



City of Lakewood
Board of Zoning Appeals

(216) 529-6630
planning@lakewoodoh.gov

MINUTES
BOARD OF ZONING APPEALS
REVIEW MEETING
LAKEWOOD CITY HALL
September 18, 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 - Absent
Jillian Bolino
Matt Markling
Jeffrey Pigott , Vice Chair
Anthony Santiago - Absent

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

Jillian Bolino
Matt Markling
Jeffrey Pigott , Vice Chair

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. Pigott to EXCUSE the absences of Michael Alexander, Chair and Anthony Santiago. All the members voted yea, the motion passed.

2. APPROVE MINUTES OF THE AUGUST 21, 2025 MEETING

A motion was made by Mr. Markling, seconded by Ms. Bolino to **APPROVE** the August 17, 2025 meeting minutes. All the members voted yea, the motion passed.

3. OPENING REMARKS

Ms. Nochta read the Opening Remarks into record.

NEW BUSINESS

4. Docket No. 09-18-25 1070 Rosalie Ave.

Applicant Lee Pozek the architect for property owners Michael and Yang Lu Alexander, proposes the construction of an addition containing an in-law suite on the north side of the existing house and an attached single story two-car garage on the rear (west side) of house. The property is in the R1H, Single-Family High Density District. (Page 3)

- Variance 1: Applicant proposes the construction of an addition containing an in-law suite on the north side of the existing house and an attached single story two-car garage on the rear (west side) of house. The attached garage proposal reduces the rear setback to 9 feet where the requirement is 40 feet, and the existing rear setback is 37 feet. Request a variance to reduce the rear yard setback to 9 feet, as proposed. Pursuant to 1121.07 Rear Yard Depth, (Ord. 91-96, Passed 10-7-96)

Lee Pozek, Architect, and Michael Alexander, property owner, were present to explain the request. Discussion ensued about the entrances into the rear garage and house, and why the attached garage was proposed to be at the rear of the home. The members wanted to know the specifics for allowing in-law suites. Ms. Nochta talked about the Zoning Refresh Project, said that the city supported aging-in-place and universal design, and ADA improvements as good additions to the city's housing stock. Dialogue continued about dimensions, turning radius in the driveway, and confirmation that if the same garage were proposed as detached no variance would be needed, etc. Ms. Nochta provided administrative comments. No written comments were received prior to the meeting. However, there was a telephone call, and the caller would be at the meeting. Public comment was taken.

Public Questions/Comments

Abutting neighbor on Leedale Mr. Robert Klann inquired as to whether or not the front porch should have been counted as square footage towards primary lot coverage, because the neighbor postulated that if the front porch should have been included the proposal would exceed 35% lot coverage and require another variance. Abutting neighbor Ms. Sarah Klann expressed concern for the health of a tree along the shared rear lot line. The applicant responded with information that the utility company had notified him that the trees along the rear lot line were slated for removal and had been marked with pink x's by the utility company. Ms. Klann also expressed the opinion that the proposed garage is too large and

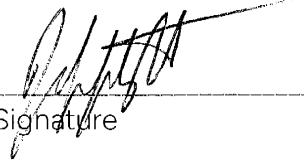
commented that most homes on the west of Rosalie Avenue and the east side of Leedale Avenue had narrow driveways and were able to also have detached two-car garages. The neighbor also questioned the timing of the request when the design had not yet been approved by the Architectural Board of Review.

Mr. Piggot reminded the applicant that with only three members present, the application would need all three members to vote approval for the variance; therefore, the applicant could choose to defer.

A motion was made by Mr. Markling, seconded by Ms. Bolino to **APPROVE** Docket 09-18-25 as proposed. Ms. Bolino, Mr. Markling, and Mr. Pigott voted yea; the motion passed.

ADJOURN

A motion was made by Ms. Bolino, seconded by Mr. Markling to **ADJOURN** the meeting at 7:22 p.m. All the members voted yea; the motion passed.



Signature

10-16-25

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. REE ROZEK DESK
- 2. Michael Alexander
- 3. ROBERT KLAN
- 4. Sarah Klann
- 5. _____
- 6. _____
- 7. _____
- 8. _____
- 9. _____
- 10. _____
- 11. _____

- MAN TUA OHIO
- [Signature]
- [Signature]
- Sarah Klann
- _____
- _____
- _____
- _____
- _____
- _____
- _____

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, September 18, 2025

Johanna Schwarz

From: Michelle Nochta
Sent: Monday, September 29, 2025 1:48 PM
To: Johanna Schwarz
Subject: Fw: Zoning Meeting 09182025 - Response to Robert Klann



Michelle Nochta, AICP

Senior Planner and ADA Coordinator

City of Lakewood, Ohio
Dept. of Planning and Development
12650 Detroit Ave.
Lakewood, OH 44107

(216) 529-5906

Michelle.Nochta@lakewoodoh.gov

From: Michelle Nochta <Michelle.Nochta@lakewoodoh.net>
Sent: Friday, September 19, 2025 10:04 AM
To: Robert Klann <rklann@rpmadison.com>
Cc: Sarah Klann <sklann@rpmadison.com>; Amanda L. Cramer <Amanda.cramer@lakewoodoh.net>; Planning Dept <planning@lakewoodoh.gov>; Bryan J. Evans <bryan.evans@lakewoodoh.gov>
Subject: Re: Zoning Meeting 09182025

Mr. Klann,

Thank you for your attendance at last night's Board of Zoning Appeals meeting and your thoughtful contemplation of the application. The applicant's process with the ABR is on-going and the ABR has not denied an application for a front-facing garage to the applicant, the ABR has provided the standard for approval for a front facing garage and feedback on the proposed design. It is not uncommon to see several iterations of a non-conforming project prior to final approval or a denial being issued.

