

MINUTES
(Audio Recording Is Available)
BOARD OF ZONING APPEALS
OCTOBER 18, 2012
LAKEWOOD CITY HALL

PRE-REVIEW MEETING
6:00 P.M.
LAW CONFERENCE ROOM

- A. Review docket items.
- B. Introduction and Oath of New Board Member, Samuel T. O'Leary.

Mr. Nagy introduced the newest member to the board. Mr. O'Leary swore the oath as issued by Ms. Leigh. Mr. O'Leary is completing the term of Mary Breiner which expires at the end of 2012.

REVIEW MEETING
6:30 P.M.
AUDITORIUM

The meeting was called to order at 6:30 P.M.

1. Roll Call.

Members Present

Cynthia Bender
Jennifer Matousek
James Nagy, Chairman
Samuel O'Leary

Others Present

Mary Leigh, Secretary, DCD Programs Manager, P&D
Jeff Fillar, Asst. Bldg. Comm., Residential
Kevin Butler, Law Director
Jennifer Mladek, Assistant Law Director

A motion was made by Mr. Nagy, seconded by Mr. O'Leary, to **EXCUSE** the absence of Kyle Krewson. All of the members voting yea, the motion passed.

2. Approve Minutes of the August 16, 2012 meeting.

A motion was made by Ms. Bender, seconded by Ms. Matousek, to **APPROVE** the minutes of the August 16, 2012 meeting as amended. All of the members voting yea, the motion passed.

3. Opening Remarks.

Ms. Leigh read the Opening Remarks.

OLD BUSINESS

4. **Docket 06-33-12**

1571 Roycroft Avenue

Jan Dregalla, property owner and applicant, requests approval for a variance, pursuant to Section 1147.02(c) – Regulations. The applicant requested to park a personal travel trailer at the side of the house which is required to be in the back yard. This property is located in an R2, Single Family and Two Family district. This item was deferred from the meeting of August 16, 2012. (Page 3)

NEW BUSINESS

5. Docket 10-38-12 1571 Roycroft Avenue

Jan Dregalla, property owner and applicant, requests approval for a variance, pursuant to Section 1147.02(c) – Regulations. The applicant requests to park a personal travel trailer at the front of the house which is required to be in the back yard. This property is located in an R2, Single Family and Two Family district. (Page 4)

Docket 06-33-12 and Docket 10-38-12 were called together as it was the same property.

Jan Dregalla, applicant, was present to explain the request. She proposed to place an addition to the front of her house, not attached. The home was set back further from the street than those in the surrounding neighborhood. The rear yard was too small to place the addition at the rear of the home. The purpose of the house on wheels/travel trailer was to have an addition without a foundation; a deep foundation would disturb the roots of four oak trees. She said the unit was sold as a free standing addition residence. It was relatively new to the market. She said her neighbors liked it, and it fit with the style of her home.

Mr. Nagy asked about utilities. Ms. Dregalla said there would be no hookups; perhaps solar panels would be used.

Mr. Fillar said a room addition would have footer or block foundation in the ground with the unit fastened to the earth. The proposed had wheels hidden behind a structure such as lattice or horizontal or vertical wall. With that it fell under the heading of recreational vehicle. It was mobile, a vehicle, and the Division of Housing and Building was opposed to the parking of such structure in the front yard anywhere in the city of Lakewood.

Mr. Nagy had read Ms. Dregalla's proposal and noted her argument regarding tree roots. He saw no trees in any of the submitted photographs. She replied there were five large oak trees in the backyard, and one dead, since removed, in the front which prevented the installation of a deep foundation. He asked about placing it on a slab; she said a slab could be used but felt her proposal made more sense regardless of codes. Mr. Nagy noted her plans were for that of a trailer and asked if she wanted to defer and return with plans for it to be on a slab/fixed foundation. She said she did not.

Mr. Nagy opened the hearing to public comment. There were none. He assured her the board had received and read her neighbors' letters of support. Ms. Bender expressed her concern about setting precedence for the parking of a vehicle in the front yard. Mr. Fillar stressed the problem was not one of a setback but the parking of a vehicle in the front yard.

