

**MINUTES
BOARD OF ZONING APPEALS
REVIEW MEETING
LAKEWOOD CITY HALL
AUDITORIUM
JULY 20, 2023
6:30 P.M.
MEETING IS RECORDED
<https://www.lakewoodoh.gov/videos-2/>**

1. ROLL CALL

Members Present

Jillian Bolino, Vice Chair
Jeffrey Pigott
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. Ms. Bolino, Mr. Pigott, and Mr. Santiago 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, Mr. Fleck advised board members. Ms. Bolino had given Ms. Nochta notice that she would be arriving late to the pre-review due to work. There was some additional discussion about the agenda and meeting procedures, as the chair Mr. Alexander was absent.

2. APPROVE MINUTES OF THE JUNE 15, 2023, MEETING

A motion was made by Ms. Bolino, seconded by Mr. Pigott to **APPROVE** the June 15, 2023, meeting minutes. Ms. Bolino, Mr. Pigott, and Mr. Santiago voted yea; the motion passed.

3. OPENING REMARKS

Ms. Nochta read the Opening Remarks into the record.

NEW BUSINESS

**4. Docket No. 07-12-23
17416 Lake Ave.**

Applicant Susan Broadwater of Beegan Architectural Designs, for property owners Craig and Kathryn Brocklehurst, proposes an addition to the front of an existing garage. The property is located in the R1L Single-Family, High-Density District. (Page 2)

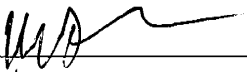
- Variance 1: Request a variance to reduce the front yard setback of the primary structure. The required front yard setback is 50 ft. The existing front yard is 56 feet 10 inches. Request a variance of 3 feet 3 inches to place the garage addition 46 feet 9 inches from the public right of way, as proposed. Pursuant to Schedule 1121.07 Minimum Yard Requirements (Ord. 91-95. Passed 10-7-1996.)

Paul Beegan, Beegan Architectural Design, applicant was present to explain the request. Discussion began about the neighboring homes' setbacks; the project retained character of the neighborhood. Staff said there was no public comment received prior to the meeting. Dimensions were confirmed. Staff provided administrative comments for the modest request. Mr. Fleck said the measurement should have been taken from the closest point of the street which meant the request would be for five feet – a minor adjustment.

A motion was made by Ms. Bolino, seconded by Mr. Santiago to **APPROVE the request as amended for a five-foot variance to a front yard setback**. Ms. Bolino, Mr. Pigott, and Mr. Santiago voted yea; the motion passed.

ADJOURN

A motion was made by Ms. Bolino, seconded by Mr. Pigott to **ADJOURN** the meeting at 6:43 p.m. Ms. Bolino, Mr. Pigott, and Mr. Santiago voted yea; the motion passed.



Signature

9/21/23

Date



Oath

(You need not give an oath if you object. If you object to giving an oath, please notify the hearing officer or secretary before signing below.)

I, the undersigned, hereby solemnly swear that the testimony I give at this proceeding will be the truth, the whole truth and nothing but the truth:

PRINT NAME:

SIGN NAME:

- 1. PAUL BEEGAN
- 2. _____
- 3. _____
- 4. _____
- 5. _____
- 6. _____
- 7. _____
- 8. _____
- 9. _____
- 10. _____
- 11. _____

Paul Began

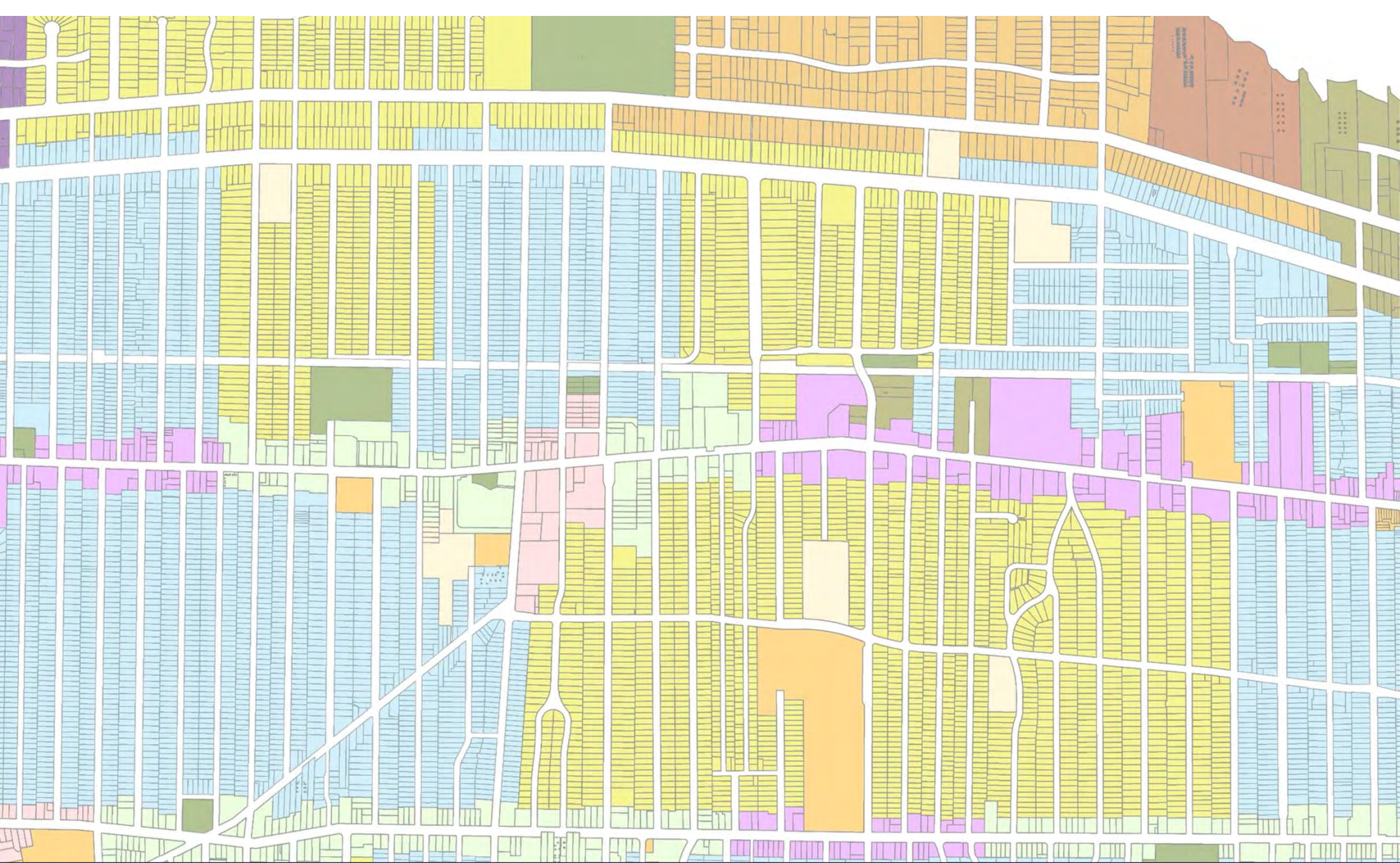
Prepared by: The City of Lakewood Law Department, 12650 Detroit Ave., Lakewood, Ohio 44107