Sincerely,



Michelle Nochta, AICP

Senior Planner and ADA Coordinator

City of Lakewood, Ohio
Dept. of Planning and Development
12650 Detroit Ave.
Lakewood, OH 44107

(216) 529-5906

Michelle.Nochta@lakewoodoh.gov

From: Robert Klann <rklann@rpmadison.com>

Sent: Friday, September 19, 2025 9:33 AM

To: Michelle Nochta <michelle.nochta@lakewoodoh.net>

Cc: Sarah Klann <sklann@rpmadison.com>; Amanda L. Cramer <Amanda.cramer@lakewoodoh.net>; Planning Dept <planning@lakewoodoh.gov>; Bryan J. Evans <bryan.evans@lakewoodoh.gov>

Subject: Zoning Meeting 09182025

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

Michelle,

Very much appreciate the thoughtful discussion by the board last night on the 1070 Rosalie Project (attached two page document with proposed rear garage and front facing garage)

As an architect I appreciate the work done by Mr Pozek to satisfy the ABR

But did the ABR realize that for the architect to meet ABR requests would result in breaking two zoning requirements just to satisfy no front garage door

I think there is a trade off for the amount of extra hard scape and building square footage being proposed that is worth ABR seeing again and rethinking their no front garage decision.

I think the two bodies need to work together rather than as separate entities in circumstances such as this.

Now off to fight First Energy cutting down all the trees in our backyards. Bryan Evans look for future email on tree issue.

Thank you,

Robert Klann, AIA

Partner/CFO



ROBERT P. MADISON
INTERNATIONAL, INC.

ARCHITECTS • INTERIORS • PLANNERS

1215 SUPERIOR AVE. E SUITE 110
CLEVELAND, OH 44114
p. 216.861.8195 x1005
rklann@rpadison.com | rpadison.com

Johanna Schwarz

From: Robert Klann <rklann@rpmadison.com>
Sent: Friday, September 19, 2025 9:34 AM
To: Michelle Nochta
Cc: Sarah Klann; Amanda L. Cramer; Planning Dept; Bryan J. Evans
Subject: Zoning Meeting 09182025
Attachments: Pages from BZAAgenda_091825A rev.pdf

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

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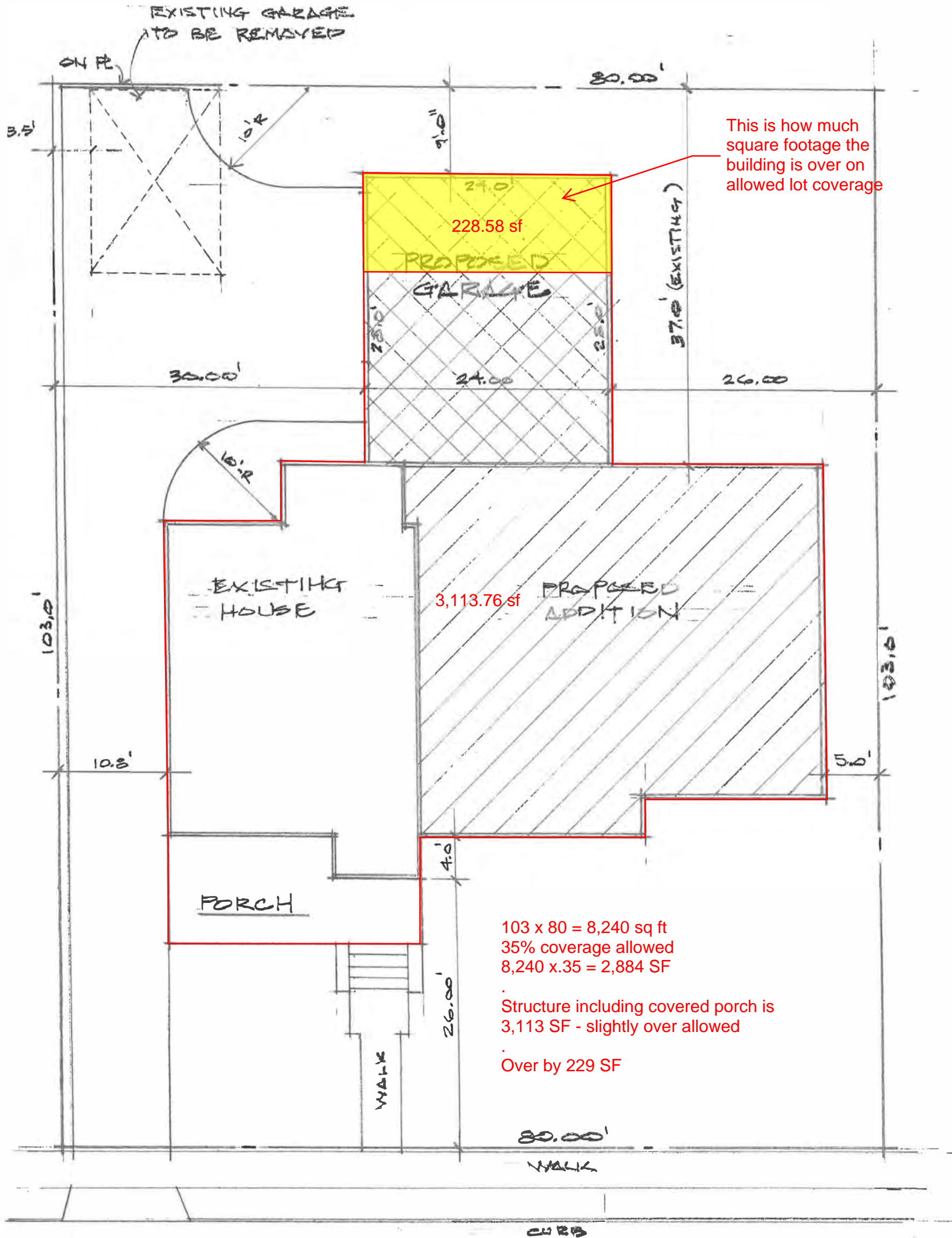
Thank you,