A motion was made by Mr. Nagy, seconded by Ms. Bender, to **DENY** the variance request. All of the members voting yea and no one voting nay, the motion passed.

Because there were two docket numbers pertaining to the same property, Mr. Nagy asked for the following correction:

A motion was made by Mr. Nagy, seconded by Ms. Bender, to **DENY** the variance request for **Docket 06-33-12 and Docket 10-38-12**. All of the members voting yea and no one voting nay, the motion passed.

6. **Docket 10-39-12** **1224 Edwards Avenue**

April Stoltz, applicant and property owner, requests approval for a variance, pursuant to Section 1123.05(b) – Height Regulations. The applicant requests a five foot, six inch (5', 6") variance to build a garage twenty feet, 6 inches (20', 6") in height; the maximum allowable height is fifteen feet (15'). This property is located in an R2, Single Family and Two Family district. (Page 23)

April Stoltz, applicant, was present to explain the request. She wanted a second floor to the proposed garage for storage purposes only. The design would resemble a coach house. Letters of support from her neighbors were delivered to the board.

Greg Ristagno, her contractor, was present and asked if the board wanted to see photographs of garages similar in height in the city. The board declined.

Mr. Fillar said the Division of Housing and Building had no objections.

There were no other comments from the public.

Ms. Leigh read a letter of opposition from Julie Labinski, 1221 Bonnieview Avenue into record.

Ms. Stoltz spoke with Ms. Labinski, and nothing of opposition was mentioned during the conversation. Ms. Stoltz submitted three letters of support: Laurie Schnickendantz 1228 Edwards Avenue, name illegible (Farrell as per Fiscal Officer's site); 1225 Bonnieview Avenue, and Terence H. Sandoval; 1220 Edwards Avenue.

Mr. Fillar restated the Division of Housing and Building had no objections. Ms. Matousek commented garage height issues came before the Board of Zoning Appeals repeatedly. Ms. Stoltz was hoping to use the additional height for drying of herbs and food storage; there would be electricity but no plumbing.

A motion was made by Mr. Nagy, seconded by Ms. Matousek, to **GRANT** the variance with the **stipulation the second floor is used for incidental storage only**. All of the members voting yea and no one voting nay, the motion passed.

7. **Docket 10-40-12** **1658 Roosevelt Avenue**

Hala A. Shafik, applicant and property owner, requests approval for a variance, pursuant Ordinance 91-95, Section 1153.02(a) – Regulations. The applicant wants to erect a six foot (6') high privacy fence in the front yard. This property is located in an R1H, Single Family High Density district. (Page 30)

Aref Shafik, brother and representative for the applicant, was present to explain the request. The proposed fence would provide privacy from the adjacent multi-unit building and keep the trash and debris from her property; visitors of the building parked in her driveway. She was prohibited from using her front porch due to the disruption from the tenants and their visitors.

Mr. Fillar did not object to the proposal but requested the fence be setback one foot to eighteen inches from the sidewalk.

Ms. Bender drove past the subject property and noted there was a large amount of trash and debris behind the multi-unit building. She had no objections to the proposal subject to the Mr. Fillar's request(s).

Mr. Nagy said front yard fences were a contentious issue with the board. He asked if the issues had been presented to the property manager. Mr. Shafik said they had and were not successful; the average length of time a tenant stayed was about three to four months. He cited an instance where the UPS would not deliver unless someone was present to accept the package. Mr. Shafik said it was a safety issue as his sister and niece lived there alone. Mr. Shafik said a solid fence was warranted because it would prevent dogs and neighbors from cutting through the property. He said it was so bad that the house was not rentable due to the problems from the next building's tenants.

Ms. Matousek commented the situation was unique because of the number of tenants living in a residentially zoned property. Mr. O'Leary asked if this were granted, would it set precedence.

Jeff Neumann, 1591 Grace Avenue, asked if the applicant could step down the height of the fence in the front yard from six feet to four feet and buffer with plantings.

