



City of Lakewood
Board of Zoning Appeals

(216) 529-6630
planning@lakewoodoh.gov

MINUTES
BOARD OF ZONING APPEALS
REVIEW MEETING
LAKEWOOD CITY HALL
JULY 17, 2025
6:30 P.M.
RECORDING AVAILABLE
<https://www.lakewoodoh.gov/videos-2/>

6:00 p.m. Pre-Review Meeting

Members Present

Jillian Bolino
Matt Markling
Jeffrey Pigott , Vice Chair
Anthony Santiago

Administrative Staff

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

The board reviewed the presentation with the board secretary in preparation for the regular meeting, including discussion of the absence of the board chair Mr. Alexander. In his absence it was determined that Mr. Piggot would serve in the role of chair and Ms. Bolino as vice chair in the administration of the evenings meeting.

1. ROLL CALL

Members Present

Jillian Bolino
Matt Markling
Jeffrey Pigott, Vice Chair
Anthony Santiago

Administrative Staff

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

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

2. APPROVE MINUTES OF THE MAY 15, 2025 MEETING

A motion was made by Ms. Bolino, seconded by Mr. Santiago to APPROVE the May 15, 2025 meeting minutes. All the members voted yea, the motion passed.

3. OPENING REMARKS

Ms. Nochtka read the Opening Remarks into record.

NEW BUSINESS

4. Docket No. 07-11-25 1649 Belle Ave.

Applicant James J. Ptacek, Larsen Architects for property owners Jason and Erica Hite, propose the demolition of an existing single story addition on the rear of the house that includes an unroofed second story patio deck of approx. 80 sq. ft. and the construction of a new two story addition that includes a 170 sq. ft. second story unroofed patio deck. The property is in the R1H, Single-Family High-Density District. (Page 3)

- Variance 1: Applicant proposes a new rear addition that includes a second story 170 sq. foot unroofed patio deck at the second story elevation of 13 ft. Request a variance to exceed the 42 inches permitted in height, as proposed. Pursuant to 1121.03(d) Permitted Accessory Uses, (Ord. 07-2023, Passed 11-20-2023)

Jason Hite, property owner, Mark Huebner, representative for Larsen Architects, and Faith Chrostowski, representative for Larsen Architects were present to explain the request. Discussion began with the proposed unroofed second floor patio's dimensions, the possibility of the space being used in part as a garden, and the building addition's relationship to the surrounding structures. Ms. Nochtka provided administrative comments and stated the abutting property owners requested and received a copy of the plans prior to the meeting. Public comment was taken. Ms. Bolino asked Ms. Nochtka to discuss the administration's position on structural building additions that provide for accessible and intergenerational living, Ms. Nochtka affirmed that the administration is support of such improvements. The neighbors inquired as to whether the elevation deck would be adequate to support a garden, it was reported that all such concerns are addressed as part of the building permitting process.

A motion was made by Mr. Santiago, seconded by Mr. Markling to APPROVE the request for one variance as proposed. Ms. Bolino, Mr. Markling, Mr. Pigott, and Mr. Santiago voted yea, the motion passed.

5. Docket No. 07-12-25 12984 Lake Ave.

Applicants and property owners Kayle Arrotta and Stephen Pursey propose the installation of a driveway gate. The property has been historically designated. The proposed gate has received

a certificate of appropriateness from the Architectural Board of Review and requires an area variance due to current zoning code which does not permit gates in front yards. The property is in the R1M, Single-Family Medium-Density District. (Page 11)

- Variance 1: Applicant proposes the construction of a metal gate at the existing stone wall on their historic property. Current code does not permit a gate in the front yard, request a variance to permit the gate to be located in the front yard, as proposed. Pursuant to 1153.03(c)2(E) Fence Placement and Types, Rear and Side Yards (Ord. 08-2021, Passed 05-17-2021)

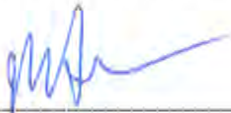
Stephen Pursey, applicant and owner was present to explain the request. Ms. Nochta presented administrative comments, noting several historic properties that have historic walls and added metal gates through the variance process in the immediate vicinity of the property, noting that such existing walls are extremely rare in Lakewood overall and that the administration has no objection in these rare instances.

No communication was received by administration prior to the meeting. Public comment was closed as no one addressed the item.

A motion was made by Mr. Santiago, seconded by Ms. Bolino to APPROVE Docket No. 07-12-25 for one variance as proposed. Ms. Bolino, Mr. Markling, Mr. Pigott, and Mr. Santiago voted yea, the motion passed.

ADJOURN

A motion was made by Ms. Bolino, seconded by Mr. Santiago to ADJOURN the meeting at 6:59 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. Mark Huebner
- 2. Faith Chrostowski
- 3. Jason Hite
- 4. Christopher French
- 5. Stem Pung
- 6. _____
- 7. _____
- 8. _____
- 9. _____
- 10. _____
- 11. _____

- Mark Huebner
- Faith Chrostowski
- Jason Hite
- Christopher French
- Stem Pung
- _____
- _____
- _____
- _____
- _____
- _____

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, July 17, 2025

page 1 of 1

Board of Zoning Appeals

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



City of Lakewood Department of Planning and Development

Board of Zoning Appeals -Staff

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

Board of Zoning Appeals Members

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

Board of Zoning Appeals 1173.04

Variances

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

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

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

Board of Zoning Appeals

Thursday, July 17, 2025

Agenda

1. Roll Call
2. Approve meeting minutes of the May 15, 2025, (the June meeting was cancelled)
3. Opening Remarks

New Business

4. 1649 Belle Ave.
5. 12984 Lake Ave.