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 20, 2023

page 1 of 1



Board of Zoning Appeals

1173.04 Variances

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

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

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





Board of Zoning Appeals-

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

Regular Meeting: 6:30 p.m.

Members

Chair: Michael Alexander

Vice Chair: Jillian Bolino

Anthony Santiago

Jeffrey Pigott

Staff

Board Secretary: Michelle Nochta

Legal Counsel: Andrew Fleck

Building Department: Justin Maskaluk



Board of Zoning Appeals

July 20, 2023 Agenda

1. Roll Call
2. Vote on June 15, 2023 meeting minutes
3. Opening Remarks

OLD BUSINESS

NEW BUSINESS


6. 17416 Lake Ave- Brocklehurst Residence, applicant Paul Beegan of Beegan Architecture for owners Kathryn and Craig Brocklehurst

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 centered over the map.

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 June 15, 2023



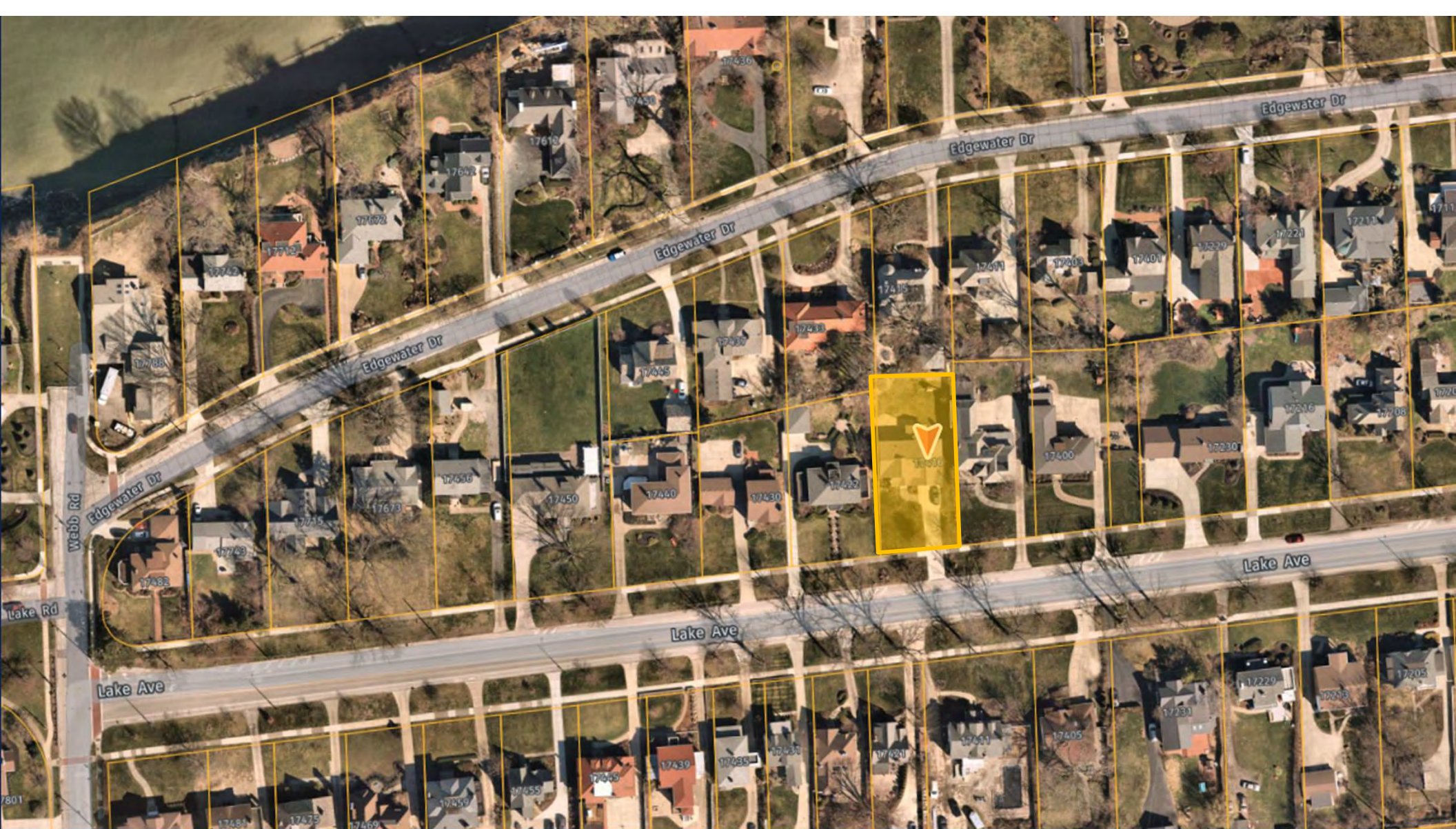
Board of Zoning Appeals

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

Opening Remarks



Board of Zoning Appeals



Docket No. 07-12-23 17416 Lake Avenue

Applicant Paul Beegan for property owner Craig Brocklehurst proposes the construction of a new addition extending the garage that is attached to the front of the home.
The property is in the R1L Single- Family Low-density District.

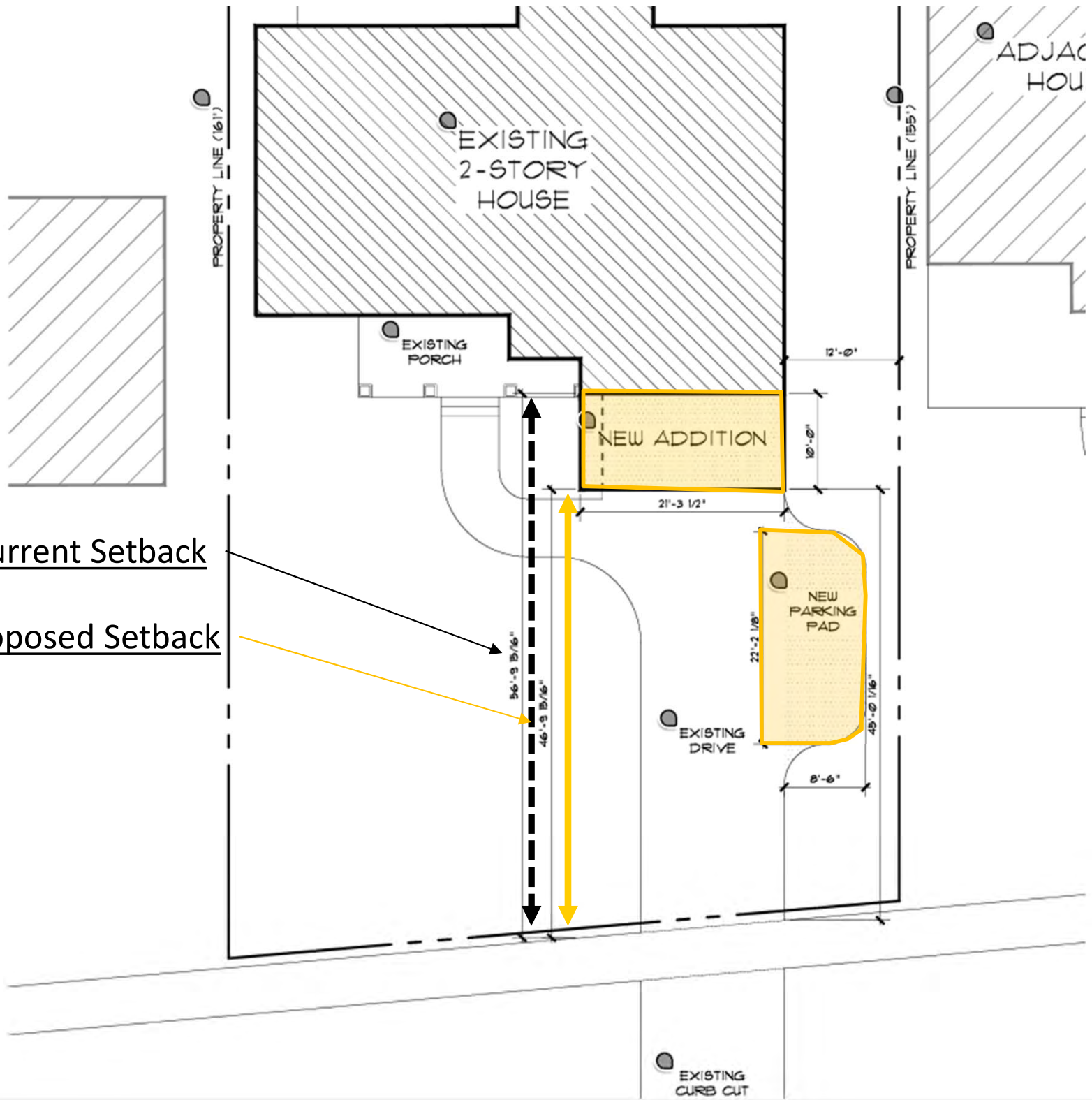


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- Variance 1: Request a variance to reduce the front yard setback of the primary structure. The required front yard setback is 50 ft. The existing front yard is 56 feet 10 inches. Request a variance of 3 feet 3 inches to place the garage addition 46 feet 9 inches from the public right of way, as proposed. Pursuant to Schedule 1121.07 Minimum Yard Requirements (Ord. 91-95. Passed 10-7-1996.)

