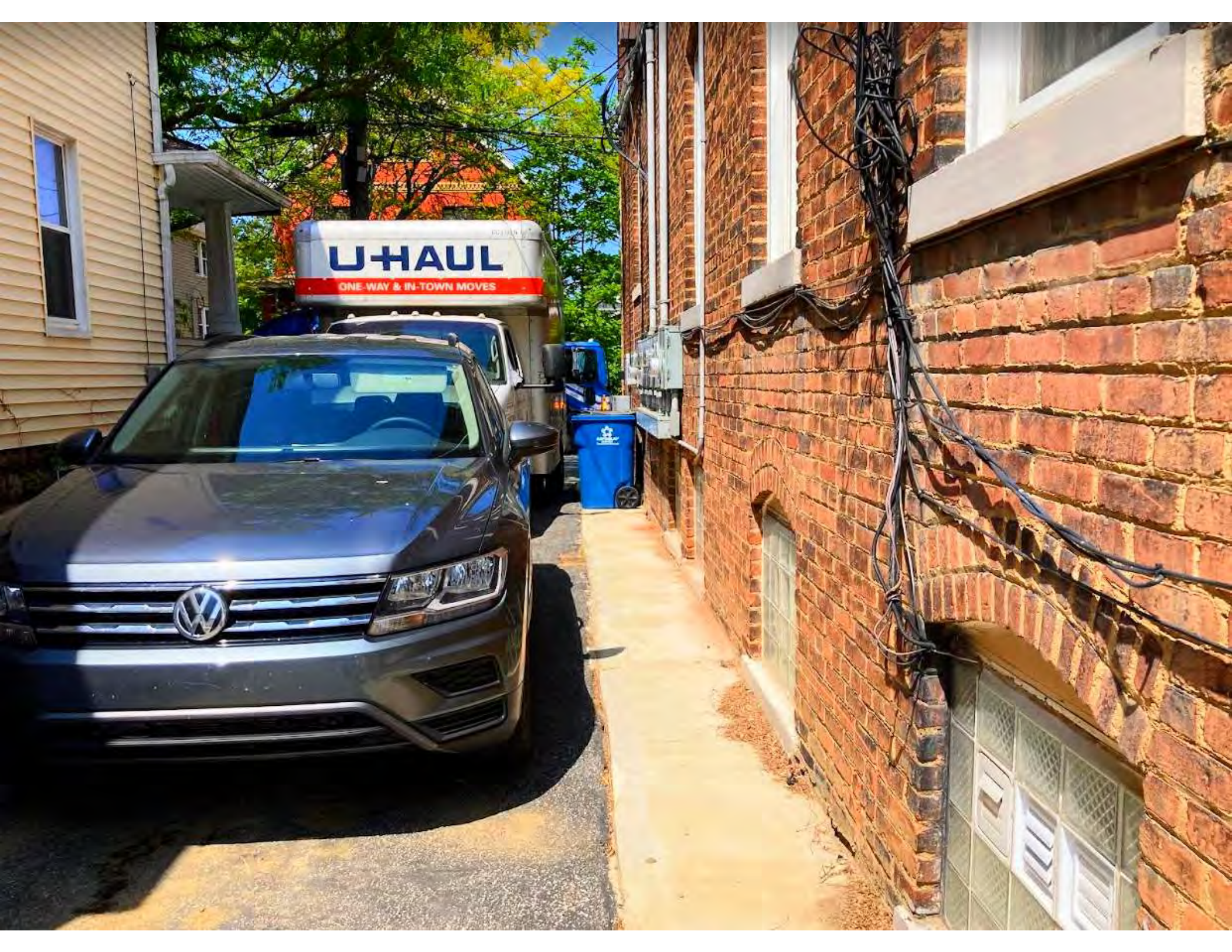
- Mom's Attic = Extra Space!
- Secure Tie-Downs, Rub Rails
- Smooth, Aluminum Floor
- Low Deck, EZ-Load Ramp

15,000 Locations...
Your Helping Hands Along the Way!