BELLE AVE

Belle Ave

MARLOWE AVE

Marlowe Ave

- Docket No.: 07-11-25
- Applicant Name: James J. Ptacek, Larsen Architects for property owners Jason and Erica Hite
- Project Address: 1649 BELLE AVE
- Proposal: Applicant James J. Ptacek, Larsen Architects for property owners Jason and Erica Hite, propose the demolition of an existing single-story addition on the rear of the house that includes an unroofed second story patio deck of approx. 80 sq. ft. , and the construction of a new two-story addition that includes a 170 sq. ft. second story unroofed patio deck. The property is in the R1H, Single-Family High-Density District. (Page 3)
- Variance 1: Applicant proposes a new rear addition that includes a second story 170 sq. foot unroofed patio deck at the second story elevation of 13 ft. Request a variance to exceed the 42 inches permitted in height, as proposed. Pursuant to 1121.03(d) Permitted Accessory Uses, (Ord. 07-2023, Passed 11-20-2023)

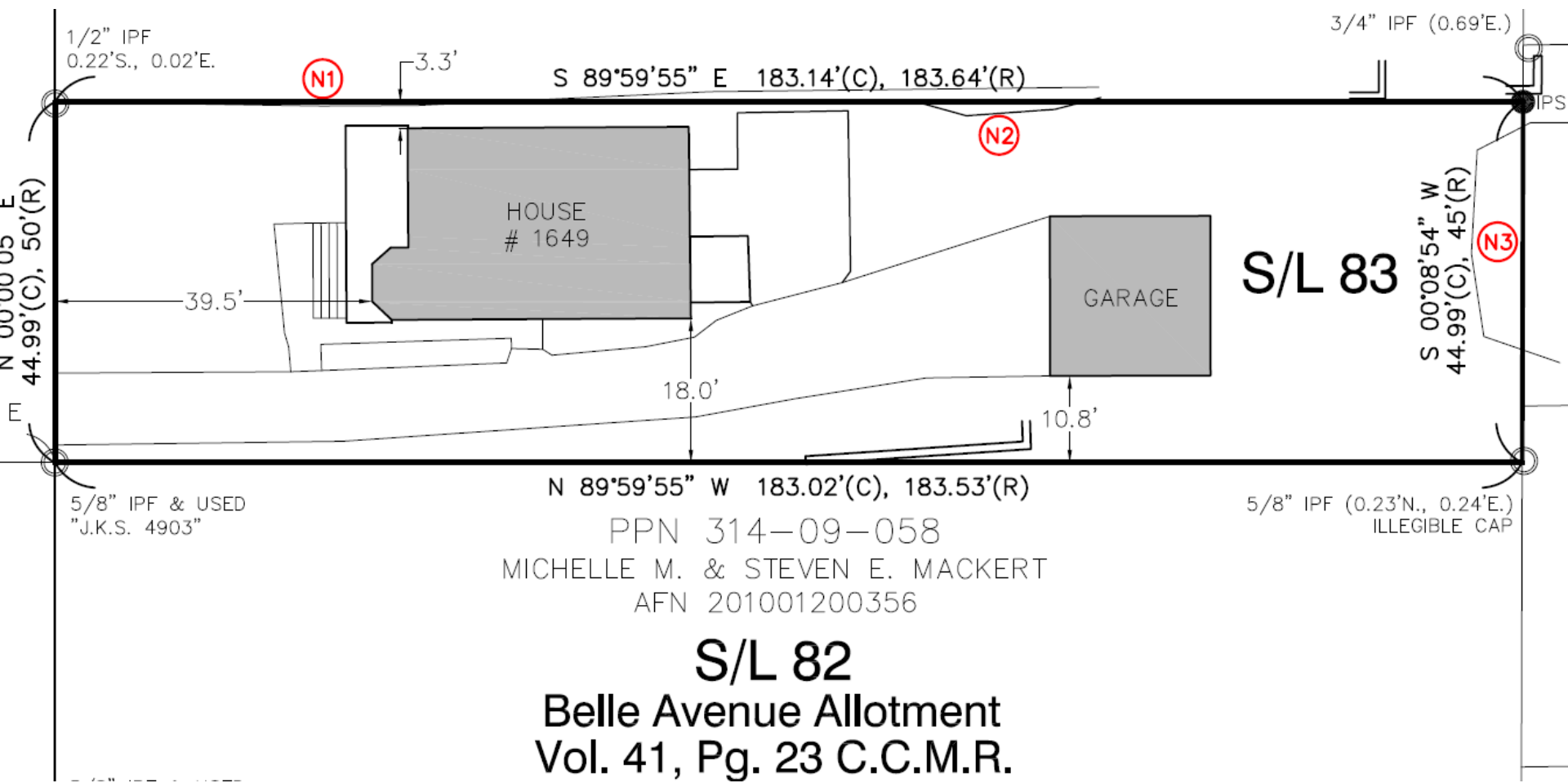
Proposed View - Looking NW

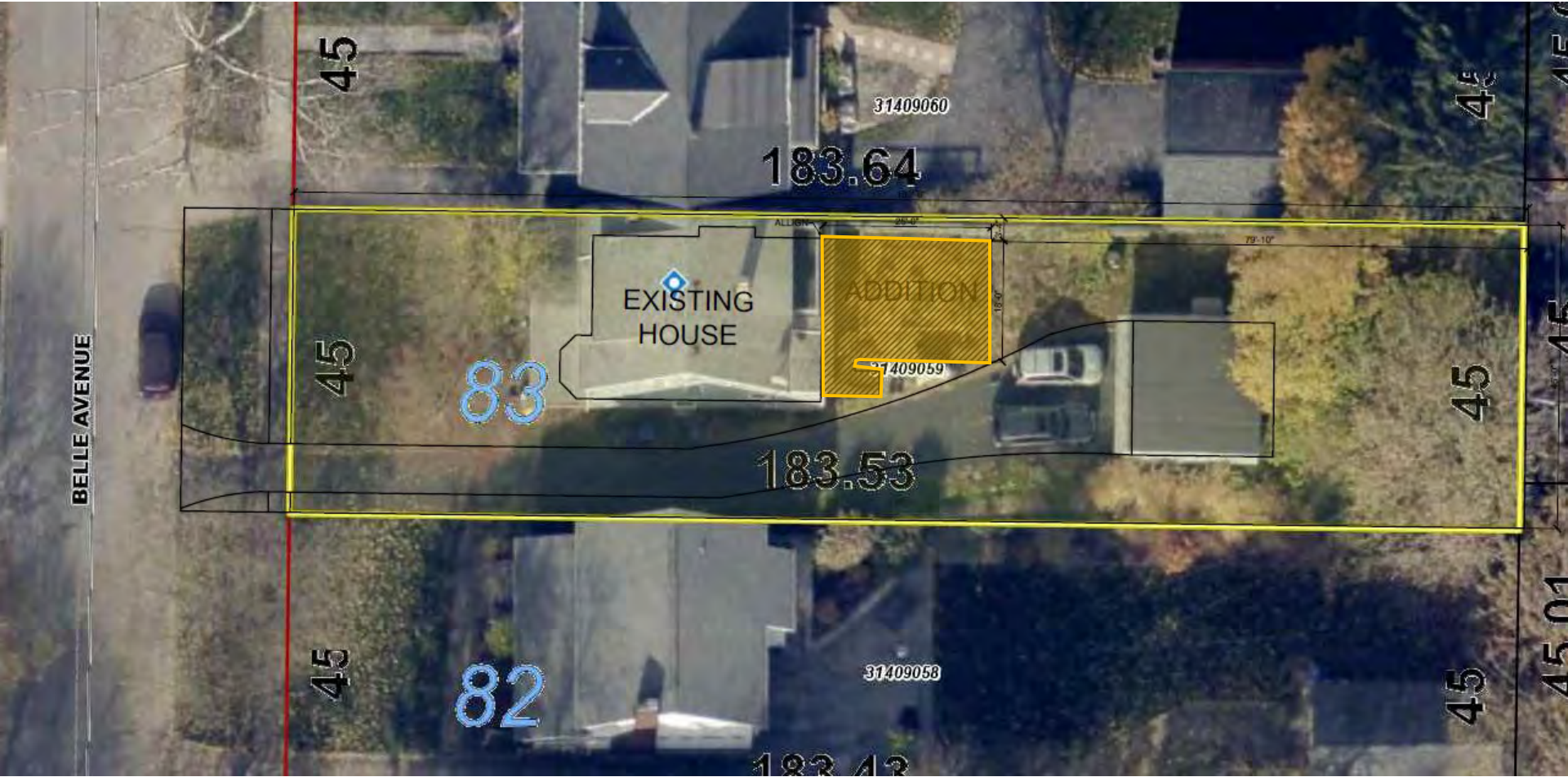


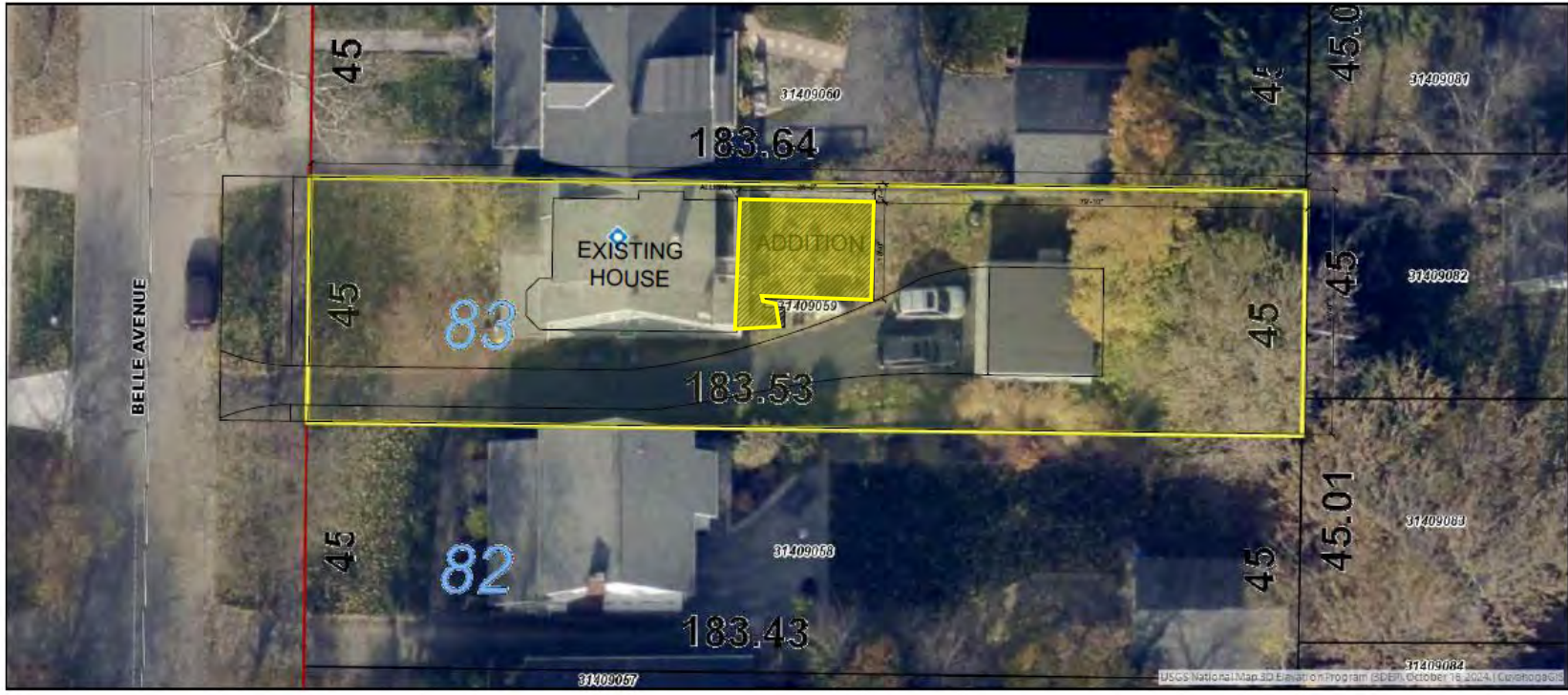
170 SQ. FT AREA - second floor unroofed patio deck
13' max - Height of existing second floor











