

**MINUTES
BOARD OF ZONING APPEALS
REVIEW MEETING
LAKEWOOD CITY HALL
AUDITORIUM
SEPTEMBER 21, 2023
6:30 P.M.
MEETING IS RECORDED
<https://www.lakewoodoh.gov/videos-2/>**

1. OATH: NEW MEMBER, MATT MARKLING

The Oath of Office was administered during the pre-review meeting. The signed document is made part of record.

2. ROLL CALL

Members Present

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

Administrative Staff

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

During the 6:00 p.m. pre-review meeting, Mr. Fleck administered the oath of office to new Board member Matt Markling, and members welcomed him to the board. Ms. Bolino had given Ms. Nochta notice that she would be arriving late to the pre-review meeting. There was some discussion about the new agenda item, and the old business items. The application for 1464 Riverside was void by staff due to lack of response from the applicant, the application was filed in April of 2023. The application for 1077 Wilbert was withdrawn by the applicant.

3. APPROVE MINUTES OF THE JULY 20, 2023, MEETING

A motion was made by Ms. Bolino, seconded by Mr. Pigott to **APPROVE** the July 20, 2023, meeting minutes. Mr. Alexander, Ms. Bolino, Mr. Pigott, and Mr. Santiago voted yea, and Mr. Markling abstained; the motion passed.

4. OPENING REMARKS

Ms. Nochta read the Opening Remarks into the record.

NEW BUSINESS

**5. Docket No. 09-13-23
14824-6 + 14806-22 Detroit Ave.
CoHatch**

Applicant Jason Galdun of Jeffrey A. Grusenmeyer & Associates, Inc. on behalf of property owner First Federal of Lakewood proposes the consolidation of several parcels to create three parcels, referred to as proposed parcels A, B, and C. Proposed parcels A and B require variances for side and

rear setbacks while parcel C will remain unchanged. The property is located in the C2 Commercial Retail District. (Page 3)

- Variance 1 for Parcel A: Request a variance to reduce the corner side yard setback of the existing primary structure on the west side of proposed parcel A. The required side yard is 5 feet. The existing side yard is 6 inches. Request a variance of 4 feet 6 inches for the corner side yard to retain the existing corner side yard, as proposed. Pursuant to Schedule 1129.06 Yard Requirements (Ord. 12-11. Passed 5-2-2011.)
- Variance 2 for Parcel A: Request a variance to reduce the rear yard setback of the primary structure on the north side of proposed parcel A. The required side yard is to be one-half the building height, or no less than 5 feet, the existing rear yard setback is zero inches. Request a variance of ½ the height of the existing building to retain the existing rear yard, as proposed. Pursuant to Schedule 1129.06 Yard Requirements (Ord. 12-11. Passed 5-2-2011.)
- Variance 1 for Parcel B: Request a variance to reduce the rear yard setback of the existing primary structure on the north side of proposed parcel B. The required side yard is to be one-half the building height, or no less than 5 feet, the existing rear yard setback is zero. Request a variance of ½ the height of the building to retain the existing rear yard, as proposed. Pursuant to Schedule 1129.06 Yard Requirements (Ord. 12-11. Passed 5-2-2011.)

Jeffrey Grusenmeyer of Jeffrey A. Grusenmeyer & Associates, Inc., applicant was present to explain the request. Discussion ensued by confirming the parcels in question. Staff said there was no public comment received prior to the meeting. Staff provided administrative comments for the modest request. The proposal did not have an effect the current parking lot. The proposed change would only impact interior lot lines, and there were no proposed changes to the exterior of the buildings. The variances were required to permit to comply with current parcel requirements and enable a lot split so the current owner could sell a portion of the property.

A motion was made by Mr. Santiago, seconded by Mr. Markling to **APPROVE the request for Variance 1 for Parcel A, Variance 2 for Parcel A, and Variance 1 for Parcel B as proposed.** Mr. Alexander, Ms. Bolino, Mr. Markling, Mr. Pigott, and Mr. Santiago voted yea; the motion passed.

ADJOURN

A motion was made by Ms. Bolino, seconded by Mr. Santigo to **ADJOURN** the meeting at 6:42 p.m. All of the members voted yea; the motion passed.



Signature

10/17/23

Date

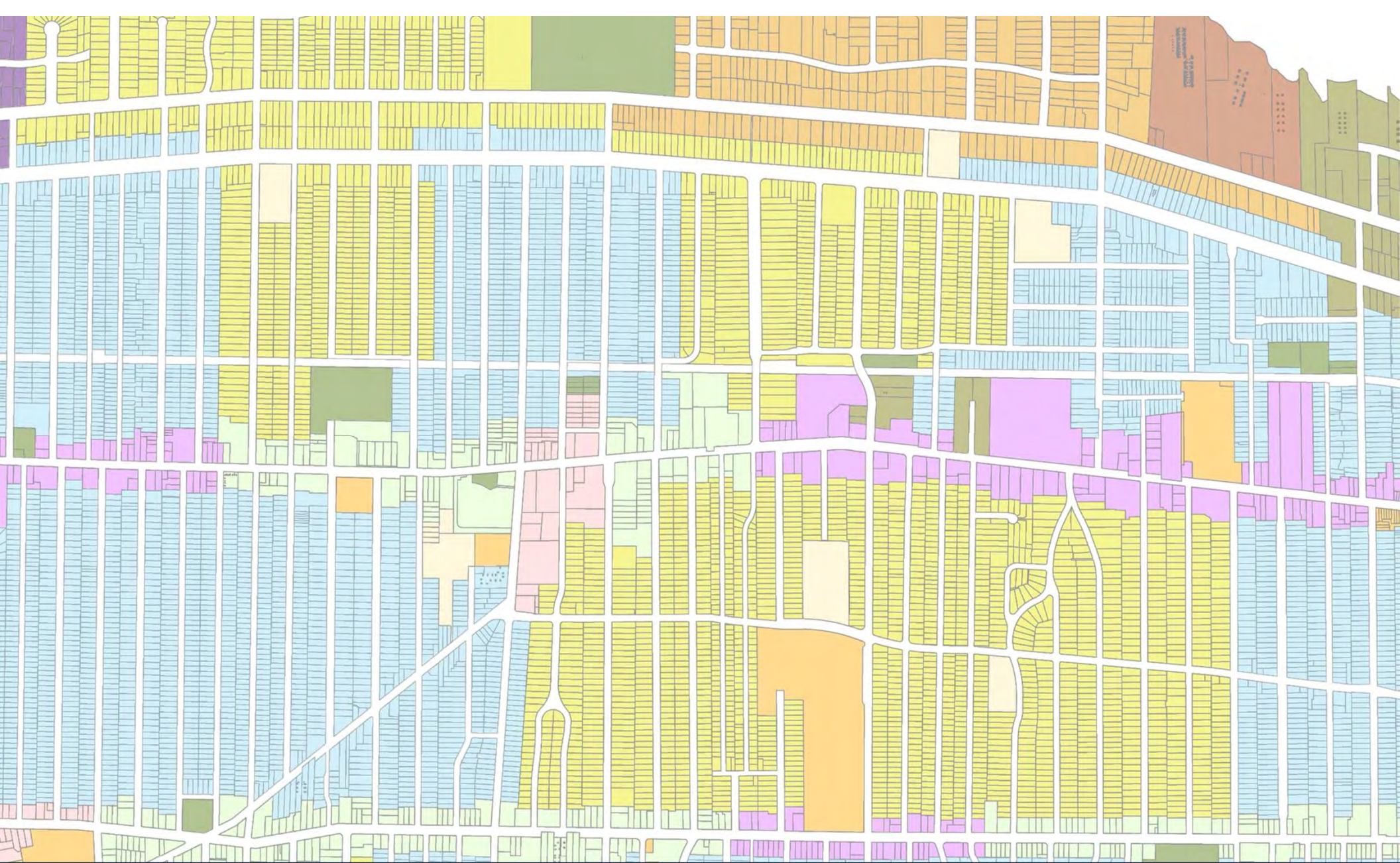
OATH OF OFFICE

I, Matthew Markling, being first duly sworn according to law, upon my oath depose and say:

That I will support the Constitution of the United States and the State of Ohio, and the Charter and Ordinances of the City of Lakewood and will faithfully discharge the duties of the Board of Zoning Appeals of the City of Lakewood, Ohio so help me God.


Signature

9/21/23
Date



Board of Zoning Appeals

1173.04 Variances

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

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

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





Board of Zoning Appeals-

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

Regular Meeting: 6:30 p.m.

Members

Chair: Michael Alexander

Vice-chair: Jillian Bolino

Jeffrey Pigott

Anthony Santiago

Matt Markling

Staff

Board Secretary: Michelle Nochta

Legal Counsel: Myriam Miranda

Building Department: Justin Maskaluk



Board of Zoning Appeals

September 21, 2023, Agenda

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

OLD BUSINESS

1464 Riverside - Void Application- unresponsive applicant

1077 Wilbert - withdrawn by the applicant

NEW BUSINESS

Docket No. 09-13-23


14824-6 + 14806-22 Detroit Ave - First Federal of Lakewood,
Applicant Jason Galdun of Grusenmeyer & Associates on behalf of
First Federal of Lakewood

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

Roll Call



Board of Zoning Appeals

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

Approve Meeting Minutes for July 15, 2023



Board of Zoning Appeals

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

Opening Remarks



Board of Zoning Appeals

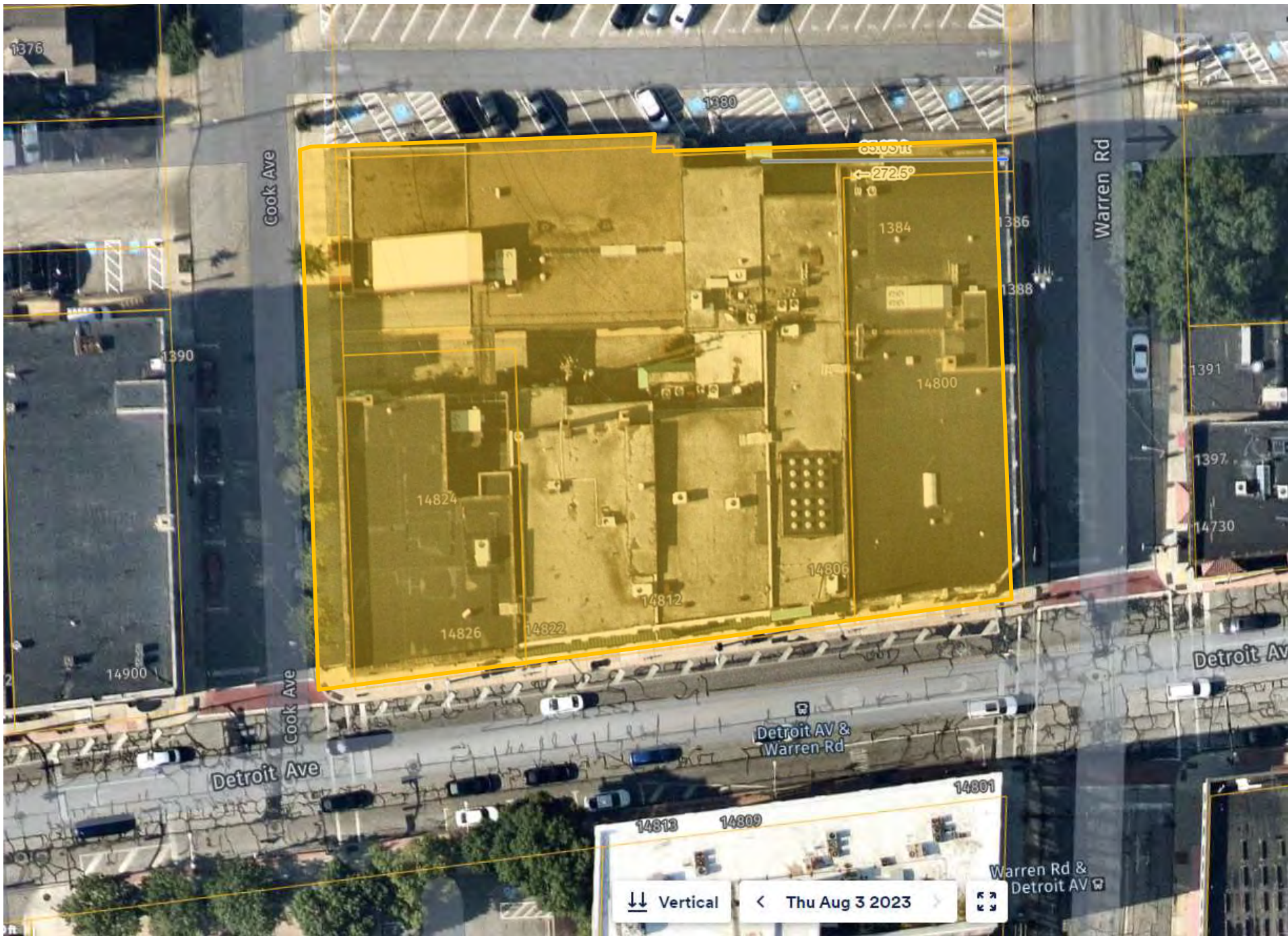


**Docket No. 09-13-23
14824-6 + 14806-22 Detroit Ave.**

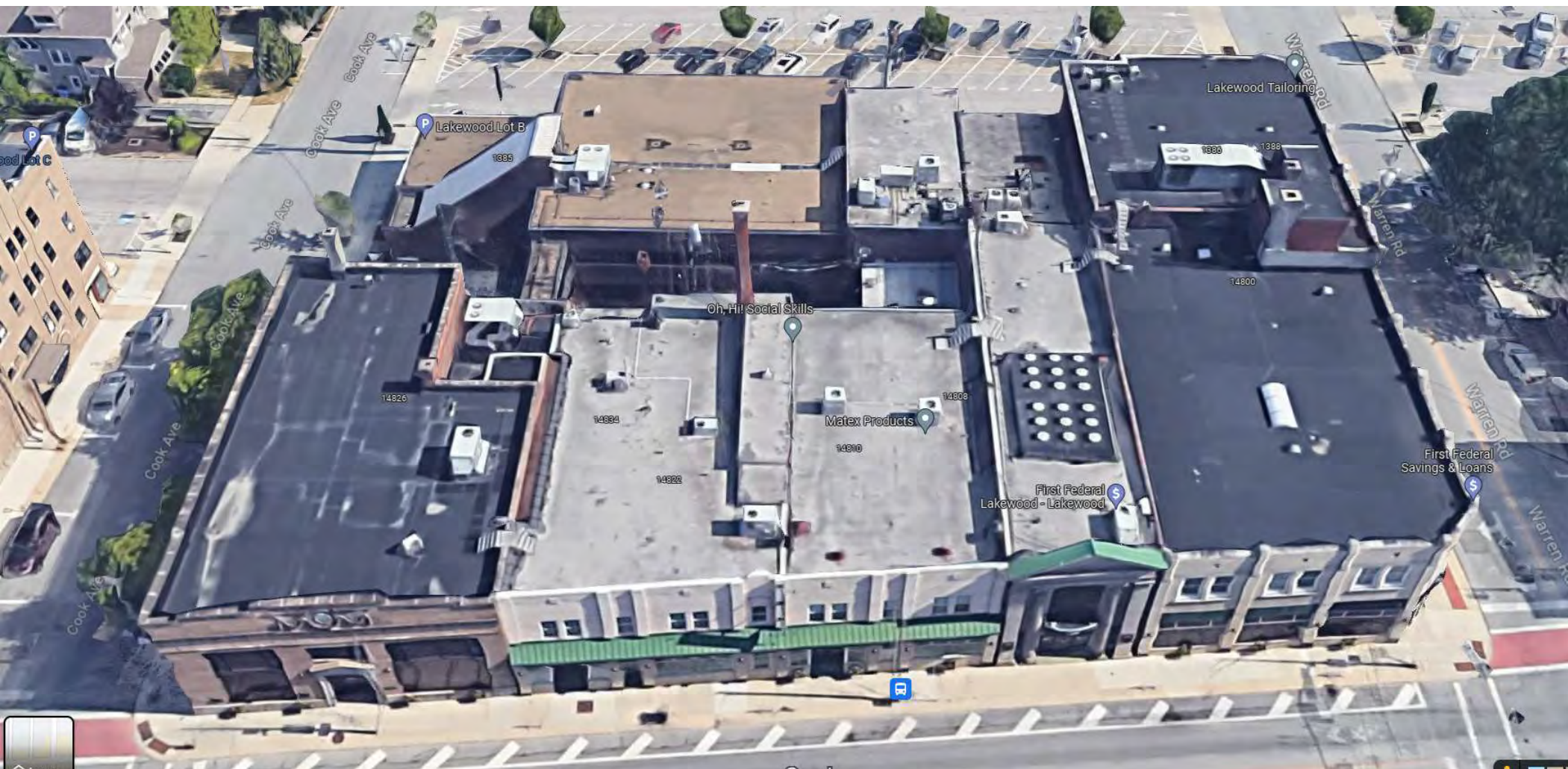
Applicant Jason Galdun of Grusenmeyer and Assoc. for owner First Federal of Lakewood proposes consolidating and splitting several parcels to create 3 parcels.

Several variances are required to meet current yard regulations. The property is located in the R2 Single- and Two-Family District.





14824-6 + 14806-22 Detroit Ave.



14824-6 + 14806-22 Detroit Ave.

1. Docket No. 09-13-23

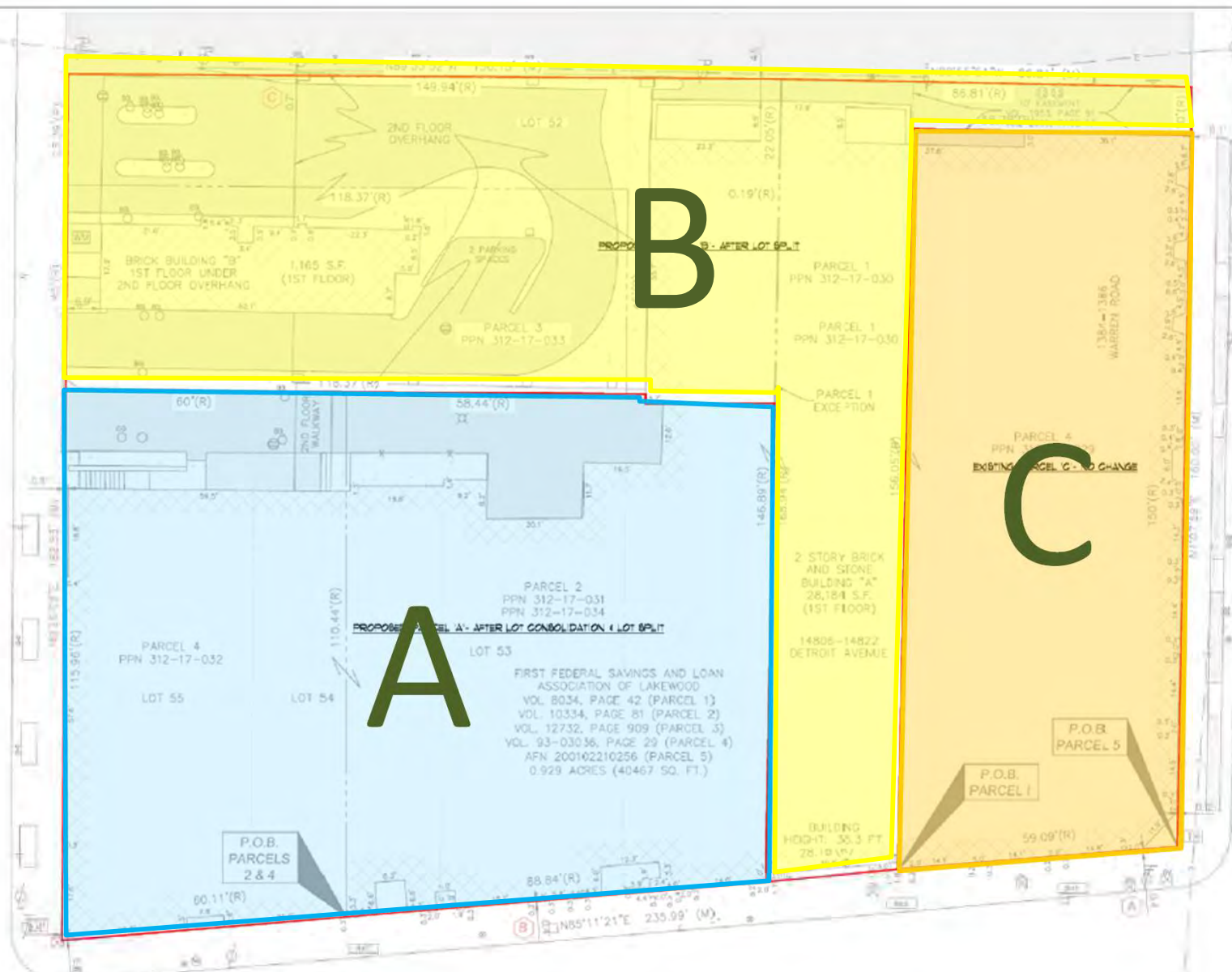
14824-6 + 14806-22 Detroit Ave.