17416 Lake Ave



56'10" Current Setback

46'10" Proposed Setback

ADJAC
HOU

PROPERTY LINE (161')

PROPERTY LINE (155')

EXISTING
2-STORY
HOUSE

EXISTING
PORCH

NEW ADDITION

NEW
PARKING
PAD

EXISTING
DRIVE

EXISTING
CURB CUT

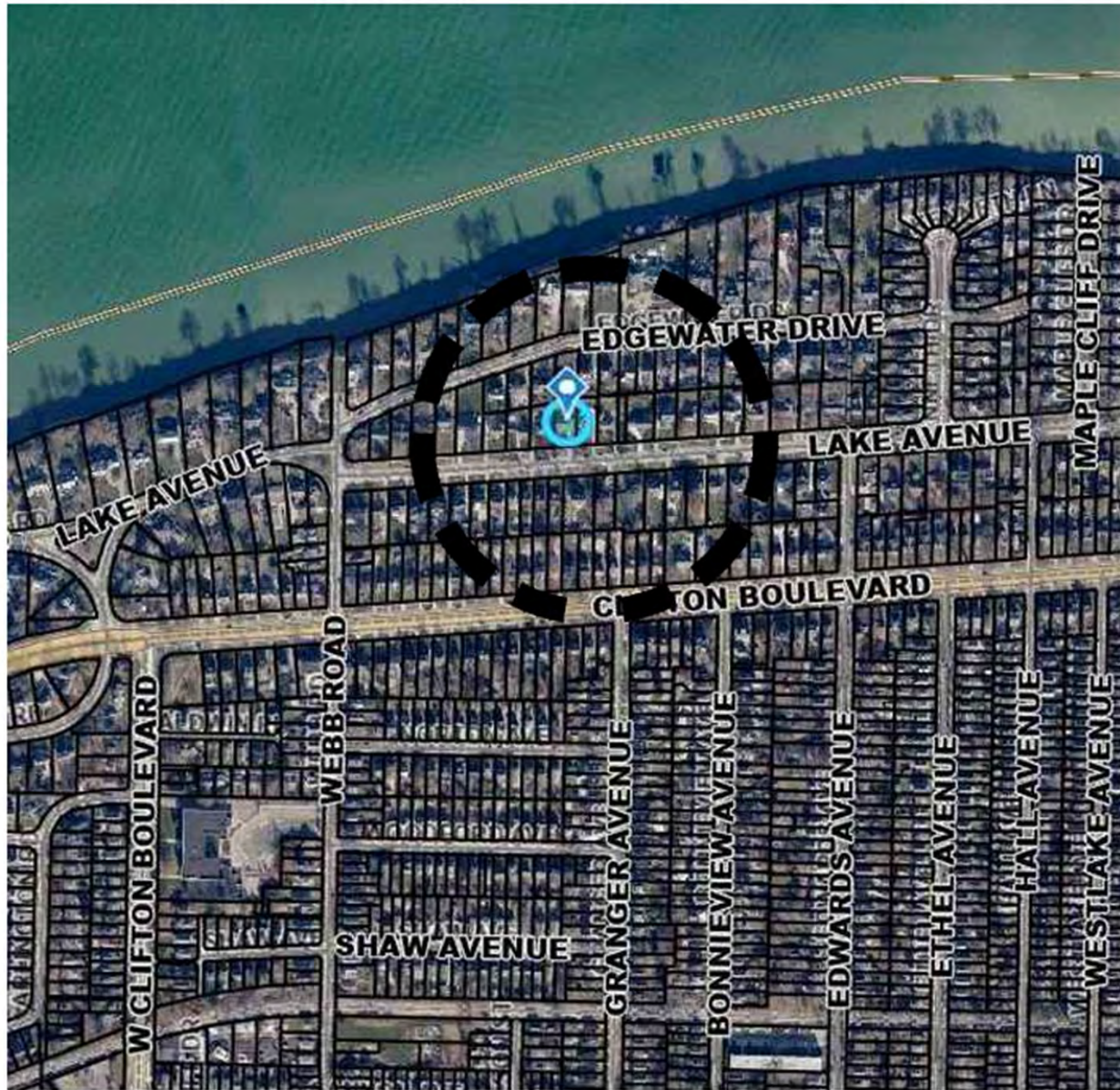


EXISTING HOUSE

N.T.S.



17416 Lake Ave.



○ SITE LOCATION MAP
○
N.T.S.



