



City of Lakewood
Board of Zoning Appeals

(216) 529-6630
planning@lakewoodoh.gov

MINUTES
BOARD OF ZONING APPEALS
REVIEW MEETING
LAKEWOOD CITY HALL
AUGUST 21, 2025
6:30 P.M.
RECORDING AVAILABLE
<https://www.lakewoodoh.gov/videos-2/>

6:00 p.m. Pre-Review Meeting

Members Present

Michael Alexander, Chair
Jillian Bolino, **absent**
Matt Markling, **absent**
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. Mr. Fleck noted that he would advise the applicants in the regular meeting that with only three members present, each applicant would need all three members to vote to approve to receive a variance, applicants could choose to defer prior to voting.

1. ROLL CALL

Members Present

Michael Alexander, Chair
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 Mr. Pigott, seconded by Mr. Santiago to EXCUSE the absence of Jillian Bolino and Matt Markling. All the members voted yea, the motion passed.

2. APPROVE MINUTES OF THE JULY 17, 2025 MEETING

A motion was made by Mr. Santiago, seconded by Mr. Pigott to **APPROVE** the July 17, 2025 meeting minutes. All the members voted yea, the motion passed.

3. OPENING REMARKS

Ms. Nochta read the Opening Remarks into record.

OLD BUSINESS

4. Docket No. 06-10-25 17863 Lake Rd.

Applicant and property owner Waleed Ahmed has constructed 196 feet of white vinyl fence along the east side of the property; the installed fence is 7 feet in height. The owner has been notified that the fence is 1 foot taller than permitted, the approved permit was for 196 feet of 6 foot high white vinyl fence. The property is in the R1L, Single-Family Low-Density District. (Page 4)

- Variance 1: Owner has constructed 196 feet of fence that is 7 feet in height, permitted maximum height at this location is 6 feet. Request a variance to permit 196 feet of fence at 7 feet in height, as proposed. Pursuant to 1153.03(d) Fence Placement and Types, Rear and Side Yards (Ord. 08-2021, Passed 05-17-2021)

Mr. Fleck interjected that there were three of five member present, and that all three needed to vote unanimously on any project.

Waleed Ahmed, applicant and property owner was present to explain the request. Discussion ensued about the change in grade from front to rear of the property, the varying heights of the fence, the fence permit was for installation of a six-foot fence, and if there were options for potential modifications. Ms. Nochta said that no public comments were received prior to the meeting. The members had no additional questions for comments. Administrative comments were provided. Public comment was taken - comment about process, comment about people knowing that all fences are six-feet high, and comment that the fence looked nice and complemented the area.

A motion was made by Mr. Santiago, seconded by Mr. Pigott to **APPROVE** Docket No. 06-10-25 for a variance as proposed. Mr. Alexander, Mr. Pigott, and Mr. Santiago voted yea; the motion passed.

NEW BUSINESS

5. Docket No. 08-13-25 12962 Harlon Ave.

Applicant Charles McGettrick, Architects C.A. McGettrick LLC for property owners Gabriela and Matthew Jefferys, proposes the construction of a new two story addition including attached garage on the rear of their existing home. The property is in the R12, Single and Two Family District. (Page 20)

- Variance 1: Applicant proposes a new rear addition that includes a two car garage with second floor and an attic; the proposal reduces the rear setback to 32 feet 6 inches where the requirement is 40 feet. Request a variance to reduce the rear yard to 32 feet 6 inches, as proposed. Pursuant to 1123.09(a) Maximum Lot Coverage, (Ord. 07-2023, Passed 11-20-2023)
- Variance 2: Applicant proposes a new rear addition that increases the primary lot coverage to 35.5% where 35% is permitted. Request a variance to exceed the permitted primary lot coverage by .5%, as proposed. Pursuant to 1123.07 Rear Yard Depth, (Ord. 91-95, Passed 10-07-1996)

Michael McGettrick, architect was present to explain the request. Discussion commenced about the ultimate goal of the project being to accommodate the installation of a chairlift, a first floor ADA bathroom, and add a two-car garage with access into the home. Ms. Nochta said that no public comments were received prior to the meeting. Public comment was closed as no one addressed the item. Administrative comments were provided.

motion was made by Mr. Alexander, seconded by Mr. Pigott to **APPROVE** Docket No. 8-13-25 as proposed. Mr. Alexander, Mr. Pigott, and Mr. Santiago voted yea; the motion passed.

6. Docket No. 08-14-25
14321 Detroit Ave.
Horizon Education Centers

Applicant Nick Musarra of North Coast Design Build for property owners Horizon Education Centers proposes the construction of a new fence to enclose the proposed playground. A 6 foot high black aluminum fence is not permitted in front of the building's foundation wall. Request a variance to install fence and gate in front of the foundation wall at 12 feet from the public sidewalk, as proposed. The property is in the C2, Commercial Retail District. (Page 35)

- Variance 1: Applicant proposes the construction of a new 6 foot high black aluminum fence and gate in front of the building foundation at 12 feet from the public sidewalk on the Detroit side, as proposed. Pursuant to 1153.03(c)2(E) Fence Placement and Types, Rear and Side Yards (Ord. 08-2021, Passed 05-17-2021)

Mike Cloud, President of North Coast Design Build was present to explain the request to provide a safe outdoor play area for children. Discussion began about the fact that any granted variance would remain

with the property, that Horizon Education Centers was an established business, about the utility boxes, children needed to be protected, onsite parking was reduced and would provide a drop-off and pick-up, the location of the former congregation, would do historic preservation and seek tax credits, childcare was needed in Lakewood, and the various existing variances for front yard fences. Ms. Nochta proved administrative comments. Ms. Nochta said that no public comments were received prior to the meeting. Public comment was closed a no one addressed the item.

A motion was made by Mr. Pigott, seconded by Mr. Santiago to **APPROVE** Docket No. 08-14-25 as proposed. Mr. Alexander, Mr. Pigott, and Mr. Santiago voted yea; the motion passed.

7. Docket No. 08-15-25
17510 Detroit Ave.
St. James Church

Applicant James McGinty proposes the installation of a new 35 foot flagpole. The property has been historically designated, and the designation requires the applicant to obtain a certificate of appropriateness from the Architectural Board of Review in addition to the area variance required to exceed the permitted height of 20 feet. The property is in the C2, Commercial Retail District. (Page 56)

- Variance 1: Applicant proposes the construction of a 35 foot high flagpole in the front yard of St. James Church, request a variance to exceed maximum permitted height, as proposed, contingent on receiving a certificate of appropriateness from ABR. Pursuant to 1153.03(c)2(E) Fence Placement and Types, Rear and Side Yards (Ord. 08-2021, Passed 05-17-2021)

James McGinty, applicant was present to explain the request. A question was asked about the two existing flagpoles. Mr. McGinty stated they were located on property that no longer belonged to the church; there was no flagpole on the church property. Ms. Nochta said that no public comments were received prior to the meeting. However, Mr. McGinty provided two letters of support (made part of record). Public comment was closed a no one addressed the item. Administrative comments were provided and said that a certificate of appropriateness had been approved by the Architectural Board of Review. The members thanked the applicant for his thorough presentation.

A motion was made by Mr. Santiago, seconded by Mr. Pigott to **APPROVE** Docket No. 08-15-25 as proposed. Mr. Alexander, Mr. Pigott, and Mr. Santiago voted yea; the motion passed.

8. Docket No. 08-16-25
1010 Parkside Dr.

Applicant Brandon Young of Young Design Studio, for homeowner Daniel Edward Roberts II, proposes two modest additions, one to the north side and one to the rear of the existing house.

The required rear setback is 40 feet, the existing structure is at 35 feet, the proposed rear addition would reduce the rear yard to 30 feet 7 inches. The property is in the R1M, Single-Family Medium-Density District. (Page 83)

- Variance 1: Applicant proposes the construction of a rear addition which would reduce the rear setback to 30', 7", as proposed. Pursuant to 1153.03 Fence Placement and Types (Ord. 08-2021, Passed 5-17-21)

Brandon Young Design representative, Nate Holland, was present to explain the request. Mr. Alexander confirmed the discussion was for the rear addition only. Ms. Nochta said that no public comments were received prior to the meeting. Public comment was closed and no one addressed the item. Administrative comments were provided. The members confirmed the garage was attached, and there were six homes in the area with attached garages that impact the rear setbacks.

A motion was made by Mr. Pigott, seconded by Mr. Santiago to **APPROVE** Docket No. 08-16-25 as proposed. Mr. Alexander, Mr. Pigott, and Mr. Santiago voted yea; the motion passed.

9. Docket No. 08-17-25
15232 Hilliard Rd.

Applicant and property owner Scott Isaacs proposes the replacement of an existing fence with 75 feet of 5 foot high privacy fence (corner lot) that will be closer to the public sidewalk than the required 5 foot setback. The property is in the R2, Single- and Two-Family District. (Page 102)

- Variance 1: Applicant proposes the construction of 75 feet of 5 foot high privacy fence that will be closer to the sidewalk than the minimum setback required which is 5 feet, as proposed. Pursuant to 1153.03 (e)(1) Fence Placement and Types (Ord. 08-2021, Passed 5-17-21)

Scott Isaac, property owner was present to explain the request to replace the existing fence with a cedar one using the exact same footprint. There were no comments or questions from the members. Administrative comments were provided.

Discussion leading to a motion was interrupted by a resident who appeared for docket item 6-10-25., he was upset that had missed speaking on the item. He described how he had removed a retaining wall on his own property and was unhappy with the plantings that had replaced the wall. He expressed dismay that the meeting in June had been cancelled when he had arrived to speak on the item, and he felt deprived of the opportunity for public comment. Ms. Nochta reminded the resident that he could have made a public comment at any time in the ensuing months, he had visited Ms. Nochta's office and knew her role and how to contact her. At the conclusion of this impromptu public comment.

A motion was made by Mr. Santiago, seconded by Mr. Pigott to **APPROVE** Docket No. 08-17-25 as proposed. Mr. Alexander, Mr. Pigott, and Mr. Santiago voted yea; the motion passed.

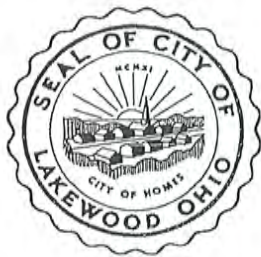
ADJOURN

A motion was made by Mr. Santiago, seconded by Mr. Pigott to ADJOURN the meeting at 8:00 p.m. All the members voted yea; the motion passed.

Signature 

Date 9-18-25

2



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. WALEED AHMED
- 2. Paul Rose
- 3. Tana Kervell
- 4. James McInty
- 5. MIKE McGETTRICK
- 6. Mr. Clark
- 7. Nare Holland
- 8. Scott Isaacs
- 9. LANCE L. PETER
- 10. _____
- 11. _____

- [Signature]
- Paul Rose 17870 Lake
- Jane M Kervell 116 Forest Rd
- Janet McInty
- MM
- 4205 5th
- [Signature]
- [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, August 21, 2025

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, August 21, 2025

Agenda

1. Roll Call
2. Approve meeting minutes of the July 17, 2025,
3. Opening Remarks

Old Business

4. 17863 Lake Road

New Business

5. 12962 Harlon Ave
6. 14321 Detroit Ave
7. 17510 Detroit Ave
8. 1010 Parkside Drive
9. 15232 Hilliard Rd.

Docket No. 06-10-25 17863 LAKE ROAD



Docket No. 06-10-25

17863 LAKE ROAD

Docket No.: 06-10-25

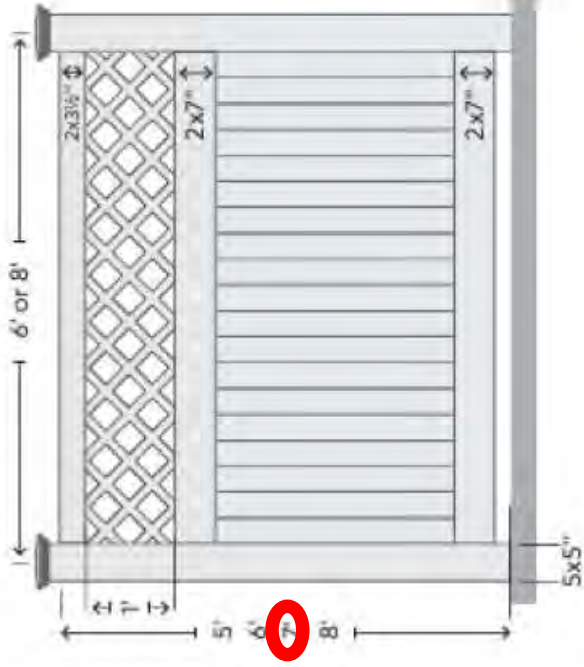
17863 Lake Road

Proposal: Applicant and property owner Waleed Ahmed has constructed 196 feet of white vinyl fence along the east side of the property; the installed fence is 7 feet in height. The owner has been notified that the fence is 1 foot taller than permitted, the approved permit was for 196 feet of 6-foot-high white vinyl fence. The property is in the R1L, Single-Family Low-Density District.

Docket No. 06-10-25

17863 LAKE ROAD

HUNTINGTON PRIVACY



7 feet tall

CLASSIC COLLECTION COLORS



SIGNATURE COLLECTION COLORS

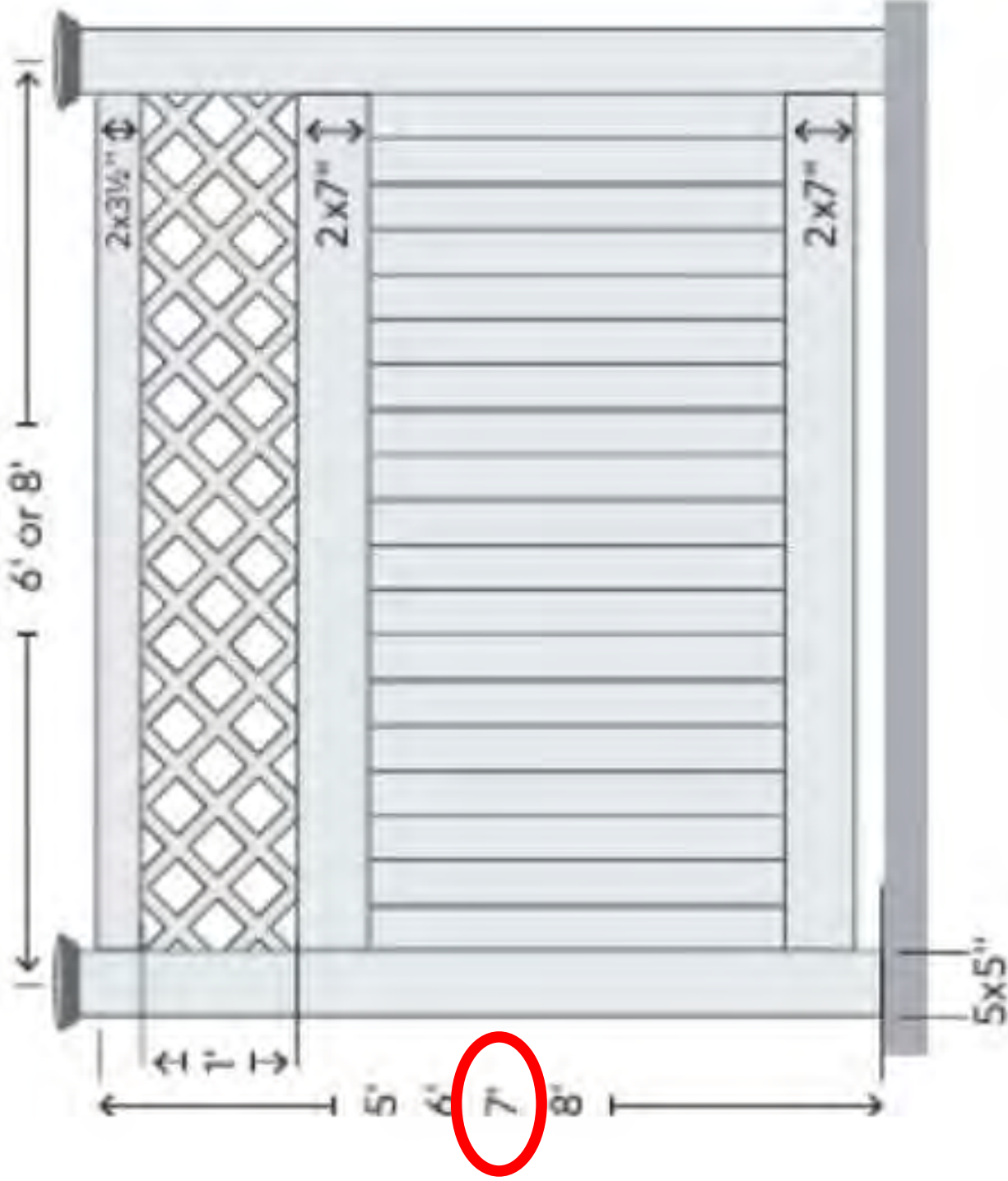


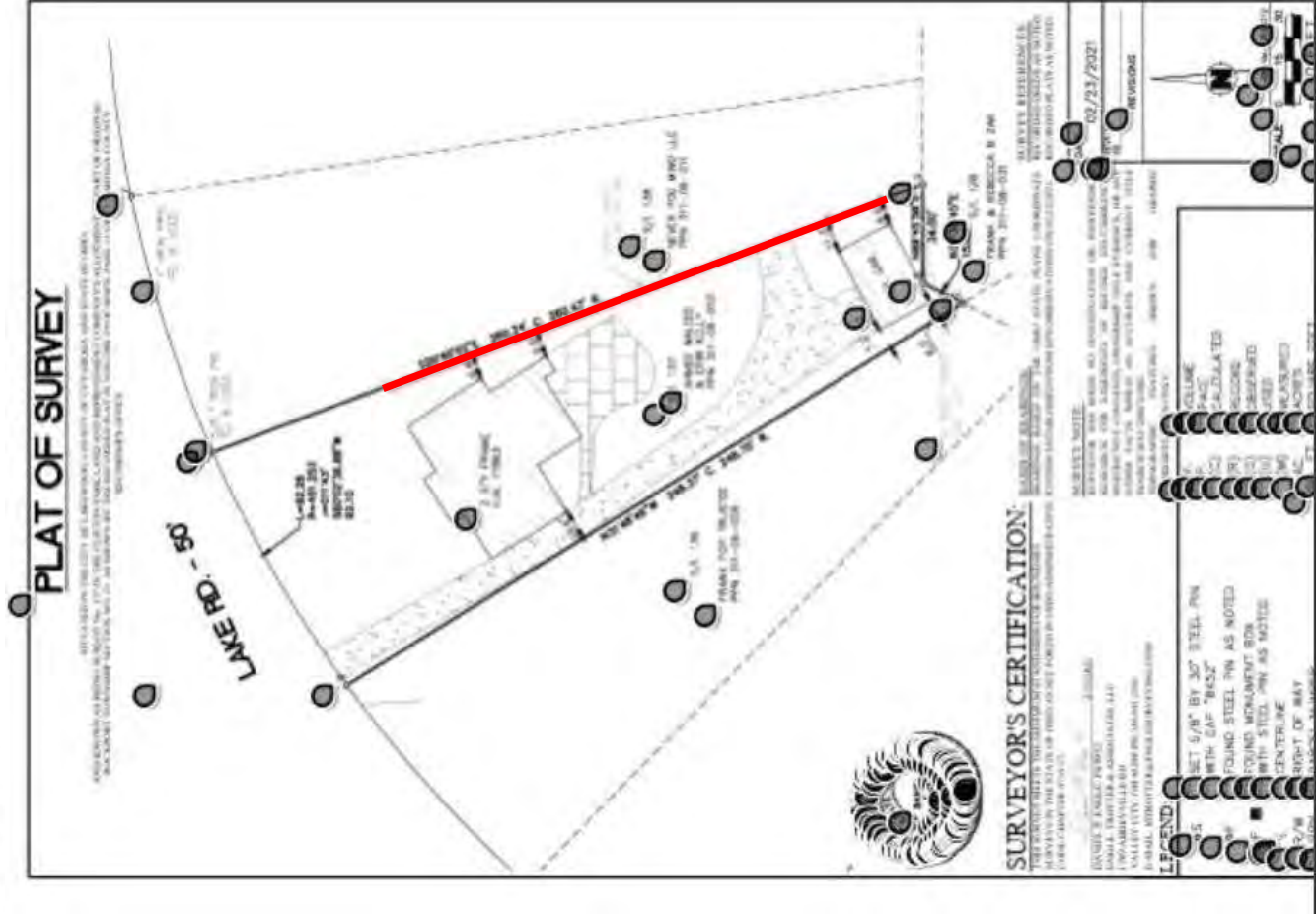
7' & 8' High only available in 6' wide sections | 7' High use a 6' x 6" x 10' post
8' High use a 6 1/2" x 6 1/2" x 11 6" post and requires an additional rail | No 7' or 8' High in Signature Colors

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Docket No. 06-10-25

17863 LAKE ROAD

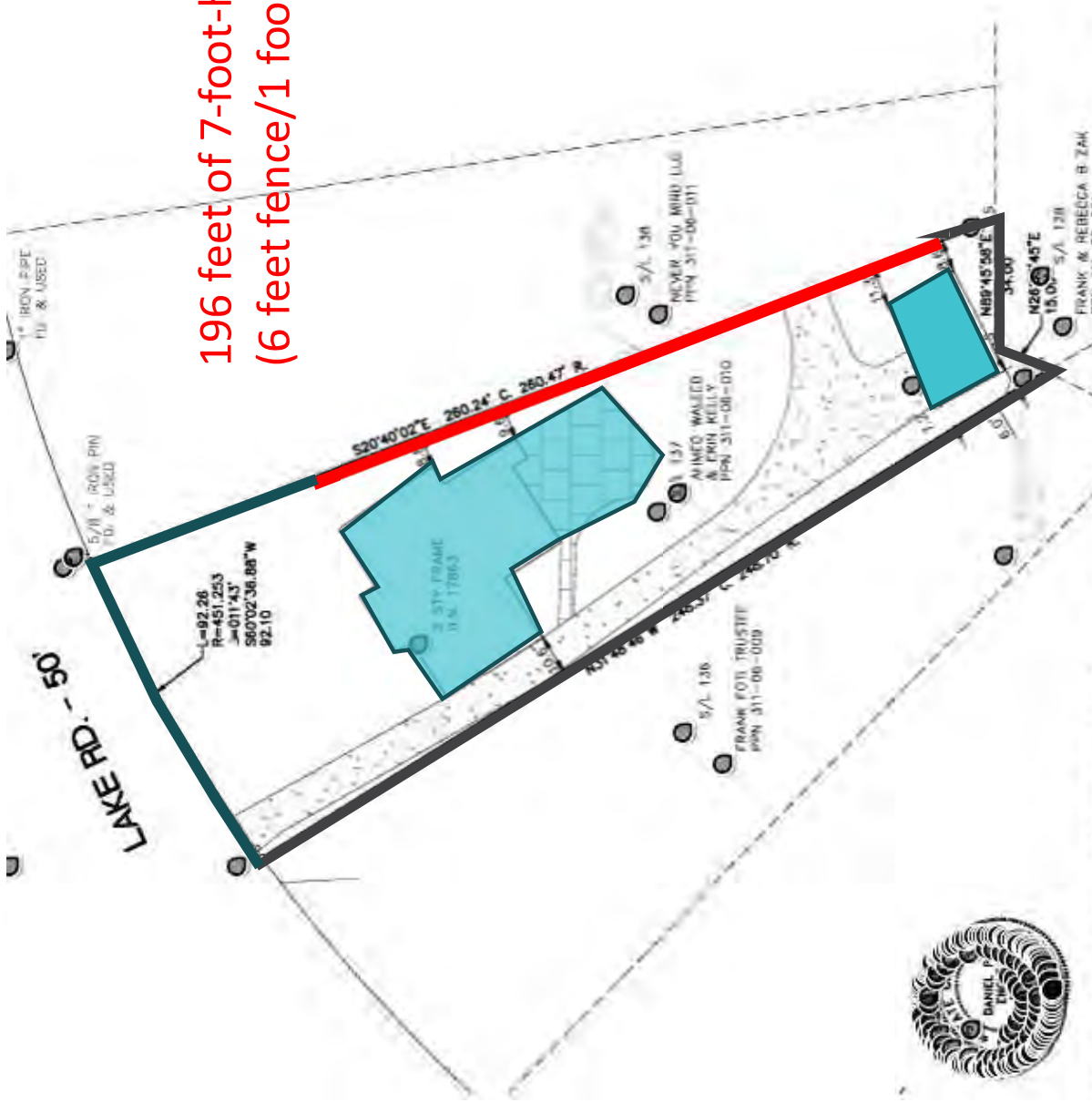




Docket No. 06-10-25

17863 LAKE ROAD

196 feet of 7-foot-high fence
(6 feet fence/1 foot lattice, vinyl)