Proposed View - Looking NW



Proposed View - Looking NW



170 SQ. FT AREA - second floor unroofed patio deck
13' max - Height of existing second floor



Proposed Aerial View - Looking SW

Existing Rear 2nd Floor Porch Conditions



Docket No. 07-11-25

1649 BELLE AVE



Vertical

< Fri Apr 4 2025 >



20 ft

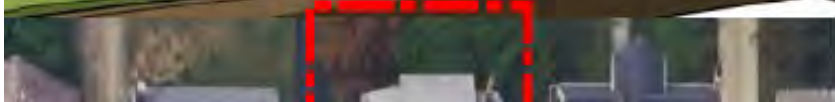






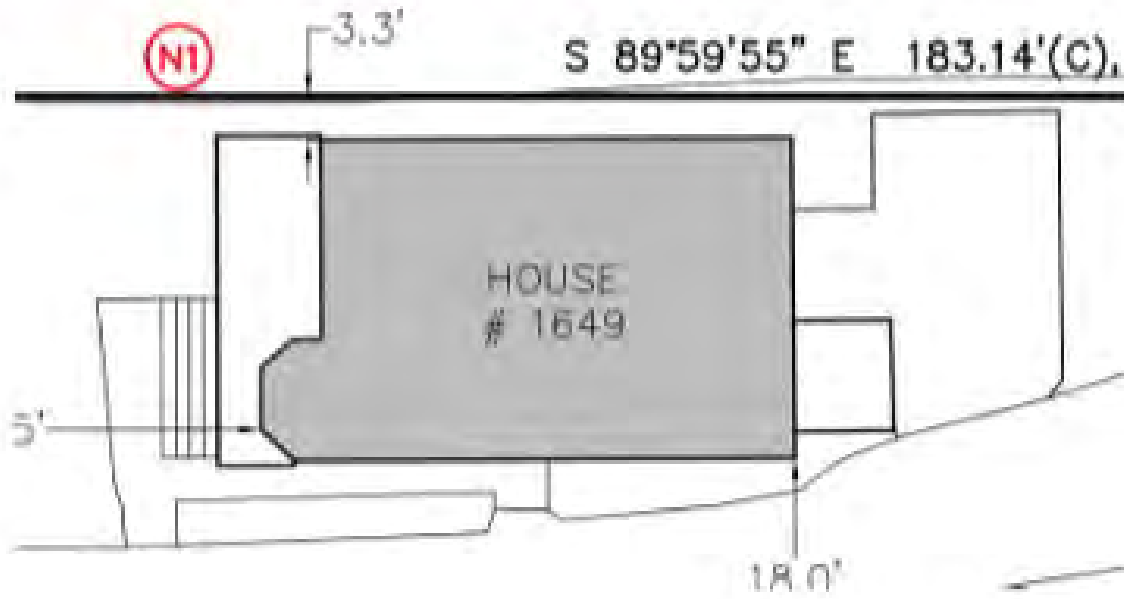
Existing Rear Porch

Proposed Aerial view - Looking SW



Proposed View - Looking SW

Owner's survey confirms the existing home is set 3.3' off the Northern property line – as such the addition (intended to be in plane with the existing) would similarly be 3'-4" off the property line. Portion of survey included below:



Ms. Nohta,

This letter is intended to support our submittal on behalf of the home owners for the BZA review of their proposed, unroofed, 2nd floor patio/deck space. Per LCO 1123.03(d)

An unroofed patio deck not to exceed 300 square feet in area and height not to exceed the first floor elevation above grade, Section [1123.05\(b\)](#) notwithstanding. The rear yard depth requirement shall not be less than thirty (30) feet measured from the back of the deck regardless of the requirements of Section [1123.07](#).

The proposed porch is about 170sf – and replaces a roughly 80 sf that currently exists off the 2nd floor bedroom space. The proposed addition (and patio deck) are nearly 80' from the rear property line.

- 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 house currently has an unroofed, rear 2nd floor, balcony – and the proposed addition will remove an existing garden area, the owner's request was to incorporate a slightly larger 2nd floor porch area to both replace the existing feature of the home, as well as partially replace a portion of the garden area that is being displaced by the addition.

- 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 - The variance in question is simply a use-based variance and conditions for maximum area and setback from the rear property line are satisfied.

- 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 - Addition could be built w/o the porch addition – but it's part of the initial character of the home and adjoining properties on the street have similar rear porches as an architectural feature. As the addition takes the place of a frequently used gardening plot – this would limit their ability to container garden w/o including this porch area.

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

No - The variance in question is simply a use-based variance and conditions for maximum area and setback from the rear property line are satisfied.

- 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 porch would be harmonious with other homes on the street that have similar features.

- 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 - Owner was unaware that there was an ordinance prohibiting unroofed 2nd floor porches.

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

No – as the addition will displace their existing garden area – and the land behind the garage is too steep and too shady given the mature trees at the rear of the property – this is the only location that can allow for this function, and it replaces a currently existing condition.

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

Yes – spirit and intent of the code would be observed, and owner would have the opportunity to replace the existing rear porch area – and expand it to make up for the garden area the addition displaces.