Mr. Shafik said he considered it. Ms. Mladek clarified 1153.02 (no fence in front yard unless abutting a commercial use). Mr. Nagy said he would go along with a step down to four feet.

A motion was made by Ms. Matousek, seconded by Ms. Bender, to **GRANT the variance with the stipulation of a setback of one foot from the public right of way.** Ms. Matousek, Ms. Bender and Mr. O'Leary voting yea and Mr. Nagy voting nay, the motion passed.

8. Docket 10-41-12

1497 Arthur Avenue

Megan Fox, applicant and property owner, requests approval for a variance, pursuant to Section 1123.05(b) – Height Regulations. The applicant requests a six foot, five and one half (6', 5.5") variance to build a garage twenty-one feet, five and one half inches (21', 5.5") in height; the maximum allowable height is fifteen feet (15'). This property is located in an R2, Single Family and Two Family district. (Page 37)

Jim Fox, property owner, and Cindy Stockman were present to explain the request. Mr. Fox said they had four vehicles, and they wanted to have a second floor in the garage for storage to allow parking of vehicles in it. Ms. Stockman tried to emulate the style of the garage to the house.

There were no comments from the public. Mr. Fillar said the Division of Housing and Building had no objections.

Ms. Bender sought clarification that the extra height would be used for incidental storage only. Mr. Fox stated yes.

A motion was made by Ms. Bender, seconded by Mr. O'Leary, to **GRANT** the variance as requested. All of the members voting yea and no one voting nay, the motion passed.

9. **Docket 10-42-12** **13475 Cliff Drive**

Mark Reinhold, Architect, applicant, requests approval for a variance, pursuant to Section 1121.06 – Lot Area and Frontage Regulations. The applicant needs a thirty-five foot (35') variance to the sixty foot (60') required frontage in order to build a house with a twenty-five (25') frontage. This property is located in an R1M, Single Family and Medium Density district. (Page 46)

Mark Reinhold, applicant, and Stacey Semaan, property owner, were present to explain the request.

Mr. Fillar amended the request due to inaccurate measurements taken for the last meeting. The right of way was 50.12 feet which then reduced the request for a variance to 9.88 feet. Mr. Nagy said the board accepted the change as a formal revision of the application. The applicant and owner concurred with the revision.

Mr. Nagy said the revised design had no rear yard, side yard, or front yard issues requiring variances. The landlocked lot needed the variance. He cited there were 123 R1M homes in Lakewood that did not comply with the 60 foot requirement, and there were 109 that were 50 feet or less.

MR. REINHOLD, ARCHITECT

Mr. Nagy clarified the south and north sides would be the side yards, the east side would be the front, and the rear would face Homewood Drive.

Jim Rambasek, 13455 Cliff Drive, asked for clarification regarding the requested variance. Using the PowerPoint, Mr. Reinhold described the area. Mr. Rambasek asked about the erosion problem. Mr. Fillar said that issue was not before the evening's meeting; just the variance for lot frontage. Upon further discussion, Mr. Rambasek understood.

Sara J. Chehey, 1070 Wilbert Drive, asked for clarification about the mathematics used to determine the variance. Mr. Reinhold said it was about seven feet to the north, and 18 feet to the south. A fire hydrant was to the south on the northwest corner. She asked about the current fence that was north of the road. Mr. Fillar said that was not on the property being discussed.

There were no further public comments. Ms. Leigh read into record a letter of support from Gerald Sadlowski, 13842 Lake Avenue. There were no questions or comments from the board.

A motion was made by Ms. Matousek, seconded by Ms. Bender, to **GRANT** the variance as requested. All of the members voting yea, the motion passed.