Applicant Jason Galdun of Jeffrey A. Grusenmeyer & Associates, Inc. on behalf of property owner First Federal of Lakewood proposes the consolidation of several parcels to create three parcels, referred to as proposed parcels A, B, and C. Proposed parcels A and B require variances for side and rear setbacks while parcel C will remain unchanged. The property is located in the C2 Commercial Retail District. (Page 4)

- Variance 1 for Parcel A: Request a variance to reduce the corner side yard setback of the existing primary structure on the west side of proposed parcel A. The required side yard is 5 feet. The existing side yard is 6 inches. Request a variance of 4 feet 6 inches for the corner side yard to retain the existing corner side yard, as proposed. Pursuant to Schedule 1129.06 Yard Requirements (Ord. 12-11. Passed 5-2-2011.)
- Variance 2 for Parcel A: Request a variance to reduce the rear yard setback of the primary structure on the north side of proposed parcel A. The required side yard is to be one-half the building height, or no less than 5 feet, the existing rear yard setback is zero inches. Request a variance of ½ the height of the existing building to retain the existing rear yard, as proposed. Pursuant to Schedule 1129.06 Yard Requirements (Ord. 12-11. Passed 5-2-2011.)
- Variance 1 for Parcel B: Request a variance to reduce the rear yard setback of the existing primary structure on the north side of proposed parcel B. The required side yard is to be one-half the building height or no less than 5 feet, the existing rear yard setback is zero. Request a variance of ½ the height of the building to retain the existing rear yard, as proposed. Pursuant to Schedule 1129.06 Yard Requirements (Ord. 12-11. Passed 5-2-2011.)



COOK AVENUE
(60' R/W - PUBLIC ROAD - 37' 6" ASPHALT)



PROPOSED LOT SPLIT & CONSOLIDATION PLAN
SCALE: 1/8" = 1'-0"

DETROIT AVENUE
(60' R/W - PUBLIC ROAD - 46' 6" ASPHALT)

WARREN ROAD
(60' R/W - PUBLIC ROAD - 31' 6" ASPHALT)

PROPOSED

14824-6 + 14806-22 Detroit Ave.



JEFFREY A. GRUSENMEYER
LICENSED ARCHITECT
EXPIRES 03/31/2020

DATE	NAME	DESCRIPTION

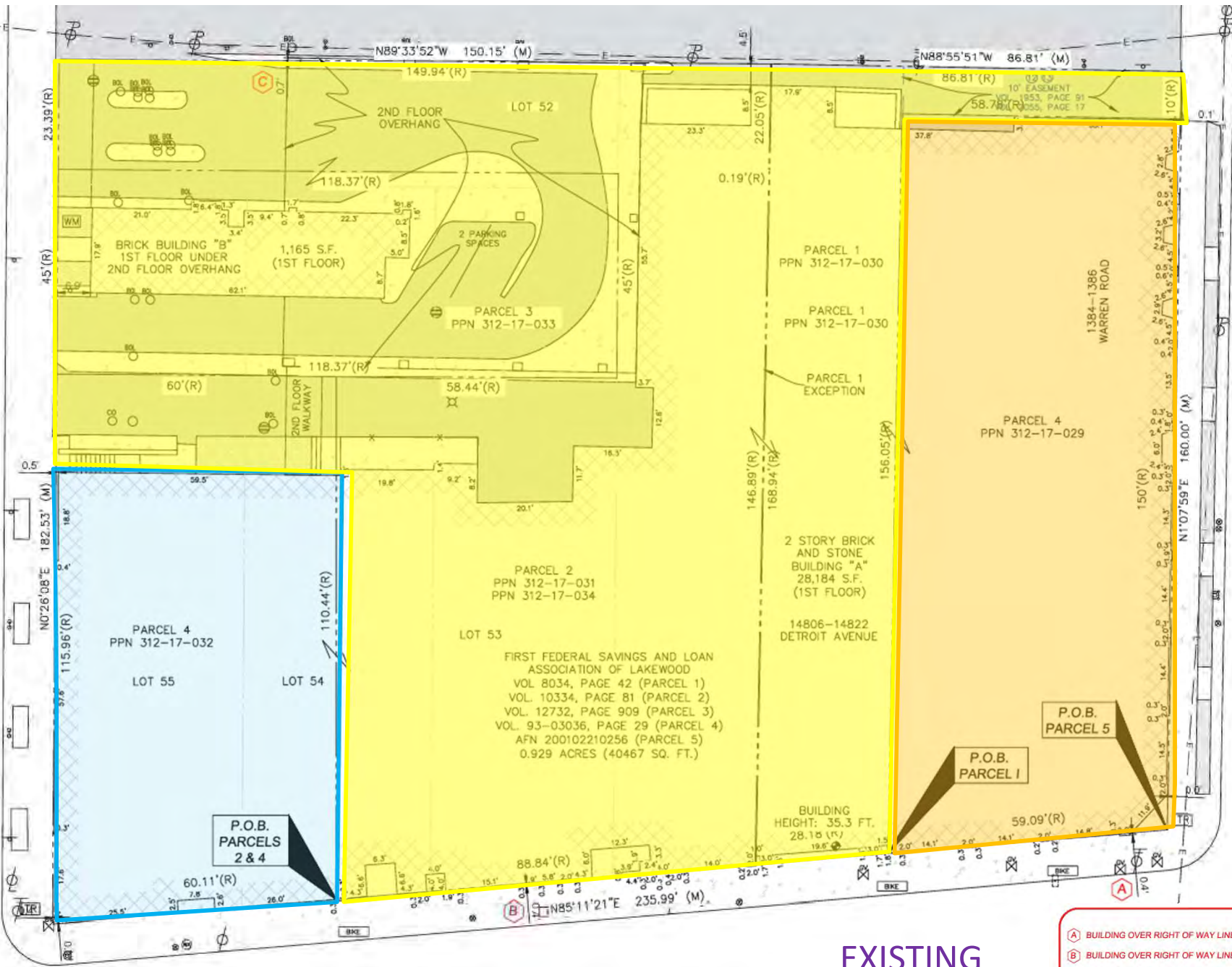
JEFFREY A. GRUSENMEYER
LICENSED ARCHITECT
EXPIRES 03/31/2020

PROPOSED LOT SPLIT / LOT CONSOLIDATION



C100

COOK AVENUE
(60' R/W - PUBLIC ROAD - 37.6' ASPHALT)



WARREN ROAD
(60' R/W - PUBLIC ROAD - 37.6' ASPHALT)