Robert Klann, AIA
Partner/CFO



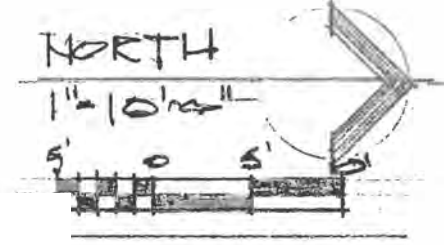
**ROBERT P. MADISON
INTERNATIONAL, INC.**
ARCHITECTS • INTERIORS • PLANNERS

1215 SUPERIOR AVE. E SUITE 110
CLEVELAND, OH 44114
p. 216.861.8195 x1005
rklann@rpmadison.com | rpmadison.com



This is how much square footage the building is over on allowed lot coverage

ROSALIE AVE 44' R/W



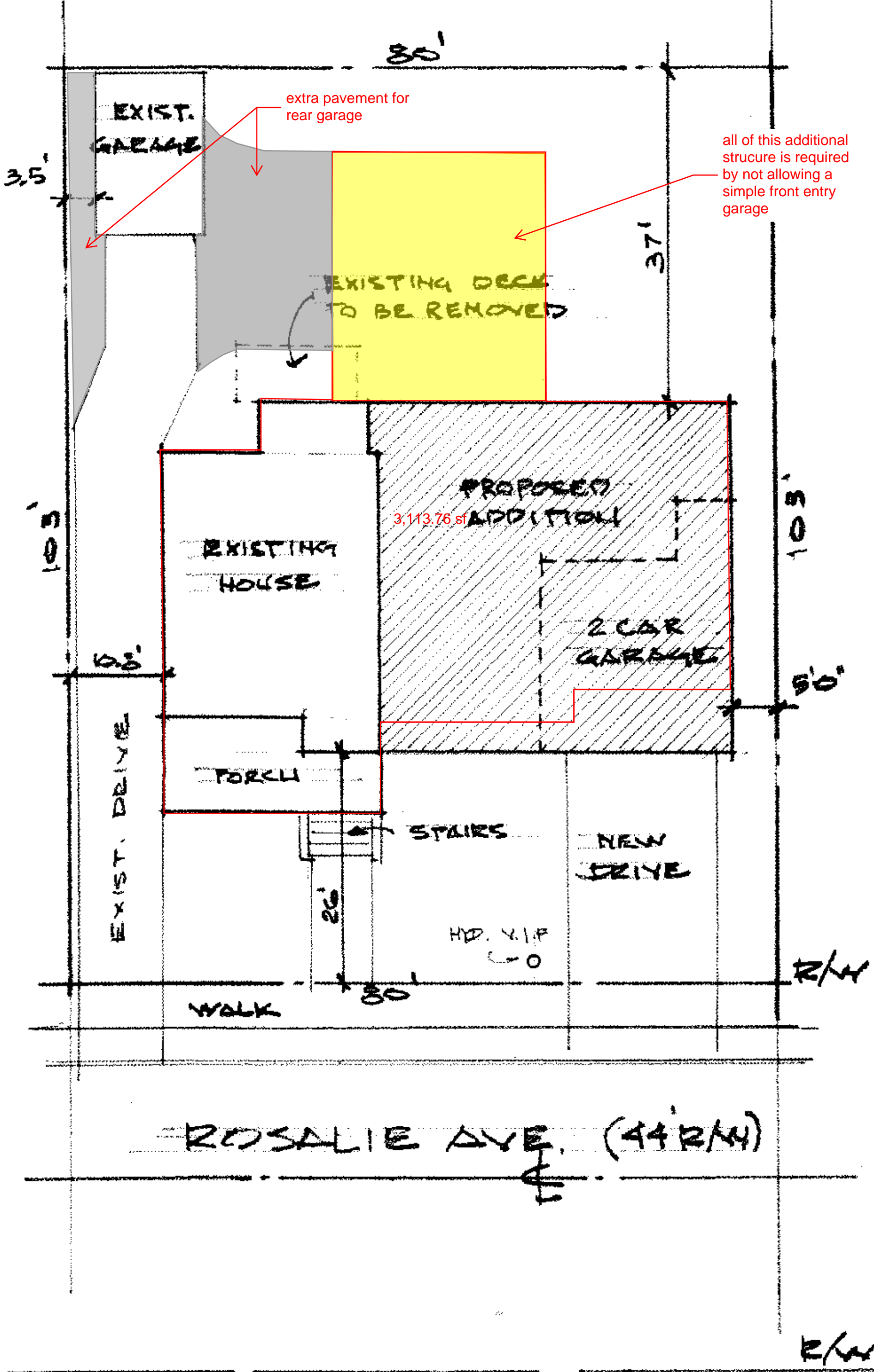
1121.09 MAXIMUM LOT AREA COVERAGE.

- (a) The principal structure shall not cover more than thirty-five percent (35%) of the lot area.
- (b) Arbors, trellises, exterior steps, fences, and living fences shall be excluded from the lot coverage requirement.
- (c) An accessory structure or structures shall not cover more than twenty-five percent (25%) of the area of the rear yard except as provided in Section 1121.03.
- (d) The maximum lot coverage shall not exceed the following:
 - (1) Eighty-five percent (85%) in the R1H District;
 - (2) Seventy percent (70%) in the R1M District; and
 - (3) Sixty percent (60%) in the R1L District.

Ord. 07-2023. Passed 11-20-23.)