uhaul.com

Call 1-800-GO-U-HAUL

MD-05149



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ONE-WAY & IN-TOWN MOVES



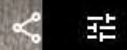


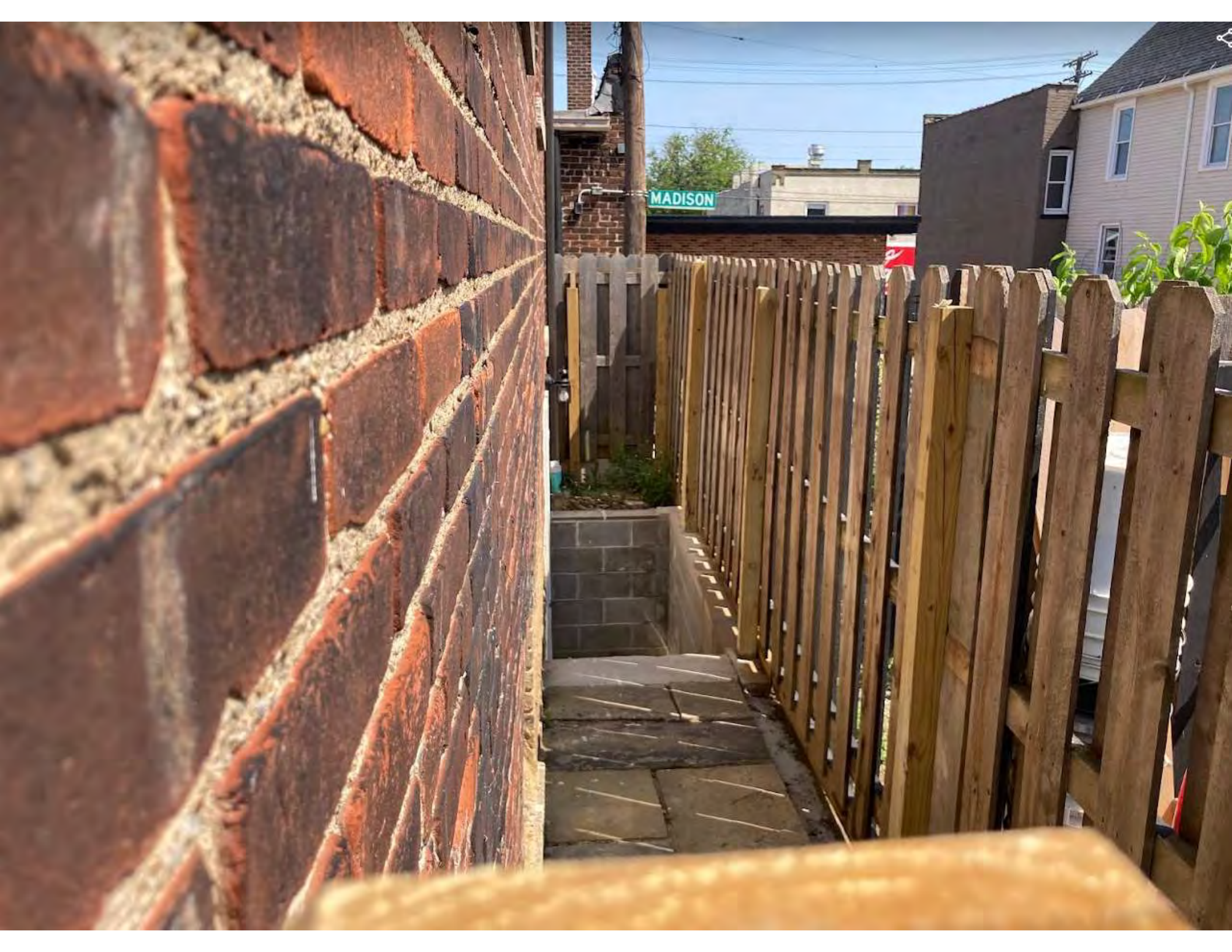
















U-HAUL

BUILT-IN VALUE!

- **Mom's Attic = Extra Space!**
- **Secure Tie-Downs, Rub Rails**
- **Smooth, Aluminum Floor**
- **Low Deck, EZ-Load Ramp**

*15,000 Locations...
Your Helping Hands Along the Way!*

uhaul.com

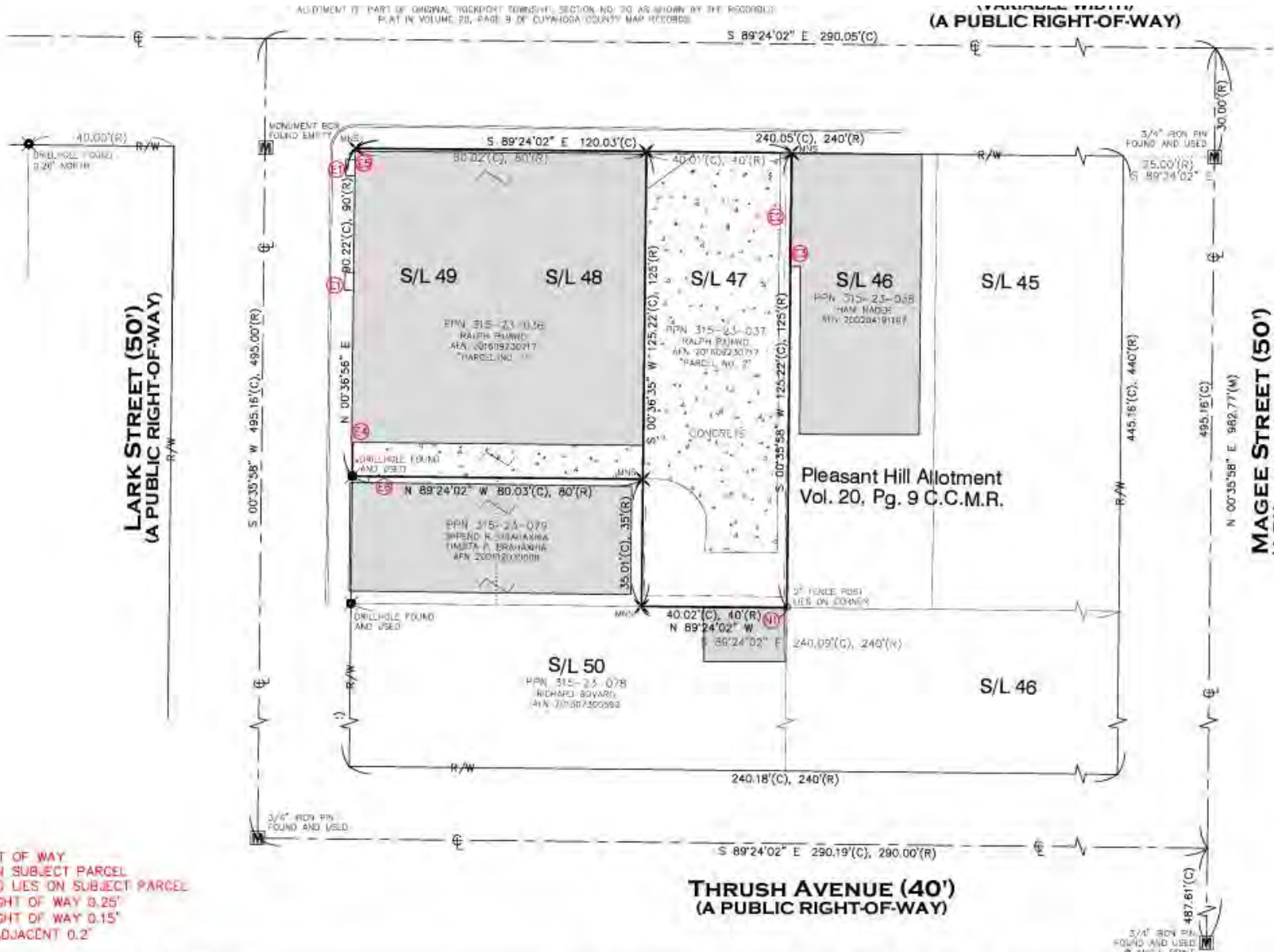
Call 1-800-GO-U-HAUL

AE-05149

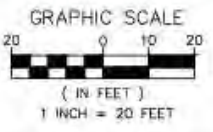


BEARINGS BASED ON THE CENTERLINE OF MADISON AVENUE AS DEPICTED ON THE LOT CONSOLIDATION PLAT RECORDED IN VOLUME 276, PAGE 9 C.C.M.R.

ADDITION OF PART OF ORIGINAL THURSPONT TOWNSHIP, SECTION NO. 30 AS SHOWN BY THE RECORDS PLAT IN VOLUME 20, PAGE 9 OF CUYAHOGA COUNTY MAP RECORDS



SURVEY NOTES:
 N1 = ADJACENT GARAGE ON LINE
 E1 = GRATED WINDOW WELLS LIE IN RIGHT OF WAY
 E2 = GAS SERVICE TO ADJACENT LIES ON SUBJECT PARCEL
 E3 = FOUNDATION OF ADJACENT BUILDING LIES ON SUBJECT PARCEL
 E4 = SUBJECT BUILDING ENCROACHES RIGHT OF WAY 0.25'
 E5 = SUBJECT BUILDING ENCROACHES RIGHT OF WAY 0.15'
 E6 = SUBJECT CONCRETE ENCROACHES ADJACENT 0.2'