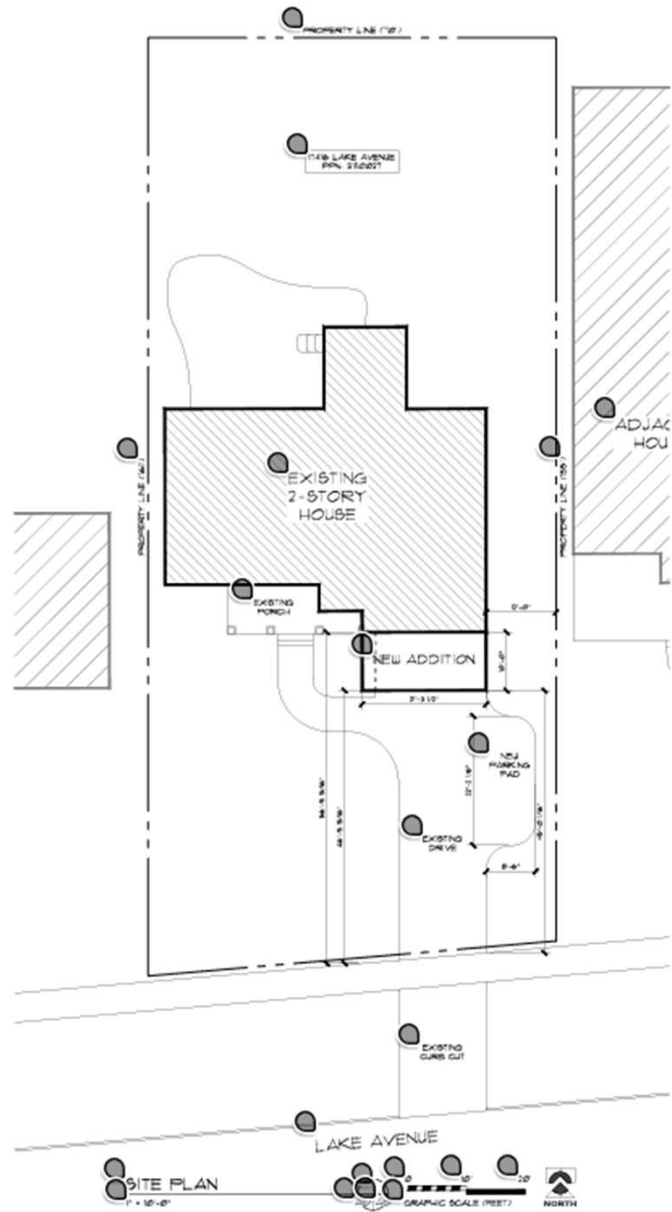
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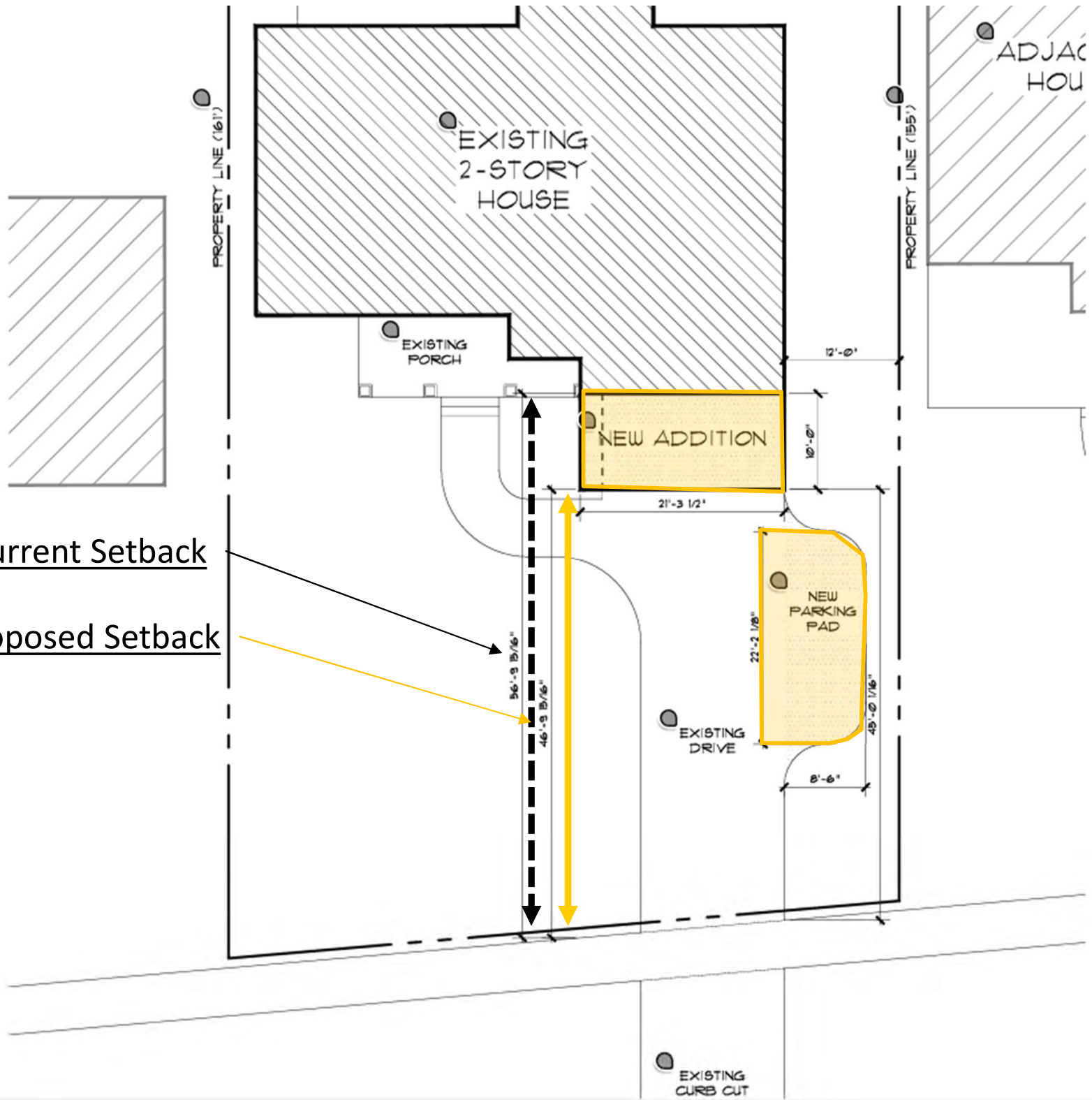
PROPOSED ADDITION
N.T.S.