ADMINISTRATIVE COMMENTS

- The board has approved a number of these small elevated unroofed patio decks each year with no negative consequences either observed or reported.
- The deck size is 170 sq feet, a modest size
- There is an existing second story unroofed patio deck of approx. 80 square feet that is being removed and replaced by this larger addition with the new deck in a different location on the rear of the structure
- The air conditioner must either be no closer to the side property line than the existing setback or meet the requirements for decibel ratings and placement for an ac in a side yard.

PUBLIC COMMENT

- Received via Phone- The French family at 1645 Belle called to inquire about viewing the proposal
- Received via email-with originally submitted dimensions-support
- Meeting attendee(s)

Proposed View - Looking NW

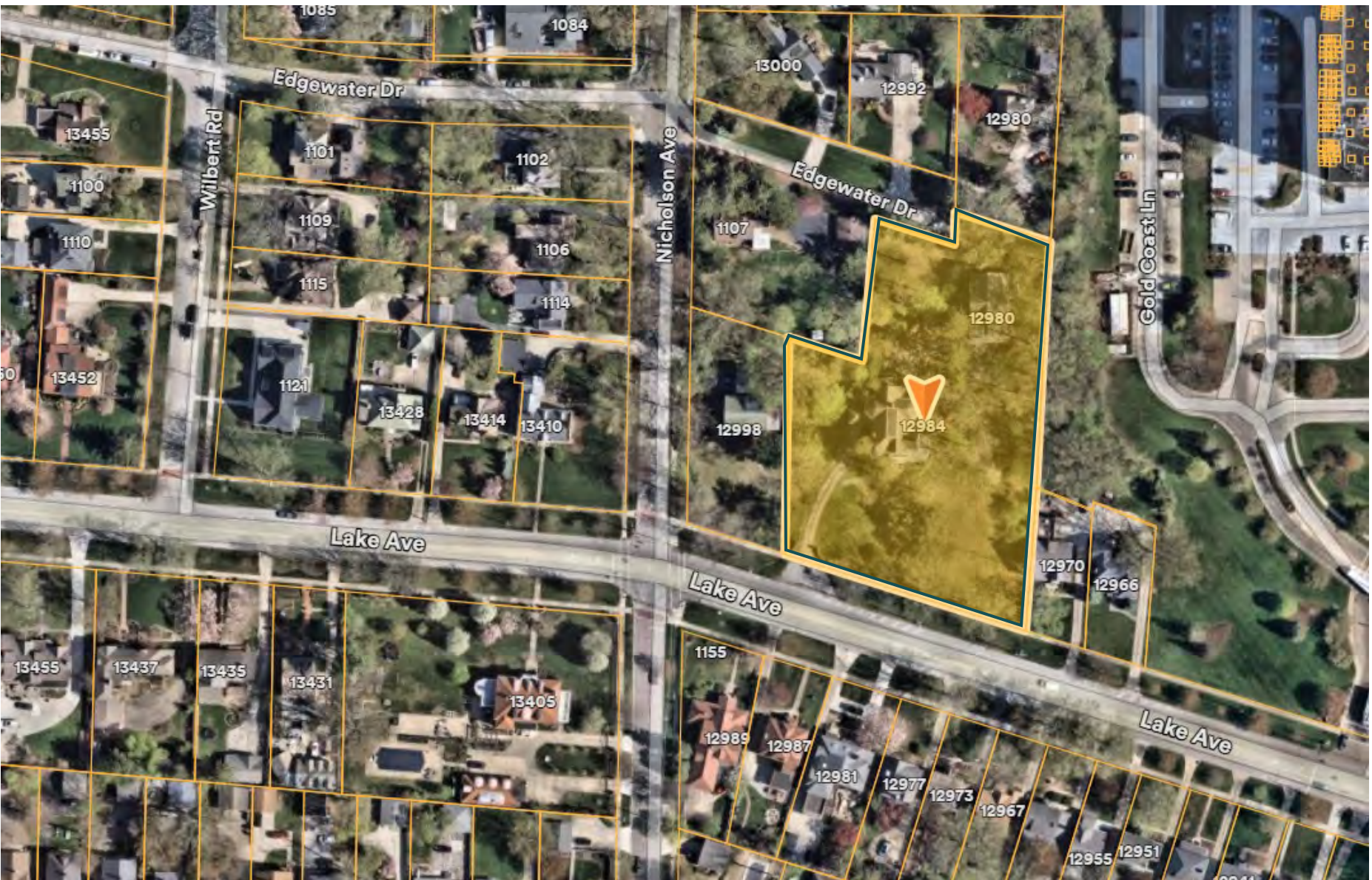


170 SQ. FT AREA - second floor unroofed patio deck
13' max - Height of existing second floor

- Docket No.: **07-11-25**
- Applicant Name: James J. Ptacek, Larsen Architects for property owners Jason and Erica Hite
- Project Address: **1649 BELLE AVE**
- Proposal: Applicant James J. Ptacek, Larsen Architects for property owners Jason and Erica Hite, propose the demolition of an existing single- story addition on the rear of the house that includes an unroofed second story patio deck of approx. 80 sq. ft. , and the construction of a new tw- story addition that includes a 170 sq. ft. second story unroofed patio deck. The property is in the R1H, Single-Family High-Density District. (Page 3)
- Variance 1: Applicant proposes a new rear addition that includes a second story 170 sq. foot unroofed patio deck at the second story elevation of 13 ft. Request a variance to exceed the 42 inches permitted in height, as proposed. Pursuant to 1121.03(d) Permitted Accessory Uses, (Ord. 07-2023, Passed 11-20-2023)