●	5/8" BY 30" BOW PIN SET AND CLIPPED "CASEY PROFESSIONAL SERVICES P820P"	A.	ACRES	PG.	PAGE
Ⓜ	MONUMENT BOX FOUND	AP#	AUTHOR'S FILE NUMBER	PP#	PERMANENT PARCEL NUMBER
○	MONUMENT R/W FOUND	CCH#	CUYAHOGA COUNTY MAP RECORDS	R/W	RIGHT-OF-WAY
⊗	DRILL HOLE SET	CL	CHAINLINK FENCE	S	SOUTH
⊗	HAG NAIL SET	C.L.F.	CLEAR	S.F.	SQUARE FEET
(R)	RECORDED	E	EAST	VOL.	VOLUME
(C)	CALCULATED	ENC	ENCROACHES	W.	WEST
(M)	MEASURED	N	NORTH		

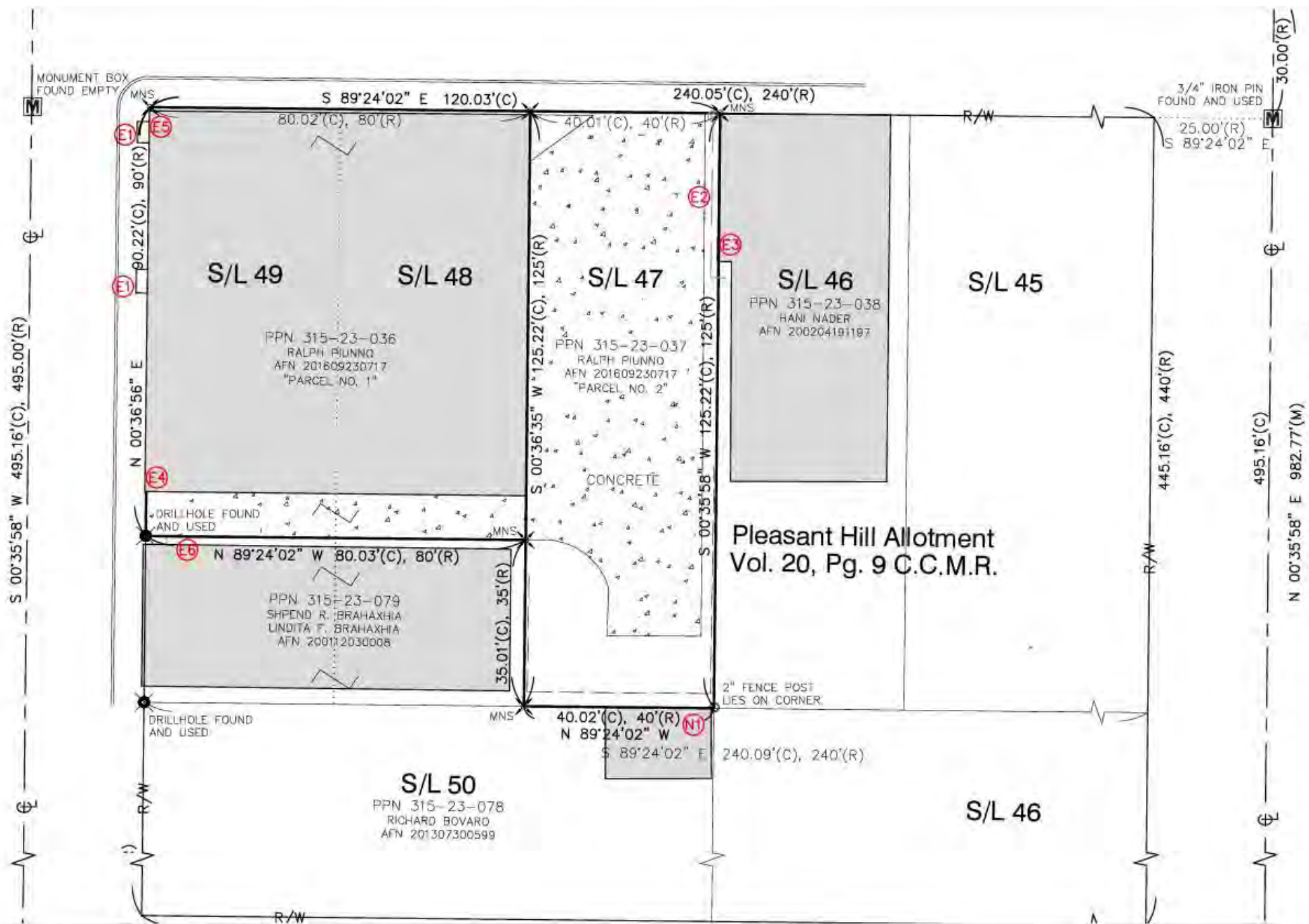


I HEREBY CERTIFY THAT THE BOUNDARIES SHOWN HEREON ARE THE RESULT OF A SURVEY DONE BY MYSELF ON OCTOBER 25 OF 2016. THIS BOUNDARY RETRACEMENT SURVEY IS IN ACCORDANCE WITH THE OHIO ADMINISTRATIVE CODE CHAPTER 131-37.
 10/27/2016
 SCOTT CASEY 8219

EXACTA OHIO
 SURVEYING & CONSULTING COMPANY
 11700 OHIO 100, SUITE 100, CLEVELAND, OH 44130
 WWW.EXACTA-CHIO.COM

JOB NO.	16091
SCALE:	1" = 20'
DRAWN BY:	SJC
FIELD WORK DATE:	10/25/16

2011 Lark



MAGEE STREET (50')
(A PUBLIC RIGHT-OF-WAY)

Product Specification

Model Number(s)	RP1418AJ1NA	Amp(s)	20
Brand	Rheem	Decibel Level (dB)	75
Type	Heat Pump	Maximum CFM	575
Category	Heat Pumps	Refrigerant Type	R-410A
Ton	1.5 Ton	Suction Valve Size (Inches)	3/4
SEER	14	Liquid Valve Size (Inches)	3/8
HSPF	8.20	Min. Operating Temp. (Degrees)	55
Cooling Btu	18,800	Height (Inches)	28
Cooling Stage(s)	1	Width (Inches)	33 3/4
Compressor Stage	Single	Depth (Inches)	33 3/4
Heating Btu	17,000	Total Shipping Weight (lbs.)	156
Heating Stage(s)	1	Parts Warranty (Years)	10
Voltage	208/230V	Compressor Warranty (Years)	10
Electrical Phase(s)	1-Phase	UPC #	646341720926

RECOGNIZE THIS SYMBOL
AS AN INDICATION OF
IMPORTANT SAFETY
INFORMATION

⚠WARNING

THESE INSTRUCTIONS
ARE INTENDED AS AN AID
TO QUALIFIED, LICENSED
SERVICE PERSONNEL FOR
PROPER INSTALLATION,
ADJUSTMENT, AND
OPERATION OF THIS UNIT.
READ THESE INSTRUCTIONS
THOROUGHLY BEFORE
ATTEMPTING INSTALLATION
OR OPERATION. FAILURE
TO FOLLOW THESE
INSTRUCTIONS MAY RESULT
IN IMPROPER INSTALLATION,
ADJUSTMENT, SERVICE,
OR MAINTENANCE
POSSIBLY RESULTING IN
FIRE, ELECTRICAL SHOCK,
PROPERTY DAMAGE,
PERSONAL INJURY, OR
DEATH.