VARIANCE REQUEST FOR
 ALEXANDER FAMILY
 1070 ROSALIE AVE
 LAKEWOOD, OHIO

LEE J. POZEK ARCHITECT
 5222 Coldbrook Drive
 Mantua, Ohio 44255
 330-274-2889
 25002 9/2/25



SITE PLAN

NORTH



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

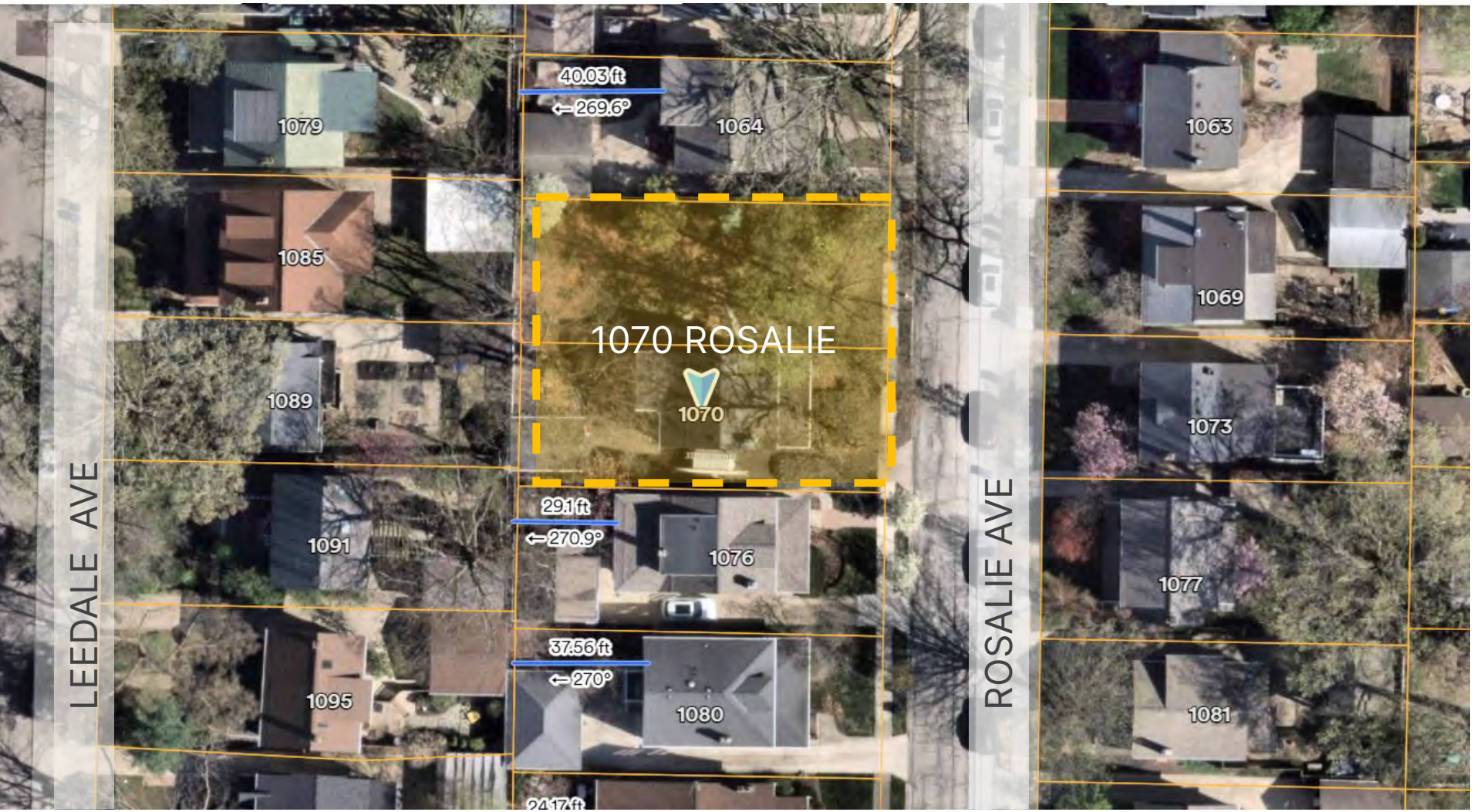
Thursday, September 18, 2025

Agenda

1. Roll Call
2. Approve meeting minutes of the August 21, 2025
3. Opening Remarks

New Business

4. 1070 Rosalie Ave



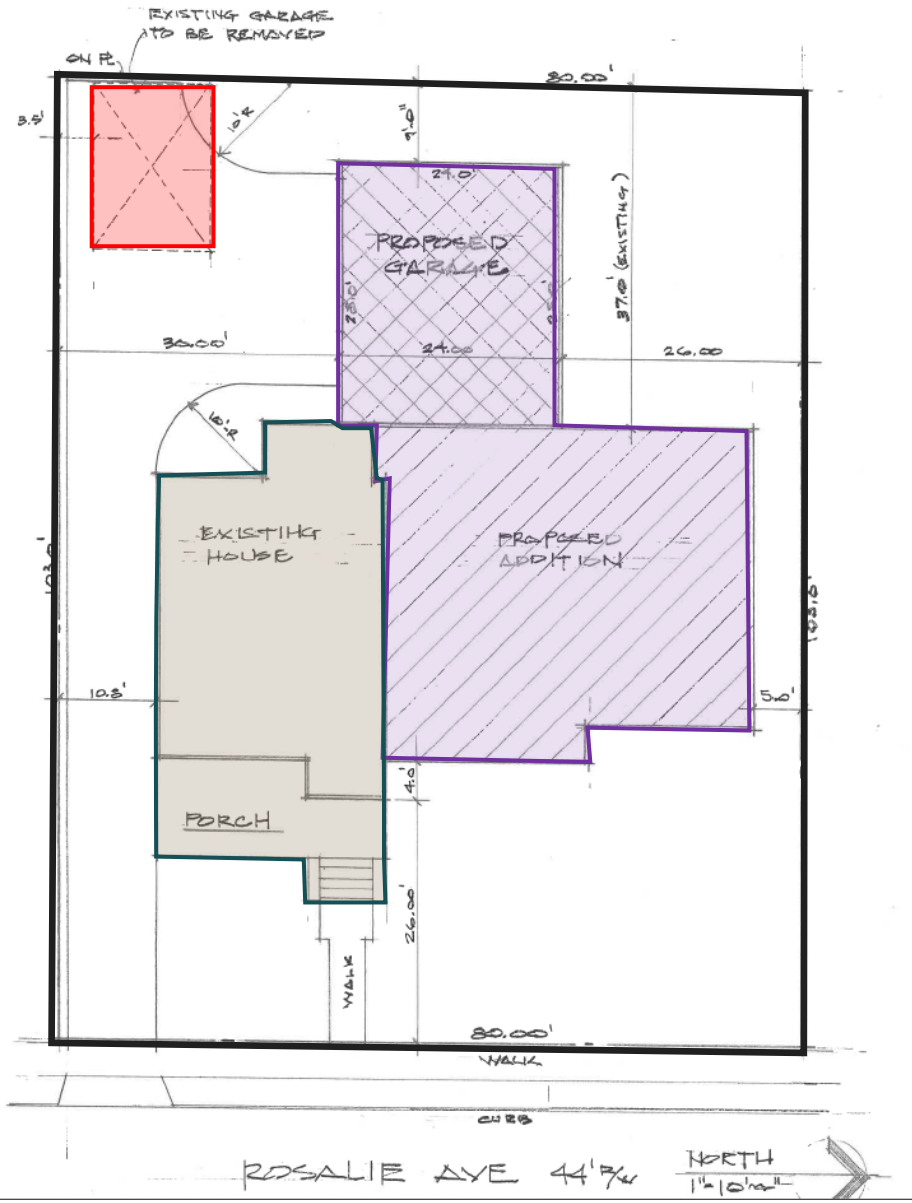
Docket No. 09-18-25

1070 Rosalie Ave.

Applicant Lee Pozek the architect for property owners Michael and Yang Lu Alexander, proposes the construction of an addition containing an in-law suite on the north side of the existing house and an attached single story two-car garage on the rear (west side) of house. The property is in the R1H, Single-Family High Density District. (Page 3)

Variance 1: Applicant proposes the construction of an addition containing an in-law suite on the north side of the existing house and an attached single story two-car garage on the rear (west side) of house. The attached garage proposal reduces the rear setback to 9 feet where the requirement is 40 feet, and the existing rear setback is 37 feet. Request a variance to reduce the rear yard setback to 9 feet, as proposed. Pursuant to 1121.07 Rear Yard Depth, (Ord. 91-96, Passed 10-7-96)