17416 Lake Ave.



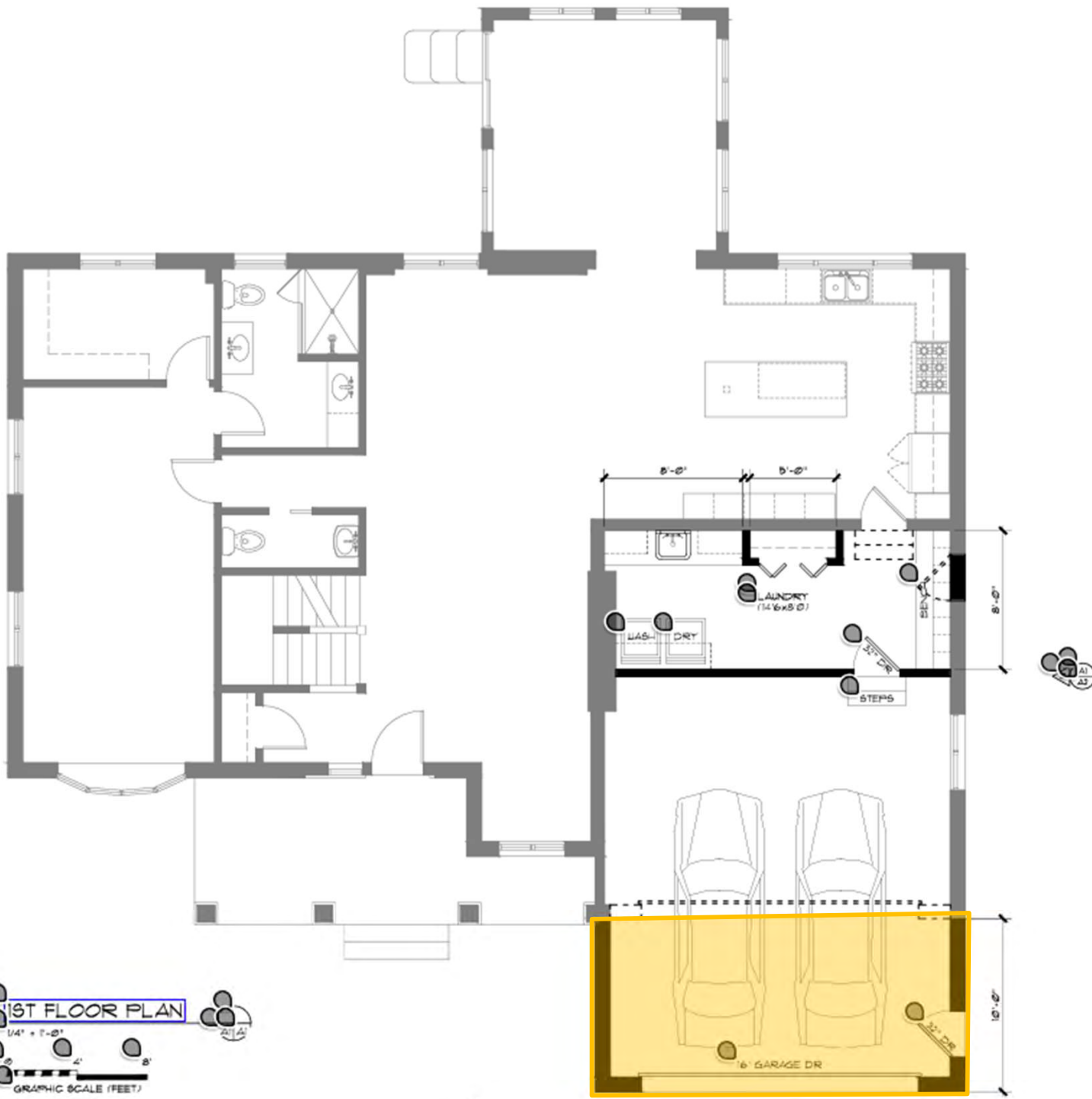
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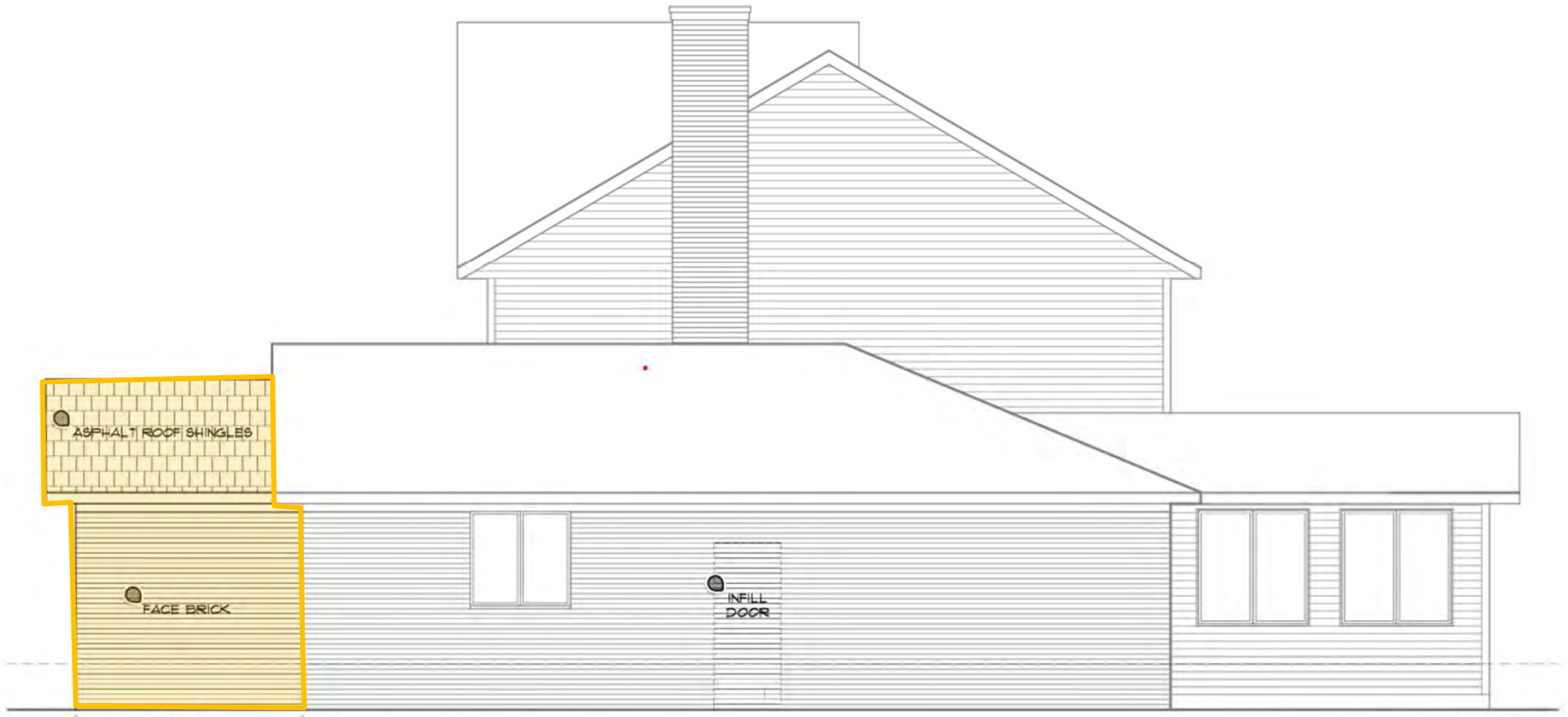
1ST FLOOR PLAN
 1/4" = 1'-0"
 GRAPHIC SCALE (FEET)