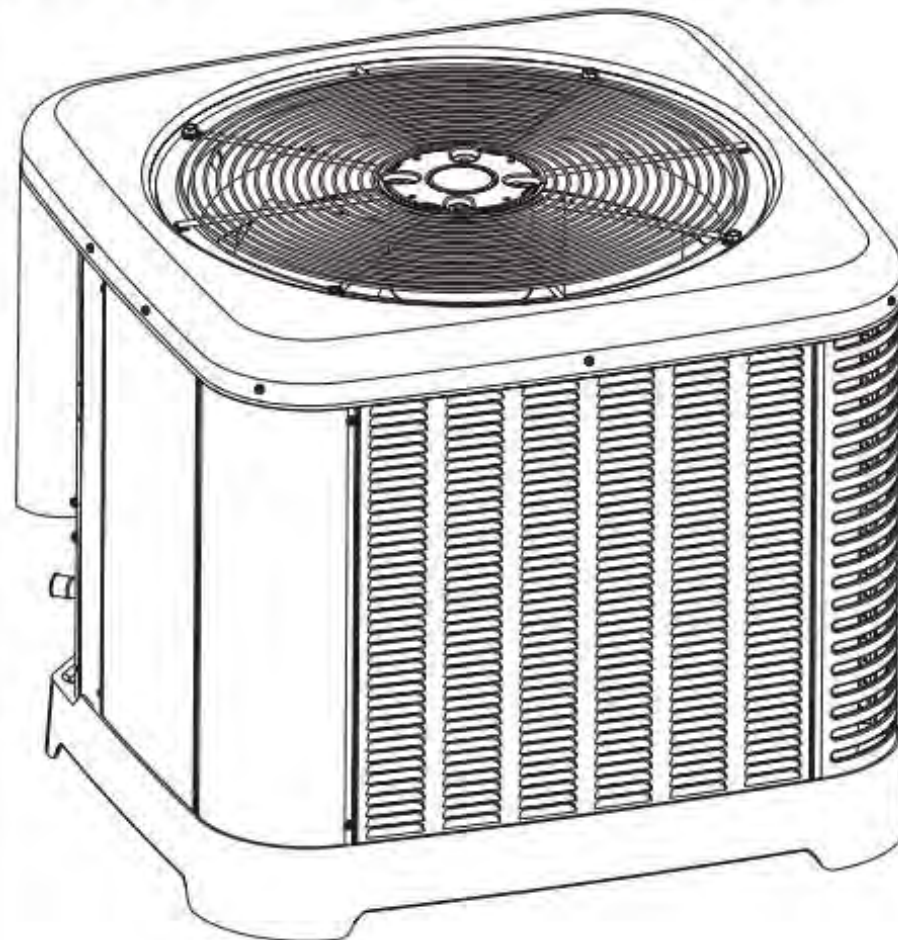
Do not destroy this manual.
Please read carefully and
keep in a safe place for future
reference by a serviceman.

R-410A HEAT PUMP OUTDOOR UNITS

INSTALLATION INSTRUCTIONS

RP13 (13 SEER)

RP14 (14 SEER) AND RP15 (15 SEER)



INSTALLATION



Choosing a Location

IMPORTANT: Consult local and national building codes and ordinances for special installation requirements. Following location information will provide longer life and simplified servicing of the outdoor heat pump.

NOTICE: These units must be installed outdoors. No ductwork can be attached, or other modifications made, to the discharge grille. Modifications will affect performance or operation.

Operational Issues

IMPORTANT: Locate the unit in a manner that will not prevent, impair, or compromise the performance of other equipment installed in proximity to the unit. Maintain all required minimum distances to gas and electric meters, dryer vents, and exhaust and inlet openings. In the absence of national codes or manufacturers' recommendations, local code recommendations and requirements will take precedence.

- Refrigerant piping and wiring should be properly sized and kept as short as possible to avoid capacity losses and increased operating costs.
- Locate the unit where water runoff will not create a problem with the equipment. Position the unit away from the drip edge of the roof whenever possible. Units are weatherized, but can be affected by the following:
 - Water pouring into the unit from the junction of rooflines, without protective guttering. Large volumes of water entering the heat pump while in operation can impact fan blade or motor life, and coil damage may occur to a heat pump if moisture cannot drain from the unit under freezing conditions.
 - Freezing moisture or sleet conditions can cause the cabinet to ice-over prematurely and prevent heat pump operation, requiring backup heat, which generally results in less economical operation.
- Closely follow the clearance recommendations on page 8.
 - 24" [61.0 cm] to the service panel access
 - 60" [152.4 cm] above heat pump fan discharge (unit top) to prevent recirculation
 - 6" [15.2 cm] to heat pump coil grille air inlets with 12" [30.5 cm] minimum recommended

Corrosive Environment

The metal parts of this unit may be subject to rust or deterioration if exposed to a corrosive environment. This oxidation could shorten the equipment's useful life.

Corrosive elements include, but are not limited to, salt spray, fog or mist in seacoast areas, sulphur or chlorine from lawn watering systems, and various chemical contaminants from industries such as paper mills and petroleum refineries.

If the unit is to be installed in an area where contaminants are likely to be a problem, special attention should be given to the equipment location and exposure.

- Avoid having lawn sprinkler heads spray directly on the unit cabinet.
- In coastal areas, locate the unit on the side of the building away from the waterfront.
- Shielding provided by a fence or shrubs may give some protection, but cannot violate minimum airflow and service access clearances.
- Elevating the unit off its slab or base enough to allow air circulation will help avoid holding water against the base pan.

⚠WARNING: Disconnect all power to unit before starting maintenance. Failure to do so can cause electrical shock resulting in severe personal injury or death.

Regular maintenance will reduce the buildup of contaminants and help to protect the unit's finish.

- Frequent washing of the cabinet, fan blade, and coil with fresh water will remove most of the salt or other contaminants that build up on the unit.
- Regular cleaning and waxing of the cabinet with a good automobile polish will provide some protection.
- A good liquid cleaner may be used several times a year to remove matter that will not wash off with water.



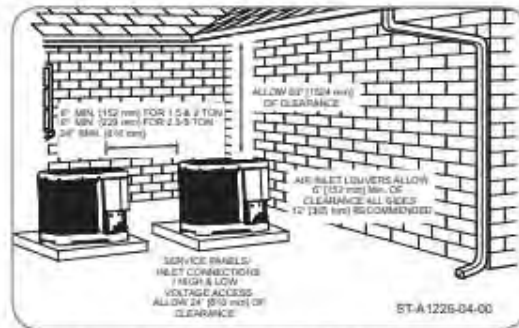
Choosing a Location (cont.)