Docket No. 07-12-25

12984 LAKE AVE



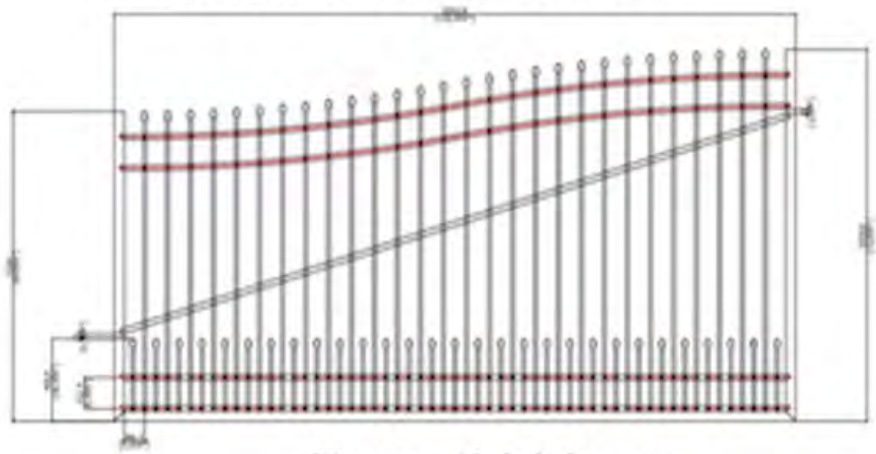
Docket No.: 07-12-25

- Applicant Name: Kayle Arrotta and Stephen Pursey
- Project Address: 12984 LAKE AVE
- Proposal: Applicant Applicants and property owners Kayle Arrotta and Stephen Pursey propose the installation of a driveway gate. The property has been historically designated. The proposed gate has received a certificate of appropriateness from the Architectural Board of Review and requires an area variance due to current zoning code which does not permit gates in front yards. The property is in the R1M, Single-Family Medium-Density District.
- Variance 1: Applicant proposes the construction of a metal gate at the existing stone wall on their historic property. Current code does not permit a gate in the front yard, request a variance to permit the gate to be located in the front yard, as proposed. Pursuant to 1153.03(c)2(E) Fence Placement and Types, Rear and Side Yards (Ord. 08-2021, Passed 05-17-2021)

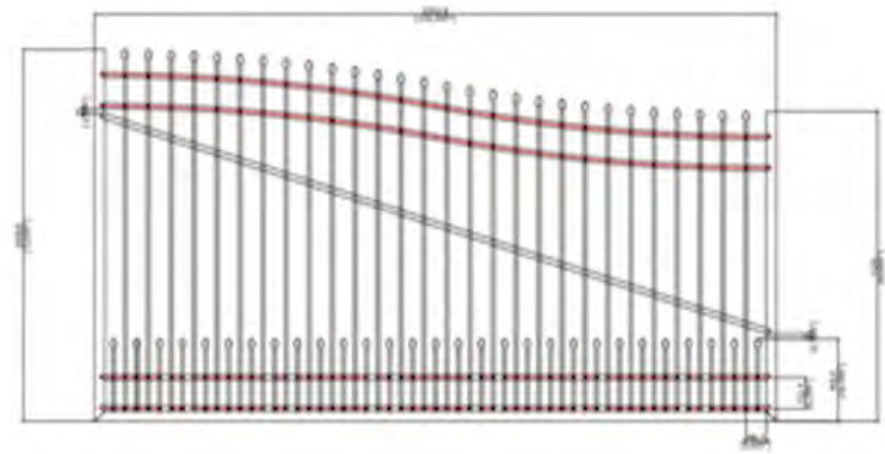


ESRGAT608R264LSOPP

Estate Residential Gate , 22' W X 5' to 6' H , Black, Longspur-
With Open Top Puppy Picket- set Double as a Double Gate .



The screw side is facing you.



Specifications

MATERIALS

COMPONENTS	ALLOY	YIELD STRENGTH	STANDARD COLORS
Aluminum	6005-T5	35,000 PSI	BLK, WH, BE, GR, BRZ
Extrusion Rails			
Stainless Steel screws painted to match fence color			
Components	TGIC Polyester Powder Coating Technology		
Coated	TGIC provides twice the thickness and hardness		
	TGIC provides fade and scratch resistance		

DIMENSIONS

COMPONENTS	RESIDENTIAL	COMMERCIAL	INDUSTRIAL
Pickets	5/8"sq. x .050" Thick	3/4"sq. x .055" Thick	1"sq x .062" Thick
Rails			
Topwalls	1-1/8" x .062" Thick	1-3/8" x .065" Thick	1-5/8" x .070" Thick
Sidewalls	1" x .080" Thick	1-1/4" x .088" Thick	1-5/8" x .100" Thick
Posts			
	2"sq. x .060" Thick	2"sq. x .125" Thick	2-1/2"sq. x .100" Thick
	2"sq. x .080" Thick	2"sq. x .080" Thick	3"sq. x .125" Thick
Gate Posts			
	2-1/2 sq. x .100" Thick	2-1/2 sq. x .100" Thick	3" sq. x .125" Thick
	2"sq. x .125" Thick	3" sq. x .125" Thick	4" sq. x .125" Thick
		4" sq. x .125" Thick	
Picket Spacing			
	3-13/16"	3-5/8"	4"
	1-5/8" (also available)	1-1/2" (also available)	1-1/2" (also available)
Post Spacing	72-1/2" on center	8 ft. on center	8 ft. on center
		72-1/2" (also available)	72-1/2" (also available)
Section Heights	36", 48", 54", 57", 60", 72"	36", 48", 54", 57", 60", 72"	36", 48", 60", 72", 84", 96"
Standard Gate	36", 48", 60", 72"	36", 48", 60", 72"	36", 48", 60", 72"