EXISTING

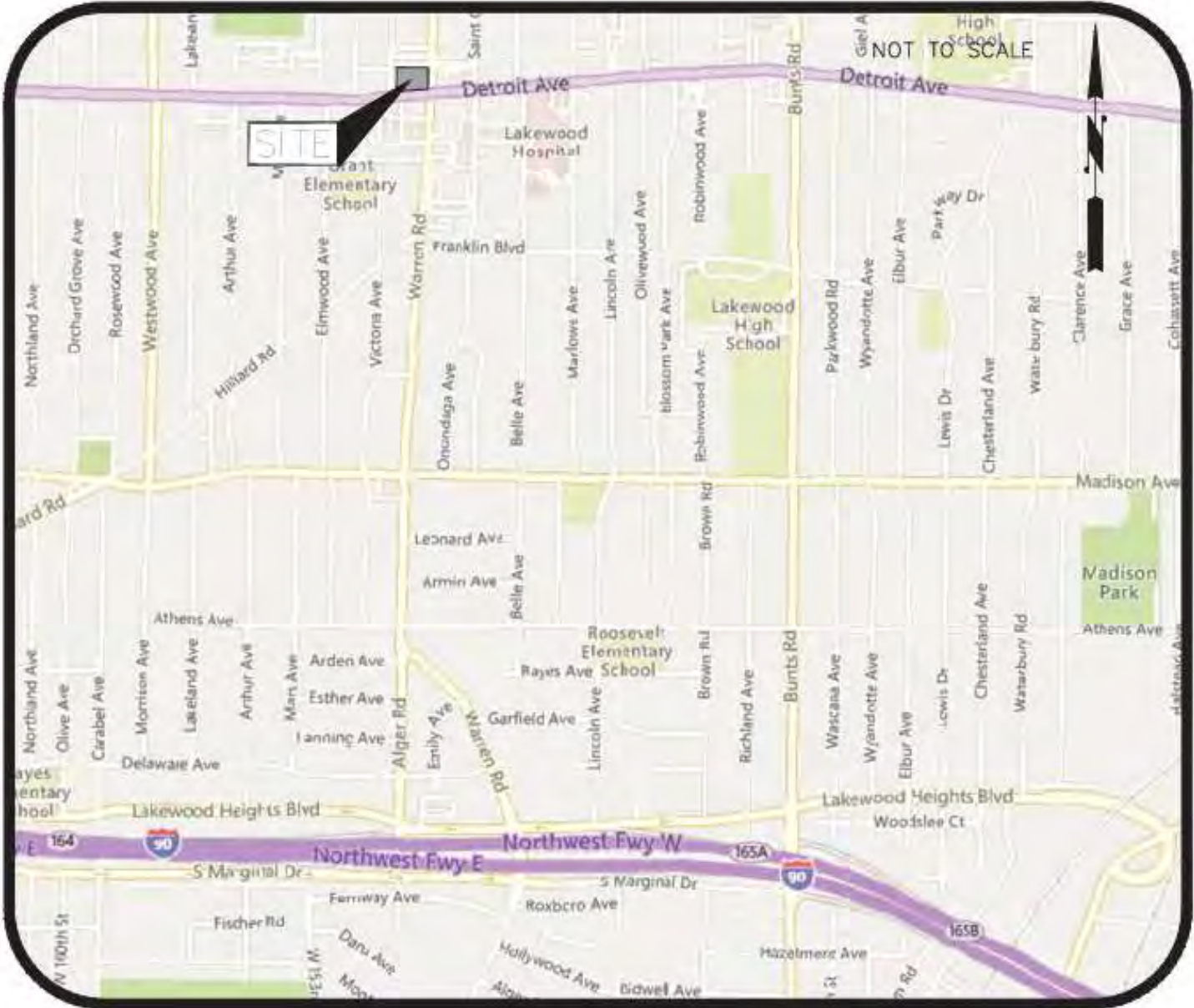
- (A) BUILDING OVER RIGHT OF WAY LINE 0.4'
- (B) BUILDING OVER RIGHT OF WAY LINE 0.4'
- (C) SECOND FLOOR OVERHANG OVER PROPERTY LINE 0.7'



14824-6 + 14806-22 Detroit Ave.

THE LAND SHOWN IN THE SURVEY IS THE SAME AS THAT DESCRIBED IN FIDELITY NATIONAL TITLE INSURANCE COMPANY, COMMITMENT NO. GLW2201533, DATED AUGUST 3, 2022 AT 6:59 A.M.

Vicinity Map





Land Area

TOTAL 0.929 ACRES (40467 SQ. FT.)

Building Area

BLDG AREA "A": 28,184 SQUARE FEET
BLDG AREA "B": 1,165 SQUARE FEET

Building Height

BLDG HEIGHT: 35.3 FT

Basis of Bearing

THE BASIS OF BEARING FOR THIS DESCRIPTION IS BASED ON THE OHIO STATE PLANE COORDINATE SYSTEM AS PER NAD83 AS DERIVED FROM GPS OBSERVATION

Encroachment Statement

- A BUILDING OVER RIGHT OF WAY LINE 0.4'**
- B BUILDING OVER RIGHT OF WAY LINE 0.4'**
- C SECOND FLOOR OVERHANG OVER PROPERTY LINE 0.7'**

Parking Information

2 Standard Spaces
0 Handicap Spaces
2 Total Parking Spaces



Zoning Information

STATUS	<i>"C-2" retail District within the National Historic District</i>		STATUS
ITEM	REQUIRED	OBSERVED	Contact info: (Zoning Dept contact info) <i>Global Zoning Prepared By: Hunter Reede (405)2593-3415 Global Zoning Job# 22139 Dated: October 10, 2022</i>
PERMITTED USE	YES	SAME	
MIN. LOT AREA	5,000 SQ. FT.	40,467 SQ. FT.	
MIN. LOT WIDTH	40 FEET LOT WIDTH	150.15 ±	
MAX. BLDG COVERAGE	NONE REQUIRED	NOT APPLICABLE	
MIN. SETBACKS FRONT	Max 5 Feet	0 Feet	
MIN. SETBACKS STREET SIDE	5 Feet	0 Feet	
INTERIOR SIDE SETBACK	<i>None Required; 5 Feet when abutting a Residential District</i>	NOT APPLICABLE	
MIN. SETBACKS REAR	<i>½ the Height of the Building (17.65 Feet), but in no case less than 5 Feet; 5 Feet if adjacent to Residential District or Use</i>	4.5 FEET	
MAX BUILDING HEIGHT	120 FEET	35.3 FEET	
PARKING REGULAR	<i>MIN: 29.34 Parking Spaces) MAX: 73.35 Parking Spaces</i>	2 SPACES	
PARKING HANDICAP		0 SPACES	
PARKING TOTAL		2 SPACES	

Notes:
Because there may be a need for interpretation of the applicable zoning codes, we refer you to City of Lakewood for zoning laws and applicable codes.