For Units With Space Limitations

In the event that a space limitation exists, we will permit the following clearances:

Single-Unit Applications: Clearances below 6" [15.2 cm] will reduce unit capacity and efficiency. Do not reduce the 60" [152.4 cm] discharge or the 24" [61.0 cm] service clearances.

Multiple-Unit Applications: When multiple condenser grille sides are aligned, a 6" [15.2 cm] clearance is recommended for 1.5 and 2 ton models and 9" [22.9 cm] for 2.5 ton to 5 ton models. Two combined clearances below the minimum will reduce capacity and efficiency. Do not reduce the 60" [152.4 cm] discharge or 24" [61.0 cm] service clearances.



Customer Satisfaction Issues

- The heat pump should be located away from the living, sleeping, and recreational spaces of the owner and those spaces on adjoining property.
- To prevent noise transmission, the mounting pad for the outdoor unit should not be connected to the structure and should be located a sufficient distance above grade to prevent ground water from entering the unit.

Unit Mounting

⚠WARNING: Secure an elevated unit and its elevating stand in order to prevent tipping. Failure to do so may result in severe personal injury or death.

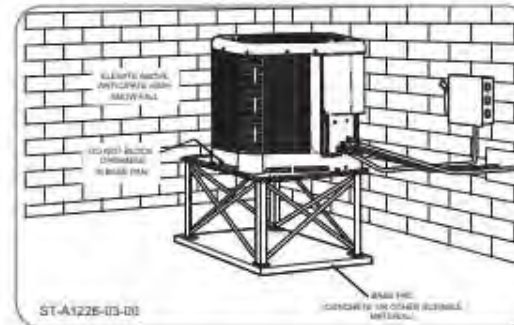
Elevation of Unit

If elevating the heat pump, either on a flat roof or on a slab, observe the following guidelines.

- If elevating a unit on a flat roof, use 4" x 4" [10.2 cm x 10.2 cm] or equivalent stringers positioned to distribute unit weight evenly and prevent noise and vibration.
- Where snowfall is anticipated, raise the unit above the base pad to prevent ice buildup and coil damage. Mount the unit high enough to be above the average accumulated area snowfall. See "Ground Snow Depth" chart on page 10 for representative snow depths.

NOTICE: Do not block drain openings on bottom of unit.

- If unit must be elevated because of anticipated snowfall, secure unit and elevating stand such that unit and/or stand will not tip over or fall off. Keep in mind that someone may try to climb on unit.



Factory-Preferred Tie-Down Method for High Wind or Seismic Loads

IMPORTANT: The manufacturer-approved/recommended method is a guide to securing equipment for wind and seismic loads. Other methods might provide the same result, but the manufacturer method is the only one endorsed by the manufacturer for securing equipment where wind or earthquake damage can occur. Additional information is available in the PTS (Product Technical Support) section of the manufacturer's Web sites Rheemote.net, MyRheem.com, or MyRuud.com and can be found as a listing under each outdoor model. If you do not have access to this site, your distributor can offer assistance.

INSTALLATION



Choosing a Location (cont.)

Location

GROUND SNOW DEPTH - INCHES												
ALABAMA	INDIANA	MINNESOTA	NEW MEXICO	PENNSYLVANIA	VIRGINIA							
Huntsville	7	Evansville	12	Duluth	64	Albuquerque	4	Allentown	23	Dules Airport	19	
ARIZONA	Fort Wayne	17	International Falls	43	Clayton	10	Erie	19	Lynchburg	16		
Flagstaff	48	Indianapolis	21	Minneapolis/St. Paul	50	Roswell	8	Harrisburg	23	National Airport	18	
Prescott	3	South Bend	44	Rochester	50	NEW YORK	Philadelphia	18	Norfolk	9		
Winslow	7	IOWA	St. Cloud	53	Albany	25	Pittsburgh	22	Richmond	12		
ARKANSAS	Burlington	17	MISSISSIPPI	Binghamton	35	Scranton	16	Roanoke	17			
Fl. Smith	5	Des Moines	22	Jackson	3	Buffalo	42	Williamsport	20	WASHINGTON		
Little Rock	6	Dubuque	38	MISSOURI	NYC - Kennedy Airport	18	RHODE ISLAND	Olympia	24			
CALIFORNIA	Sioux City	33	Columbia	21	NYC - LaGuardia Airport	18	Providence	21	Quillayute	24		
Blue Canyon	25	Waterloo	36	Kansas City	16	Rochester	38	SOUTH CAROLINA	Seattle-Tacoma	14		
Mt. Shasta	69	KANSAS	St. Louis	16	Syracuse	35	Columbia	12	Spokane	41		
COLORADO	Concordia	23	Springfield	14	NORTH CAROLINA	Asheville	12	SOUTH DAKOTA	Stampede Pass	51		
Alamosa	15	Dodge City	12	MONTANA	Cape Hattaras	5	Aberdeen	42	WEST VIRGINIA			
Colorado Springs	14	Goodland	14	Billings	17	Charlotte	10	Huron	43	Beckley	51	
Denver	15	Topeka	19	Glasgow	17	Greensboro	11	Rapid City	14	Charleston	20	
Grand Junction	16	Wichita	11	Great Falls	16	Raleigh-Durham	10	Sioux Falls	38	Elkins	21	
Pueblo	7	KENTUCKY	Havre	24	Wilmington	9	TENNESSEE	Huntington	15			
CONNECTICUT	Cowington	12	Helena	18	Winston-Salem	17	Bristol	8	WISCONSIN			
Bridgeport	23	Lexington	12	Kaispell	53	NORTH DAKOTA	Chattanooga	6	Green Bay	36		
Hartford	29	Louisville	11	Missoula	23	Bismarck	25	Knoxville	6	La Crosse	32	
New Haven	15	MAINE	NEBRASKA		Fargo	34	Memphis	5	Madison	32		
DELAWARE	Caribou	100	Grand Island	30	Williston	25	Nashville	8	Milwaukee	32		
Wilmington	13	Portland	62	Lincoln	20	OHIO	TEXAS	WYOMING				
GEORGIA	Athens	5	Baltimore	17	North Platte	15	Akron-Canton	15	Abilene	6	Casper	10
Macon	8	MASSACHUSETTS	Omaha	20	Cleveland	16	Amarillo	10	Cheyenne	15		
IDAHO	Boise	6	Nantucket	18	Valentine	22	Dayton	11	El Paso	5	Sheridan	25
Lewiston	9	Worcester	35	NEVADA	Mansfield	17	Fort Worth	6				
0 Pocatello	7	MICHIGAN	Elko	20	Toledo Express	8	Lubbock	10				
ILLINOIS	Alpena	53	Ely	9	Youngstown	12	Midland	2				
Chicago O'Hare	18	Detroit City	9	Reno	11	OKLAHOMA	San Antonio	3				
Chicago	22	Detroit Airport	17	Winnemucca	6	Oklahoma City	5	Wichita Falls	5			
Moline	17	Detroit-Willow Run	21	NEW HAMPSHIRE	Tulsa	8	UTAH					
Peoria	16	Flint	28	Concord	66	OREGON	Milford	16				
Rockford	25	Grand Rapids	37	NEW JERSEY	Burns City	24	Salt Lake City	8				
Springfield	23	Houghton Lake	56	Atlantic City	11	Eugene	17	Wendover	3			
		Lansing	42	Newark	15	Medford	8	VERMONT				
		Marquette	53			Pendleton	11	Burlington	37			
		Muskegon	43			Portland	10					
		Sault Ste. Marie	80			Salem	7					