Docket No. : 09-18-25 1070 ROSALIE AVE
SITE PLAN + ELEVATIONS + PLAT+ PHOTOS



Docket No. : 09-18-25

1070 ROSALIE AVE





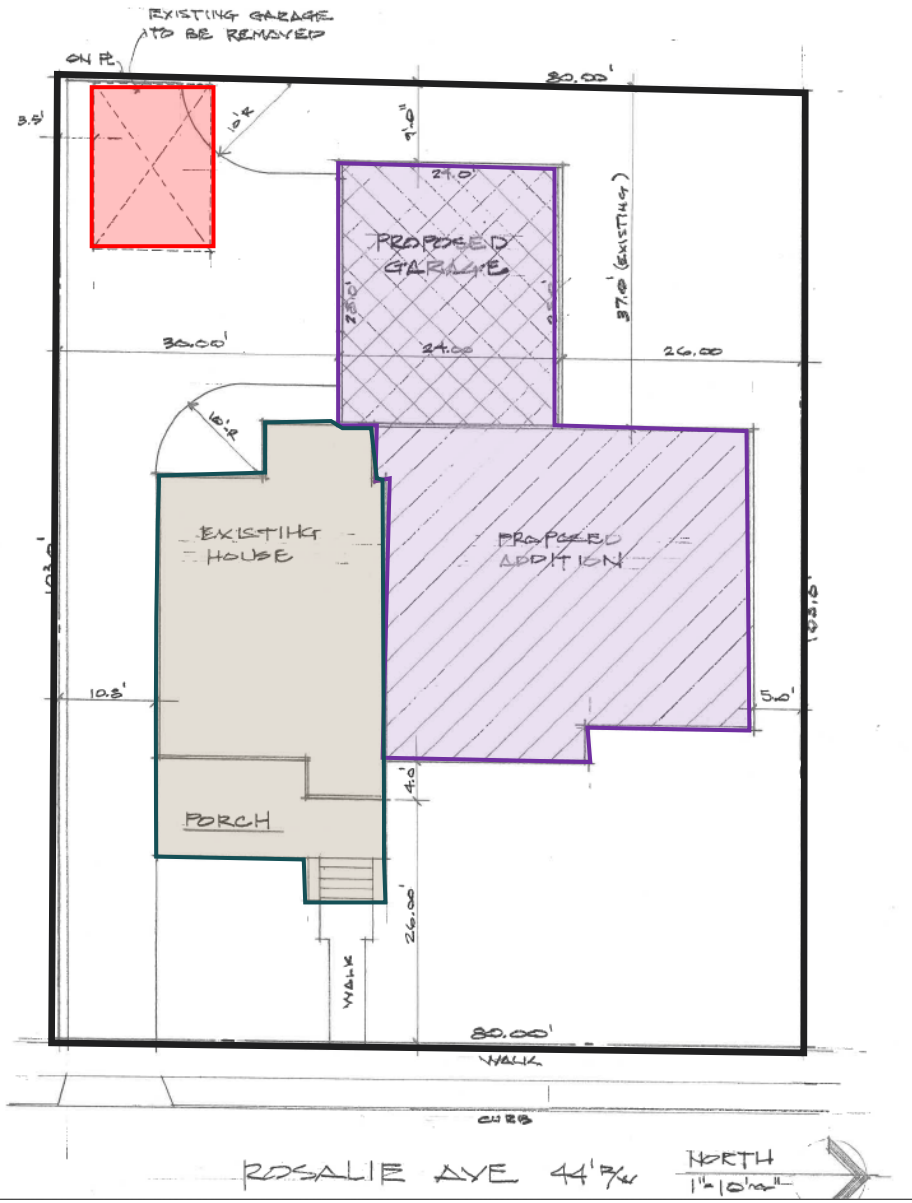
Docket No. : 09-18-25

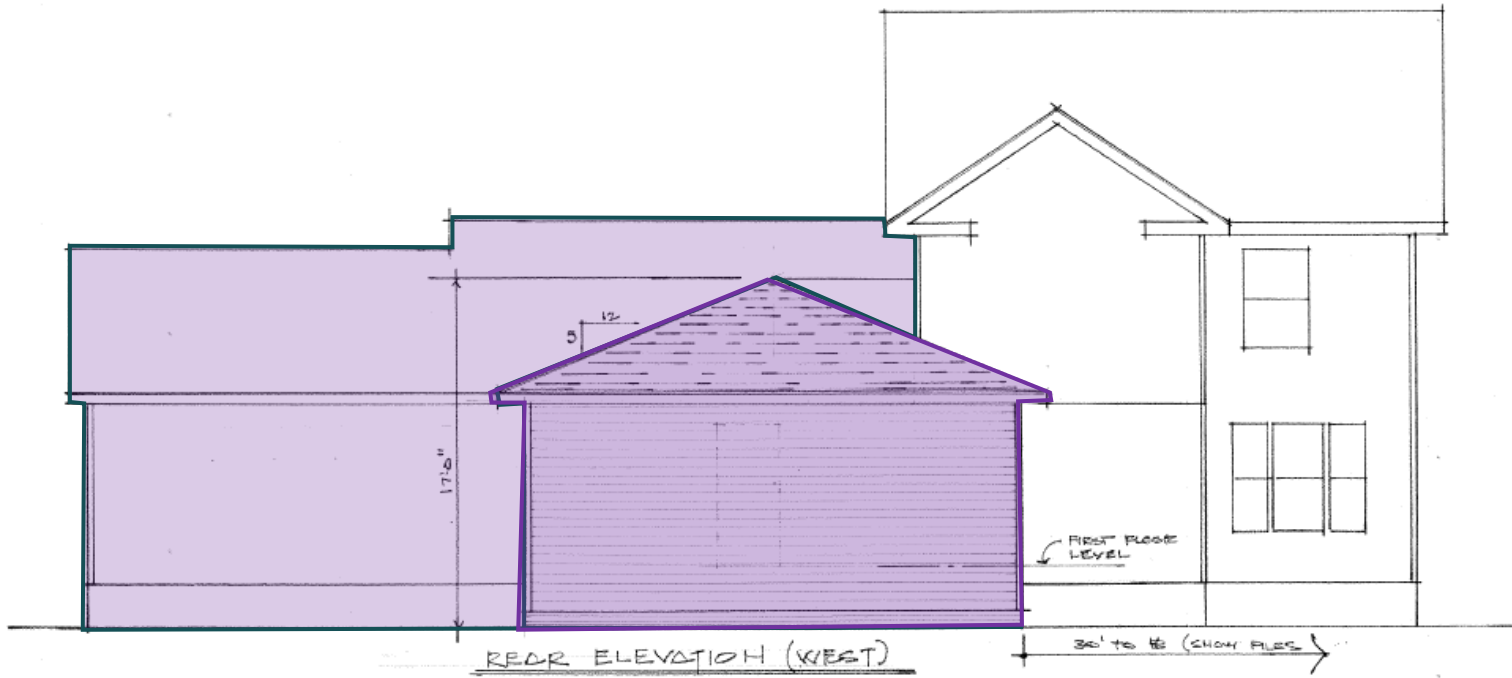
1070 ROSALIE AVE



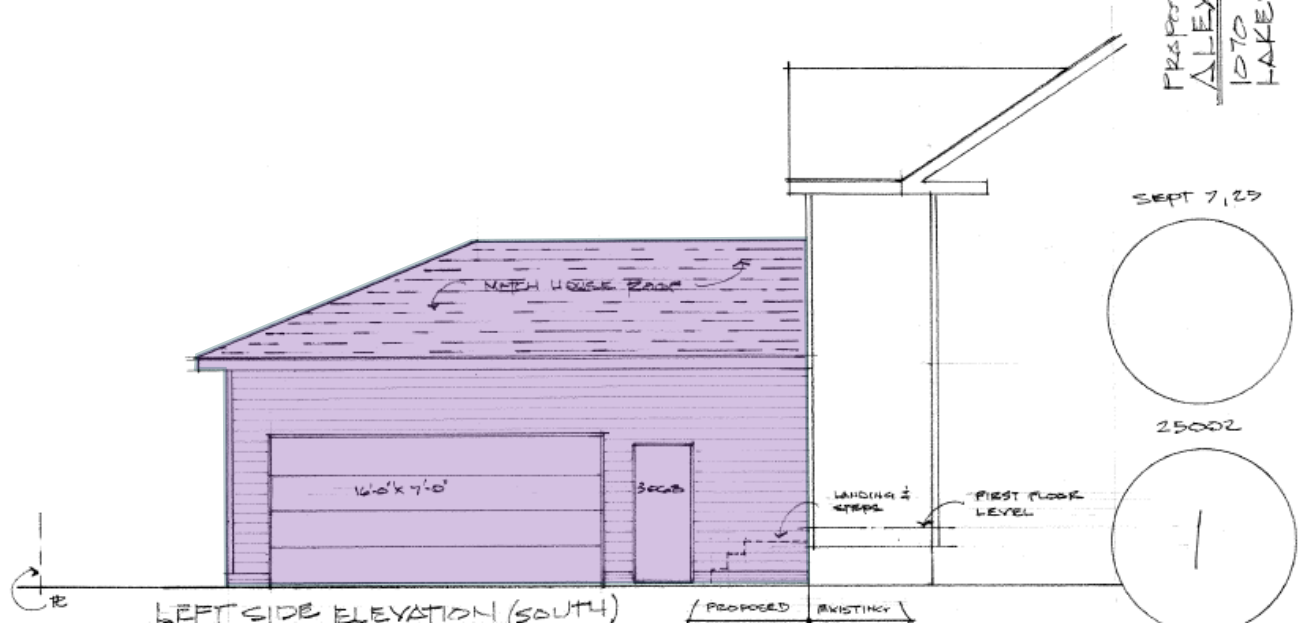


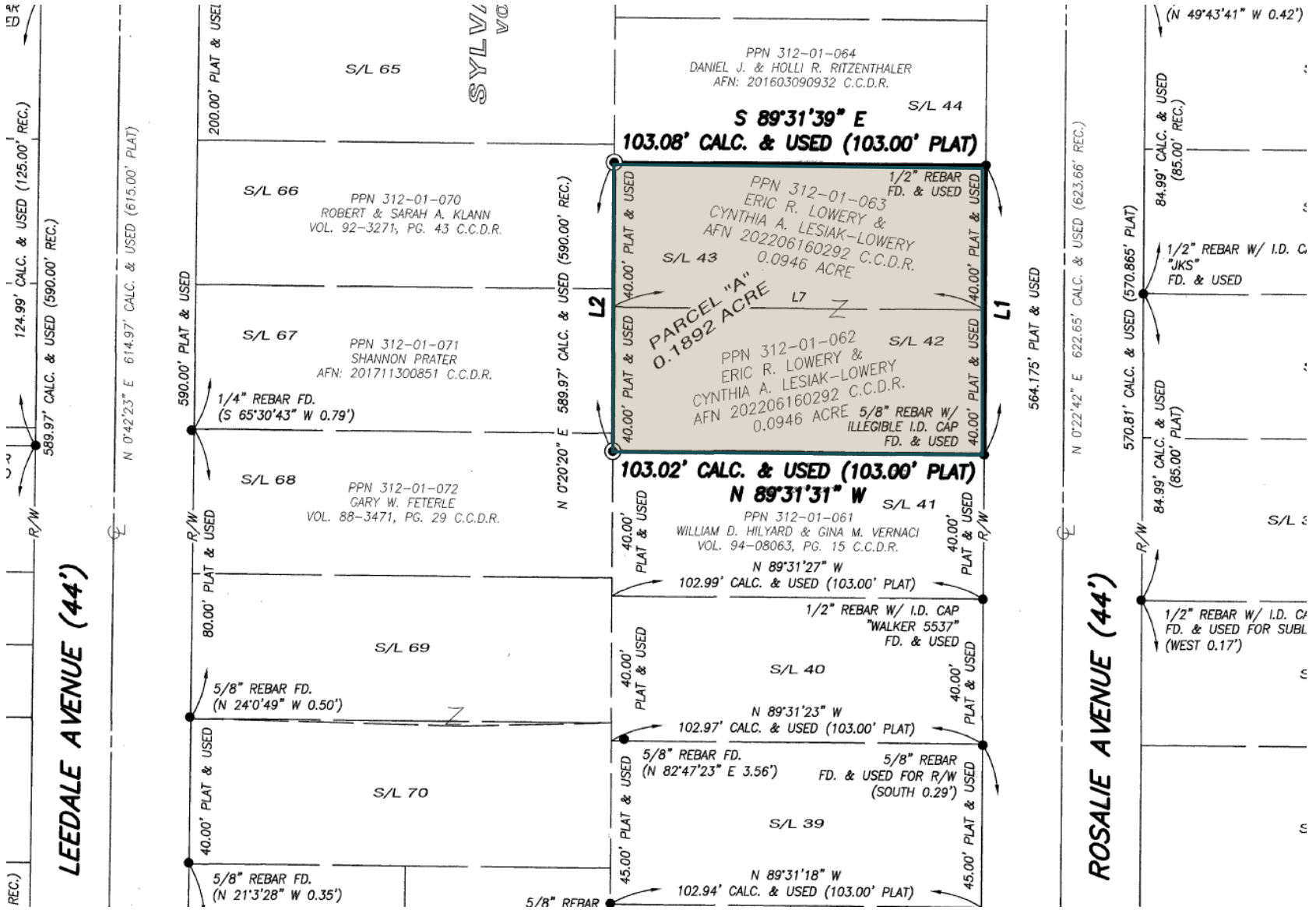
Docket No. : 09-18-25 1070 ROSALIE AVE
SITE PLAN + ELEVATIONS + PLAT+ PHOTOS





PROPOSED ADDITION
 ALEXANDER FAMILY
 1070 ROSA LIE AVE
 LAKEWOOD, OHIO





WE HAVE RECEIVED A COPY OF THIS SURVEY AND FIND THE CONDITIONS ACCEPTABLE TO ME/US.

BUYER/OWNER



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) Yes. The Proposed addition to the north of the existing home will include an attached garage as well as a full first floor in-law suite and is intended for aging parents to live with property owner and their young children.

In June and July 2025, the Property owner submitted a proposal that met all zoning code setbacks to the ARB. This proposal included the attached garage in the front of the proposed addition which was met with some resistance from the Board. After reviewing options related to the location of the attached garage, the homeowners changed the location of the attached garage from the front of the addition to within the rear setback. The homeowners believe that the attached garage and livable space included in the proposed addition are both necessary components to provide the best quality of life for the aging parents who will be using this space as they age on the first floor of the home addition and utilizing the attached garage to avoid the many months of inclement weather in NE Ohio.

The FAR of the proposal is within the requirements as well as side and front setbacks. The only variance being requested is for the rear setback due to the garage being attached. If the garage were smaller and detached, there would likely be no need for a variance request as detached garages can be built within 2 of the rear/side property lines in this zoning district. All of the livable space in the proposed addition are within the rear, side, and front setbacks and meet the FAR requirements. Only the attached garage is within the rear setback and requires a variance. No height or other variances are being requested at this time.