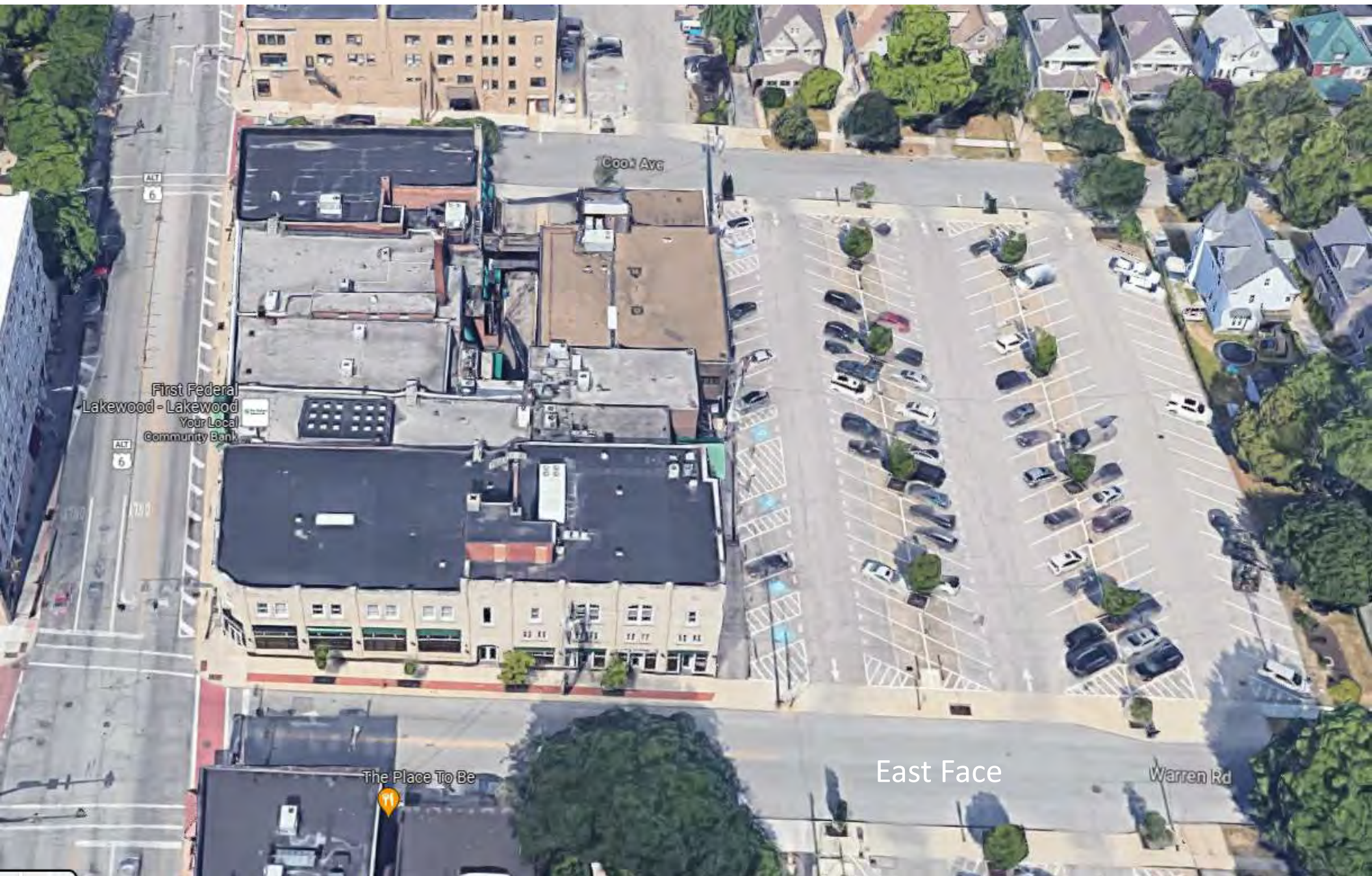




14824-6 + 14806-22 Detroit Ave.



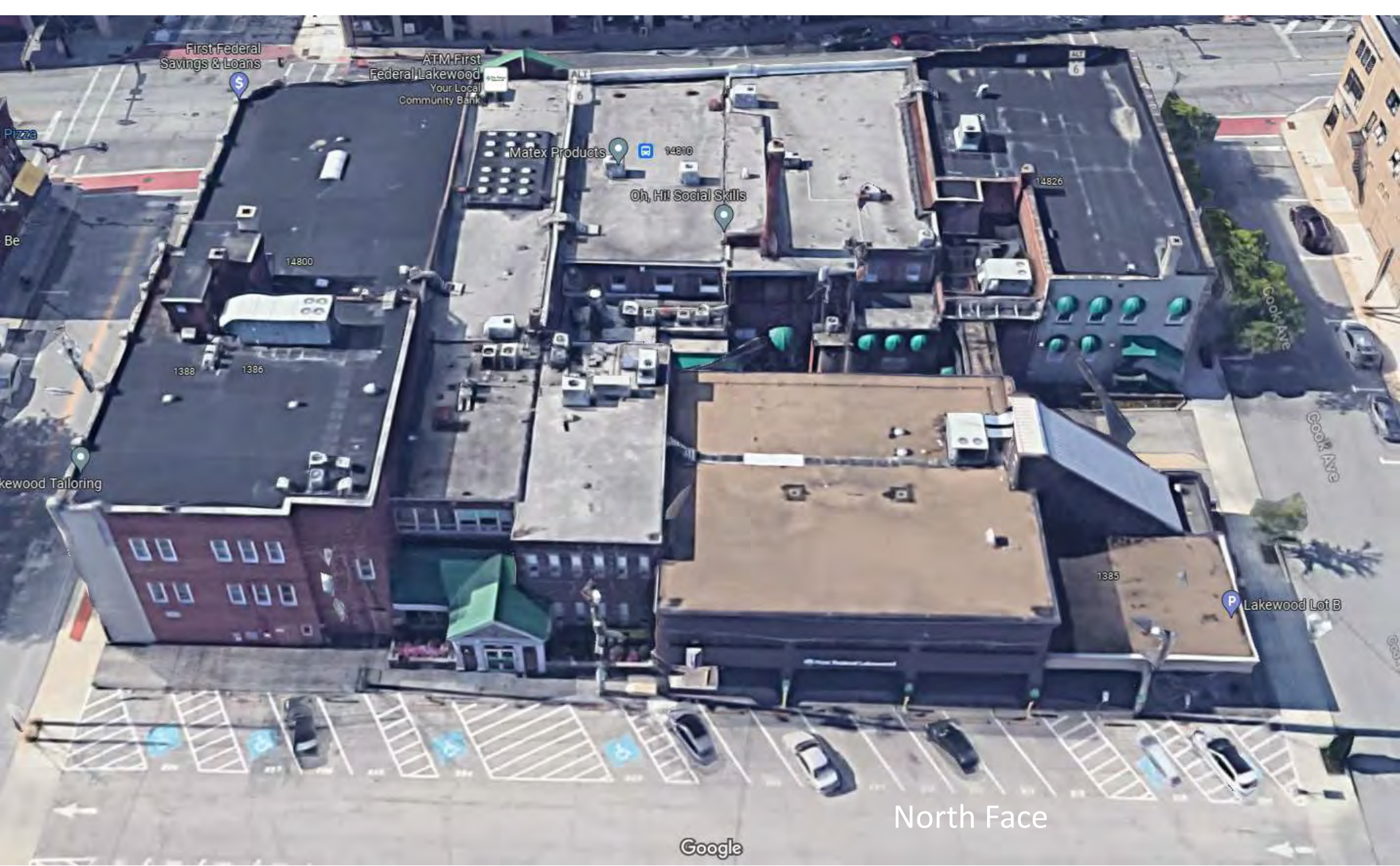
14824-6 + 14806-22 Detroit Ave.



14824-6 + 14806-22 Detroit Ave.