SURVEYOR'S CERTIFICATION: BASIS OF BEARINGS: BEARINGS BASED ON THE OHIO STATE PLANE COORDINATE SYSTEM ESTABLISHED FROM GPS OBSERVATIONS ON 02/23/2011.
THIS SURVEY MEETS THE VERIFICATION STANDARDS FOR BOUNDARY SURVEYS IN THE STATE OF OHIO AS SET FORTH IN GEO-ADMINISTRATIVE CODE CHAPTER 4733-37.
RECORDED DEEDS AS NOTED
RECORDED PLATS AS NOTED

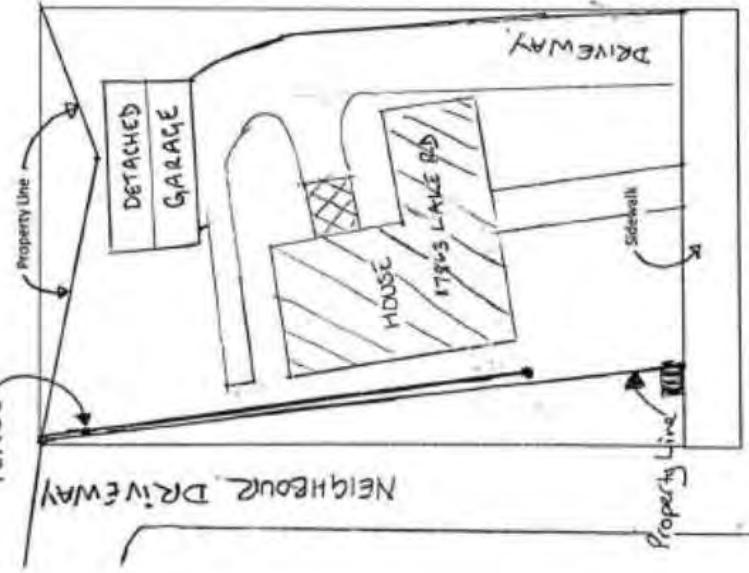
SURVEY REFERENCES:
FRANK & REBECCA B ZAK
PPN 311-08-031

SURVEY NOTE

IDA

Site Plan Worksheet

6' Wood . 190' Linear.
FENCE



Requirements:

1. Location of existing buildings ✓
2. Location of existing fence N/A
3. Location of proposed fence ✓
(include height, length, materials, distance from property lines)
4. Property perimeter dimensions ✓ SEE SURVEY
5. Location of driveway ✓



F25-000037

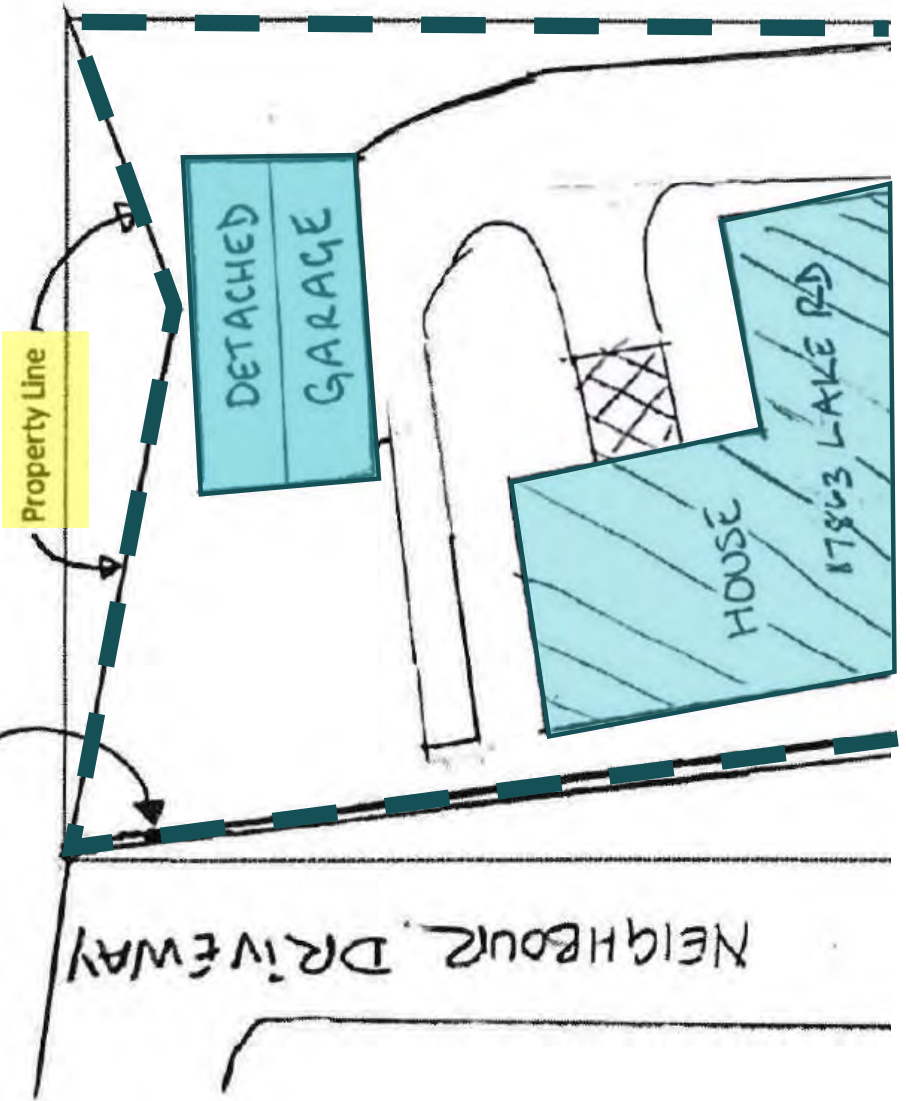


Docket No. 06-10-25

17863 LAKE ROAD

Site Plan Worksheet

6' Wood . 190' Linear.
FENCE



RECEIVED
 APR 22 2025
 By Email-MTD

F25-00037

FENCE APPROVED
 Goran Najdenovski
 04/23/2025

Requirements:

1. Location of existing buildings ✓
2. Location of existing fence N/A
3. Location of proposed fence ✓
 (Include height, length, materials, distance from property lines)
4. Property perimeter dimensions SEE SURVEY.
5. Location of driveway ✓

Docket No. 06-10-25

17863 LAKE ROAD



Docket No. 06-10-25

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Docket No. 06-10-25

17863 LAKE ROAD



Docket No. 06-10-25

17863 LAKE ROAD



1173.04 Variances

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) I ordered the fence thinking I was conforming to the side fence code and misunderstood the above 6 feet with 20% light visibility. As I understand it now as explained to me by the building commissioner when the last decorative panel was about to be installed., the 20% light is if the abutting property is commercial.

The property slopes down from rear (south) to front (north) considerably. In the rear the fence, including the decorative lattice, is measured to be about 6ft 5 inches and in the front 7 feet.

To keep the fence straight in proportion to the level of the main floor house (see pictures), my misunderstanding of 20% light passage and seeing a neighbor's fence which is greater than 6 feet and has a lattice on top (visible from my backyard), I am requesting consideration of this fence to include a decorative lattice above the solid fence.

(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) Our neighbor's rental property driveway is next to the fence (please see picture of our living room). There use to be an asbestos fence which was taken down last year except for a couple of panels and posts which I fear for my three young boys.

1173.04 Variances

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

- (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) The house and the neighborhood is over 100 years old with incredible architecture. We put an addition on and made sure the historical nature of the addition continued the character. The lattice certainly adds to the character, and I thought that I was within the code boundaries. My misunderstanding here and hence asking for a variance.**
- (4) (Q) Whether the variance(s) is substantial;**
- (4)(A) The run of the fence is on side of our house and for the most part in the back yard and stops at the front porch of the house. There is no intention to continue beyond that.**
- (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) The character increases with the decorative lattice. We have received praise already from our neighbors including the tenant right next door. The landlord of the adjoining property is very hostile to us ever since we have moved in and since he took down his fence partially, he has been very futile with us for no apparent reason. I feel fences makes good neighbor's and I am hoping he will appreciate having a good-looking fence on our side of the property line. I am hoping it will improve the value of his property and hence our relationship.**
- (6)(Q) Whether the variance(s) would adversely affect the delivery of governmental services (e.g., water, sewer, refuse removal);**
- (6)(A) No, not that I am aware of. the fence sits inside our property a foot away from a previously asbestos fence that was partially removed last year. Some of it still stands bare and is a concern of ours give we have three young boys.**

1173.04 Variances

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

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

(A)

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

(8) (A) Unfortunately, I do not see it given I had already purchased and installed it under the misunderstanding of the code.

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

(9) (A) We respect the code. If I had understood the code I would certainly not have put myself in this position.

The decorative lattice is paper and the intent is only to conform to the neighborhood like our neighbor has installed south side of our house installed

Docket No. 06-10-25

17863 LAKE ROAD

Administrative Comments

- Owner applied for a 6-foot-high wooden fence permit which was approved, owner installed a 7-foot-high white vinyl fence and was stopped by inspector. Owner gave explanation that he misunderstood the fence code regulations.
- The property is adjacent to an irregular configuration, where the adjacent home to the east sits at the back of it's irregular lot, and faces the applicant's rear yard and the back of the home as well as the length of the home and rear yard being visible to the public sidewalk.
- The parcel is an irregular shape, narrowing in the rear.

Docket No. 06-10-25

17863 LAKE ROAD



Docket No. 06-10-25

17863 LAKE ROAD

Public Comment

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

Docket No. 06-10-25

17863 LAKE ROAD

Docket No.: 06-10-25

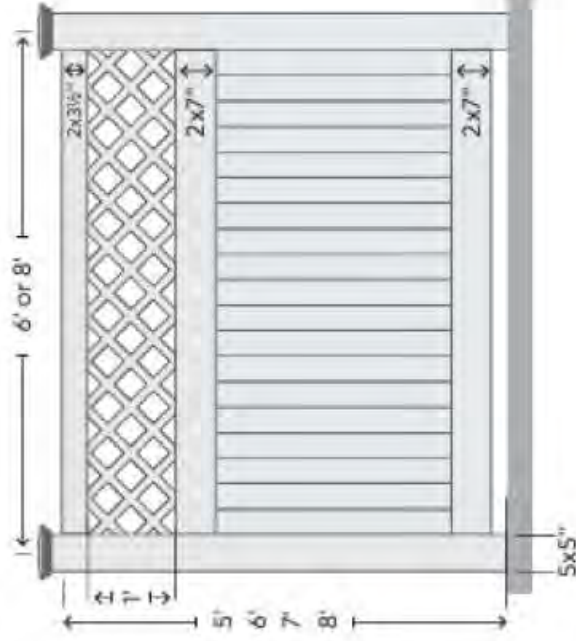
17863 Lake Road

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Docket No. 06-10-25

17863 LAKE ROAD

HUNTINGTON PRIVACY



7 feet tall, 6 foot fence,
1 foot lattice

CLASSIC COLLECTION COLORS



White

Tan

Adobe

SIGNATURE COLLECTION COLORS



Espresso

Cayenne

Hazelnut



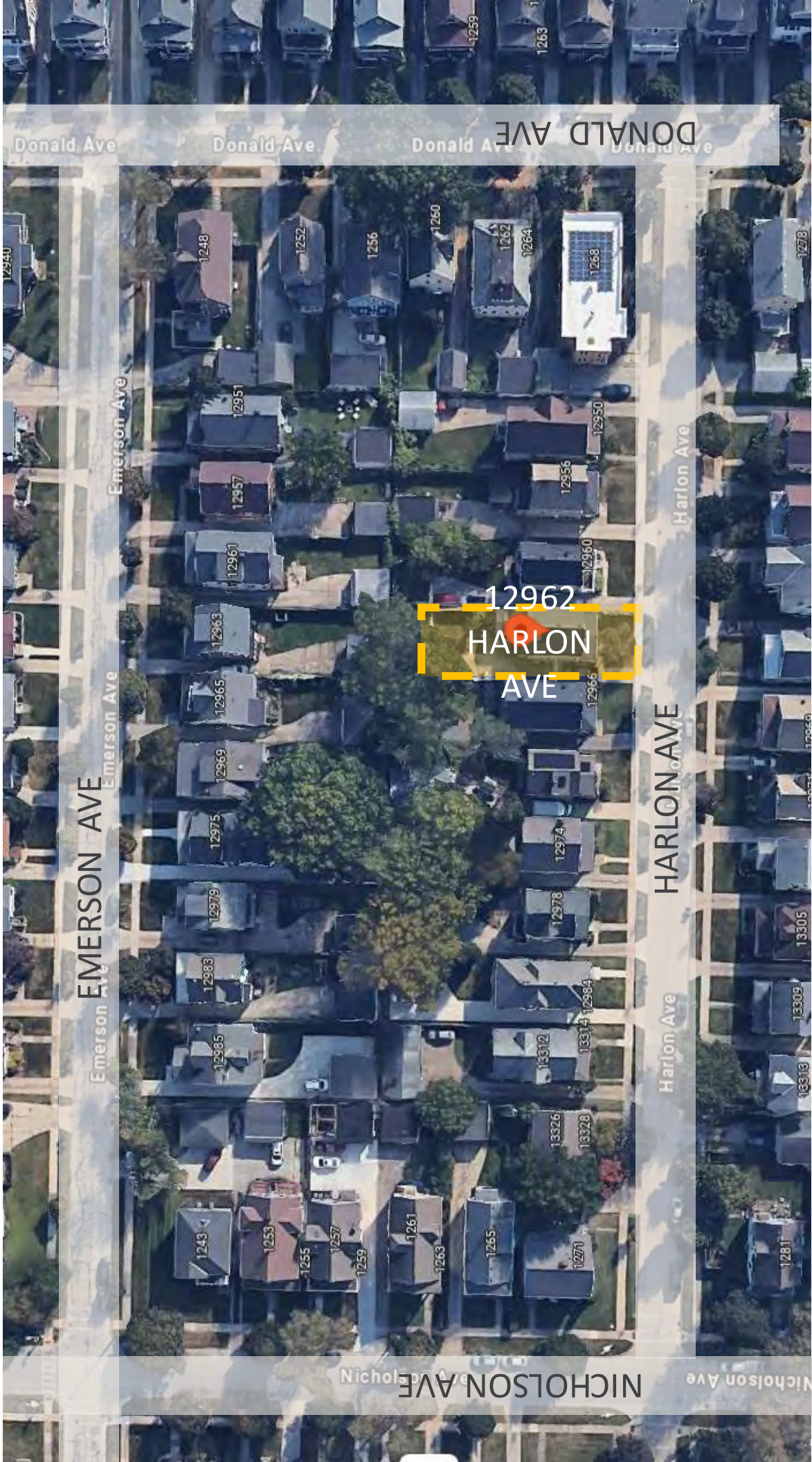
Storm

Storm

7' & 8' High only available in 6' wide sections | 7' High use a 6" x 6" x 10' post
8' High use a 6 1/2" x 6 1/2" x 11'6" post and requires an additional rail | No 7' or 8' High in Signature Colors

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12962 HARLON AVE



962 HARLON AVE



12962 HARLON AVE

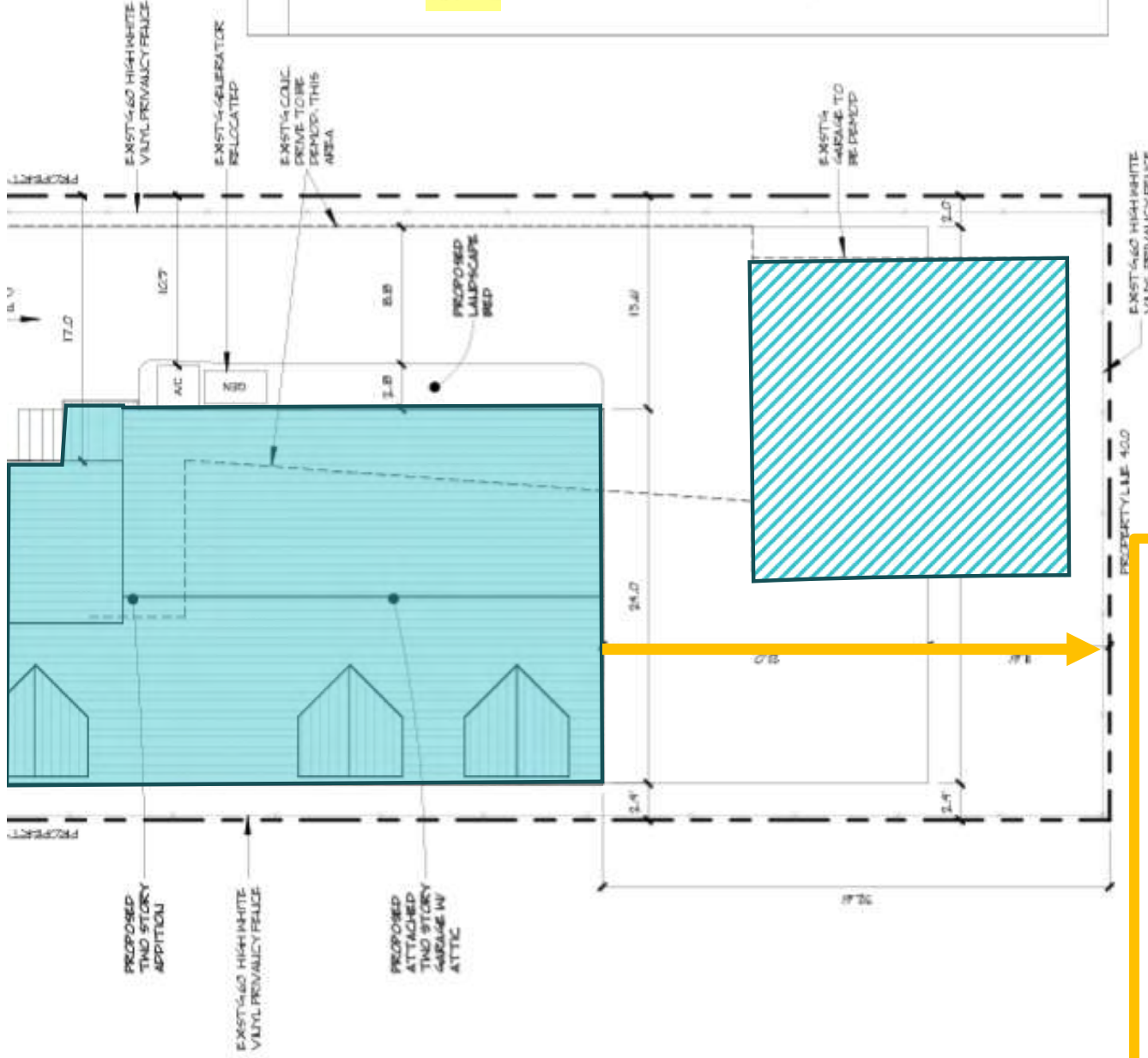
Docket No. 08-13-25

12962 Harlon Ave.

Applicant Charles McGettrick, Architects C.A. McGettrick LLC for property owners Gabriela and Matthew Jefferys, proposes the construction of a new two-story addition including attached garage on the rear of their existing home. The property is in the R12, Single- and Two-Family District. (Page 20)

- Variance 1: Applicant proposes a new rear addition that includes a two-car garage with second floor and an attic; the proposal reduces the rear setback to 32 feet 6 inches where the requirement is 40 feet. Request a variance to reduce the rear yard to 32 feet 6 inches, as proposed. Pursuant to 1123.09(a) Maximum Lot Coverage, (Ord. 07-2023, Passed 11-20-2023)
- Variance 2: Applicant proposes a new rear addition that increases the primary lot coverage to 35.5% where 35% is permitted. Request a variance to exceed the permitted primary lot coverage by .5%, as proposed. Pursuant to 1123.07 Rear Yard Depth, (Ord. 91-95, Passed 10-07-1996)

12962 HARLON AVE



SITE DATA: 12962 HARLON AVE.

TITLE THREE, SECTION 1123.09(a):

EXISTING STRUCTURES: 1,505 SQFT
 PROPOSED ADDITION: 485 SQFT
 TOTAL: 1,990 SQFT

TOTAL LOT COVERAGE: 1,990/5,600 X 100 = 35.5%

TITLE THREE, SECTION 1123.09(d)

EXISTING STRUCTURES: 1,505 SQFT
 EXISTING DRIVE: 1,738 SQFT
 PROPOSED ADDITION: 485 SQFT
 PROPOSED DRIVE: 585 SQFT
 TOTAL: 4,313 SQFT

TOTAL LOT COVERAGE: 4,313/5,600 X 100 = 77%

TITLE THREE, SECTION 1123.07

MINIMUM YARD REQUIREMENTS:

REAR YARD SETBACK: 40.0'
 SIDE YARD SETBACK: 5.0'
 MIN. SUM OF BOTH SIDE YARDS: 15.0'

PROPOSED SETBACKS:

REAR YARD: 32.6'
 WEST SIDE YARD: 13.6'
 EAST SIDE YARD: 2.4'
 SUM OF SIDE YARDS: 16.0'

32'6" PROPOSED SETBACK

SITE PLAN

1" = 10'-0"



SITE DATA: 12962 HARLON AVE.