17416 Lake Ave.

1ST FLOOR
ELEV. 2'-0"
GRADE
ELEV. 0'-0"



SIDE ELEVATION
1/4" = 1'-0"

GRAPHIC SCALE (FEET)



17416 Lake Ave.



17416 Lake Ave.



17416 Lake Ave.

Owner/agent responses- 1173.04 Variances

In order 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);

The addition of a mudroom and laundry facility adjacent to the kitchen through the attached garage is very attractive to homeowners. A separate space to remove and store outerwear and gear is beneficial to how families live today.

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

NA

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

No

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

No

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

No

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

No

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

No



17416 Lake Ave.

Administrative Comments

- 12 properties on the North side of Lake that are not through lots between Webb and Kenneth, 5 have front yards less than 50 feet, and the shortest front yard was measured at 41 feet using Nearmaps software to approximate.
- The request is modest at 3 ft 3 inches from a 50-foot requirement.
- ABR has reviewed and approved the design.
- The purpose of the request for the addition is to add a first-floor laundry room between the attached garage and the interior of the home.

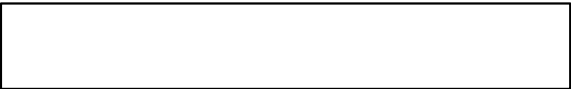




Public Comment

Received via email-

Meeting attendee(s)