14824-6 + 14806-22 Detroit Ave.



First Federal Savings & Loans

ATM-First Federal Lakewood
Your Local Community Bank

Matex Products

Oh, Hi! Social Skills

North Face

Lakewood Lot B

Google



14824-6 + 14806-22 Detroit Ave.

Owner/agent responses- 1173.04 Variances

Applicant responses to the factors to be considered and weighed when determining whether an applicant will experience practical difficulty:

(1) Whether there exist site conditions, such as narrowness, shallowness, or topography, unique to the property in question that are not applicable generally to other lands or structures in the same zoning district;

N/A

(2) Whether the property in question is located near a non-conforming or non-harmonious use, structure, or site conditions, or whether the property in question abuts a less restrictive zoning district;

Yes. The entire block is non-conforming as to a number of current zoning requirements since it was constructed prior to adoption of the zoning ordinances as they stand.

(3) Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the variance(s);

Without the variance, the properties cannot be sold or transferred as they were originally constructed.

(4) Whether the variance(s) is substantial; N/A

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

They character of the neighborhood will be unaffected. In fact, the character of the neighborhood can only be maintained by granting the variance so that the structures, in situ, can be maintained.



14824-6 + 14806-22 Detroit Ave.

Owner/agent responses- 1173.04 Variances

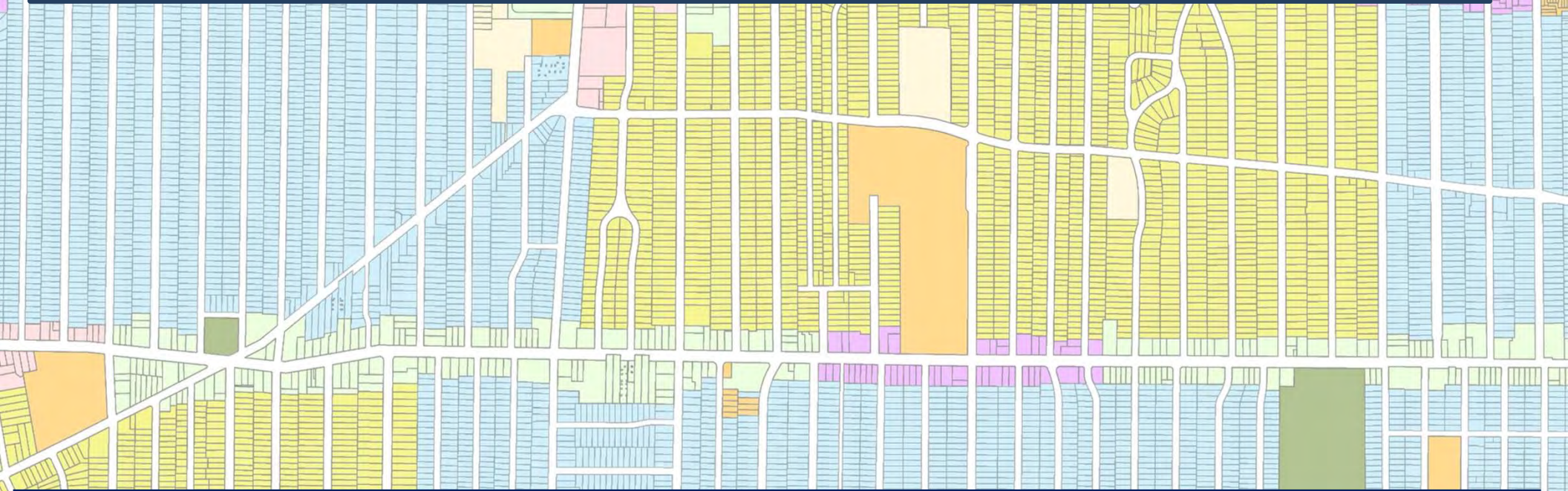
Applicant responses to the factors to be considered and weighed when determining whether an applicant will experience practical difficulty:

(6) Whether the variance(s) would adversely affect the delivery of governmental services (e.g., water, sewer, refuse removal) **No. The existing buildings and services will remain unchanged.**

{7} Whether the property owner purchased the property with knowledge of the zoning restrictions;
N/A

(8) Whether the property owner's predicament feasibly can be obviated through some method other than a variance(s); **No. There are no other options to allow the transfer of buildings as they were originally in the community.**

(9) Whether the spirit and intent of the Code would be observed, and substantial justice done by granting the variance(s). **The spirit and intent of the Code will be observed and substantial justice done by granting the variance since it will allow for the future and future improvement of historically significant buildings in the downtown fabric.**



14824-6 + 14806-22 Detroit Ave.

Administrative Comments

- Requested variances are modest
- Building configuration has existed on the parcels for many years without adverse consequences observed or reported, no exterior lot lines or building walls are being changed.
- Public parking lot is located behind the buildings
- The Planning Commission and the engineering department will review the lot split and consolidation