All Gates Welded *Customized Sizes and Colors Available

Authorized Dealer Information



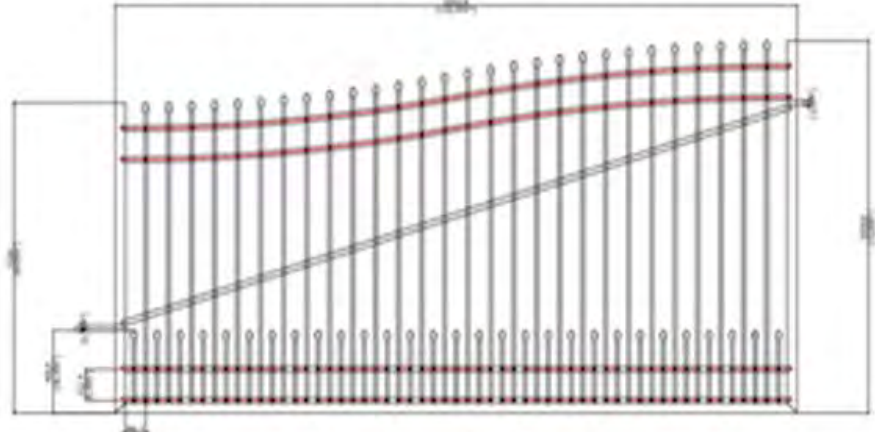
OnGuard Ornamental Aluminum
Fence Manufacturer
18 Culnen Drive
Branchburg, NJ 08876
Phone: 866-321-0001
Fax: 908-429-9933
www.OnGuardFenceSystems.net



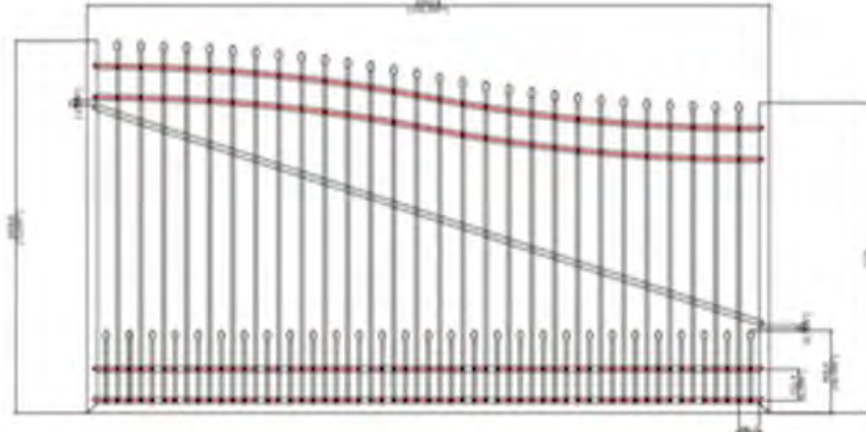
*Protecting
What's
Important
in Life*

ESHGAT608K26-ILSOPP

Estate Residential Gate, 22' W X 5' to 6' H, Black, Longspur- With Open Top Puppy Picket- set Double as a Double Gate.



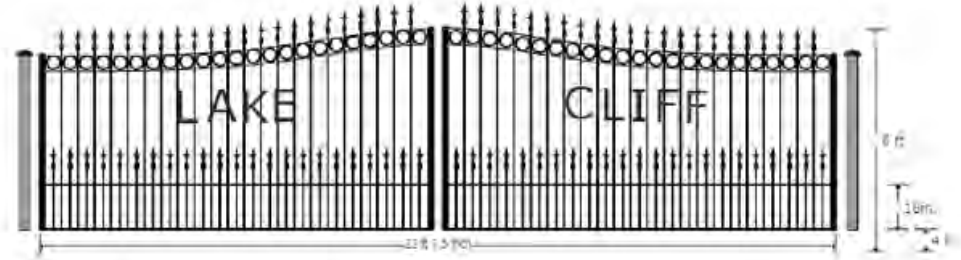
The screw side is facing you.



Lake Cliff Repairs & Modifications

Driveway Gate: 6-foot black decorative metal driveway gate with "Lake Cliff" written in the middle (pictured below) to be added. Gate will be affixed to poles positioned behind the two opening columns of the rock wall at driveway entry. There will not be any part of the gate affixed to the historic rock wall.

Gate Mockup (final version will center lettering):



Approximate location of driveway gate indicated via transparent outline:







Please see an overview of the property from the county site that notes the fence and gate layout with dimensions. I also attached a spec sheet and style sheet for the fencing to submit along with the cut sheet for the 6' arched estate gate. The double gate is a total of 22' wide and will be swinging inward toward the house.

The gate will be set just behind the pillars at about 12' from the sidewalk and 40' from the street. Not attached to the pillars in any fashion, and hidden from view. The blue line outlines the existing 4' stone wall that runs along the sidewalk.









- New front yard gates and walls are not permitted under current code, however, there are several large historic properties on Lake Ave that have existing historic walls and gates, or a historic wall and a gate that has been added more recently through a variance. This property has been designated a historic property, and the gate has been approved by the ABR through a certificate of appropriateness. The gate will be adjacent to the historic wall, not attached to it.
- The city sold this property to the current owners to live in and rehabilitate in November of 2024, the city retains the adjacent lot 12980 Lake Ave. that was created by splitting the original lot. Access to the city's parcel at 12980 Lake will eventually be through a new opening in the wall that the city will create, and the city will request a variance to install a gate for the security of the sewer infrastructure facilities that will be installed at 12980 Lake Ave.
- The purchase agreement includes an easement that insures access to 12980 Lake by the city. The administration does not object to this request as the city's continued access to 12980 Lake is established through the easement and shall not be infringed by the variance.

Below is an excerpt from the Recorded Permissive Easement that was recorded with the sale of the property in November of 2024

7. The Grantee shall at all times keep the Easement area open for access and use by the Grantor.

8. Except as to matters expressly authorized by this Agreement, and absent the prior written consent of Grantor, Grantees shall not make any changes to the Easement Area, which would create a permanent, material and adverse change to: a) ingress to or egress from the Easement Area; b) utilities servicing the Easement Area.

The easements, rights, privileges, covenants, restrictions, benefits and obligations set forth in this Agreement shall in all events constitute covenants running with the land, and shall be binding upon Grantor, Grantee, and all future owners of the Grantor Property.