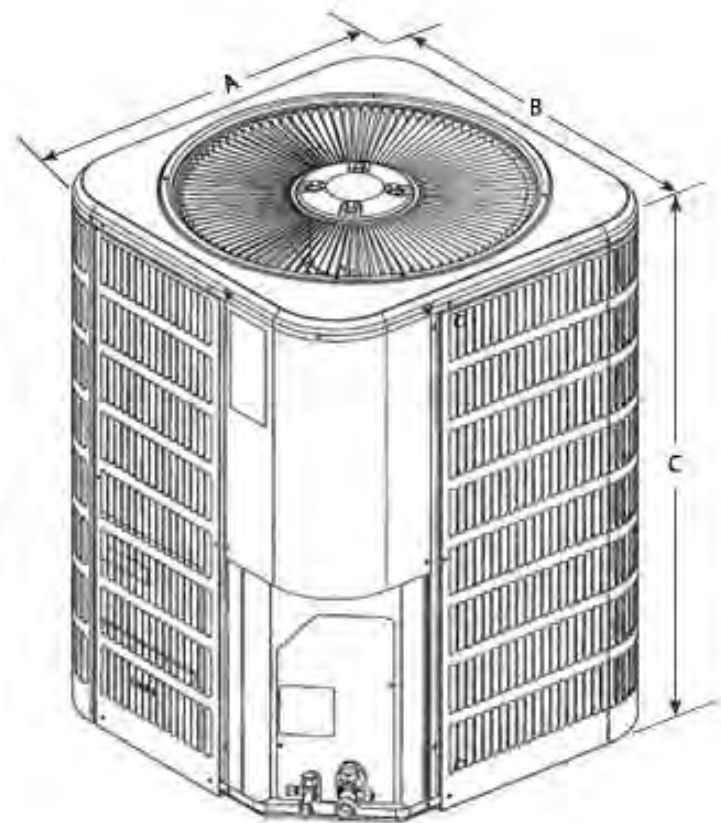
UNIT DIMENSIONS (IN.)

Model	Dimensions (inch)			Shipping Weight (lbs.)
	A - Width	B - Depth	C - Height	
4HP15L18P-50	28.25	28.25	43.25	182
4HP15L24P-50	28.25	28.25	43.25	184
4HP15L30P-50	28.25	28.25	43.25	183
4HP15L36P-50	28.25	28.25	37.25	199
4HP15L42P-50	32.25	32.25	37.25	249
4HP15L48P-50	32.25	32.25	37.25	252
4HP15L60P-50	32.25	32.25	43.25	270

Note:

Dimensions listed are unit sizes w/o packaging

Weights listed are unit weights with packaging



INSTALLATION INSTRUCTIONS

4HP14/15 SPLIT SYSTEM HEAT PUMP

(R410A REFRIGERANT)

This manual must be left with the homeowner for future reference.



This is a safety alert symbol and should never be ignored. When you see this symbol on labels or in manuals, be alert to the potential for personal injury or death.

Table of Contents

Safety Precautions	2
Installation	2
Electrical Connections	5
Start-Up Procedure.....	6
Operation.....	7
Homeowner's Information	10

NOTE

These instructions are intended as a general guide and do not supersede national, state or local codes in any way.

NOTE TO INSTALLING DEALER

These instructions and warranty are to be given to the owner or displayed near the indoor air handler unit.

WARNING

Installation or repairs made by unqualified persons can result in hazards to you and others. Installation **MUST** conform with local building codes and with the National Electrical Code NFPA 70/ANSI C1-1993 or current edition and Canadian Electrical Code Part 1 CSA C22.1.

CAUTION

Improper installation, adjustment, alteration, service or maintenance will void the warranty. The qualified installer or agency must use factory-authorized kits or accessories when added to this products. Refer to the individual instructions included with the specific accessory kit.

WARNING

Before installing, modifying, or servicing system, main electrical disconnect switch must be in the OFF position. There may be more than 1 disconnect switch. Lock out and tag switch with a suitable warning label. Electrical shock can cause personal injury or death.

215 Metropolitan Drive
West Columbia, SC 29170



(P) 506318-03

SOUND RATINGS

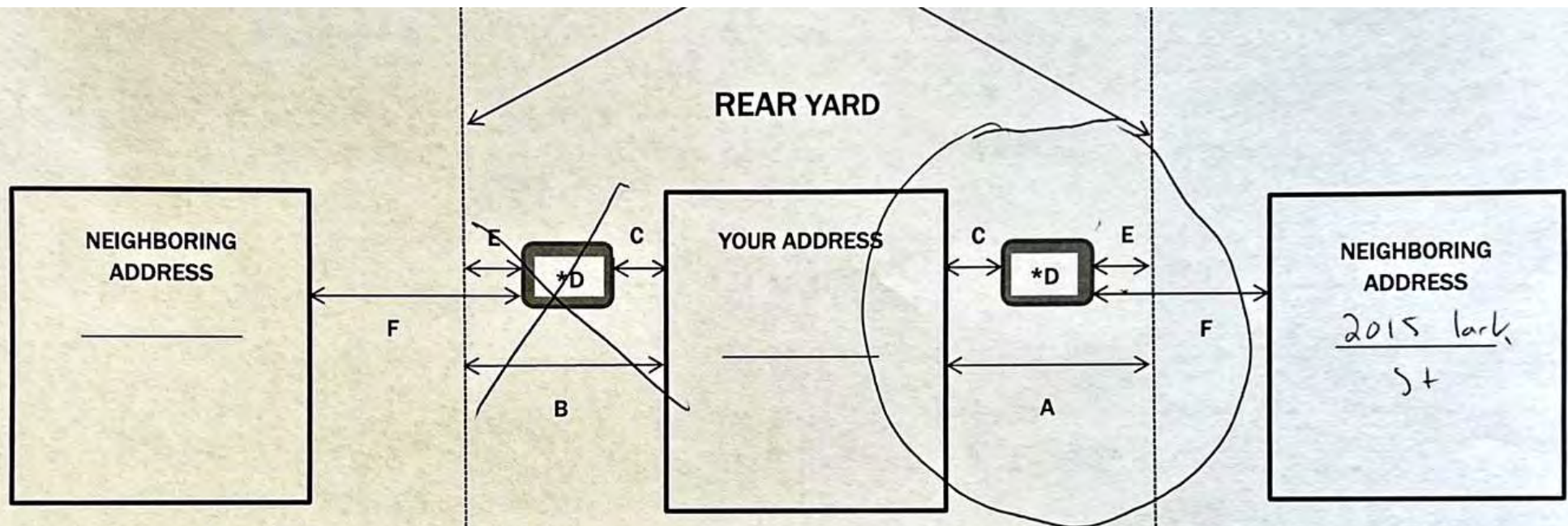
Model	Sound Power ¹	Estimated Sound Pressure (dBA) ²		
		Approximate Distance ³		
		3.3 Feet (1 Meter)	6.6 Feet (2 Meters)	9.8 Feet (3 Meters)
4HP15L18P-50	76	68	62	58
4HP15L24P-50	76	68	62	58
4HP15L30P-50	76	68	62	58
4HP15L36P-50	76	68	62	58
4HP15L42P-50	79	71	65	61
4HP15L48P-50	80	72	66	62
4HP15L60P-50	80	72	66	62