TITLE THREE, SECTION 1123.09(a):

EXISTING STRUCTURES: 1,505 SQFT
PROPOSED ADDITION: 485 SQFT
TOTAL: 1,990 SQFT

TOTAL LOT COVERAGE: $1,990/5,600 \times 100 = 35.5\%$

TITLE THREE, SECTION 1123.09(d)

EXISTING STRUCTURES: 1,505 SQFT
EXISTING DRIVE: 1,738 SQFT
PROPOSED ADDITION: 485 SQFT
PROPOSED DRIVE: 585 SQFT
TOTAL: 4,313 SQFT

TOTAL LOT COVERAGE: $4,313/5,600 \times 100 = 77\%$

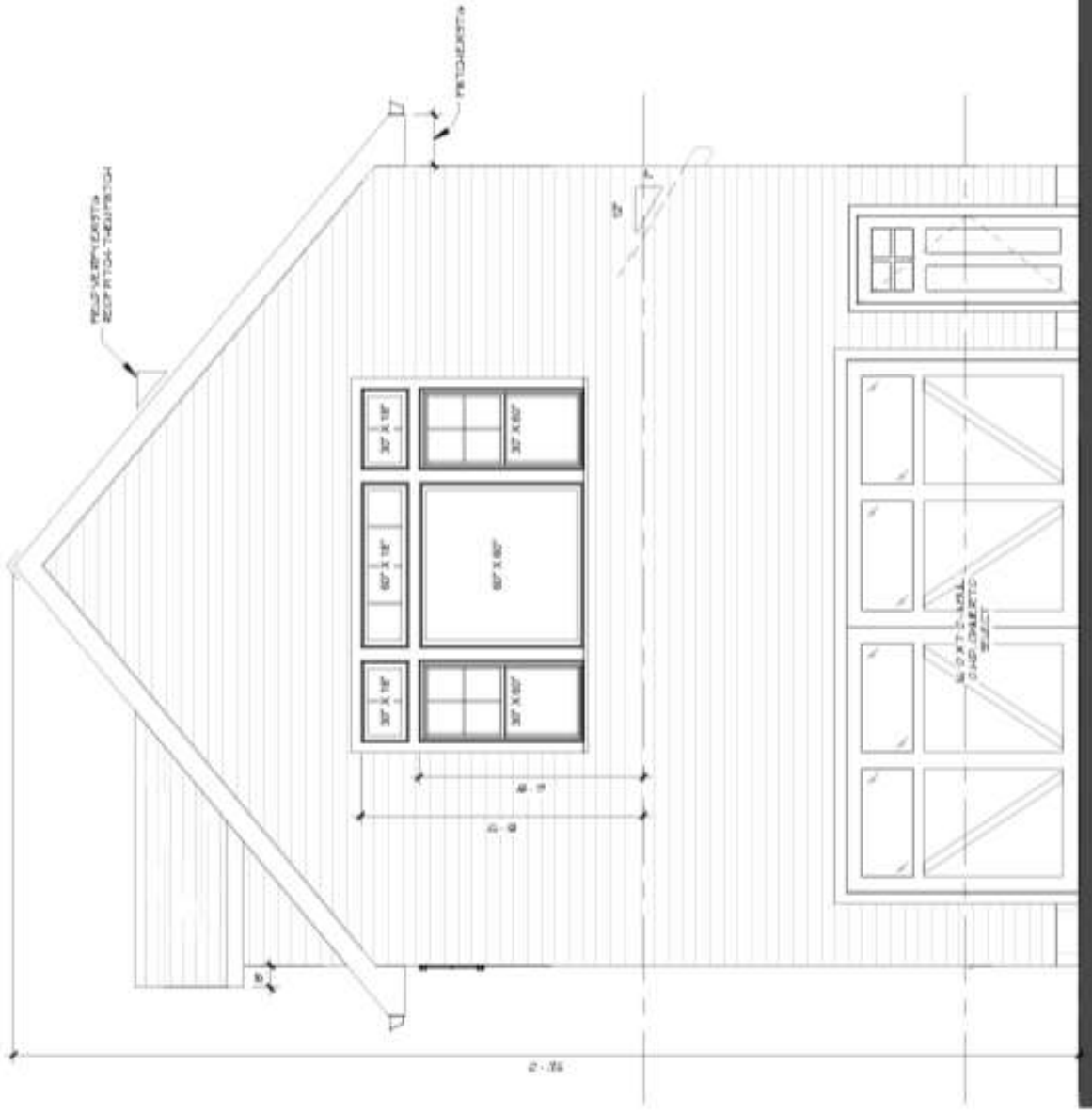
TITLE THREE, SECTION 1123.07

MINIMUM YARD REQUIREMENTS:

REAR YARD SETBACK: 40.0'
SIDE YARD SETBACK: 5.0'
MIN. SUM OF BOTH SIDE YARDS: 15.0'

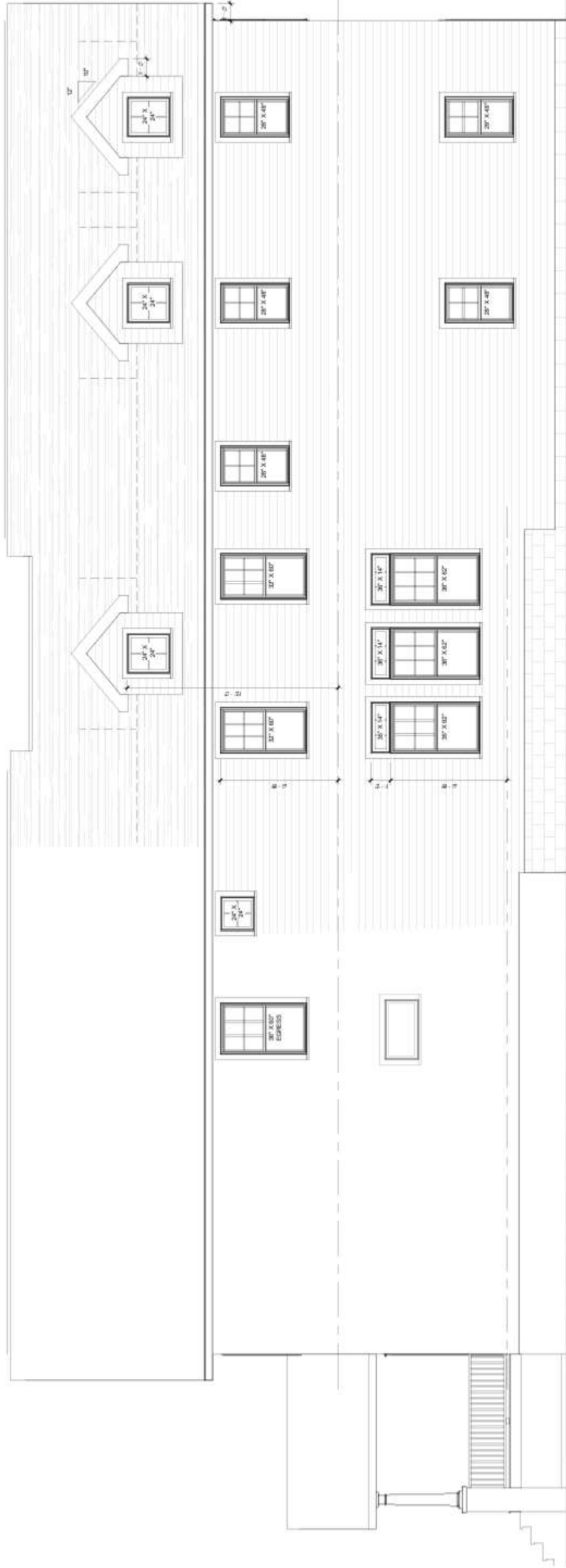
PROPOSED SETBACKS:

REAR YARD: 32.6'
WEST SIDE YARD: 13.6'
EAST SIDE YARD: 2.4'
SUM OF SIDE YARDS: 16.0'

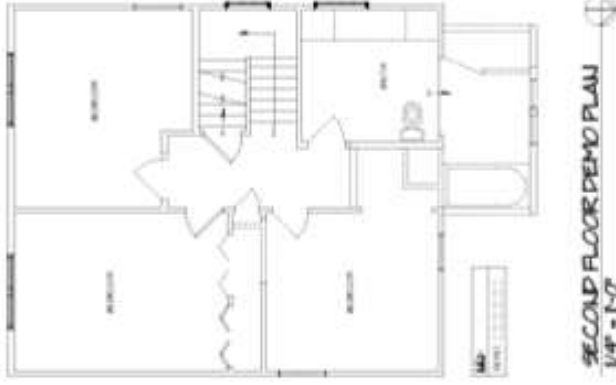


NORTHELEVATION
1/4" = 1'-0"

12962 HARLON AVE



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



962 HARLON AVE



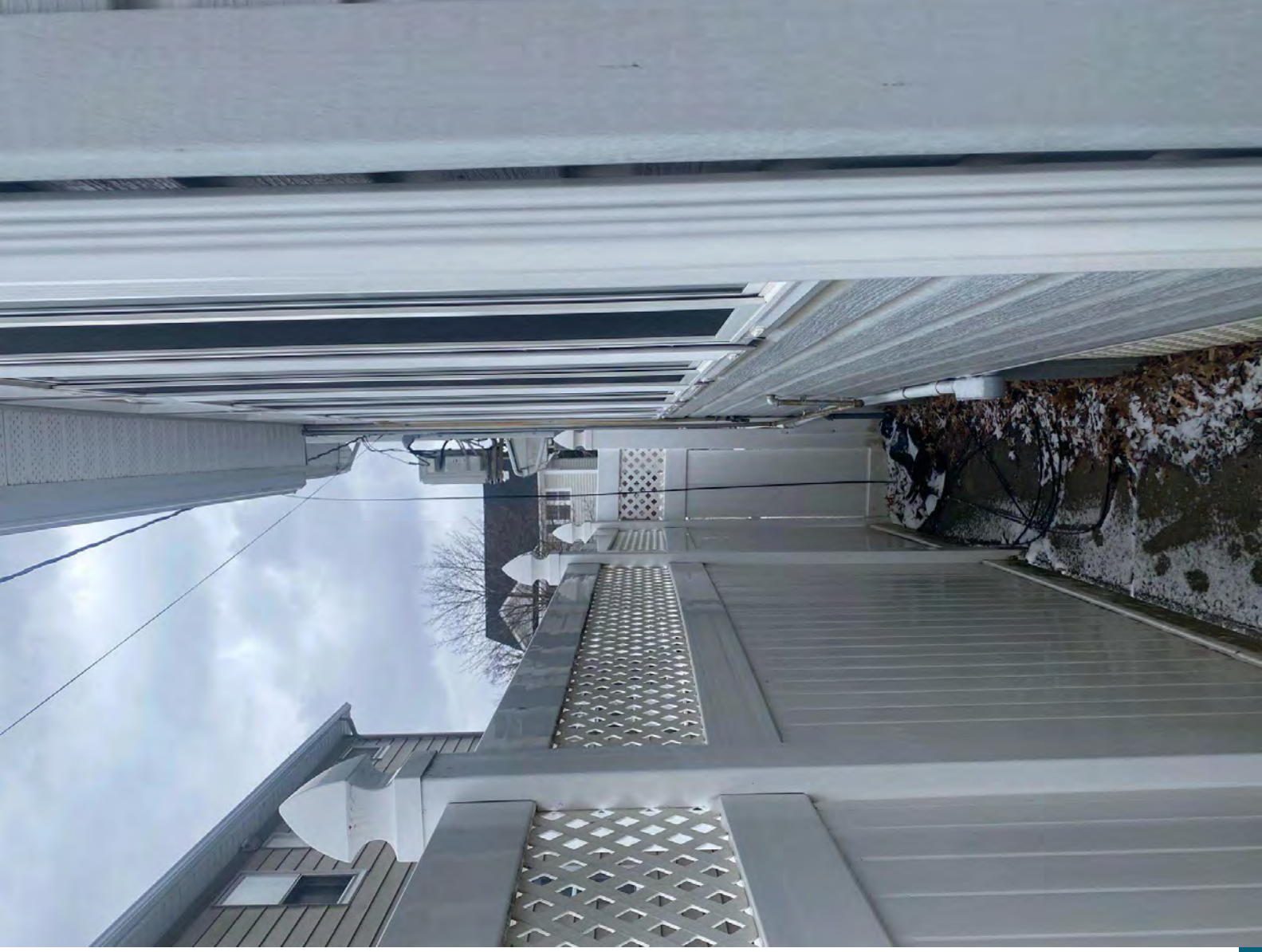
962 HARLON AVE







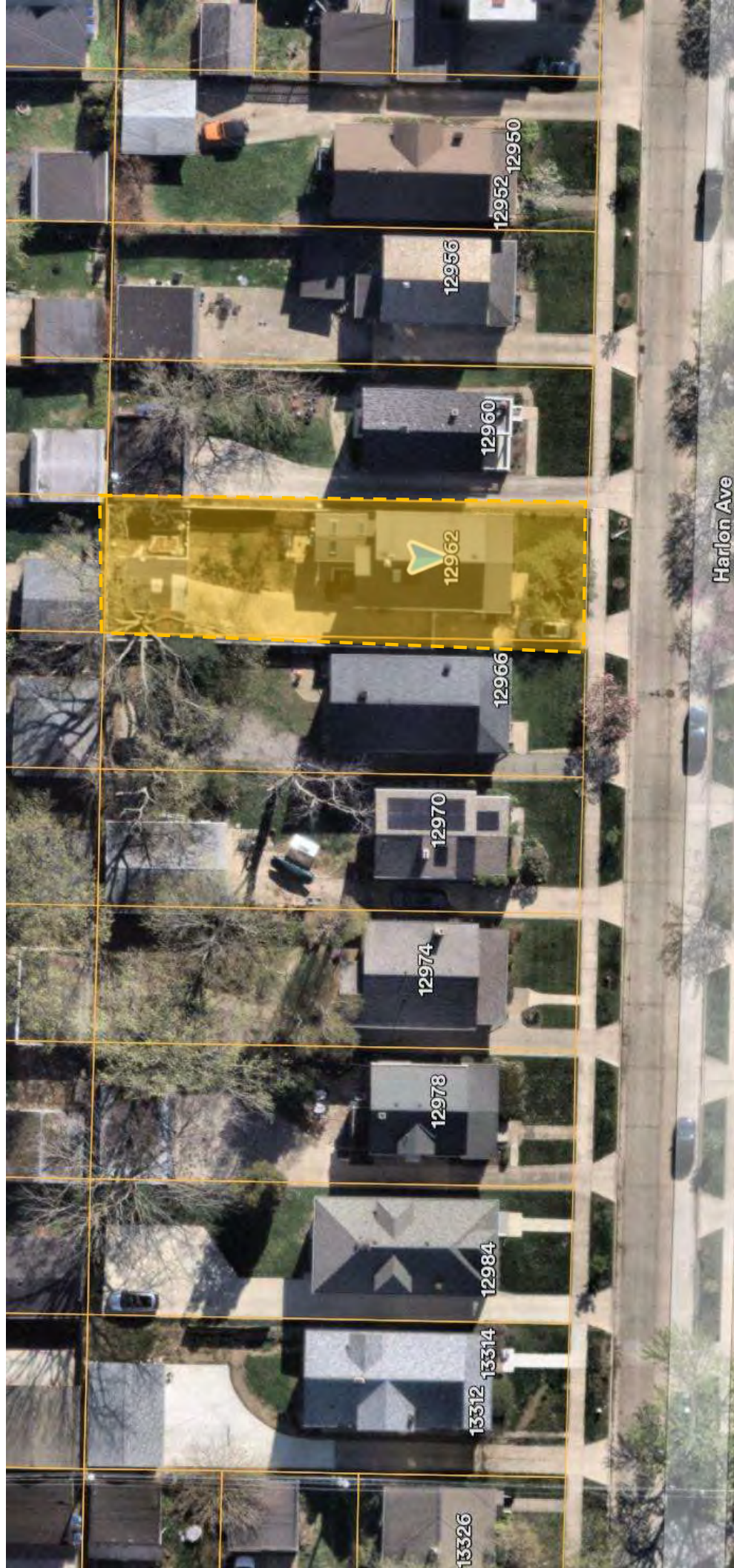
962 HARLON AVE







12962 HARLON AVE



Harlon Ave

1.173.04 Variances

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;**
- (2) (A) The site has a narrow frontage of 40', and depth of 140'. The existing structure and previous addition have an existing East side yard setback of 2.4'**
- (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) The subject property and adjoining properties lie in a R-2 Zoning District**
- (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) The owners of the property are proposing to construct a two story addition with an attached two car garage with attic. The addition will add amenities that will assist the owners in providing safe and accessible care for a wheel chair bound family member.**
- (4) (Q) Whether the variance(s) is substantial;**
- (4)(A) East side yard setback 5.0' has a requested variance of 2.6'**
Rear yard setback 40.0' has a requested variance of 7.4'

Docket No. 06-10-25 17863 LAKE ROAD

1173.04 Variances

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

- (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) In granting the variance, there will be no question that the addition will absolutely insure an increase in value inuring to the adjoining properties.
- (6)(Q) Whether the variance(s) would adversely affect the delivery of governmental services (e.g., water, sewer, refuse removal);
- (6)(A) The variance will not adversely affect the delivery of governmental services.
- (7)(Q) Whether the property owner purchased the property with knowledge of the zoning restriction;
- 7(A) We cannot opine as to the owners knowledge of the City of Lakewood's zoning restrictions.
- (8) (Q) Whether the property owner's predicament feasibly can be obviated through some method other than a variance(s); and
- (8) (A) See answers to questions 3 & 5
- (9)(Q) Whether the spirit and intent of the Code would be observed and substantial justice done by granting the variance(s).
- (9) (A) See answers to questions 1 & 5

ADMINISTRATIVE COMMENTS

- The variance request for .5% above the permitted maximum lot coverage is a modest request
- The depth of the parcel is 140 feet, the existing house has an addition with an existing rear yard of 60 feet in depth.
- Of the ten similarly sized parcels on the north side of Harlon, none have a rear yard of less than 40 feet, the smallest being approx. 52 feet in depth.
- The stated purpose of the addition is assisting the owners in providing safe and accessible care for a family member who uses a wheel chair. Often ADA accessible features require more area to provide clear turning spaces, wider doorways, ramps, chair lifts, elevators etc.. The city is supportive of proposals that adapt existing homes to provide accessible features for Lakewood residents.

12962 HARLON AVE

PUBLIC COMMENT

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

12962 HARLON AVE

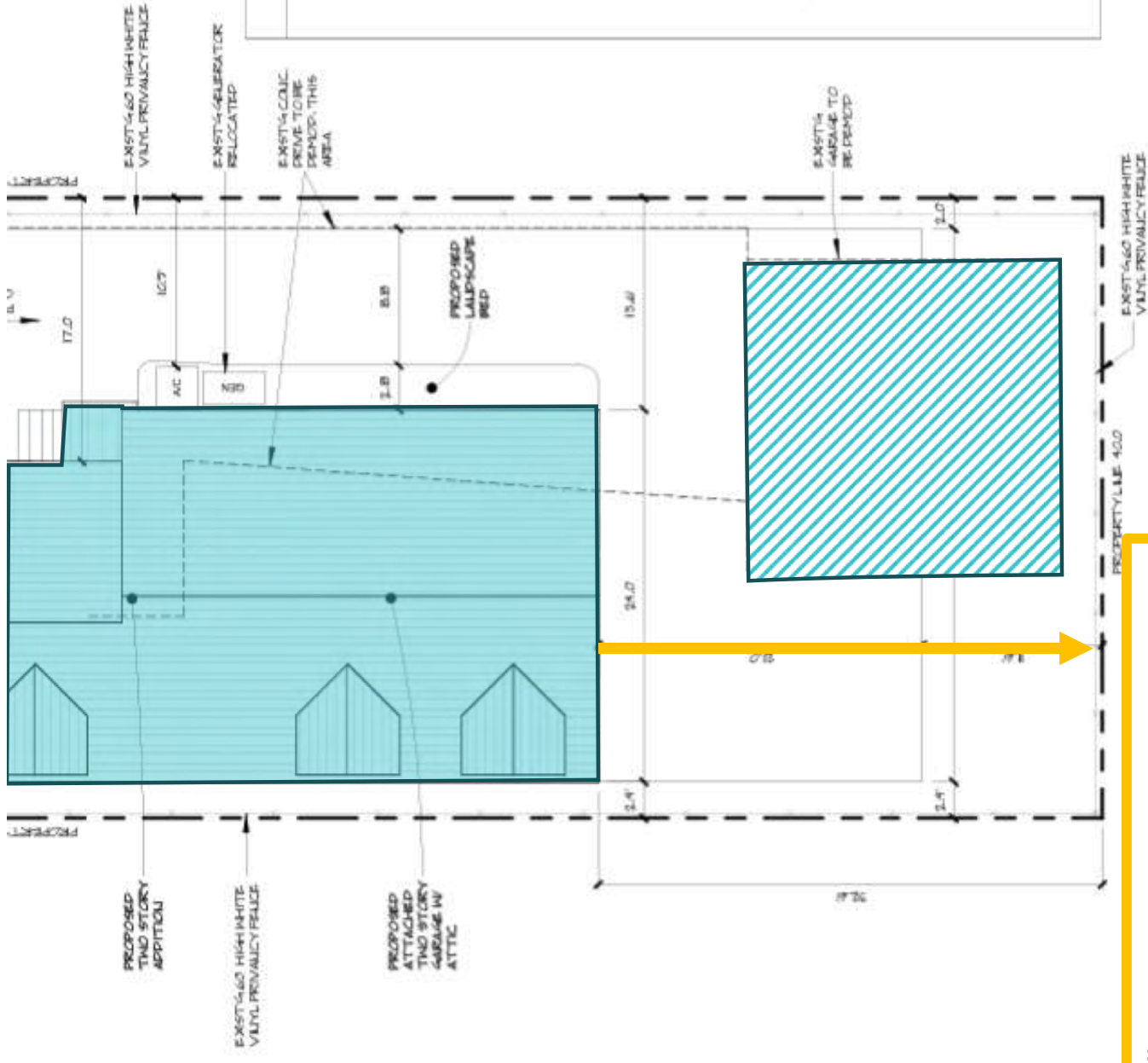
Docket No. 08-13-25

12962 Harlon Ave.

Applicant Charles McGettrick, Architects C.A. McGettrick LLC for property owners Gabriela and Matthew Jefferys, proposes the construction of a new two-story addition including attached garage on the rear of their existing home. The property is in the R12, Single- and Two-Family District. (Page 20)

- Variance 1: Applicant proposes a new rear addition that includes a two-car garage with second floor and an attic; the proposal reduces the rear setback to 32 feet 6 inches where the requirement is 40 feet. Request a variance to reduce the rear yard to 32 feet 6 inches, as proposed. Pursuant to 1123.09(a) Maximum Lot Coverage, (Ord. 07-2023, Passed 11-20-2023)
- Variance 2: Applicant proposes a new rear addition that increases the primary lot coverage to 35.5% where 35% is permitted. Request a variance to exceed the permitted primary lot coverage by .5%, as proposed. Pursuant to 1123.07 Rear Yard Depth, (Ord. 91-95, Passed 10-07-1996)

12962 HARLON AVE



SITE DATA: 12962 HARLON AVE.