Example of nearby property, existing fence and gate 13405 Lake Ave



Example of nearby existing brick wall and gate added by variance-12576 Lake Ave.



Example of nearby existing brick wall and gate added by variance-
Double drive with easement for gate- 12590 Lake Ave. and 12586 Lake Ave.

Public Comment

- Received via Phone
- Received via e-mail
- Meeting attendee(s)

1173.04 Variances (page 1 of 2)

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

(1) (Q) 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;

(1) (A) Not Applicable

(2) (Q) 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;

(2) (A) Not Applicable

(3) (Q) 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);

(3) (A) Yes: The addition of a driveway gate is essential for our security, as well as the safety of our pets, particularly given that the house is off of Lake Ave., a fairly busy street. The driveway gate will be an improvement to the property by increasing privacy and safety.

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

(4) (A) No: We have chosen a driveway gate that aligns with the historic nature of the home and will not impact the overall character of the home.

(5) (Q) 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);

(5) (A) No: There are several other homes on Lake Ave. with similar driveway gates, and we have selected a style of driveway gate that is consistent with the character of the neighborhood.

1173.04 Variances: Nine Elements of Practical Difficulty. Owner's responses to questions below(2 of 2)

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

(6)(A) No: The driveway gate will not block access for emergency services, utility companies, or refuse collection

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

7(A) Yes: We spoke to Jennifer Swallow and Michelle Nochta prior to the purchase of this property to inquire about installing a driveway gate. During this meeting, it was noted that several houses in the neighborhood have similar driveway gates; thus, making this a reasonable request.

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

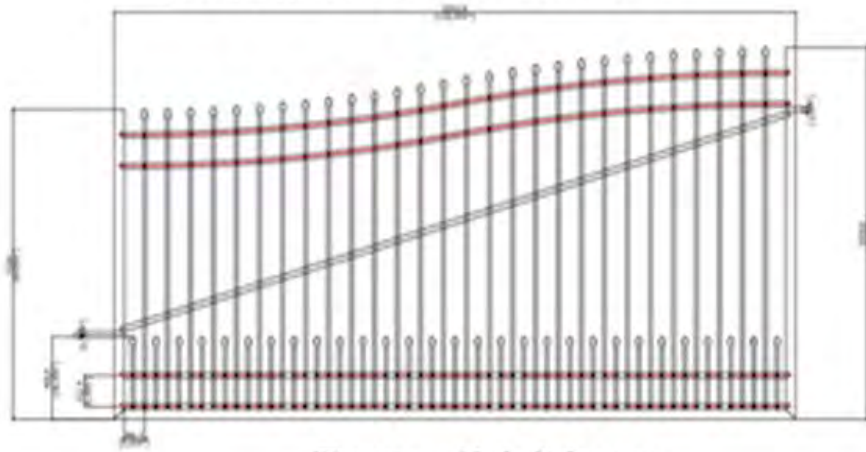
(8) (A) No: A driveway gate that aligns with the historic nature of the property is the most aesthetically pleasing and practical solution to ensure security and safety.

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

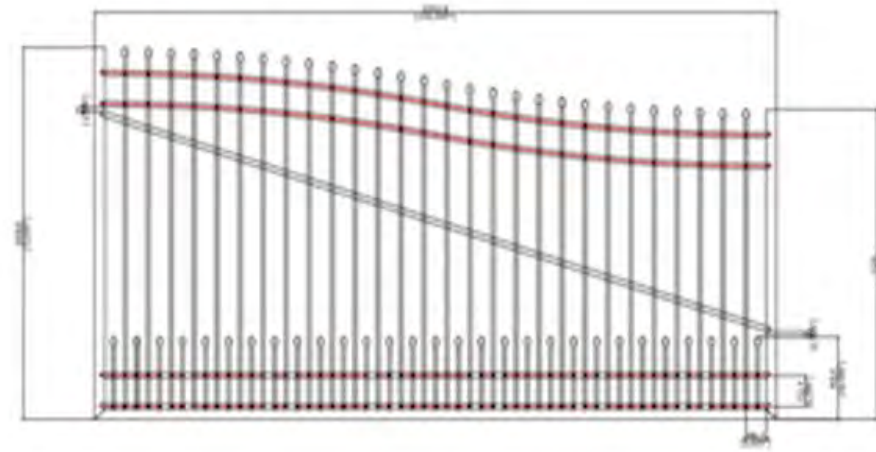
(9) (A Yes: Granting this variance aligns with intent of the Code by ensuring safety and improving functionality of the property while preserving the overall aesthetic of the neighborhood.

ESRGAT608R264LSOPP

Estate Residential Gate , 22' W X 5' to 6' H , Black, Longspur-
With Open Top Puppy Picket- set Double as a Double Gate .



The screw side is facing you.



- Docket No.: 07-12-25
- Applicant Name: Kayle Arrotta and Stephen Pursey
- Project Address: 12984 LAKE AVE
- Proposal: Applicant Applicants and property owners Kayle Arrotta and Stephen Pursey propose the installation of a driveway gate. The property has been historically designated. The proposed gate has received a certificate of appropriateness from the Architectural Board of Review and requires an area variance due to current zoning code which does not permit gates in front yards. The property is in the R1M, Single-Family Medium-Density District.
- Variance 1: Applicant proposes the construction of a metal gate at the existing stone wall on their historic property. Current code does not permit a gate in the front yard, request a variance to permit the gate to be located in the front yard, as proposed. Pursuant to 1153.03(c)2(E) Fence Placement and Types, Rear and Side Yards (Ord. 08-2021, Passed 05-17-2021)

Adjourn



Thank you!

City of Lakewood Contact:

Michelle Nochta, AICP

Senior Planner and ADA Coordinator

(216)529-5906

Michelle.Nochta@LakewoodOH.gov