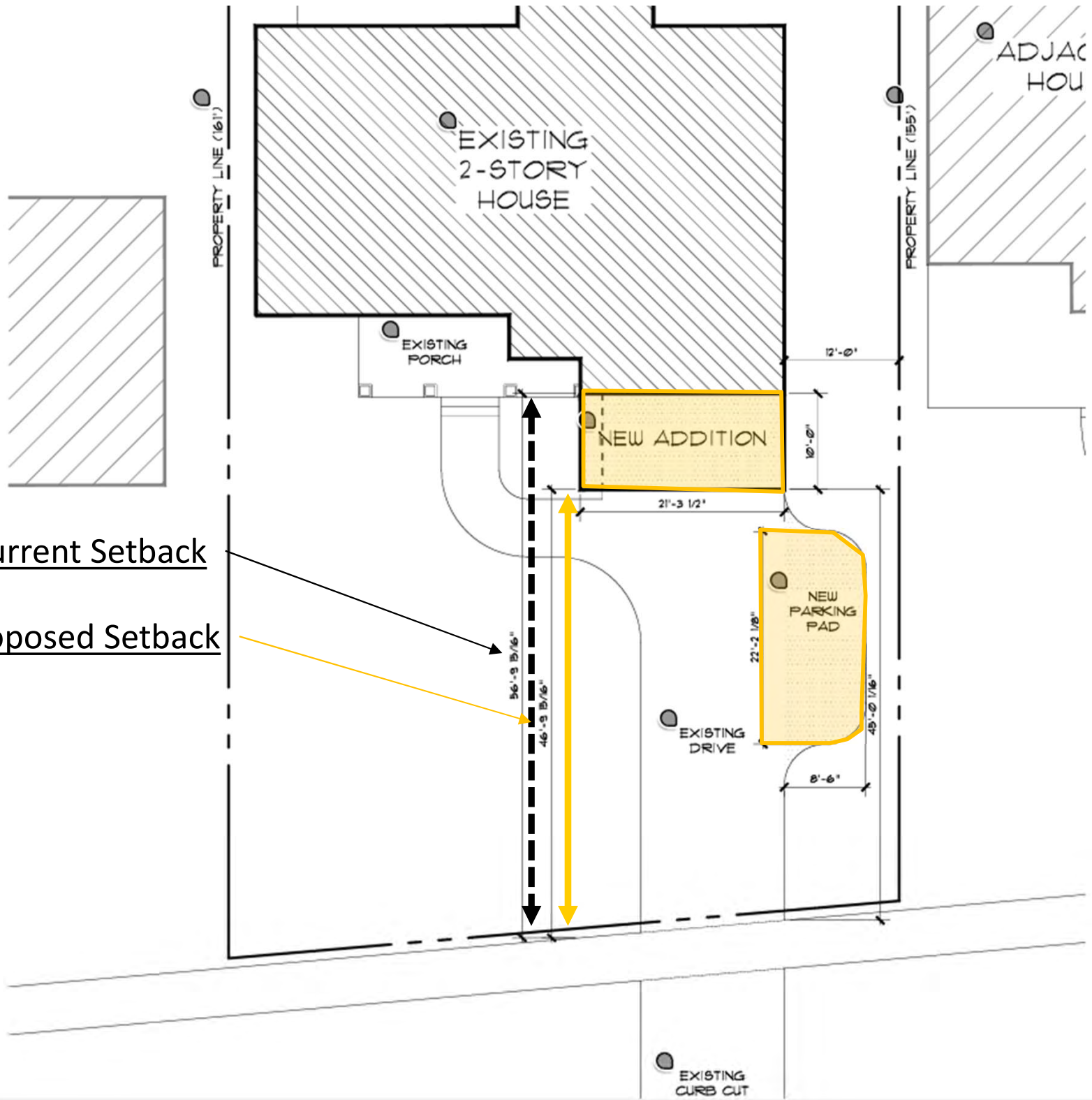


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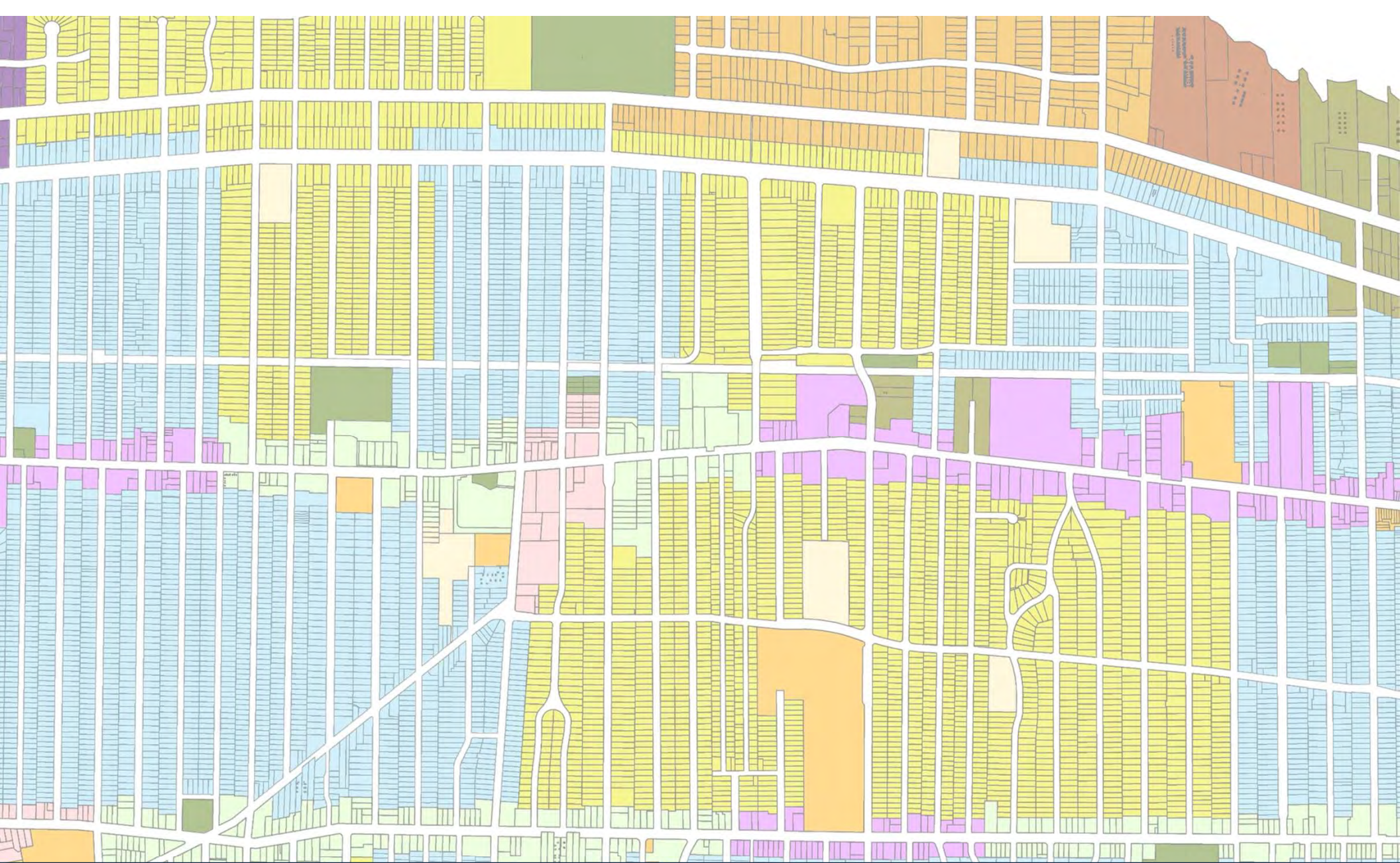


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Adjourn



Board of Zoning Appeals



Board of Zoning Appeals