TITLE THREE, SECTION 1123.09(a):
 EXISTING STRUCTURES: 1,505 SQFT
 PROPOSED ADDITION: 485 SQFT
 TOTAL: 1,990 SQFT

TOTAL LOT COVERAGE: 1,990/5,600 X 100 = 35.5%

TITLE THREE, SECTION 1123.09(d):
 EXISTING STRUCTURES: 1,505 SQFT
 EXISTING DRIVE: 1,738 SQFT
 PROPOSED ADDITION: 485 SQFT
 PROPOSED DRIVE: 585 SQFT
 TOTAL: 4,313 SQFT

TOTAL LOT COVERAGE: 4,313/5,600 X 100 = 77%

TITLE THREE, SECTION 1123.07
 MINIMUM YARD REQUIREMENTS:
 REAR YARD SETBACK: 40.0'
 SIDE YARD SETBACK: 5.0'
 MIN. SUM OF BOTH SIDE YARDS: 15.0'

PROPOSED SETBACKS:
 REAR YARD: 32.6'
 WEST SIDE YARD: 13.6'
 EAST SIDE YARD: 2.4'
 SUM OF SIDE YARDS: 16.0'

32'6" PROPOSED SETBACK

SITE PLAN
1" = 10'-0"





1. Docket No. 08-14-25
14321 Detroit Ave.

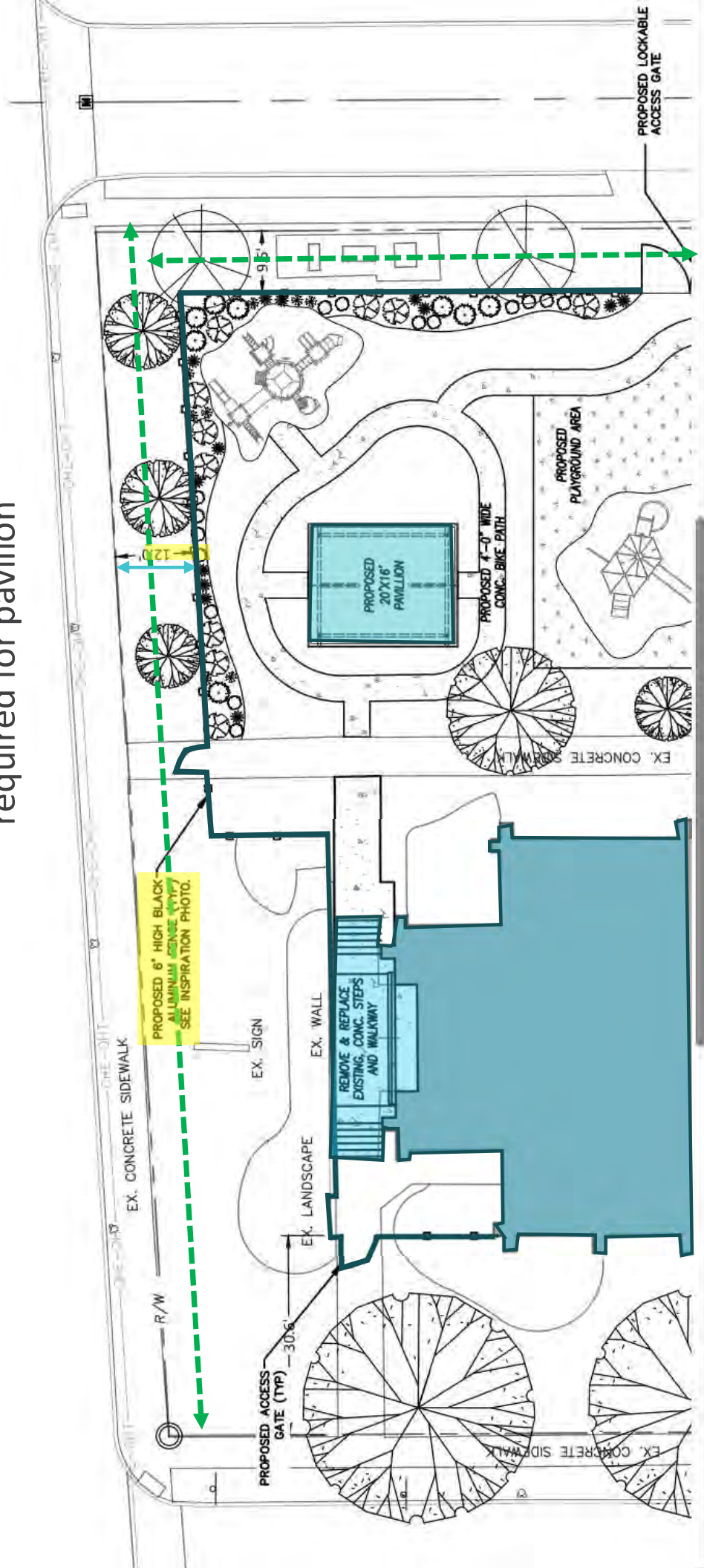
Horizon Education Centers

Applicant Nick Musarra of North Coast Design Build for property owners Horizon Education Centers proposes the construction of a new fence to enclose the proposed playground. A 6 foot high black aluminum fence is not permitted in front of the building's foundation wall. Request a variance to install fence and gate in front of the foundation wall at 12 feet from the public sidewalk, as proposed. The property is in the C2, Commercial Retail District.
(Page 35)

- **Variance 1:** Applicant proposes the construction of a new 6 foot high black aluminum fence and gate in front of the building foundation at 12 feet from the public sidewalk on the Detroit side, as proposed. Pursuant to 1153.03(c)2(E) Fence Placement and Types, Rear and Side Yards (Ord. 08-2021, Passed 05-17-2021)

14321 DETROIT AVE

Pavillion is in side yard as defined by required front setbacks, no variance required for pavillion



14321 DETROIT AVE



14321 DETROIT AVE



14321 DETROIT AVE



14321 DETROIT AVE



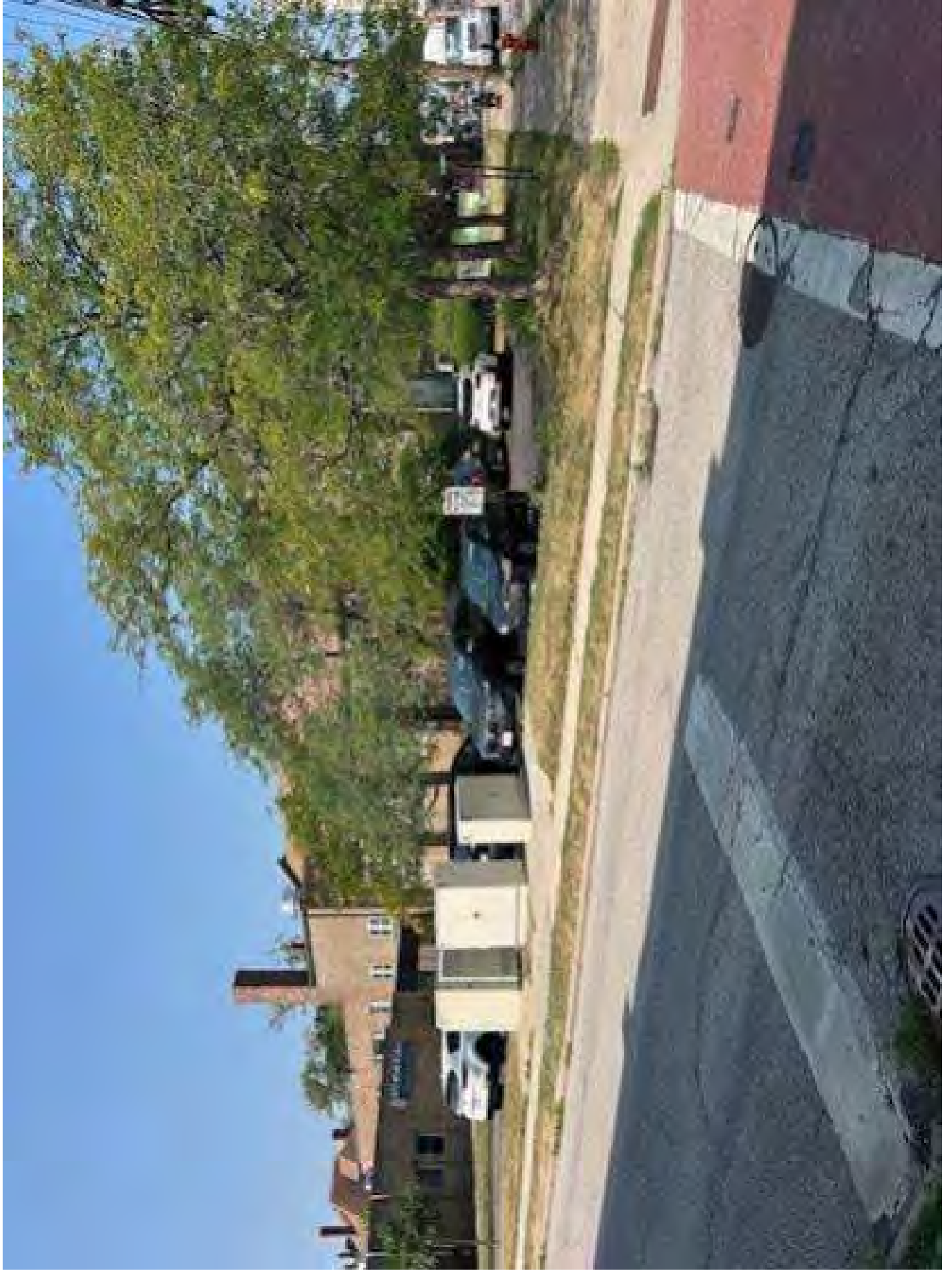
14321 DETROIT AVE



14321 DETROIT AVE



14321 DETROIT AVE



14321 DETROIT AVE



14321 DETROIT AVE



14321 DETROIT AVE



14321 DETROIT AVE



14321 DETROIT AVE

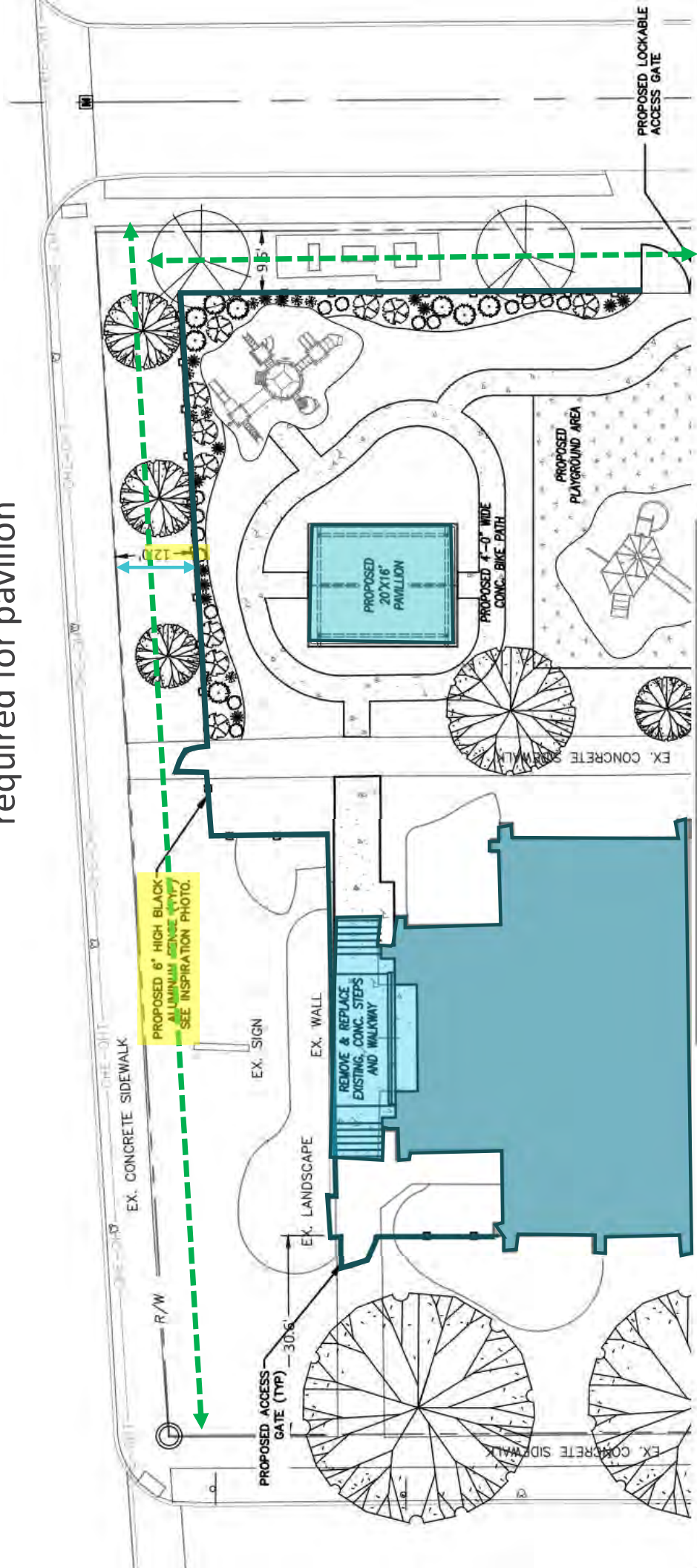


14321 DETROIT AVE



14321 DETROIT AVE

Pavillion is in side yard as defined by required front setbacks, no variance required for pavillion



ZONING VARIANCE & PROJECT NARRATIVE

The subject property was an existing church with a preschool program. Our client, Horizon Education Centers, a nonprofit early childhood education provider, acquired the property from the congregation with the intent of renovating the property for continued use as a preschool program and adding school age programs as well. Horizon currently has a location in Lakewood which it has outgrown and thus acquired the subject property to allow for expansion of the programs it can offer. The existing site configuration has several limitations which need to be addressed as follows:

- The current dumpster is located out in the open in the middle of the parking area and we wish to build an enclosure out of brick to match the existing building with a properly designed concrete base to enclose the dumpster and better locate it for the truck to service it.
- The current daycare operation has a small playground located in a courtyard at the rear of the building. Based on Horizon's intended programming and the ages of children served, there is a need to separate playgrounds by age and to increase the size of the area in general.
 - The solution to the problem is to remove the parking lot in front of the building which was required for Sunday parking and to convert it into a fenced play area.
 - Additionally, the infant and toddler rooms have at grade exit doors along the eastern property line with a small lawn between the building and sidewalk. Our intention is to install a fence at the back edge of the sidewalk to enclose this area for safety.
- The conversion of the parking lot into a play area will also include the following:
 - There will remain sufficient parking on site to comply with the minimum required parking per Lakewood's ordinances.
 - The play area will include landscaping, and outdoor activity pavilion (similar to the one already

- erected in Lakewood for Horizon's afterschool program), two play sets and tricycle paths. We intend to keep all the large trees in the area. We have included a gate to allow for equipment to enter and exit for maintenance at the current curb cut which will remain.
- o The proposed fencing is black, 6' aluminum fencing.

We seek relief as follows on the following items:

- Permit 6' high black aluminum fencing in the locations proposed with the gate configuration proposed in the front and corner lot side yards.
- Permit the placement of accessory structures in the front yard as shown.

We ask the board to consider the following factors related to our request:

1. The existing site conditions are unique in that the building is set off the street significantly more than other buildings in the zoning district and thus it creates a large front yard. Additionally, the property spans an entire block and thus has corner side yards on both sides of the property. As a result, had the building been situated street forward, as many other properties in the district are, the proposed play area could be placed in the rear of the property and thus fencing would not require a variance.
2. We submit that the property is located near other harmonious uses such as apartments, retail and other churches. Indeed, childcare use has existed on this property for many decades.
3. In order to serve the range of age groups which need Horizon's services, we must make the proposed changes to the property. Allowing this project to move forward will result in the historic restoration and improvement of the property and will create a vibrant long-term use at the property which will be beneficial to the community.
4. The variances we request are not substantial- we ask for an increase in fencing height and location for safety and for the placement of minor accessory items in the large front yard which currently is a parking lot.
5. We submit that adjoining properties will not suffer because of granting these variances. The area affected is currently a parking lot on one of the busiest thoroughfares in the city. Converting it into a play area will not be a detriment to the properties across the street. As to the residential area behind the property, the playground will be located on the other side of the building, thus eliminating any noise concerns.
6. There will be no adverse effect on the delivery of governmental services because of granting the variances.
7. Horizon needed to expand in Lakewood and its former site was too restrictive to do so. Lakewood's age and density makes it difficult to find properties which can serve as a childcare center with opportunities for on-site play areas- this site was unique in it offered just that opportunity. That said, we had to obtain surveys and map the existing building conditions to be able to determine how we could best repurpose the building and site. As soon as we completed our analysis, we immediately presented our thoughts to city staff, at which time we became aware of the need to apply for the variances.
8. Our proposed plan best balances traffic, safety, building planning and aesthetic considerations. Other alternatives considered resulted in a much poorer outcome than the imposition created by granting us the requested relief.
9. We believe granting us relief will meet the spirit and intent of the code. Generally speaking, the city does not want a high opaque fence in a front yard- this makes sense from an aesthetic perspective. In

ADMINISTRATIVE COMMENTS

- Project is an adaptive reuse of a significant existing structure on Detroit Avenue. The city supports the adaptive reuse of structures.
- The fence will be 12 feet from the public right of way on Detroit.
- On the Olivewood side the proposed fence meets the setback requirement of 5 feet on the side street.
- The required front setback for the building is 5 feet or less from the sidewalk, the building is set back further from the sidewalk than most of the buildings on Detroit, giving it a deeper front yard and a smaller rear yard.
- Other daycares in the city have been successful in their variance requests for front yard fences to enclose children's play areas to enable amenities for other adaptive reuse projects, Kidzenia, Brownstone, Grace Presbyterian, Padre Pio.

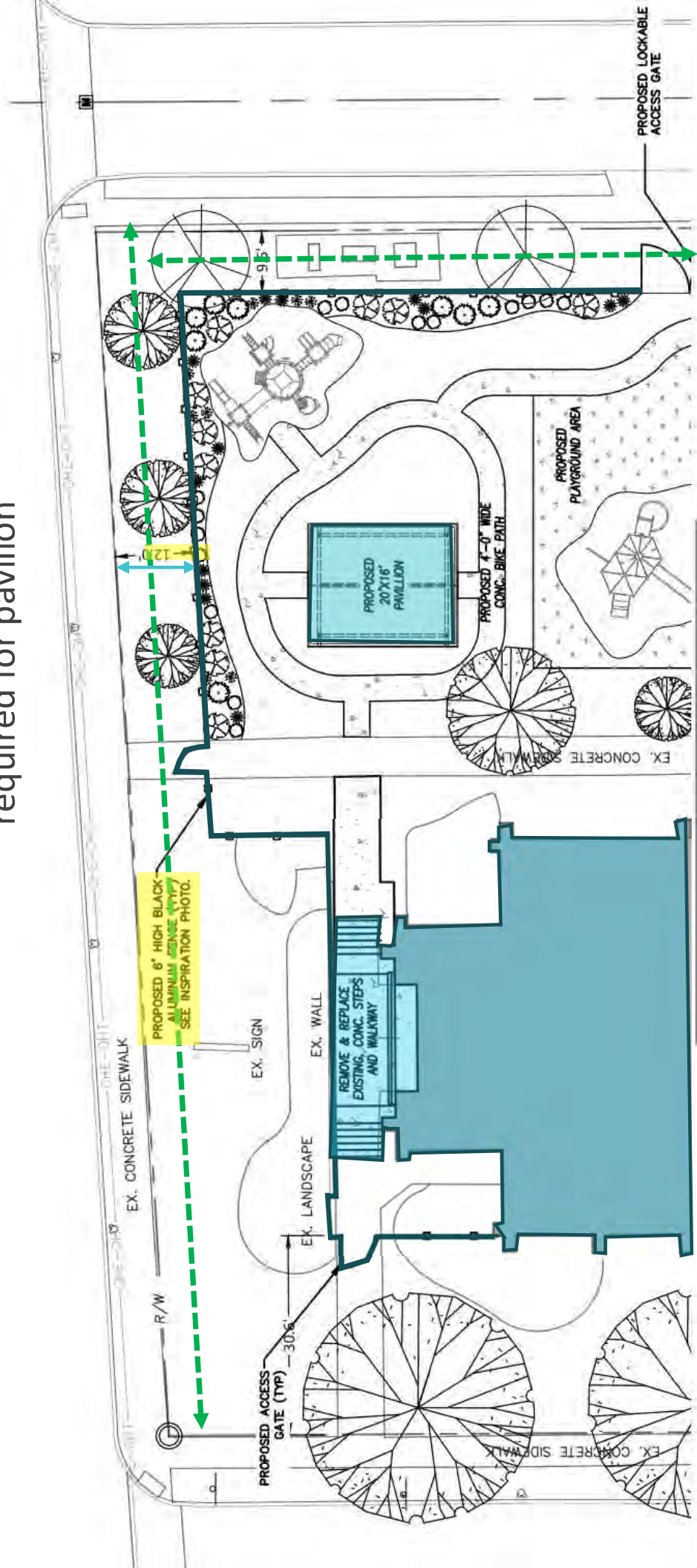
14321 DETROIT AVE

Public Comment

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

14321 DETROIT AVE

Pavillion is in side yard as defined by required front setbacks, no variance required for pavillion