APPEAL FROM BUILDING PERMIT P12-003814

10. **Docket 10-43-12** **16510 Kenneth Lane**

On behalf of Edward and Mary Sue Denk, Benjamin J. Ockner, of Berns, Ockner & Greenberg, LLC, appeals the issuance of building permit P12-003814, issued August 22, 2012, and objects to the installation of a fence at the subject property as permitted. This property is located in an R1H, Single Family High Density district. (Page 52)

11. **Docket 04-44-12 10-44-12 16510 Kenneth Lane**

On behalf of Barbara Parker, Edward R. Reichel, Attorney at Law, appeals the issuance of building permit P12-003814, issued August 22, 2012, and objects to the installation of a fence at the subject property as permitted. This property is located in an R1H, Single Family High Density district. (Page 64)

Benjamin J. Ockner was present on behalf of Edward and Mary Sue Denk and Barbara Parker. He presented a handout to the board members. A fence had been erected along the Denk's east property line and another along the north side of Ms. Parker's property. A third fence was yet to be constructed; it would run along the north side of Kenneth Lane and extend into the front of the Denk's home. Perhaps the delay was due to the question about the depth of existing gas lines. He was asking the board to review the permit issued by the Division of Housing and Building; it was flawed in two respects. The application did not specifically denote location of the fences. He said an eighteen inch setback was required for the wooden accessory structure. A letter had been sent from the Denk's attorney about the fence in September stating multiple stipulations. He presented a rendering to the board which displayed the location; a photograph of the fence from the Denk's property looking south along the property line displayed a six inch line of grass along the property line. The building line for the Fannin's property could not be more than fifty feet from the turnaround north end of Kenneth Drive. The east, south and southeast side of the Fannin's house and the adjacent homes were on Kenneth Lane. He continued by clarifying definitions of the building code and determined the Fannin's building line was determined by Kenneth Lane which would then require a variance. Mr. Ockner wanted it on record that Ms. Parker had a pending lawsuit against the Fannins, and his appearance before the evening's BZA meeting was without prejudice.

Mr. Nagy asked where the fence should be, in Mr. Ockner's opinion. Mr. Ockner referred to the color aerial photograph and quoted zoning codes.

Mr. Butler provided two copies of a larger building line map. The placement/location of a fence in residential zones of Lakewood was governed by the building line map that established front yard setbacks from the public right of way. The building line map was created by City Council ordinance in 2010. He defined the various lines on the map and the thick black line on Kenneth Drive affected by the fifty foot rule. Kenneth Lane was an off shoot of Kenneth Drive and was not subject to the fifty foot setback of Kenneth Drive. Mr. Butler noted other privately owned streets in Lakewood that were not governed by a building line or setback. The city maintained privately owned street for safety issues. City Council had not established building lines on privately owned streets. The building line fence determined where something could be built. To answer the question of Mr. Fillar properly issuing a building permit, Mr. Butler referred to the permit (page 66). A final inspection of the property was to be done. Mr. Butler then referred to the plan (pages 67 and 68). The fifty foot setback from Kenneth Drive was shown along with the proposed fence not encroaching on it. Mr. Butler said an accessory structure was something someone stood on or in; a deck or storage shed, not a fence that was allowed to be up to a property line. He said the permit was issued properly in accordance of the code by Mr. Fillar, and that Mr. Fillar would close

the permit pending no violations upon the findings at the final inspection. Mr. Fillar confirmed Mr. Butler's comments that the Division of Housing and Building did not order surveys/property pins as that was a civil matter, and Mr. Fillar relied upon the building line map for setbacks.

Mr. Ockner took said the zoning code set precedence, and he believed the building line did apply to Kenneth Lane. He began to define various codes and what constituted a front yard and private/public right of ways. He maintained a fence was an accessory structure. He said the fences infringed on the rights of others.

Mr. Butler countered by reading the definition of a building line and reiterated he building line map controlled any setback as incorporated by the ordinance. Mr. Ockner and Mr. Butler proceeded to offer differing opinions.

Steve Ott, attorney for the Fannins echoed Mr. Butler, referred to the zoning codes regarding fences and all its particulars and more clearly defined what constituted accessory structures. The permit had been issued properly.

Mr. Ockner reiterated his interpretations of the codes. Mr. Butler stated the board was charged with settling any ambiguity. Mr. Ockner again said the fence could not extend any further than the house.