¹ Rated in accordance with AHRI standard 270 (2015). AHRI Standard 270 establishes a method of rating outdoor unitary equipment in terms of Sound Power.

² Rated in accordance with AHRI standard 275 (2010). AHRI Standard 275 provides the calculations for estimating the A-Weighted Sound Pressure at a given distance from the equipment. That is a more useful number because that is what humans will hear.

³ Based only on distance factor; other factors may change this value such as:

- Unit location (reflective surfaces adjacent to the unit)
- Barrier shielding sources
- Sound path/elevation
- Outside noise sources



Distance "A" = 3 ft. 5 in.
 Distance "B" = X ft. X in.
 Distance "C" = 0 ft. 4 in.
 AC Unit "D" = 20 in. X 29 in.
 Distance "E" = 0 ft. 8 in.
 Distance "F" = 12 ft. 6 in.
 ANSI/AHRI Sound Rating of Unit _____

***Note:** The unit must be permanently screened from the adjacent neighbor and the Public Right-of-Way.

Proposed screening method:
lattice fence screen

FRONT YARD

THE LAKEWOOD BUILDING DEPARTMENT CANNOT DETERMINE PROPERTY LINES. PROPERTY LINES ARE THE SOLE RESPONSIBILITY OF THE HOMEOWNER.

Administrative Comments

- In residential districts the closest a unit may be located is 24 inches to a property line if it is screened from the neighbors and is 70 dB or less. This property is in the commercial C2 district, and the closest a unit may be is 5 feet from the property line.
- It is possible for the units to be mounted on the roof with no variance required from BZA, in this case, the units were installed prior to the variance request being filed.
- Installation instructions discourage installation near windows or living areas due to noise.
- Heat pumps run all year round
- The property has limited options for the location of the units due to the small setbacks on the side and rear.
- The property line on the south side is marked by a pin in the driveway. The request is to place the units 8 inches from the property line, any screening would be placed in the driveway, it appears the driveway may encroach on the subject's property. If screening is placed between the neighboring property and the unit, screening would be closer than the recommended guidelines of 12 inches from the unit.
- The units block the only exterior route on the subject's property, to use the rear entrance or service the units the path is on the neighboring driveway. However, the route is already blocked by the side porch. Is there an access easement or support from the adjacent property owner?
- A search did not reveal any variances found in the past 10 years for Commercial properties



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:

In order to for a variance request to be approved, applicants must demonstrate how their request meets the Practical Difficulty Test based on the below factors. The Board of Zoning Appeals must consider and weigh each response on its merits.

Please review each of the below 9 points and respond "Not Applicable", "Yes" or "No". If your answer is "Yes" or "No", please provide a brief explanation.

(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

(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

(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);

We provide Central HVAC to all of our tenants and we have found that there is demand for such amenity with our tenants

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

No; the ac units are located on our property and can be serviced from the sides while on our property. the neighboring house has a driveway abutting our property

(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



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:

In order to for a variance request to be approved, applicants must demonstrate how their request meets the Practical Difficulty Test based on the below factors. The Board of Zoning Appeals must consider and weigh each response on its merits.

Please review each of the below 9 points and respond "Not Applicable", "Yes" or "No". If your answer is "Yes" or "No", please provide a brief explanation.

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

No; the units are located towards the rear of the building behind the side entry stair

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

I was not aware of the side yard setback requirement for AC units

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

The only other place to put the AC units would be on the roof and that would be very cost prohibitive and create a hardship in terms of the installation of the units

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

Yes; the units are on our property, able to be serviced from our property and located toward the back of the building behind the side entry stairs





Public Comment

Received via email-

Meeting attendee(s)



NEW BUSINESS

1. Docket No. 06-11-23

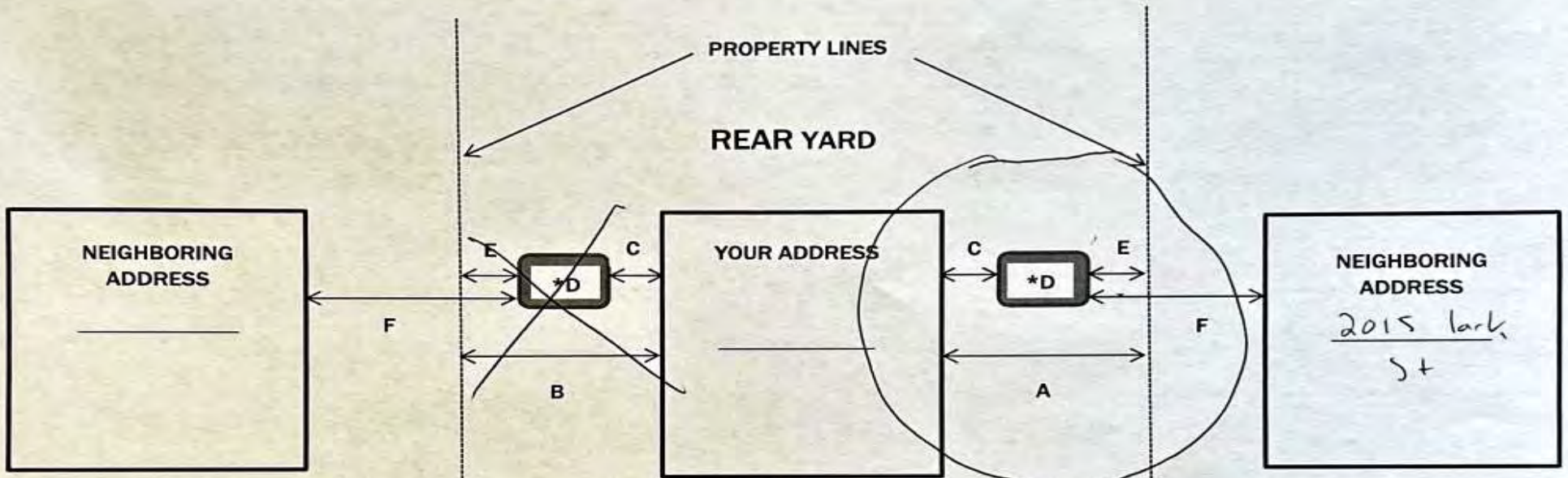
2011 Lark

Applicant and owner Jim Miketo of Neighborhood Drummer LLC proposes the installation of two heat pump units eight inches from the south property line on the west side of the building. The existing structure is three feet, five inches from the property line. The requirement is five feet. The property is located in the C2 Commercial Retail District. (Page 8)