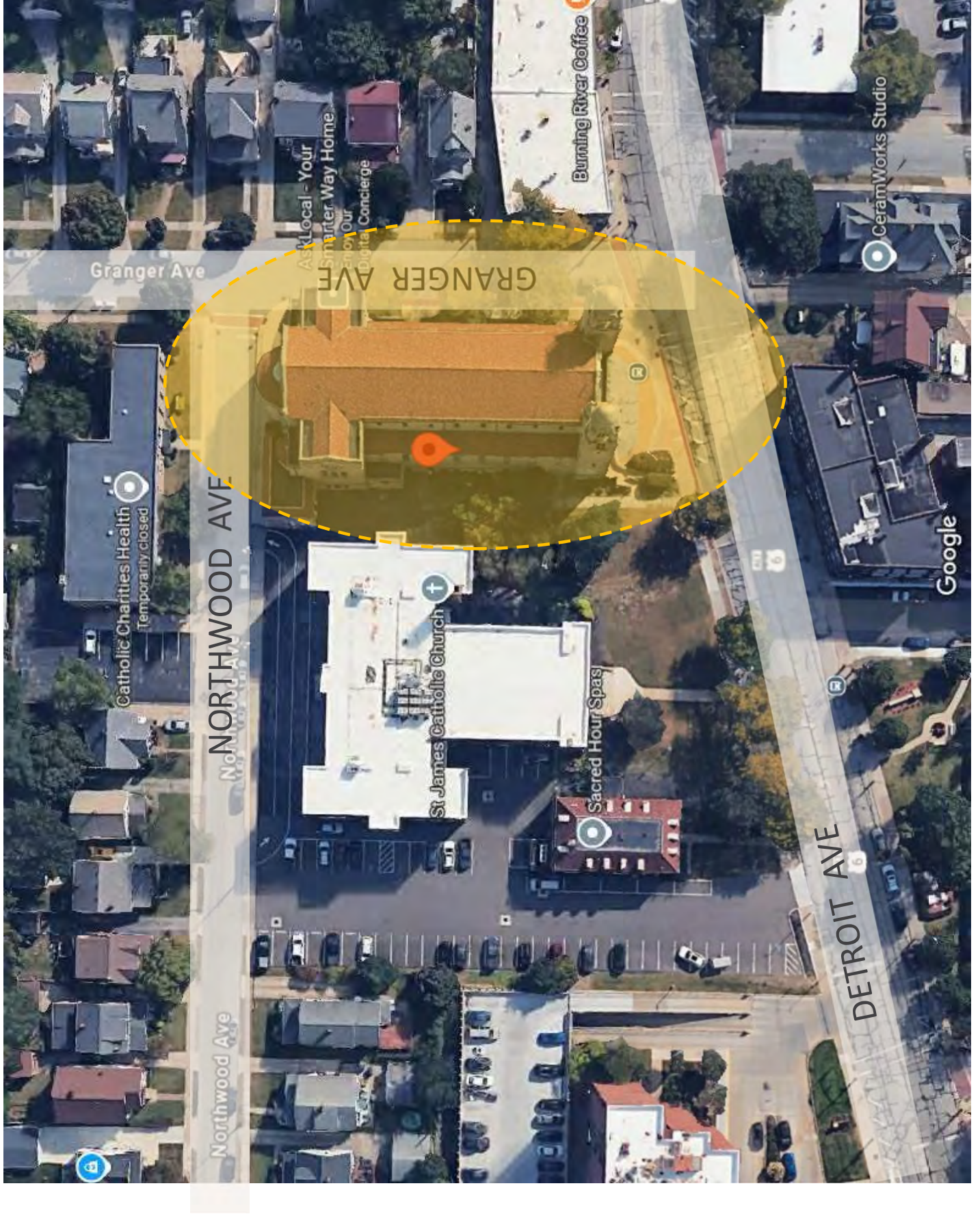


1. Docket No. 08-14-25
14321 Detroit Ave.

Horizon Education Centers

Applicant Nick Musarra of North Coast Design Build for property owners Horizon Education Centers proposes the construction of a new fence to enclose the proposed playground. A 6-foot-high black aluminum fence is not permitted in front of the building's foundation wall. Request a variance to install fence and gate in front of the foundation wall at 12 feet from the public sidewalk, as proposed. The property is in the C2, Commercial Retail District.
(Page 35)

- **Variance 1:** Applicant proposes the construction of a new 6-foot-high black aluminum fence and gate in front of the building foundation at 12 feet from the public sidewalk on the Detroit side, as proposed. Pursuant to 1153.03(c)2(E) Fence Placement and Types, Rear and Side Yards (Ord. 08-2021, Passed 05-17-2021)

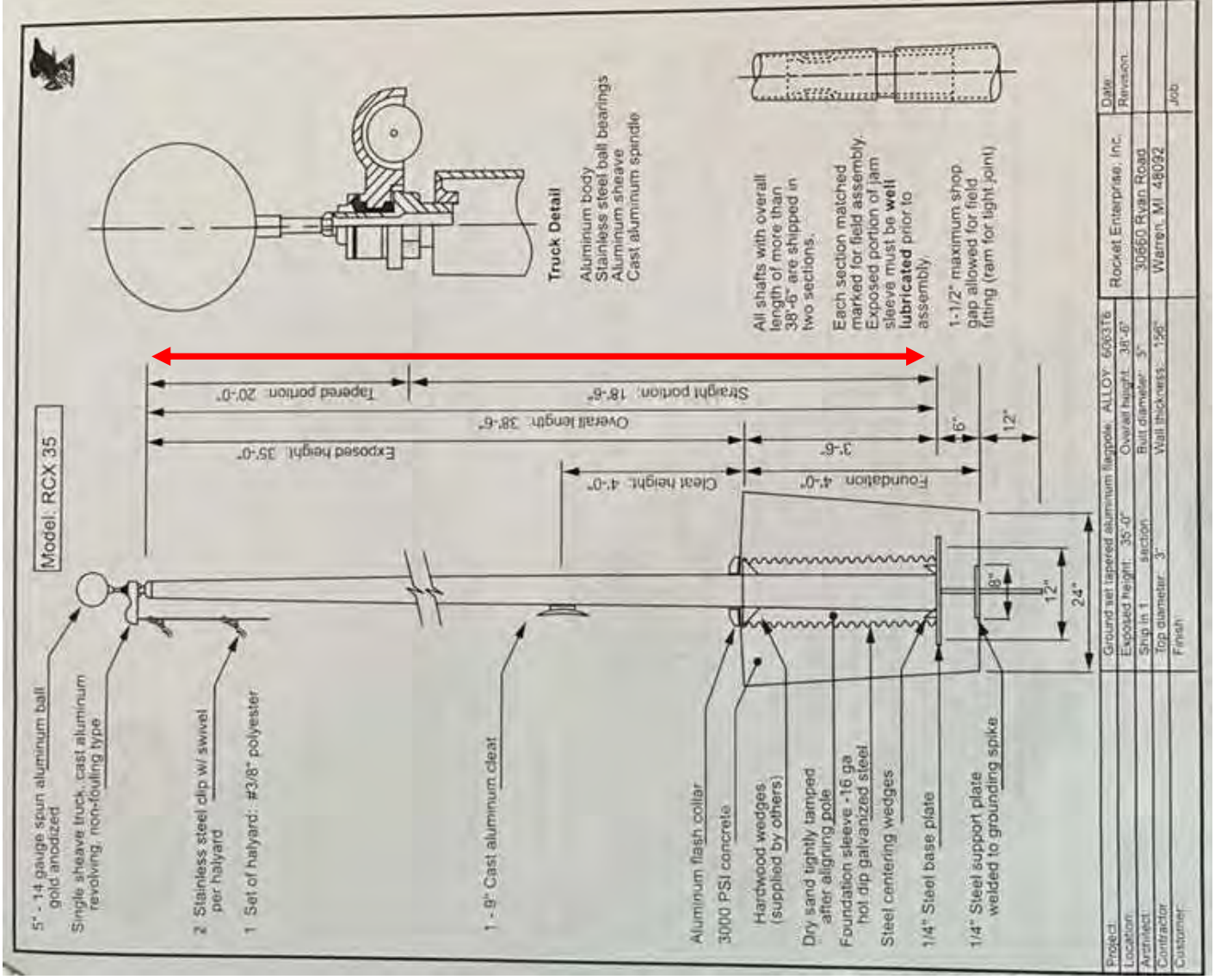


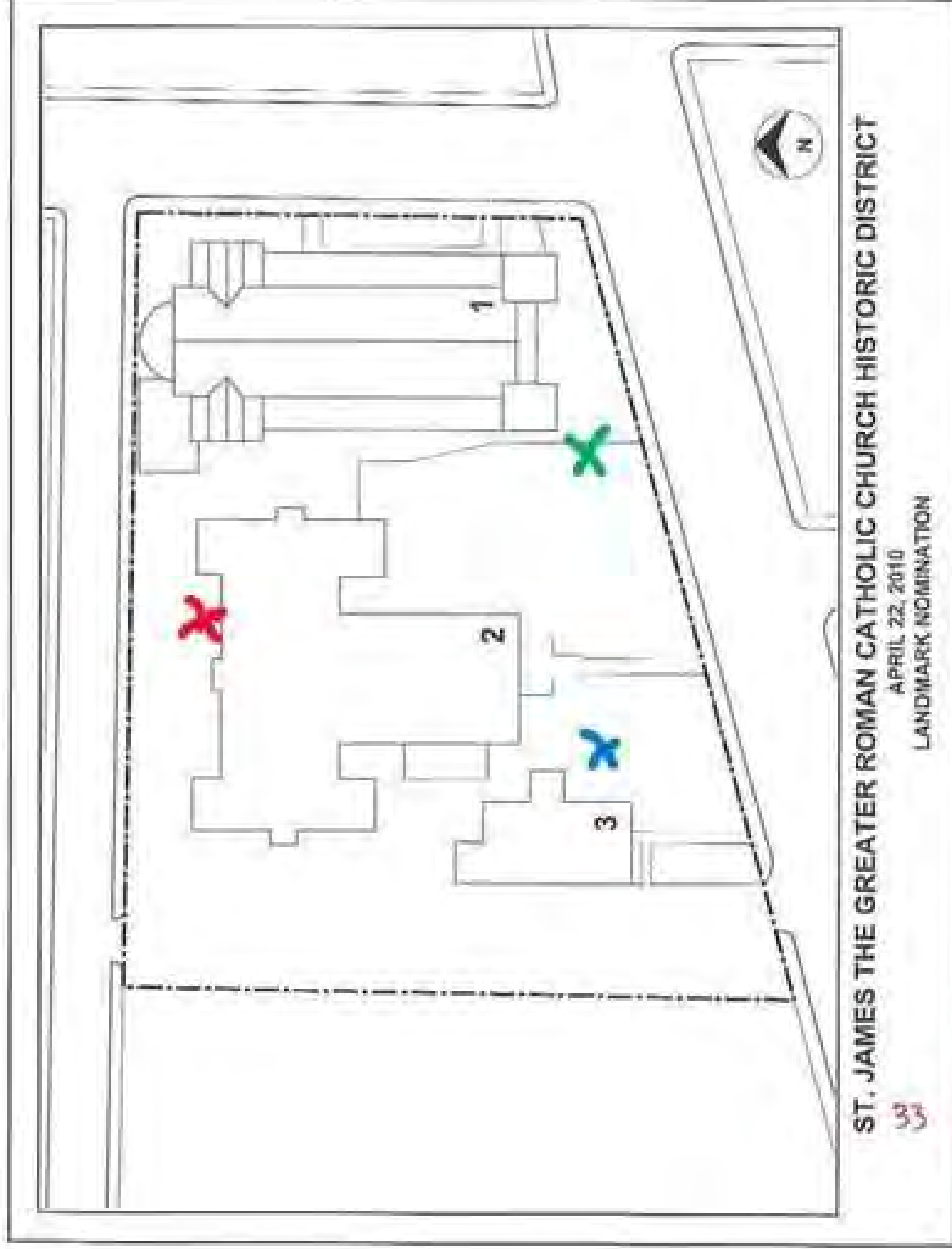
**1. Docket No. 08-15-25
17510 Detroit Ave.
St. James Church**

Applicant James McGinty proposes the installation of a new 35 foot flagpole. The property has been historically designated, and the designation requires the applicant to obtain a certificate of appropriateness from the Architectural Board of Review in addition to the area variance required to exceed the permitted height of 20 feet. The property is in the C2, Commercial Retail District. (Page 56)

- Variance 1: Applicant proposes the construction of a 35 foot high flagpole in the front yard of St. James Church, request a variance to exceed maximum permitted height, as proposed, contingent on receiving a certificate of appropriateness from ABR. Pursuant to 1153.03(c)2(E) Fence Placement and Types, Rear and Side Yards (Ord. 08-2021, Passed 05-17-2021)

Height 38'6" +
decorative spun
aluminum ball





Based on the complex, there are two flagpoles present. The first is a twenty (20) foot pole (blue x) adjacent to the rectory and slightly off of center for the school. The second pole (red x) is located on the back of the school (I think) and is mounted to the building, not the ground.

In respect to the project, we would be putting up a completely new flag pole that is thirty (30) feet tall adjacent to St. James Church (green x). We would be disregarding both of those prior flag poles.

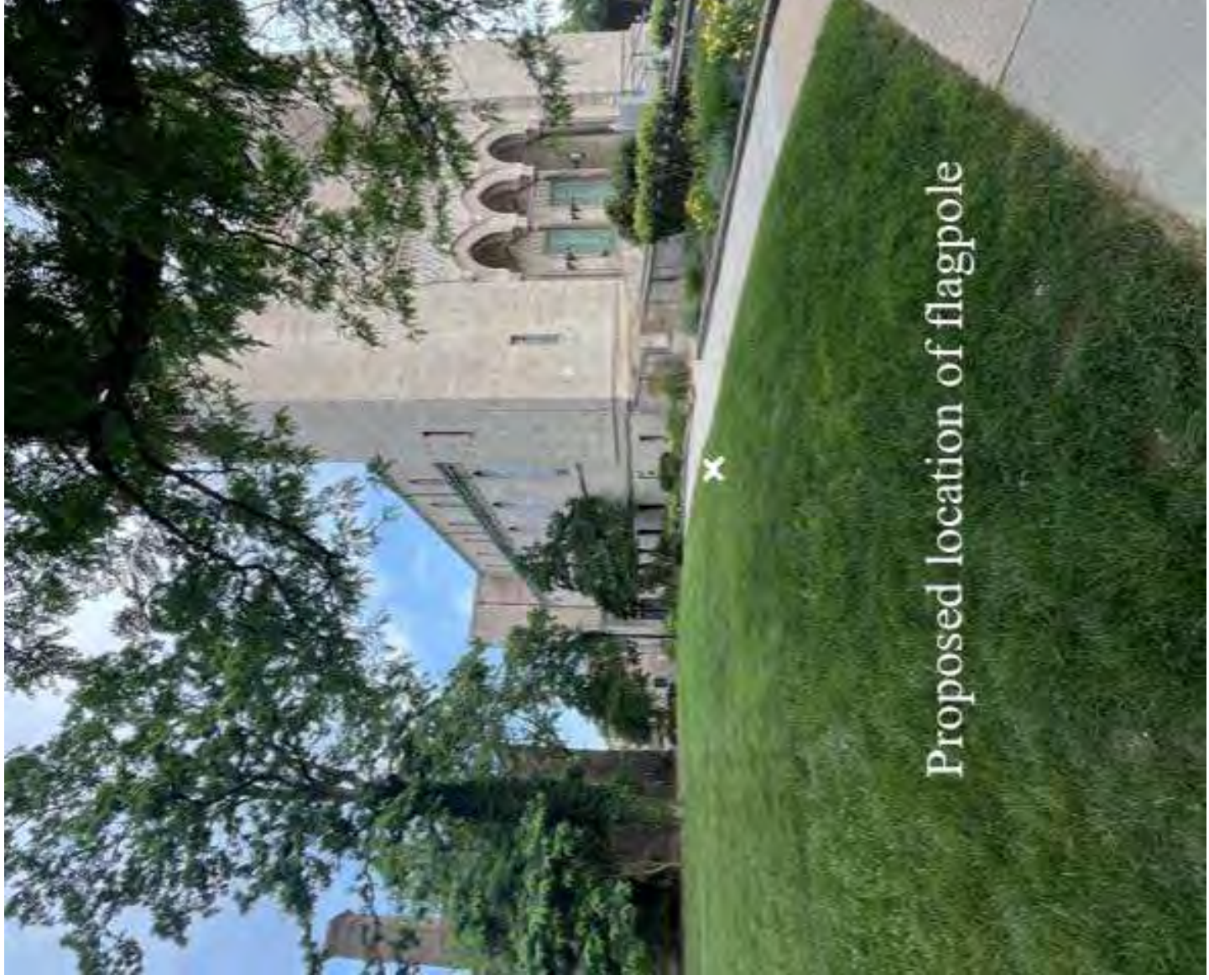
17510 DETROIT AVE



17510 DETROIT AVE



17510 DETROIT AVE



Proposed location of flagpole

17510 DETROIT AVE

LOT SPLIT

17514 DETROIT ROAD
CITY OF LACROIX
COUNTY OF OSHTOBA - SIDE OF DND

McSteen
LAND SURVEYORS

1001 LAKE STREET, SUITE 100
LACROIX, ONTARIO N4V 1A1
TEL: (519) 885-1111
WWW.MCSTEENLANDSURVEYORS.COM

THIS PLAN IS A PRELIMINARY PLAN AND IS NOT TO BE USED FOR CONVEYANCE OF INTERESTS IN LAND UNLESS IT IS APPROVED BY THE REGISTRAR OF LANDS AND THE REGISTRAR OF DEEDS.

McSteen
1001 LAKE STREET, SUITE 100
LACROIX, ONTARIO N4V 1A1
TEL: (519) 885-1111
WWW.MCSTEENLANDSURVEYORS.COM



OWNER'S ACCEPTANCE
I, the undersigned, being the owner of the land shown herein, hereby accept the plan of subdivision shown herein and the boundaries thereon.

Edward C. McSteen
1001 LAKE STREET, SUITE 100
LACROIX, ONTARIO N4V 1A1
TEL: (519) 885-1111
WWW.MCSTEENLANDSURVEYORS.COM

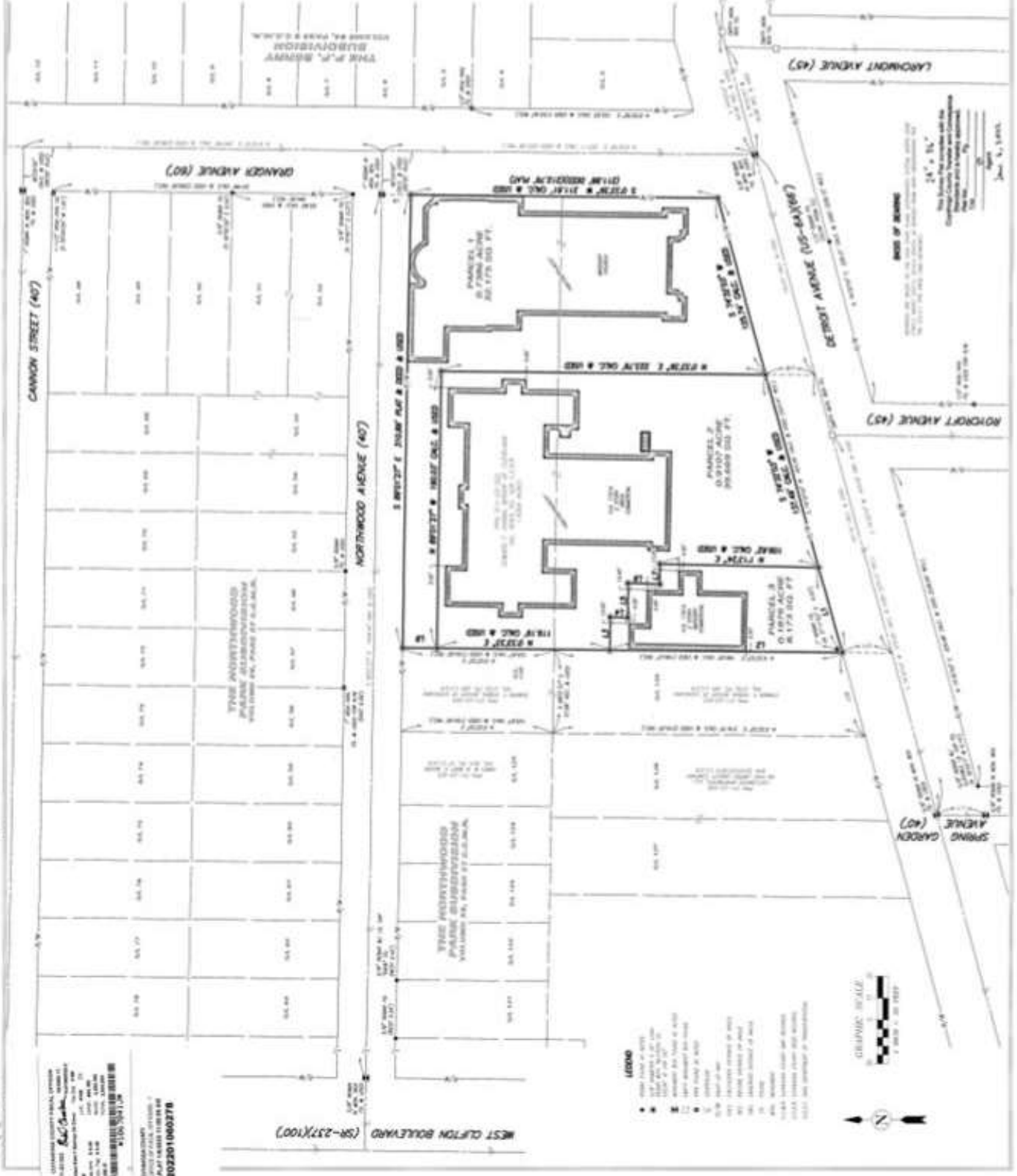
NOTARY PUBLIC
I, the undersigned, being a Notary Public for the Province of Ontario, do hereby certify that the above-named person is the owner of the land shown herein and that he has accepted the plan of subdivision shown herein and the boundaries thereon.