1. Docket No. 09-13-23

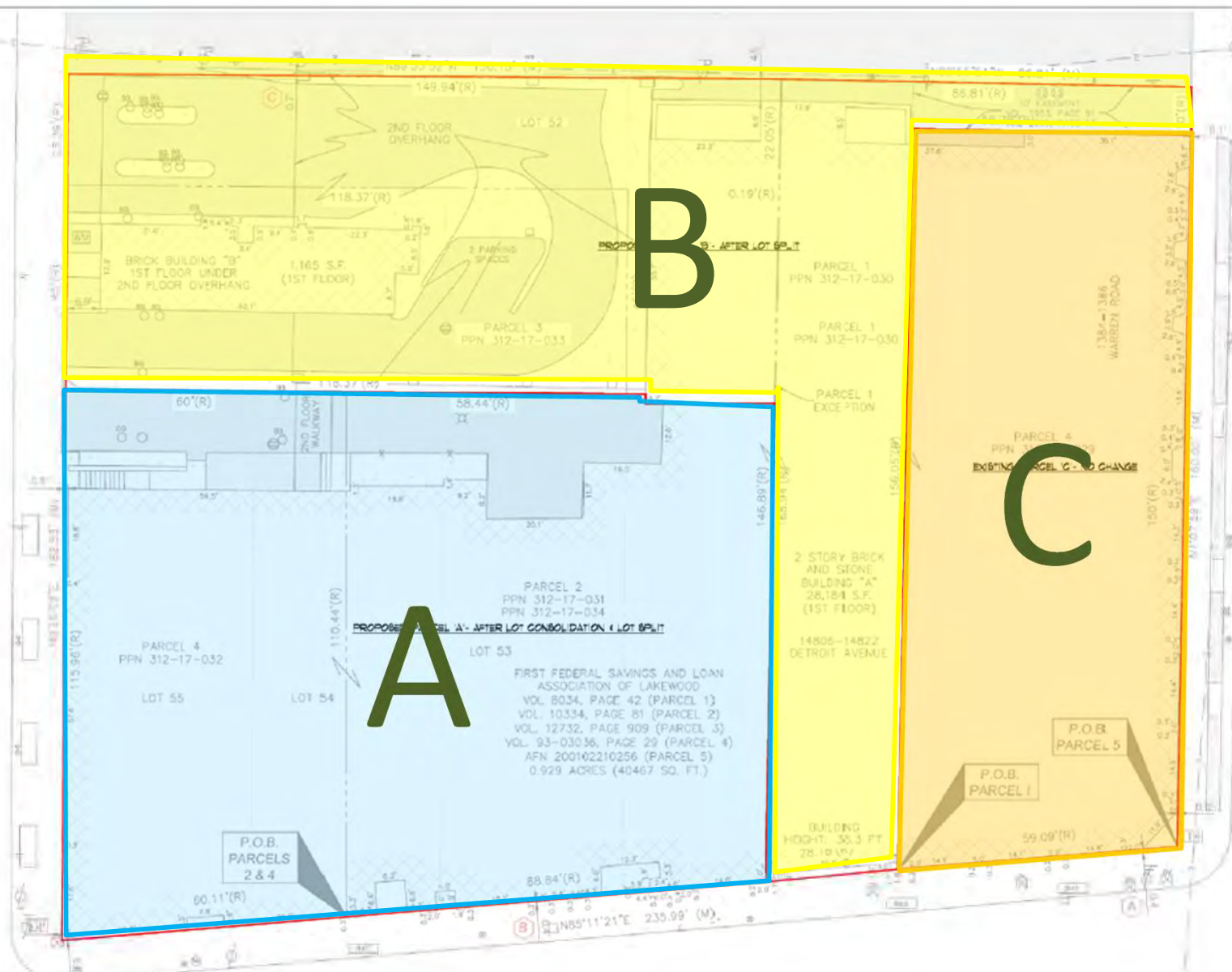
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- Variance 2 for Parcel A: Request a variance to reduce the rear yard setback of the primary structure on the north side of proposed parcel A. The required side yard is to be one-half the building height, or no less than 5 feet, the existing rear yard setback is zero inches. Request a variance of ½ the height of the existing building to retain the existing rear yard, as proposed. Pursuant to Schedule 1129.06 Yard Requirements (Ord. 12-11. Passed 5-2-2011.)
- Variance 1 for Parcel B: Request a variance to reduce the rear yard setback of the existing primary structure on the north side of proposed parcel B. The required side yard is to be one-half the building height or no less than 5 feet, the existing rear yard setback is zero. Request a variance of ½ the height of the building to retain the existing rear yard, as proposed. Pursuant to Schedule 1129.06 Yard Requirements (Ord. 12-11. Passed 5-2-2011.)



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JEFFREY A. GRUSENMEYER
LICENSED ARCHITECT
EXPIRES 06/30/2024

DATE	NAME	DESCRIPTION

JEFFREY A. GRUSENMEYER
LICENSED ARCHITECT
EXPIRES 06/30/2024

PROPOSED LOT SPLIT / LOT CONSOLIDATION



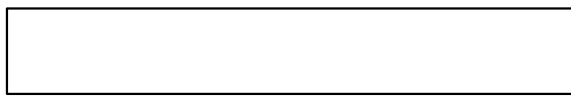
C100



Public Comment

Received via email-

Meeting attendee(s)

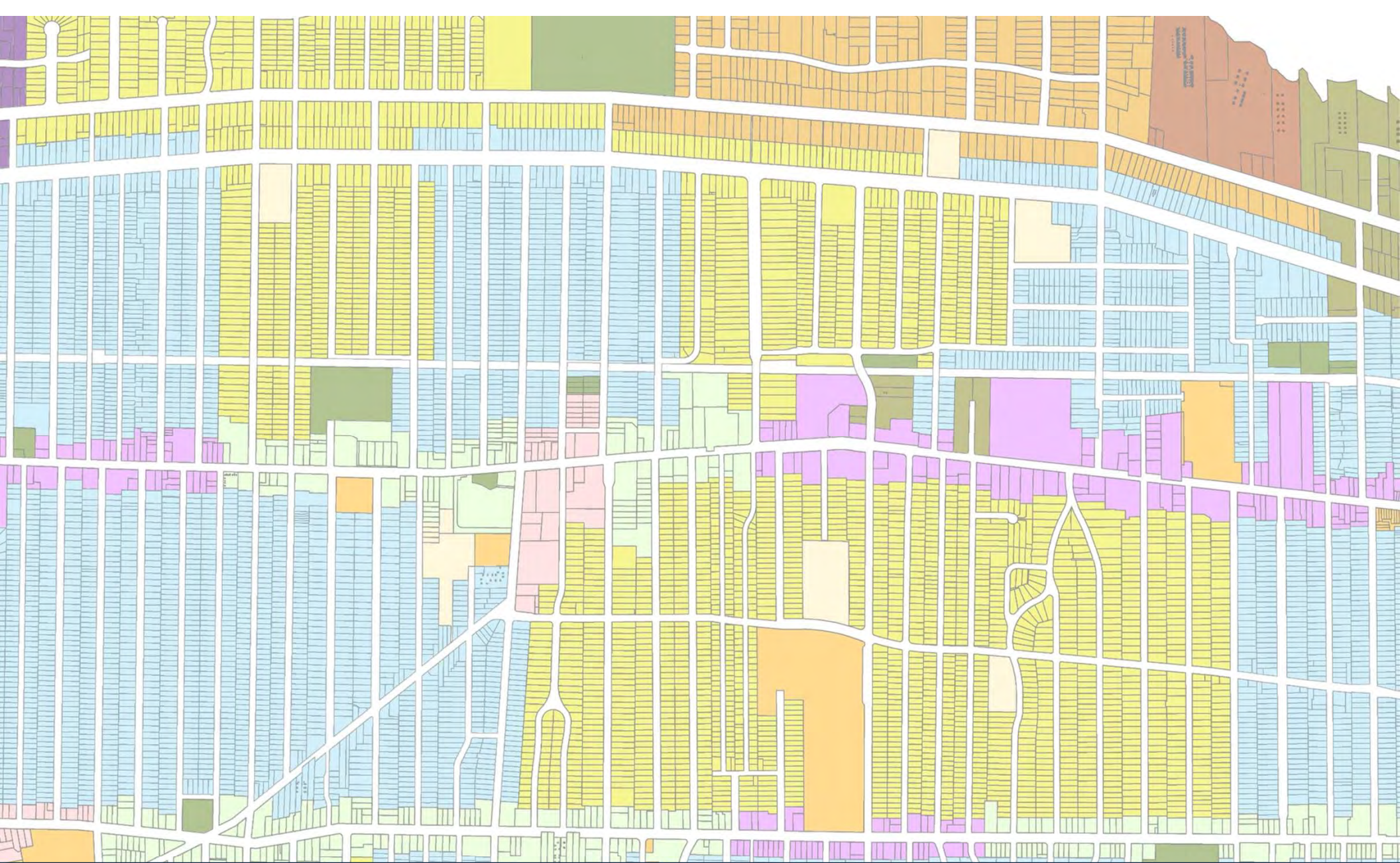


A detailed zoning map of a city, showing a grid of streets and various colored zones. The colors include yellow, light blue, orange, green, purple, and pink. A large white rectangular box with a black border is centered over the map.

Adjourn



Board of Zoning Appeals



Board of Zoning Appeals