Ms. Matousek did not see any ruling about an eighteen inch setback. She decided to withhold her comments. Mr. O'Leary asked for Mr. Butler to clarify code 1121.07. Mr. Butler replied a front yard depth did not control the construction of a fence setback; the only controlling factor was a building line map. Mr. Fillar stated the Division of Housing and Building only used a building line map. Mr. Ockner again defined a front yard in conjunction with a building line map. Mr. Nagy asked by what authority established setbacks. Mr. Butler that City Council had the authority and made a change with adoption Ordinance 51-10. City Council had not placed a building line on Kenneth Lane. Mr. Ockner again said there was a front yard, and therefore there had to be a building line. Ms. Matousek asked Mr. Butler if this was accurate. Mr. Butler replied it was not. For the purpose of the evening's meeting, the definition of a front yard and the building line map were not synonymous. Mr. Ockner again read the definition of a front yard. Ms. Bender acknowledged the building line was established by the building line map. Mr. Ockner disagreed with Mr. Butler. She asked if the area in front of the Fannin's home was a front yard. Mr. Butler said the front yard had nothing to do with it; it had to do with fences in relationship to the building line map.

Mr. Nagy thanked Mr. Butler and Mr. Ockner. Mr. Nagy asked the board if the general consensus of the board was to take time to reflect on the information received at the meeting and reconvene with a special meeting within thirty days. The board concurred and would meet within the specified time frame.

RULES AND REGULATIONS

12. Article 11, Section A – Regular Meetings currently reads: "The regular meeting of the Board shall be held monthly on the third Tuesday of each month at the City of Lakewood, Auditorium at 6:30 p.m. unless otherwise indicated.

The pre-meeting meeting of the Board shall be held monthly on the third Tuesday of each month at the City of Lakewood, Law Department Conference Room at 6:00 p.m. unless otherwise indicated."

Proposed: "The regular meeting of the Board shall be held monthly on the third Thursday of each month at the City of Lakewood, Auditorium at 6:30 p.m. unless otherwise indicated.

The pre-review meeting of the Board shall be held monthly on the third Thursday of each month at the City of Lakewood, Law Department Conference Room at 6:00 p.m. unless otherwise indicated."

A motion was made by Mr. Nagy, seconded by Ms. Bender, to **ACCEPT** the amended Rules and Regulations as submitted. All of the members voting yea, the motion passed.

13. **Adjourn.**

A motion was made by Mr. Nagy, seconded by Ms. Ms. Bender, to **ADJOURN** the meeting at 8:40 P.M. All of the members voting yea, the motion passed.

Signature James E. Nagy Date 11/15/12



Oath

I, the undersigned, hereby agree 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. TAN DREGALA

Tan Dregala

2. April Stoltz

April Stoltz

3. Greg Ristagno

Greg Ristagno

4. AREF-SHARK/HALASHARK

Aref Shark

5. ~~XXXXXXXXXX~~

6. Jim Fox

Jim Fox

7. CINDY STOCKMAN

Cindy Stockman

8. Steacy Senoo

Steacy Senoo

9. MARK REINHOLD

Mark Reinhold

10. ~~XXXXXXXXXX~~

11. JANA S. Chelf

Jana S. Chelf

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

FOR CITY USE ONLY

Lakewood Administrative Procedure: ABR/BBS/Sign Citizens Advisory Civil Service Dangerous Dog Income Tax Appeals Loan Approval Nuisance Abatement Appeals Planning Zoning Appeals Other:

Date of Proceeding: Thursday, October 18, 2012



Oath

I, the undersigned, hereby agree 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.	<u>BENJAMIN OCKNER</u>	_____
2.	<u>Steve Mack</u>	_____
3.	_____	_____
4.	_____	_____
5.	_____	_____
6.	_____	_____
7.	_____	_____
8.	_____	_____
9.	_____	_____
10.	_____	_____
11.	_____	_____

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

FOR CITY USE ONLY

Lakewood Administrative Procedure: ABR/BBS/Sign Citizens Advisory Civil Service Dangerous Dog
 Income Tax Appeals Loan Approval Nuisance Abatement Appeals Planning Zoning Appeals Other:

Date of Proceeding: Thursday, October 18, 2012

Schwarz, Johanna

From: jlabinski <jlabinski@att.net>
Sent: Monday, October 15, 2012 7:45 PM
To: Planning Dept
Subject: Re: Docket 10-39-12

Re: Docket 10-39-12
1224 Edwards Avenue

Dear Persons,

Thank you for the opportunity to express my opinion regarding the request for a height variance on a proposed garage structure located at 1224 Edwards Avenue.