Edward C. McSteen
1001 LAKE STREET, SUITE 100
LACROIX, ONTARIO N4V 1A1
TEL: (519) 885-1111
WWW.MCSTEENLANDSURVEYORS.COM



EDWARDS AVENUE (60)
(Frontal Access Easement)

LINE	BEARING	DISTANCE
1	S 89° 00' 00" W	100.00
2	S 89° 00' 00" W	100.00
3	S 89° 00' 00" W	100.00
4	S 89° 00' 00" W	100.00
5	S 89° 00' 00" W	100.00
6	S 89° 00' 00" W	100.00
7	S 89° 00' 00" W	100.00
8	S 89° 00' 00" W	100.00
9	S 89° 00' 00" W	100.00
10	S 89° 00' 00" W	100.00
11	S 89° 00' 00" W	100.00
12	S 89° 00' 00" W	100.00
13	S 89° 00' 00" W	100.00
14	S 89° 00' 00" W	100.00
15	S 89° 00' 00" W	100.00
16	S 89° 00' 00" W	100.00
17	S 89° 00' 00" W	100.00
18	S 89° 00' 00" W	100.00
19	S 89° 00' 00" W	100.00
20	S 89° 00' 00" W	100.00



LEGEND

- 1. 100' WIDE STRIP OF LAND
- 2. 100' WIDE STRIP OF LAND
- 3. 100' WIDE STRIP OF LAND
- 4. 100' WIDE STRIP OF LAND
- 5. 100' WIDE STRIP OF LAND
- 6. 100' WIDE STRIP OF LAND
- 7. 100' WIDE STRIP OF LAND
- 8. 100' WIDE STRIP OF LAND
- 9. 100' WIDE STRIP OF LAND
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- 11. 100' WIDE STRIP OF LAND
- 12. 100' WIDE STRIP OF LAND
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- 17. 100' WIDE STRIP OF LAND
- 18. 100' WIDE STRIP OF LAND
- 19. 100' WIDE STRIP OF LAND
- 20. 100' WIDE STRIP OF LAND

APPROVALS

[Signature]
1001 LAKE STREET, SUITE 100
LACROIX, ONTARIO N4V 1A1
TEL: (519) 885-1111
WWW.MCSTEENLANDSURVEYORS.COM

[Signature]
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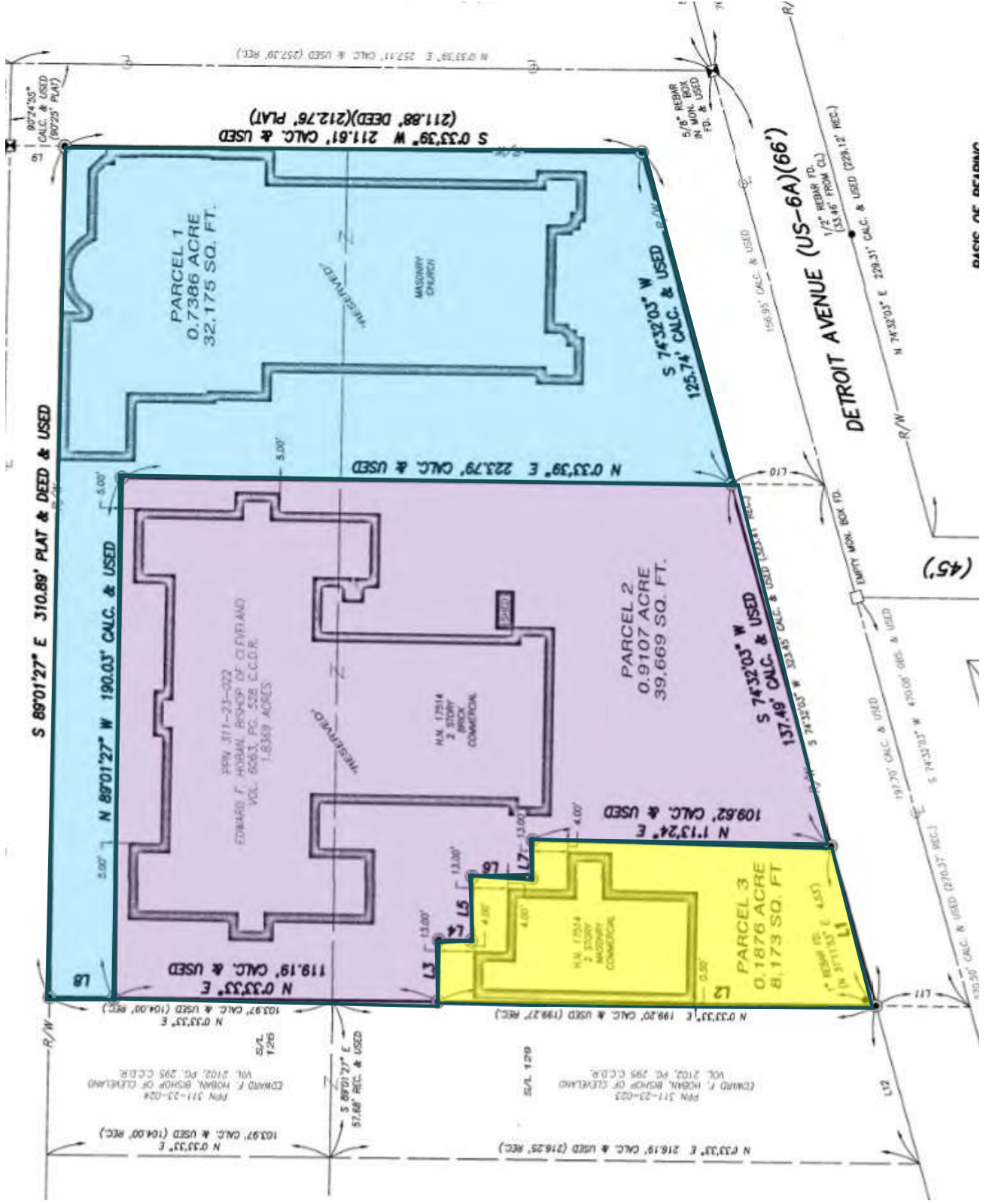
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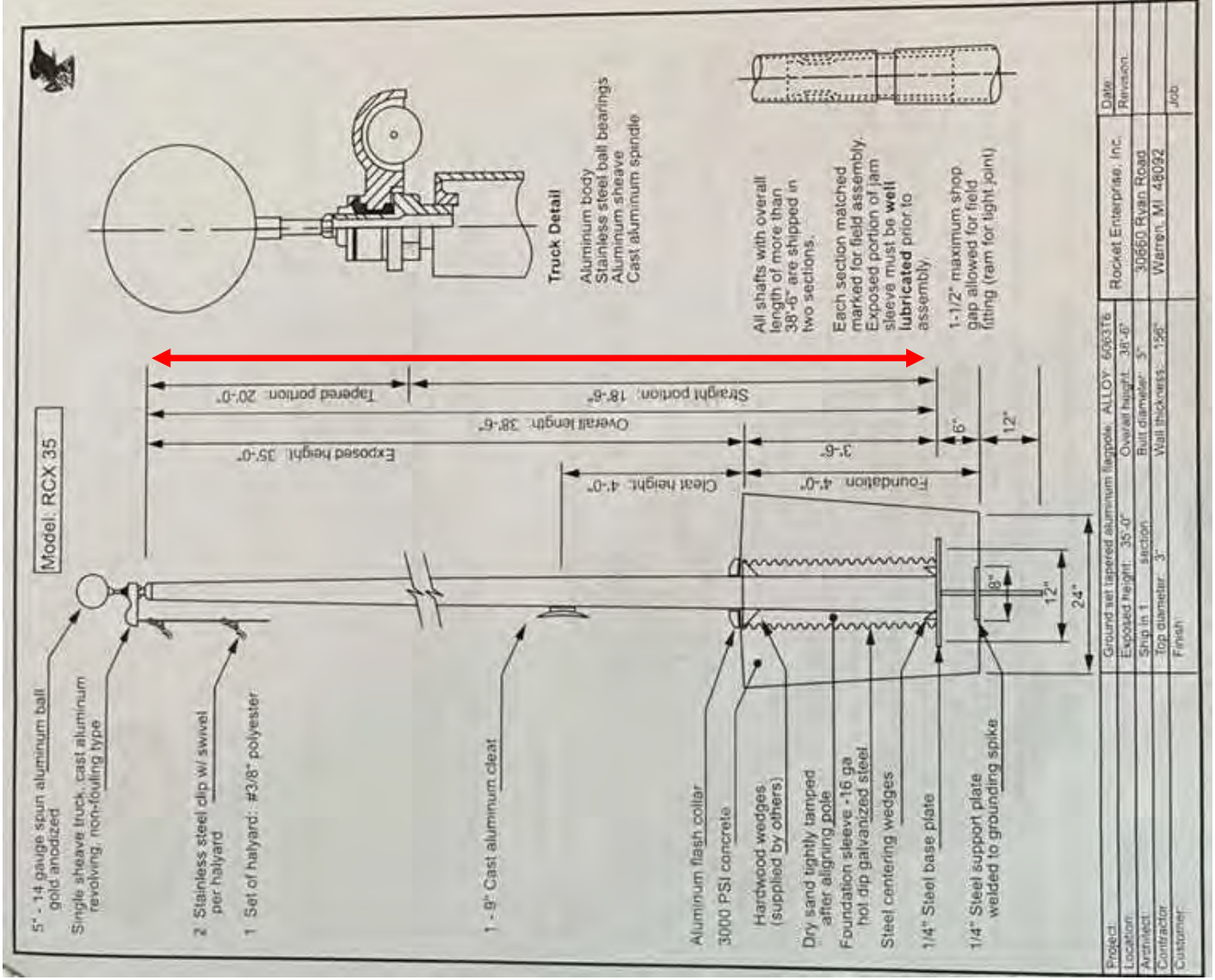
NOTES OF RECORD

1. This plan is a preliminary plan and is not to be used for conveyance of interests in land unless it is approved by the Registrar of Lands and the Registrar of Deeds.

17510 DETROIT AVE



BLANK NE DEADEND



Height 38'6"
+spun
aluminum ball

Distance from
sidewalk is 32
feet

17510 DETROIT AVE



17510 DETROIT AVE



17510 DETROIT AVE

1.173.04 Variances

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;
- (2) (A) **No, the site conditions are normal.**
- (3) (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) **No, the location is normal.**
- (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) **Not Applicable**
- (4) (Q) Whether the variance(s) is substantial;
- (4)(A) **Yes, due to the scale of St. James, requesting permission for a taller flagpole.**
- (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, it's just a flagpole.**

17510 DETROIT AVE

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

(6)(A) No, location is on the property yard.

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

(7)(A) Not-Applicable

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

(8) (A) Not-Applicable

(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, code would be observed.

Photos of other places with flagpoles around Lakewood and with them are their heights.

[City Hall-30 Feet.jpeg](#)

[Emerson Elementary-35 Feet.jpeg](#)

[Franklin School of Opportunity-30 Feet.jpeg](#)

[Garfield Middle-35 Feet.jpeg](#)

[Grant Elementary-35 Feet.jpeg](#)

[Harding Middle-40 Feet.jpeg](#) 

[Harrison Elementary-30 Feet.jpeg](#)

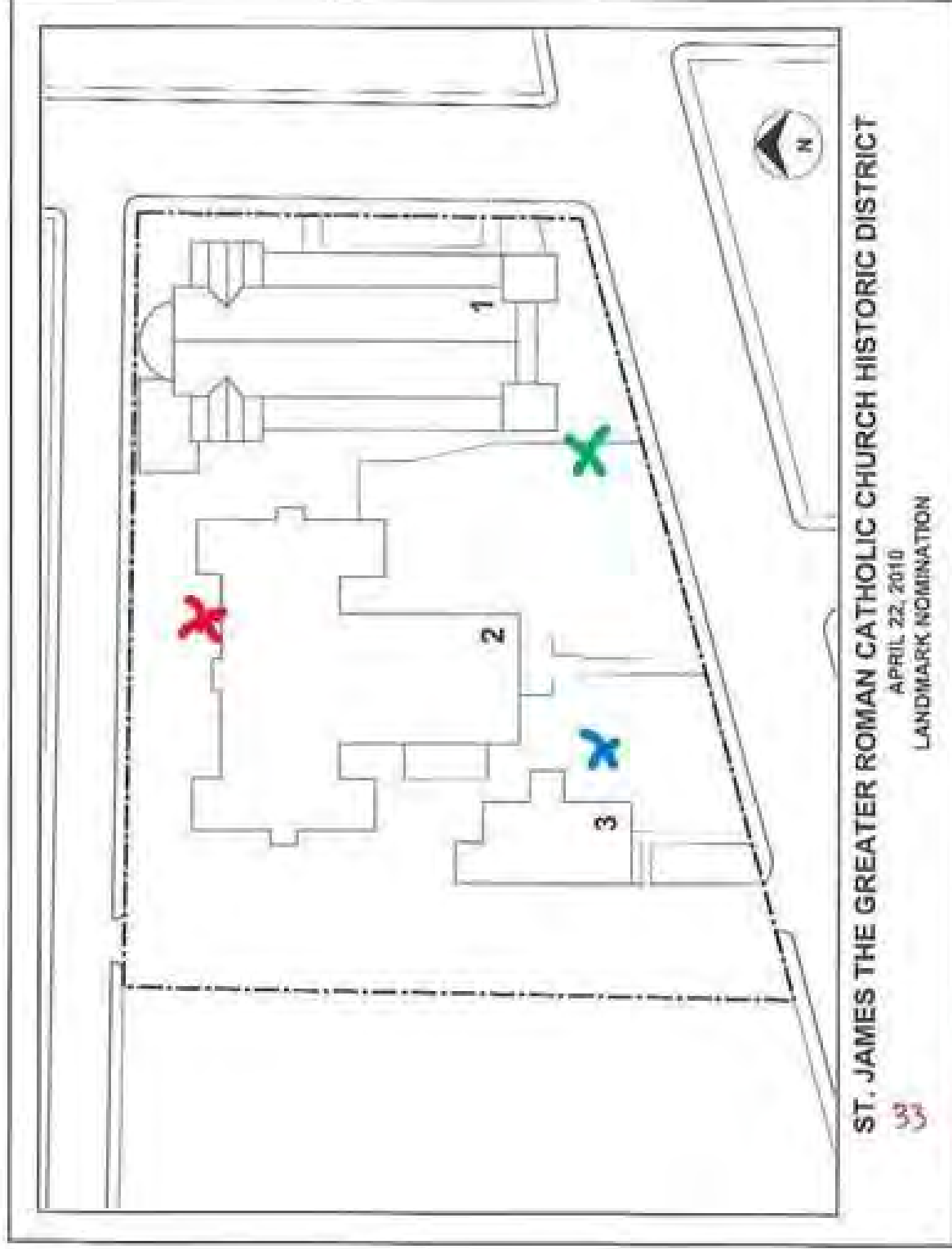
[Hayes Elementary-30 Feet.jpeg](#)

[Horace Mann Elementary-35 Feet.jpeg](#)

[Lincoln Elementary-35 Feet.jpeg](#)

[Roosevelt Elementary-30 Feet.jpeg](#)

[St. Clements RCC-30 Feet.jpeg](#)



Based on the complex, there are two flagpoles present. The first is a twenty (20) foot pole (blue x) adjacent to the rectory and slightly off of center for the school. The second pole (red x) is located on the back of the school (I think) and is mounted to the building, not the ground.

In respect to the project, we would be putting up a completely new flag pole that is thirty (30) feet tall adjacent to St. James Church (green x). We would be disregarding both of those prior flag poles.

17510 DETROIT AVE



City hall 30 feet

17510 DETROIT AVE



Emerson School 35 feet

17510 DETROIT AVE



Franklin School 35 feet

17510 DETROIT AVE



Garfield School 35 feet

17510 DETROIT AVE



Harding Middle School 40 feet

17510 DETROIT AVE



Hayes School 30 feet

17510 DETROIT AVE



Harrison School 30 feet

T AVE



Hoarce Mann School 35 feet

17510 DETROIT AVE



Lincoln Elementary School 35 feet

17510 DETROIT AVE



Roosevelt Elementary School 30 feet

17510 DETROIT AVE



St Clements RCC 30 feet

ADMINISTRATIVE COMMENTS

- The St James parcel is no longer in the same ownership as the two adjacent parcels that have flagpoles
- The St. James church is at approx. twice the height of the proposed flagpole
- The pole will be located 32 feet from the public sidewalk
- There are a number of existing community facilities in the city that have flagpoles greater than the 15' in residential and 20' in commercial district height limit, the applicant has provided numerous examples
- Proposal has received approval from ABR, a certificate of appropriateness was required because the site is historically designated

Public Comment

- Received via Phone
- Received via e-mail
- Meeting attendee(s)
- Two support letters submitted by applicant

To whom it may concern:

I am writing to support James McGinty's efforts to raise a flagpole at Saint James Church in Lakewood. As a long-time parishioner, I feel that Saint James is the most beautiful and prominent building in Lakewood, and we should be proudly flying our American and Vatican flags high. This church is truly a landmark and deserves to be sharing public patriotism like our two other parishes which each fly flags.

As for James, he is a dedicated Scout who is well-known to our Saint James community for his countless hours volunteering at our events, and sharing his fun and joyous personality. I couldn't think of a better young man to move this project forward.

-Mrs. Mary Ramsak, Parishioner

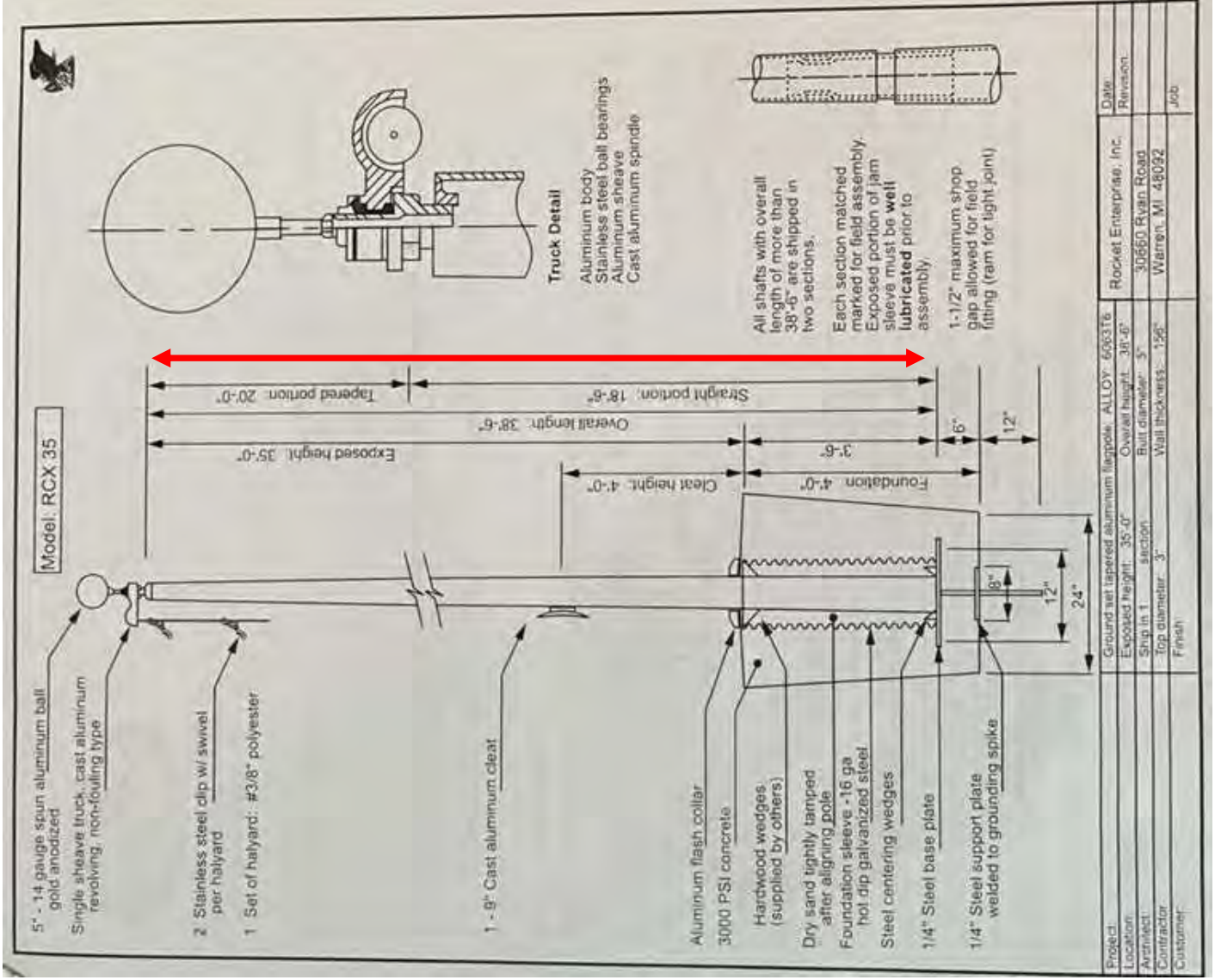
"I think it is a wonderful idea! We need it as a parish not just to show our national pride but especially to show our support for our troops at home and abroad. I pray for our troops every Sunday."

-Kris King, Parishioner

**1. Docket No. 08-15-25
17510 Detroit Ave.
St. James Church**

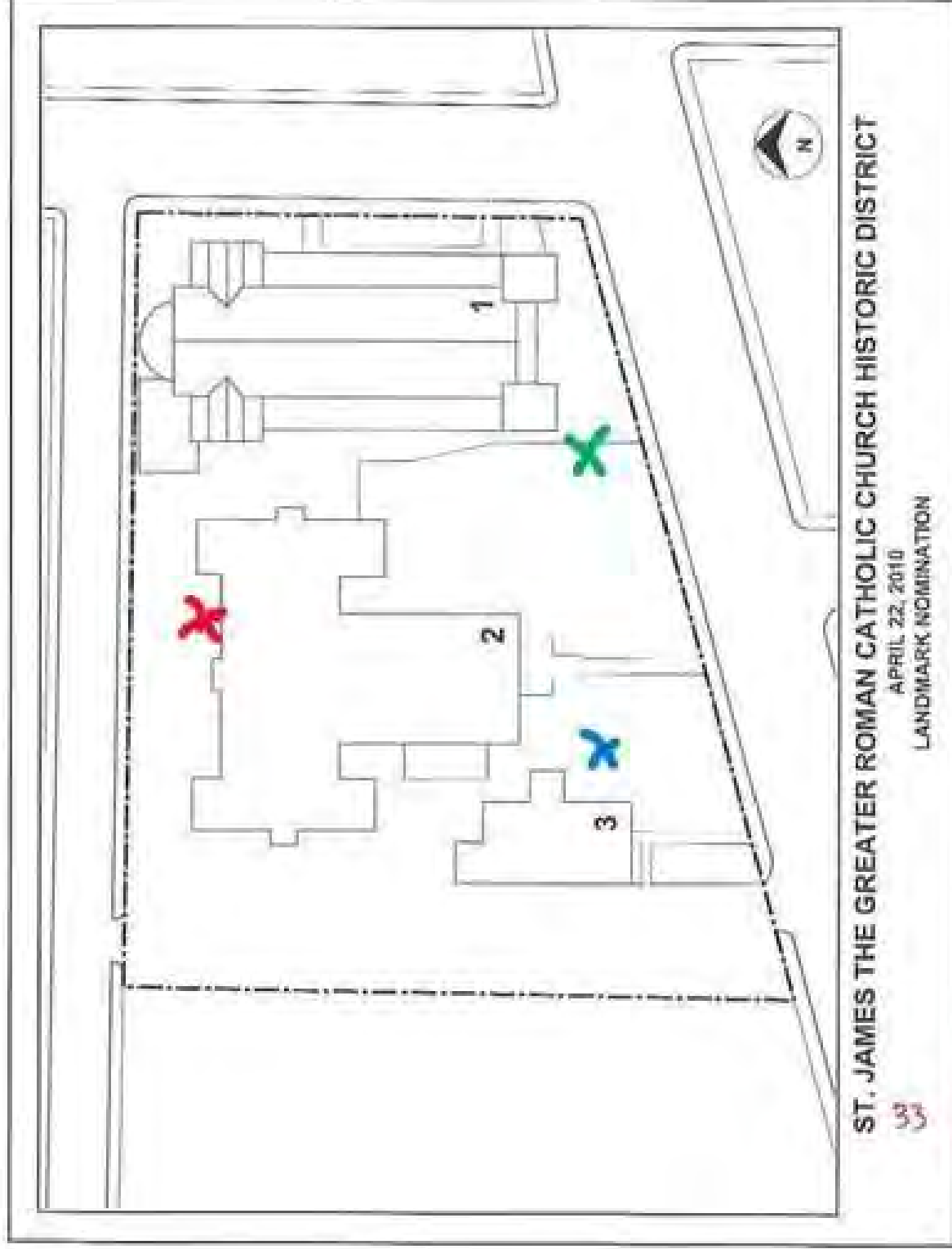
Applicant James McGinty proposes the installation of a new 35 foot flagpole. The property has been historically designated, and the designation requires the applicant to obtain a certificate of appropriateness from the Architectural Board of Review in addition to the area variance required to exceed the permitted height of 20 feet. The property is in the C2, Commercial Retail District. (Page 56)