1173.04 Variances (page 1 of 2)

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

(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) There appear to be other homes on this street and other similar streets in the neighborhood that have rear additions that are within the rear setback and appear to be non-conforming in this 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) N/A

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

(4)(A) The property owner believes that the variance requested is minimal because the livable space in the addition proposal is within the FAR and all other setbacks requirements. Only the attached garage is within the rear setback and needs a variance request due to it being attached instead of detached. If the proposed garage were smaller and detached, no variance would likely be needed.

(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 FAR of this lot and all side and front setbacks are being maintained within the zoning code. The rear setback is the only variance requested and if the garage were smaller and detached it would likely not need any variances.

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) N/A

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

7(A) N/A

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

(8) (A) Property owner did attempt to avoid the BZA process by applying to the ARB for an attached garage in the front of the addition, but the property owner did not see this path as the best option for their proposal so they decided to adjust their plans and relocate the proposed attached garage to the rear of the building, which still allows the amount of livable space needed to accommodate a full in-law suite for first floor living and aging in place for many years to come.

and substantial justice done by granting the variance(s).

(9) (A) Property owner believes that the intent of the code will be observed as all other requirements are being met and the rear setback is only being requested because the garage needs to be attached to the home to accommodate the aging parents who will be occupying the addition space in the near future. If the garage were smaller and detached, no variance would be needed.

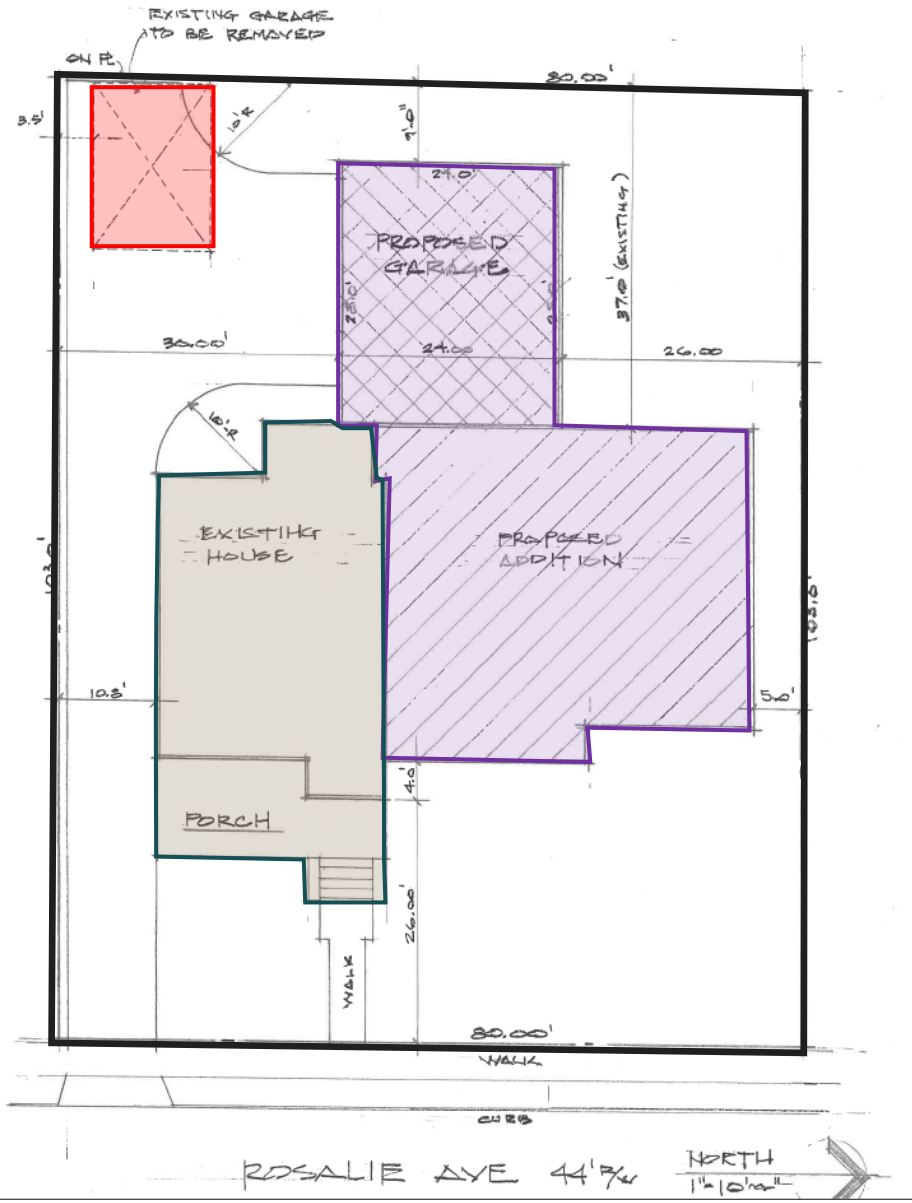
ADMINISTRATIVE COMMENTS

- The lots on this block are approx. 103 feet deep which is shorter than a typically 40-foot-wide lot in Lakewood. A compliant 5,000 square foot lot that is 40 wide would be 125 feet in depth.
- Of the 7 houses on the west side of Rosalie between Edgewater and Lake, only 1 house currently has a rear setback of less than 20 feet.
- If the garage were detached it would be permitted as proposed .
- The applicant's preference is to have an attached garage for the aging- in place in-law suite they are adding so that 3 generations of their family can live together in one home
- The garage will be single story as shown in the elevations.

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)

Docket No. : 09-18-25 1070 ROSALIE AVE
SITE PLAN + ELEVATIONS + PLAT+ PHOTOS



Docket No. 09-18-25

1070 Rosalie Ave.

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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