- Variance 1: Request a variance to reduce the side yard setback of the primary structure. The required side yard is five feet. The existing side yard is three feet, five inches. Request a variance of 2 feet, 9 inches to place two heat pump units 8 inches from the side property line, each unit is 29 inches in width and will be placed 4 inches from the existing structure, as proposed. Pursuant to Schedule 1129.07 Yard Requirements (Ord. 12-11. Passed 5-2-2011.) *

*Note: Special Variance Required for decibel rating exceeding the allowable rating of 70: The Board of Zoning Appeals is not given the authority to grant a variance to Chapter 15: Noise Control. The power to grant the special variance is given to the building commissioner pursuant to section 505.12(a) Special Variances (Ord. 66-76. Passed 12-6-1976.) and the test given is unnecessary hardship. Any area variance granted will be contingent on the units either being compliant with the ratings specified in Chapter 15 or applying for and receiving a special variance from the building commissioner.

AIR CONDITIONER - CONDENSING UNIT -YARD PLACEMENT WORKSHEET



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 Distance "B" = X ft. X in.
 Distance "C" = 0 ft. 5 in.
 AC Unit "D" = 20 in. X 29 in.
 Distance "E" = 0 ft. 8 in.
 Distance "F" = 12 ft. 6 in.
 ANSI/AHRI Sound Rating of Unit _____

***Note:** The unit must be permanently screened from the adjacent neighbor and the Public Right-of-Way.

Proposed screening method:
lattice fence screen

FRONT YARD

THE LAKEWOOD BUILDING DEPARTMENT CANNOT DETERMINE PROPERTY LINES. PROPERTY LINES ARE THE SOLE RESPONSIBILITY OF THE HOMEOWNER.

ALL A/C UNITS SHALL BE PLACED NOT CLOSER THAN 24" FROM THE NEIGHBORING PROPERTY LINE. L.C.O. 1123.07



12/9/2019

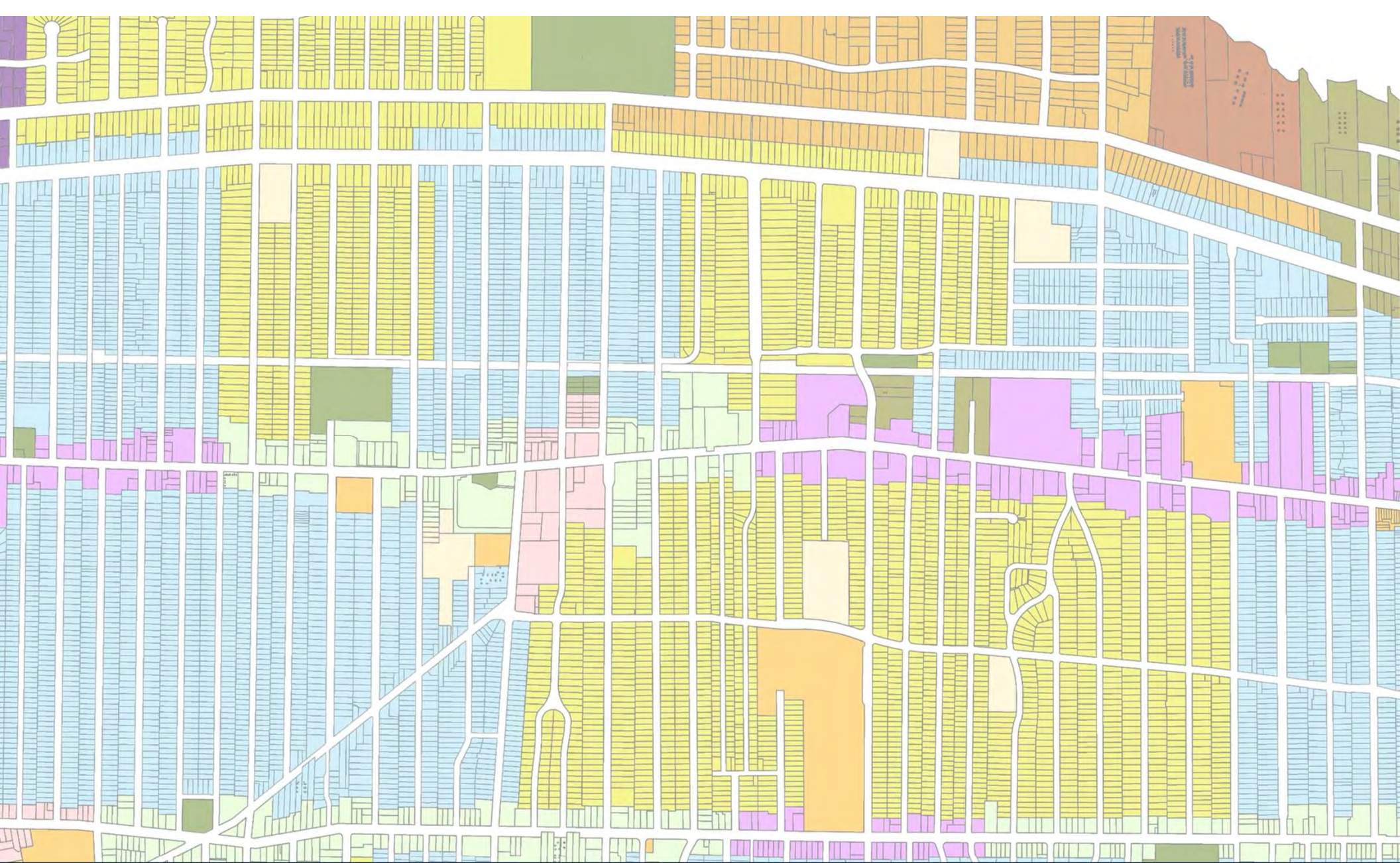
2011 Lark

A detailed zoning map of a city, showing various colored zones (yellow, blue, orange, green, purple) and street layouts. A white rectangular box with a black border is centered over the map.

Adjourn



Board of Zoning Appeals



Board of Zoning Appeals