- Variance 1: Applicant proposes the construction of a 35 foot high flagpole in the front yard of St. James Church, request a variance to exceed maximum permitted height, as proposed, contingent on receiving a certificate of appropriateness from ABR. Pursuant to 1153.03(c)2(E) Fence Placement and Types, Rear and Side Yards (Ord. 08-2021, Passed 05-17-2021)



Height 38'6"
+spun
aluminum ball

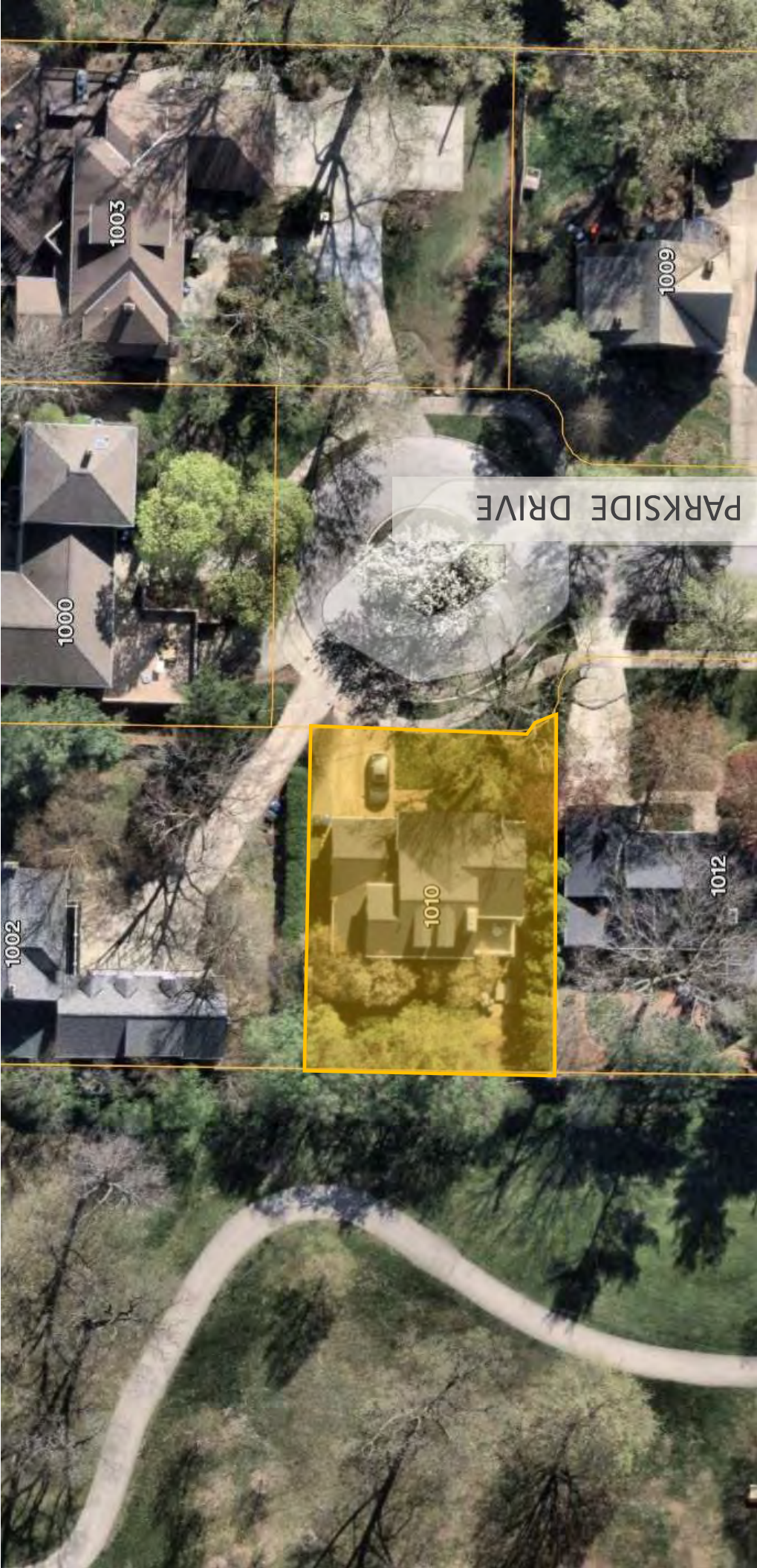
Distance from
sidewalk is 32
feet



Based on the complex, there are two flagpoles present. The first is a twenty (20) foot pole (blue x) adjacent to the rectory and slightly off of center for the school. The second pole (red x) is located on the back of the school (I think) and is mounted to the building, not the ground.

In respect to the project, we would be putting up a completely new flag pole that is thirty (30) feet tall adjacent to St. James Church (green x). We would be disregarding both of those prior flag poles.

1010 PARKSIDE DRIVE



1010 PARKSIDE DRIVE

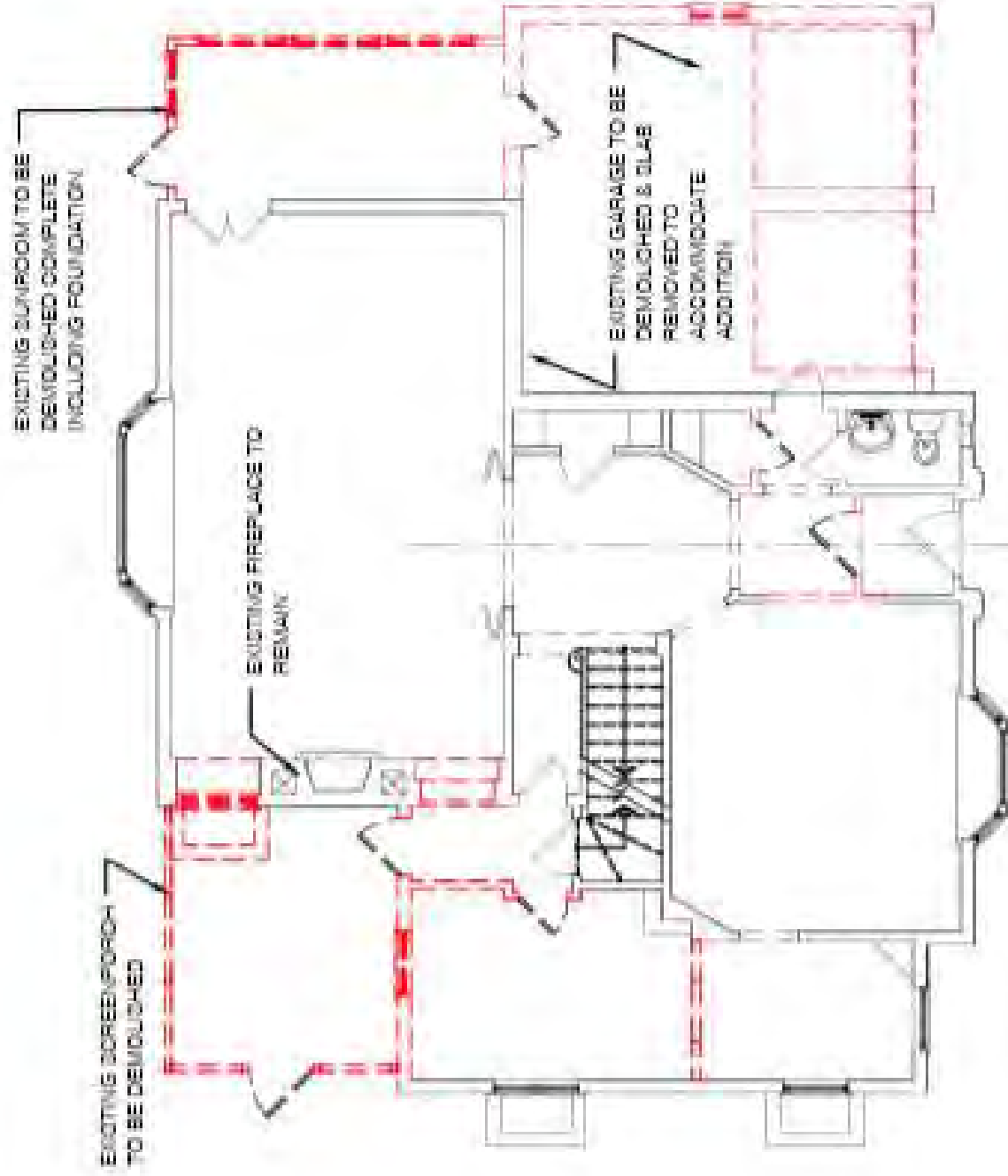


1010 PARKSIDE DRIVE

Docket No. 08-16-25
1010 Parkside Dr.

Applicant Brandon Young of Young Design Studio, for homeowner Daniel Edward Roberts II, proposes two modest additions, one to the north side and one to the rear of the existing house. The required rear setback is 40 feet, the existing structure is at 35 feet, the proposed rear addition would reduce the rear yard to 30 feet 7 inches. The property is in the R1M, Single-Family Medium-Density District. (Page 83)

- Variance 1: Applicant proposes the construction of a rear addition which would reduce the rear setback to 30', 7", as proposed. Pursuant to 1153.03 Fence Placement and Types(Ord. 08-2021, Passed 5-17-21)



1ST FLOOR DEMOLITION PLAN

40-00

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

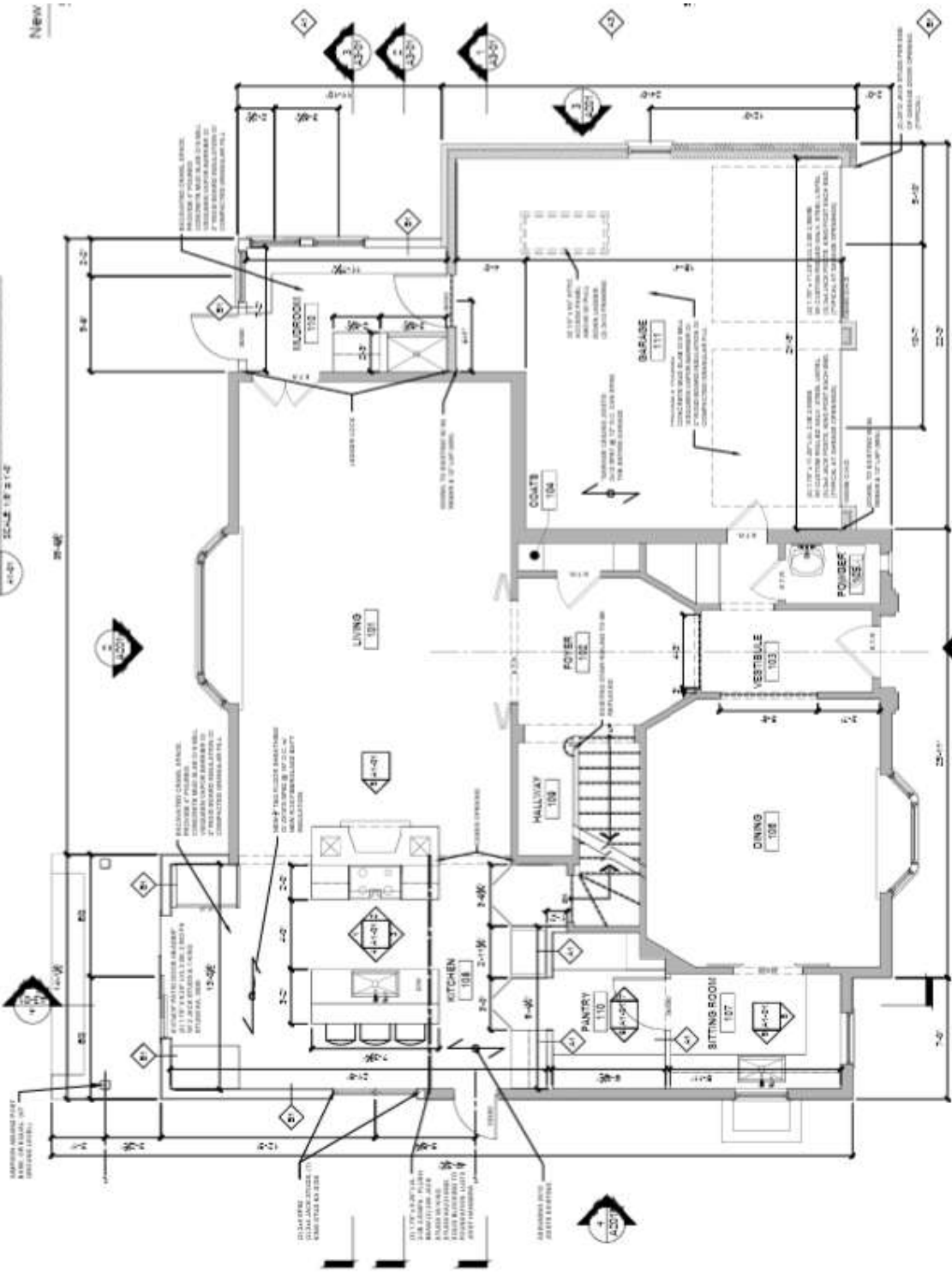
57-1064

1-5

5-5

1010 PARKSIDE DRIVE

2 1ST FLOOR DEMOLITION PLAN
SCALE 1/8" = 1'-0"



1 FIRST FLOOR PLAN
SCALE 1/4" = 1'-0"

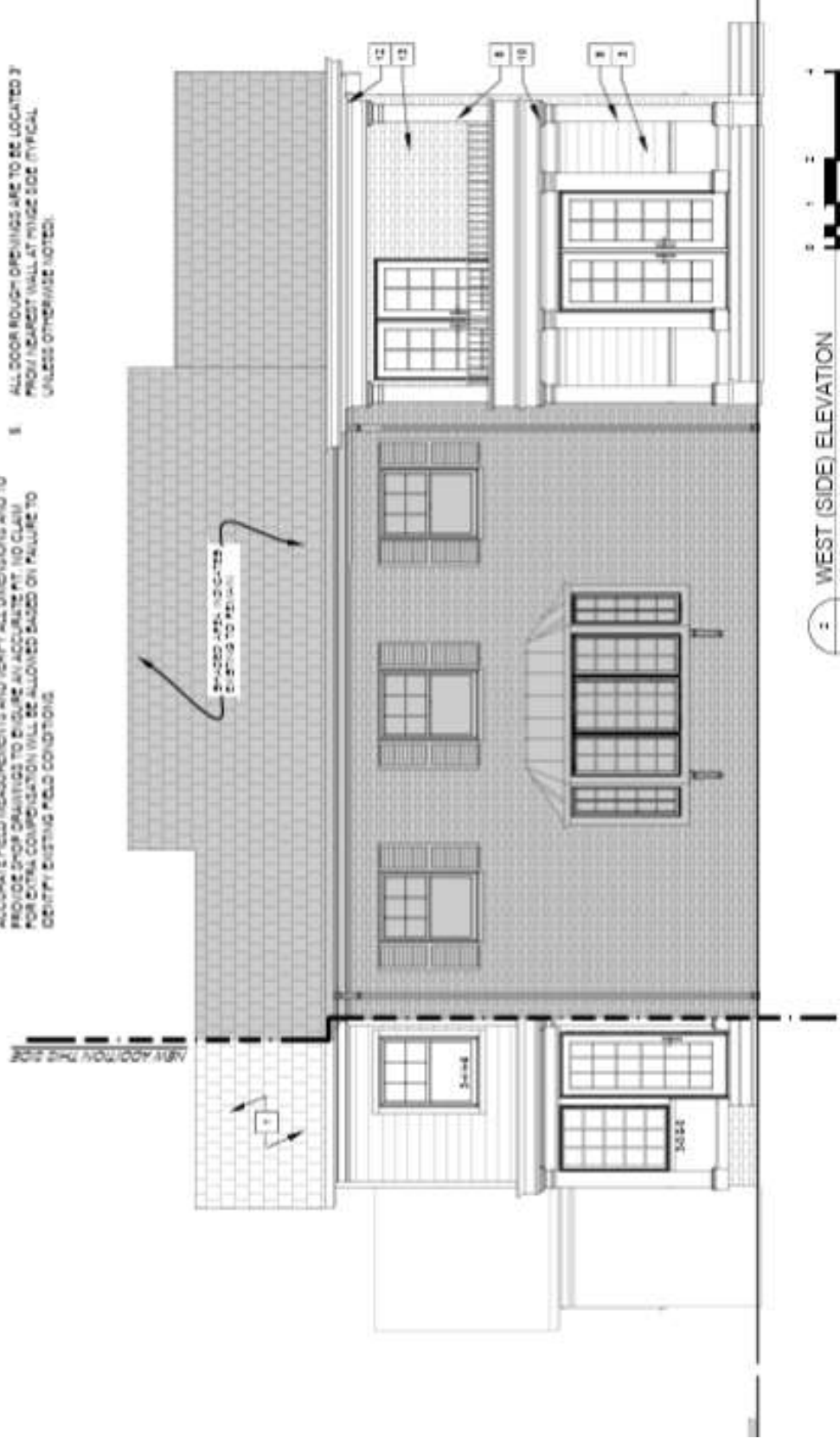
15
New

1010 PARKSIDE DRIVE

2. IT IS THE RESPONSIBILITY OF THE GENERAL CONTRACTOR TO OBTAIN ACCURATE FIELD MEASUREMENTS AND VERIFY ALL DIMENSIONS AND TO PROVIDE SHOP DRAWINGS TO ENSURE AN ACCURATE FIT. NO CLAIM FOR EXTRA COMPENSATION WILL BE ALLOWED BASED ON FAILURE TO IDENTIFY EXISTING FIELD CONDITIONS.

3. ALL WALLS UNLESS OTHERWISE NOTED, - 00. NOT SCALE.

4. ALL DOOR ROUGH OPENINGS ARE TO BE LOCATED 3' FROM NEAREST WALL AT FINISH SIDE (TYPICAL UNLESS OTHERWISE NOTED).

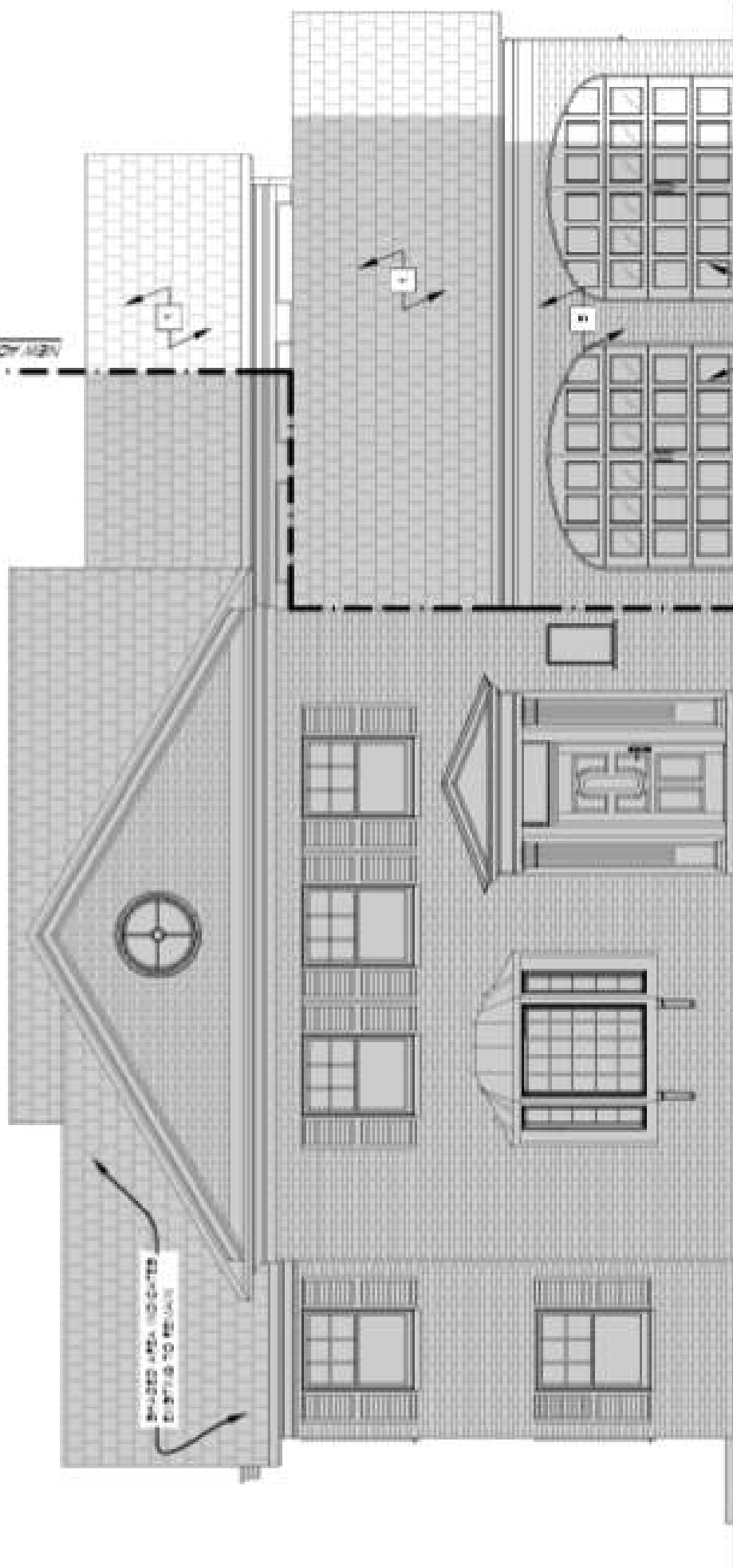


2 WEST (SIDE) ELEVATION
SCALE 1/8" = 1'-0"

THIS SIDE

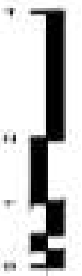
1010 PARKSIDE DRIVE

EXISTING HOLIDAY MEN

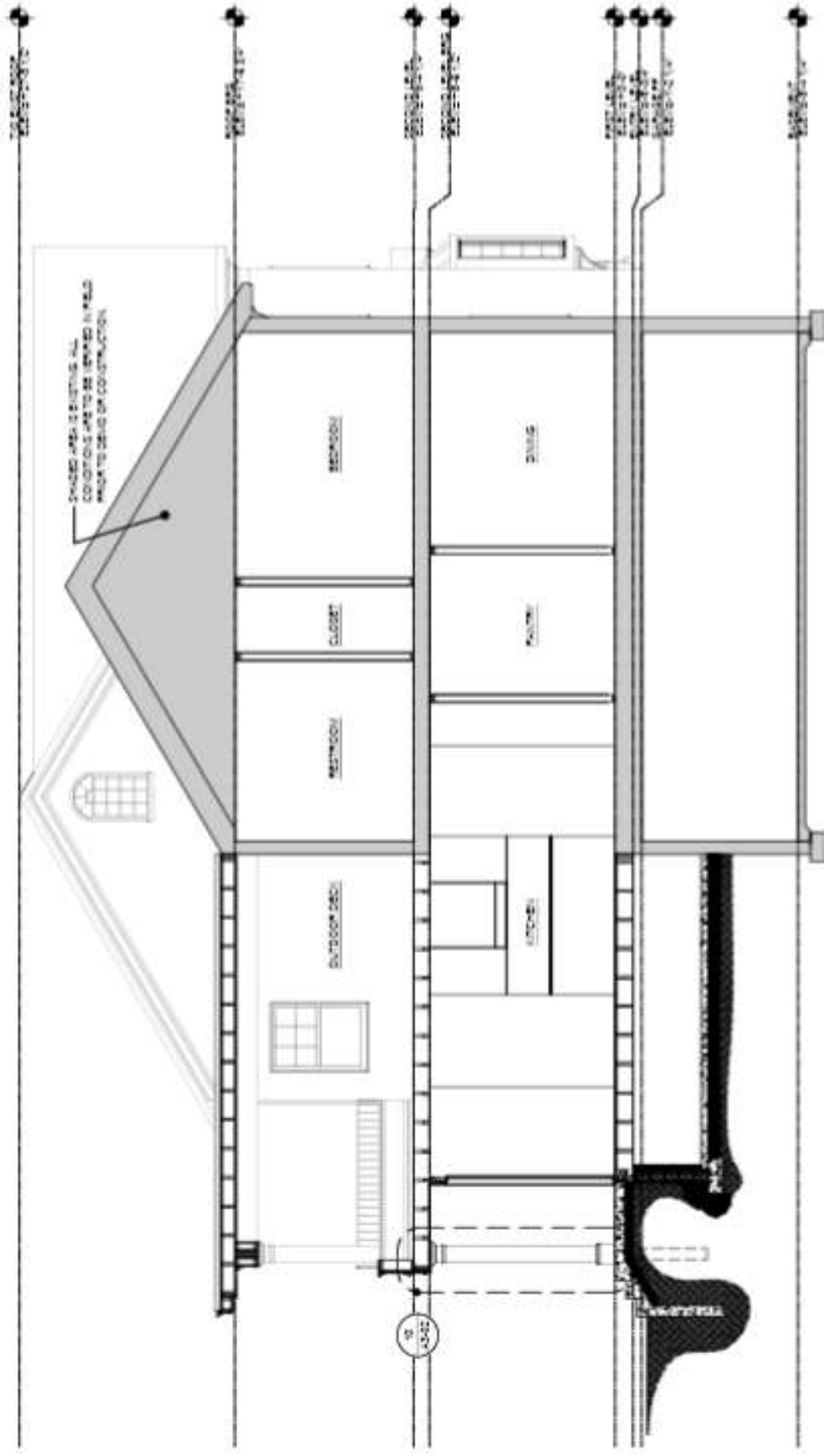


1
1000'