I strongly oppose the idea of allowing for a 37% (5 feet 6 inches) height variance as I feel this would detract from the aesthetics and essential character of our neighborhood by giving the appearance of a second main structure on the premises.

Allowing this major height variance would not be within the spirit of Section 1123.05(b) of the Lakewood zoning code and quite possibly be repulsive to our modest streetscape.

Respectfully,

Julie Labinski
1221 Bonnieview

Dear Zoning Board,

I am the resident at 1220 Edwards, and neighbor to April Stolz. I have no issues with April's variance regarding her new garage. I can't wait to see the new garage.

Sincerely

Terence H. Sandoval

1220 Edwards (216) 385-5466

Terence Sandoval

Dear Zoning Board,

I live at 1225 Bonnieview Ave, I
approve the variance of letting April Stoltz
bulid the garage on her property ~~to be~~
~~to~~ above the 15 ft maximum height.

Sincerely,

John M. Gault Jr.

10/17/12

Dear Board of Zoning-

I don't have any objections to April's
Garage Variance. Docket 10-39-12
I live next door at 1228 Edwards.

Thank you.

Laurie Schickendantz

1228 Edwards

216-470-2150

Schwarz, Johanna

From: Fillar, Jeff
Sent: Tuesday, October 09, 2012 7:52 AM
To: Leigh, Mary; Schwarz, Johanna
Subject: FW: 1658 Roosevelt Ave

From: Hala Shafik [<mailto:halashafik@yahoo.com>]
Sent: Tuesday, October 09, 2012 5:22 AM
To: Fillar, Jeff
Cc: The Design Firm
Subject: 1658 Roosevelt Ave

Hi Mr. Fillar

My name is Hala Shafik and I reside at 1658 Roosevelt Ave., Lakewood, OH, 44107. I applied for a variance to build a fence which extends to the front of the house. Unfortunately, I am unable to attend the upcoming meeting because I am going to be out of the country. I do, however, give my brother Aref Shafik permission to attend the meeting if it is fine with you. Thank you very much.

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Sean & Amy McDermott
1490 Arthur Avenue
Lakewood, OH 44107



October 11, 2012

Mary Leigh
Board Secretary
City of Lakewood Board of Zoning Appeals
12650 Detroit Avenue
Lakewood, OH 44107

**RE: Fox Garage Height Variance Request
ZBA Docket Item 10-41-12
Support of Request**

Dear Ms. Leigh,

We, Sean and Amy McDermott write in support of the requested height variance necessary for the construction of a new garage for the Fox's. Our home is situated across from the Fox's and their garage and driveway sit in direct view from our living room. We look forward to the continued investment in our great street.

Sincerely,

A handwritten signature in blue ink, appearing to read "Sean McDermott".

Sean McDermott

October 18, 2012

Board of Zoning Appeals

Lakewood City Hall

12650 Detroit Road

Lakewood, Ohio 44107

Fax: 216.529.5907

Re: Docket No. 10-42-12 (request by the Semaan's for a 35 foot variance to build a new residence at 13475 Cliff).

To whom it may concern:

I live at 13842 Lake Avenue and my home is relatively close to the subject property at 13475 Cliff. I fully support the Semaan family in their request for this variance. I have personally talked with Mrs. Semaan and wish them the best. Please feel free to contact me directly if you have any questions.