EAST (FRONT) ELEVATION
SCALE: 1/4" = 1'-0"



1010 PARKSIDE DRIVE



4 BUILDING SECTION
SCALE 1/2" = 1'-0"



1010 PARKSIDE DRIVE



1010 PARKSIDE DRIVE



1010 PARKSIDE DRIVE



1010 PARKSIDE DRIVE



1010 PARKSIDE DRIVE



1010 PARKSIDE DRIVE



1010 PARKSIDE DRIVE



1010 PARKSIDE DRIVE



1010 PARKSIDE DRIVE

1.173.04 Variances

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;
(2) (A) **No**
- (3) (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) **Yes abuts Lakewood Park**
- (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 this will yield a reasonable return.**
- (4) (Q) Whether the variance(s) is substantial;
(4)(A) **Not substantial - the building footprint of the addition at the rear will align with existing rear wall. The increased encroachment is the new stair landing / patio area that is required for exterior doors.**
- (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 - the rear setback from the park is still substantial.**

1010 PARKSIDE DRIVE

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

(6)(A) No

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

(7)(A) No

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

(8) (A) No

(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

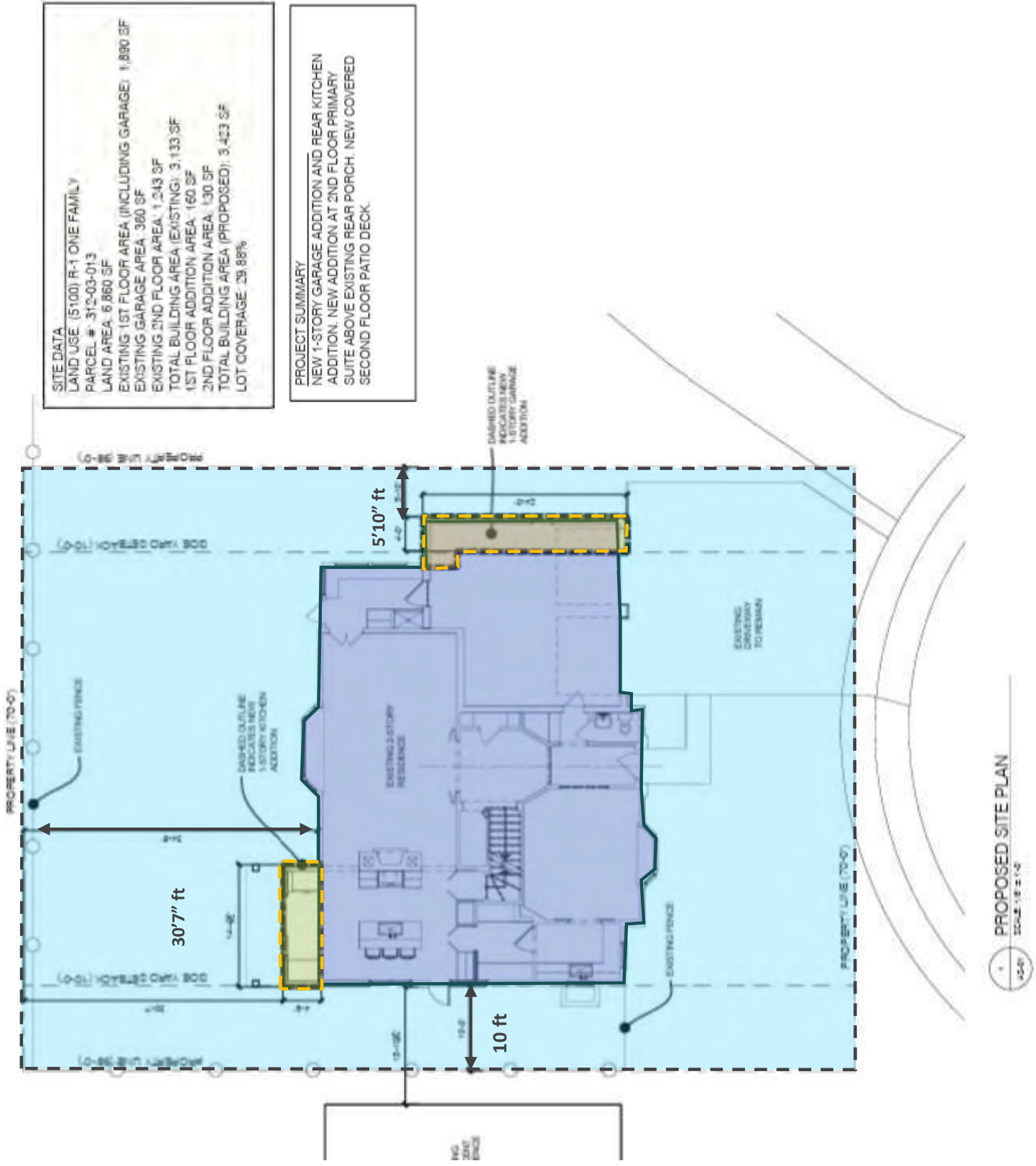
ADMINISTRATIVE COMMENTS

- Lot depth is shallow at 98 feet, and wider than a typical lot at 70 feet of frontage
- Existing home is encroaching into the rear setback at 34', additional encroachment is minor
- Using Nearmaps to approx. the rear setbacks of properties on the west side of Parkside south of Edgewater Drive, of 8 properties only 1 has a rear setback of 40 feet, 3 are closer than 20 feet.
- Of these eight homes, 6 have attached garages, which impact rear setbacks.

Public Comment

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

1010 PARKSIDE DRIVE



SITE DATA
 LAND USE (S100) R-1 ONE FAMILY
 PARCEL # 312-03-013
 LAND AREA 6,860 SF
 EXISTING 1ST FLOOR AREA (INCLUDING GARAGE) 1,890 SF
 EXISTING GARAGE AREA 360 SF
 EXISTING 2ND FLOOR AREA 1,243 SF
 TOTAL BUILDING AREA (EXISTING) 3,133 SF
 1ST FLOOR ADDITION AREA 160 SF
 2ND FLOOR ADDITION AREA 130 SF
 TOTAL BUILDING AREA (PROPOSED) 3,423 SF
 LOT COVERAGE 29.88%

PROJECT SUMMARY
 NEW 1-STORY GARAGE ADDITION AND REAR KITCHEN ADDITION, NEW ADDITION AT 2ND FLOOR PRIMARY SUITE ABOVE EXISTING REAR PORCH, NEW COVERED SECOND FLOOR PATIO DECK.

1 PROPOSED SITE PLAN
 10-20 SCALE 1/8" = 1'-0"

1010 PARKSIDE DRIVE

Docket No. 08-16-25
1010 Parkside Dr.

Applicant Brandon Young of Young Design Studio, for homeowner Daniel Edward Roberts II, proposes two modest additions, one to the north side and one to the rear of the existing house. The required rear setback is 40 feet, the existing structure is at 35 feet, the proposed rear addition would reduce the rear yard to 30 feet 7 inches. The property is in the R1M, Single-Family Medium-Density District. (Page 83)

- Variance 1: Applicant proposes the construction of a rear addition which would reduce the rear setback to 30', 7", as proposed. Pursuant to 1153.03 Fence Placement and Types (Ord. 08-2021, Passed 5-17-21)

Docket No. ___-___25

15232 HILLIARD ROAD



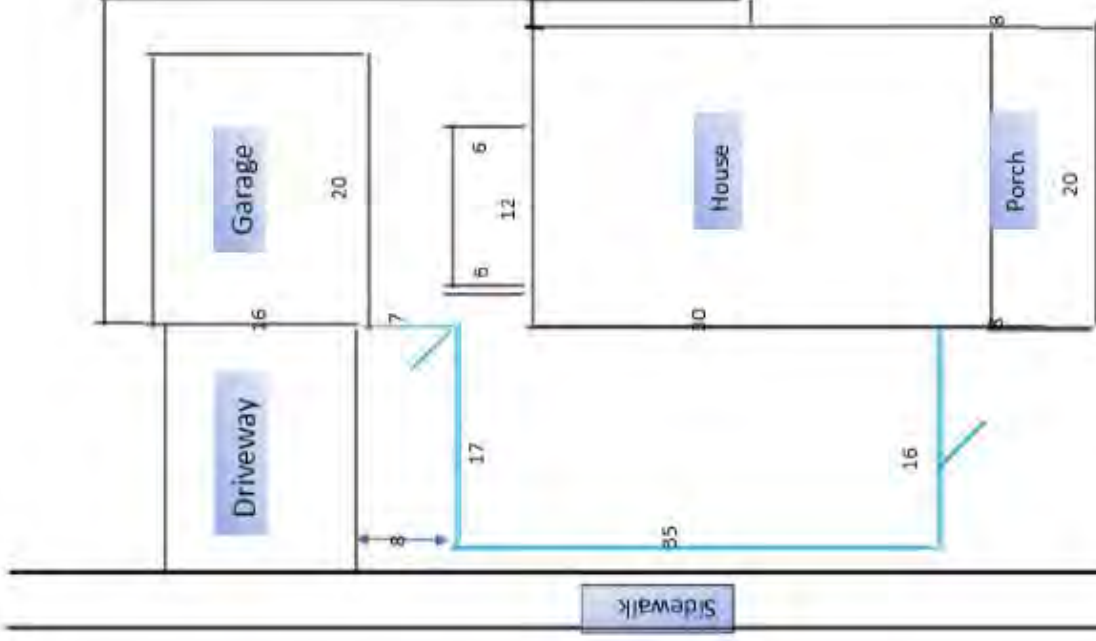
Docket No. 08-17-25
15232 Hilliard Rd.

Applicant and property owner Scott Isaacs proposes the replacement of an existing fence with 75 feet of 5-foot-high privacy fence (corner lot) that will be closer to the public sidewalk than the required 5-foot setback. The property is in the R2, Single- and Two-Family District. (Page 102)

- **Variance 1:** Applicant proposes the construction of 75 feet of 5-foot-high privacy fence at 17 inches from the sidewalk, where the minimum setback required which is 5 feet, as proposed. Pursuant to 1153.03 (e)(1) Fence Placement and Types (Ord. 08-2021, Passed 5-17-21)

15232 HILLIARD ROAD

15232 Hilliard Rd, Lakewood OH



Blue lines indicate fence footprint. Same as existing fence shown in pictures.

- Fence is 17" from sidewalk
- Gate on north side is 19.5 feet from sidewalk
- Gate on south side is 9 feet from sidewalk



Manufactured by
MAE FENCE
 in
 Fulton Ohio

Leaf Name: 15 rails

Height: 5 Total Footage: 75 Installation Date: _____

Verside Style Horizontal Style Other:

Privacy Picket Shadow Batton Ranch Rail Split Rail

Straight Top Rolling Arch Dec. Scallop V - Out

Wire Options Black Welded Galvanized Pull Wire Agriculture

Rails: 2 3 4 0

Other: _____

100% Cedar Treated Poplar Rail Treated Framing - Cedar Pickets Other:

Spacing: Board Size: 6 # of Frames: 3

Post Set: Dry Set Concrete Wet Set Concrete Other

Post Size: 4" Post Top: Bushes

Gates: Single Double

Hardware: Gravity Latch 2 - Way Latch # of Drop Rods: 1

Arbons: 1

Face Nail Toe Nail Mortise & Tenon

Decorative Top Rail Fence

Gates: 2 # Single: 2 # Double: _____

Hardware: Gravity Latch 2 - Way Latch # of Drop Rods: _____

Arbons: 1

2 - Post Crescent 4' Wide 4 - Post Traditional Other:

Tree Gate

15232 HILLIARD ROAD



15232 HILLIARD ROAD



15232 HILLIARD ROAD



15232 HILLIARD ROAD



15232 HILLIARD ROAD



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15232 HILLIARD ROAD

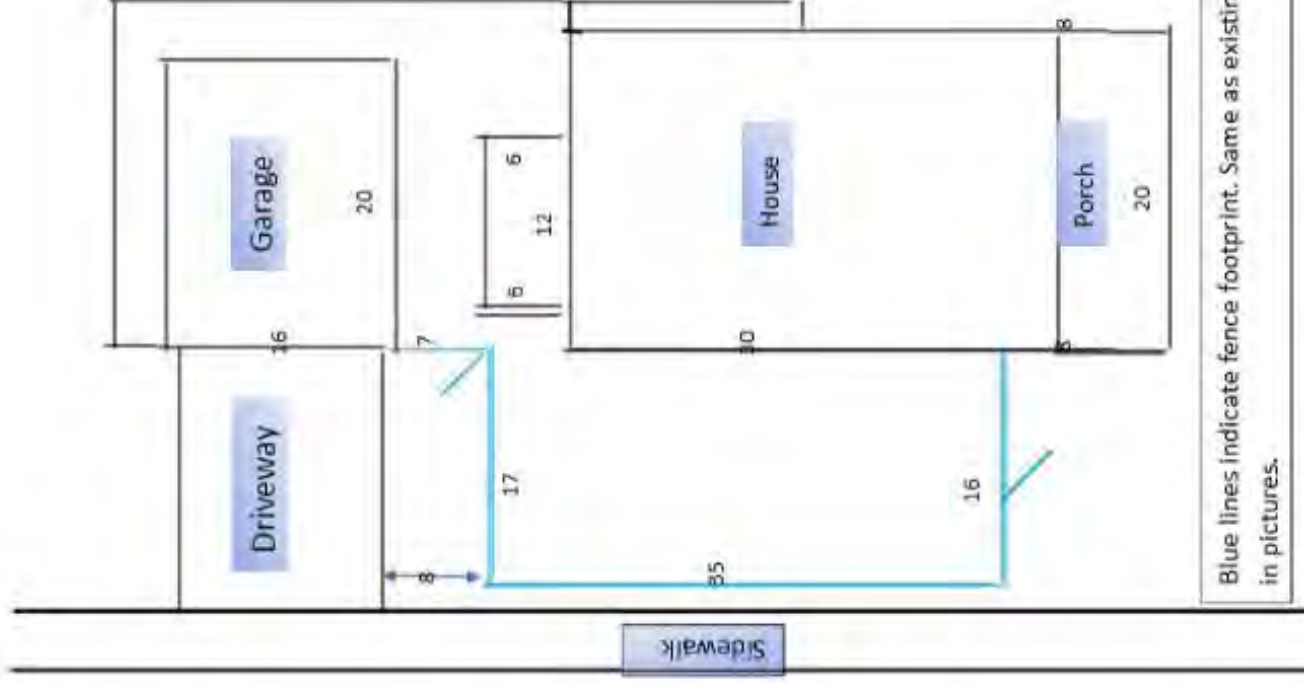


15232 HILLIARD ROAD



15232 HILLIARD ROAD

15232 Hilliard Rd, Lakewood OH



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- Gate on south side is 9 feet from sidewalk

15232 HILLIARD DRIVE

1173.04 Variances

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;
- (2) (A) No - this is a basic corner lot home. The site is only slightly unique for the fact the piece of yard on the side of the home is the only outdoor privacy area the home offers.
- (3) (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) No- 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) No - if we are not able to replace the existing privacy fence, then this home will have no outdoor private space to speak of.
- (4) (Q) Whether the variance(s) is substantial;
- (4)(A) No - the variance would not be substantial. I understand the need for the existing zoning Code as homes that sit on corner lots also sit at the corner of intersections, but given the nature of the lot, the fence in subject has no impact on intersection visibility.
- (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 - this variance would have no impact on the neighborhood or adjoining properties..

1010 PARKSIDE DRIVE

- (6)(Q) Whether the variance(s) would adversely affect the delivery of governmental services (e.g., water, sewer, refuse removal);
- (6)(A) No - this variance would have no impact on the delivery of governmental services (e.g., water, sewer, refuse removal)
- (7)(Q) Whether the property owner purchased the property with knowledge of the zoning restriction;
- (7)(A) No - I was unaware of the restrictions when I purchased the property as the existing fence was already in place.
- (8) (Q) Whether the property owner's predicament feasibly can be obviated through some method other than a variance(s); and
- (8) (A) No - without the ability to replace the existing privacy fence, the home would not have a private outdoor space for my wife, 2 small kids and myself.
- (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 - I understand the spirit and intent of the Code and replacing the existing fence would have no impact on its intended purpose.

ADMINISTRATIVE COMMENTS

- Previous variance request was granted for the front yard fence. The unique shape of the property and the placement of the existing house give the home a very large front yard, and a very small rear yard.
- The parcel is an irregular shape, and only 107 feet in depth at its deepest on the west side lot line, and only about 90 feet deep on the east side lot line.
- The rear yard is approx. 28 feet deep, most of which is taken up by the existing two-car garage
- The owner is replacing an existing fence, ordinance now requires a privacy fence of this height to be a minimum of 5 feet from the sidewalk.

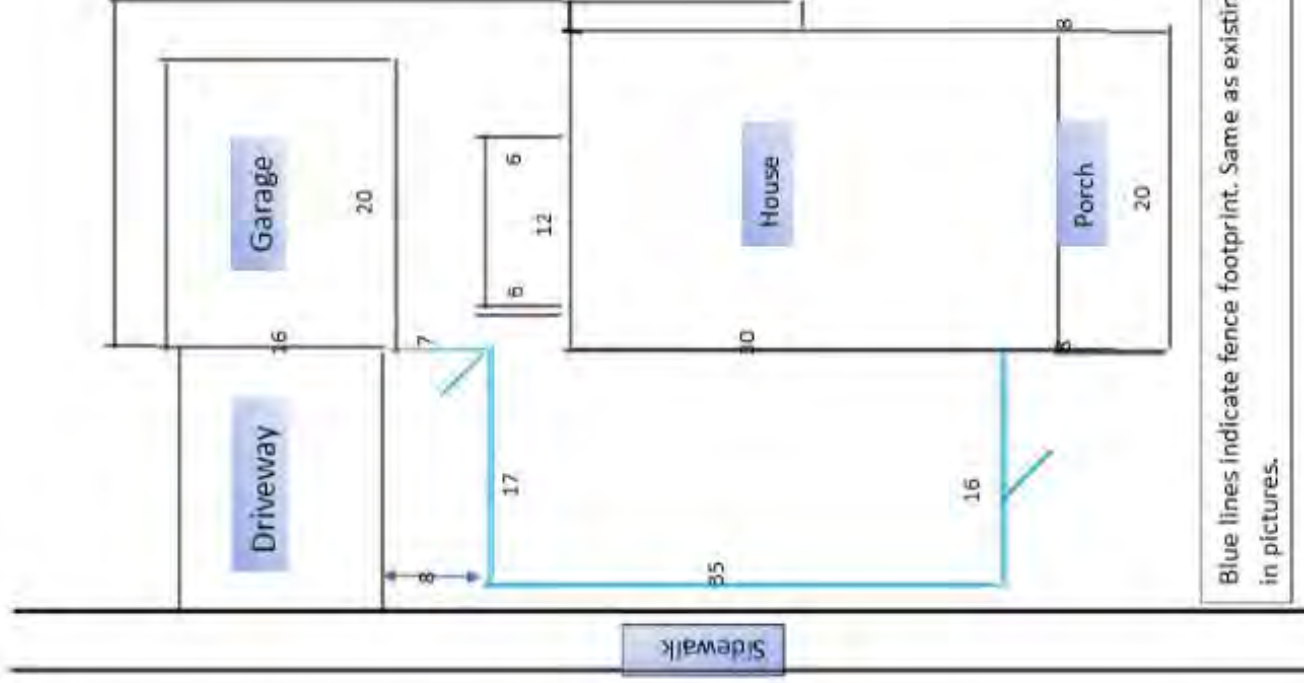
15232 HILLIARD ROAD

Public Comment

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

15232 HILLIARD ROAD

15232 Hilliard Rd, Lakewood OH



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Docket No. 08-17-25
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Adjourn



Thank you!

City of Lakewood Contact:

Michelle Nochta, AICP
Senior Planner and ADA Coordinator
(216)529-5906
Michelle.Nochta@LakewoodOH.gov