Very truly yours,



Gerald Sadlowski

13842 Lake Avenue

Lakewood, Ohio 44107

Account: 301-0000-321.30-02

DOCKET No. 10-47-12
FEE PAID 10-3-12 MLN

PL11-600626
APPLICATION
BOARD OF ZONING APPEALS

Property Address 13475 CLIFF Property Owner Name SEMANAN
Owner Phone 440-554-3575 Owner Address 20420 DONEGAL LN
Zoning _____ Parcel Number _____
Description of Request/Hardship MIN FRONTAGE 25 < 60 REQ'D

APPLICATION FEE: \$25 Residential - \$50 Commercial.

Incomplete or Late Applications will not be Accepted.
(See calendar on page 2 for deadlines)

Submission Requirements:

1. A detailed written description of the request signed by the applicant/owner.
2. Letter of Authorization from property owner if different from the applicant.
3. A scaled site plan detailing elements of the proposal and showing adjacent properties and uses. (3 copies, 8.5 x 11)
4. Photos of the existing conditions.
5. Scaled elevations, sections and perspectives of proposed building improvements. (3 copies color, 8.5 x 11)
6. Authorization for Property Access signed by the Owner. (Pg. 2 of this application form)
7. Fee

Applicant Name (Print Clearly): MARK REINHOLD Company: ARCHITECT
Applicant Address: 1120 FOREST ROAD, #4107
Phone: 216-906-7097 Fax: _____ E-mail: markrein@aol.com
Signature: [Signature] Date: 10/3/12

DUPLICATE ONLY Application Reviewed and Accepted by: [Signature] Date: 10-3-12

File History: OWNER REQUESTING A 35' VARIANCE TO THE REQUIRED 60' LOT FRONTAGE AS APPLIED FOR PREVIOUSLY.

Bldg Dept. Remarks: OWNER NEEDS A 35' VARIANCE TO THE 60 FT REQUIRED FRONTAGE IN ORDER TO BUILD A HOUSE WITH A 25 FT FRONTAGE

City of Lakewood - Revised 11-17-11
ORD. 91-95 SECTION 1121-06 1 of 2 21M min frontage 60' 46

SINGLE FAMILY

MEDIUM DENSITY.

R1/M: MIN. LOT FRONTAGE (ft.) 60 req.

311 +/-

□ PROPOSED SITE
13475 CLIFF
* 9.88 FOOT VARIANCE (requested)

50.12

FEET

RIGHT OF WAY

SIDE LOT LINE

SIDE LOT LINE

□ CLIFF ROAD EXTEN. (PENDING) 25 feet.

1103.02 DEFINITIONS

(t) LOT FRONTAGE:

means the distance between the side lot lines measured at the right-of-way.

NEW VARIANCE IS FOR 9.88 FEET

Docket 10.42-12

13475 CLIFF Drive

EDWARD R. REICHEK

ATTORNEY AT LAW

SUITE 1225

75 PUBLIC SQUARE

CLEVELAND, OHIO 44113-2059

TELEPHONE
(216) 241-6930

TELECOPIER
(216) 241-4279

October 11, 2012



City of Lakewood, Ohio
Attn: Mary Leigh, Board Secretary
Planning & Development
12650 Detroit Avenue
Lakewood, Ohio 44107

**RE: Docket 10-44-12
16510 Kenneth Lane**

Dear Ms. Leigh:

Attorney Benjamin J. Ockner, is authorized to represent the applicant Barbara Parker at the hearing on October 18, 2012, at 6:30 P.M.

Very truly yours,

Edward R. Reichek

ERR/emm

cc: Ms. Barbara Parker
1047 Kenneth Lane
Lakewood, Ohio 44107

Schwarz, Johanna

From: David Sangree <DSangree@hladvisors.com>
Sent: Tuesday, October 16, 2012 8:43 AM
To: Planning Dept
Cc: Laura Sangree
Subject: FW: Public Notice for Kenneth Lane

Mary-We received two letters from the Planning and Development Department concerning the appeal for building permit PT12-003814. We live at 1052 Maple Cliff in Lakewood, Ohio and are unable to attend the meeting, but would like to express our opinion through this email.

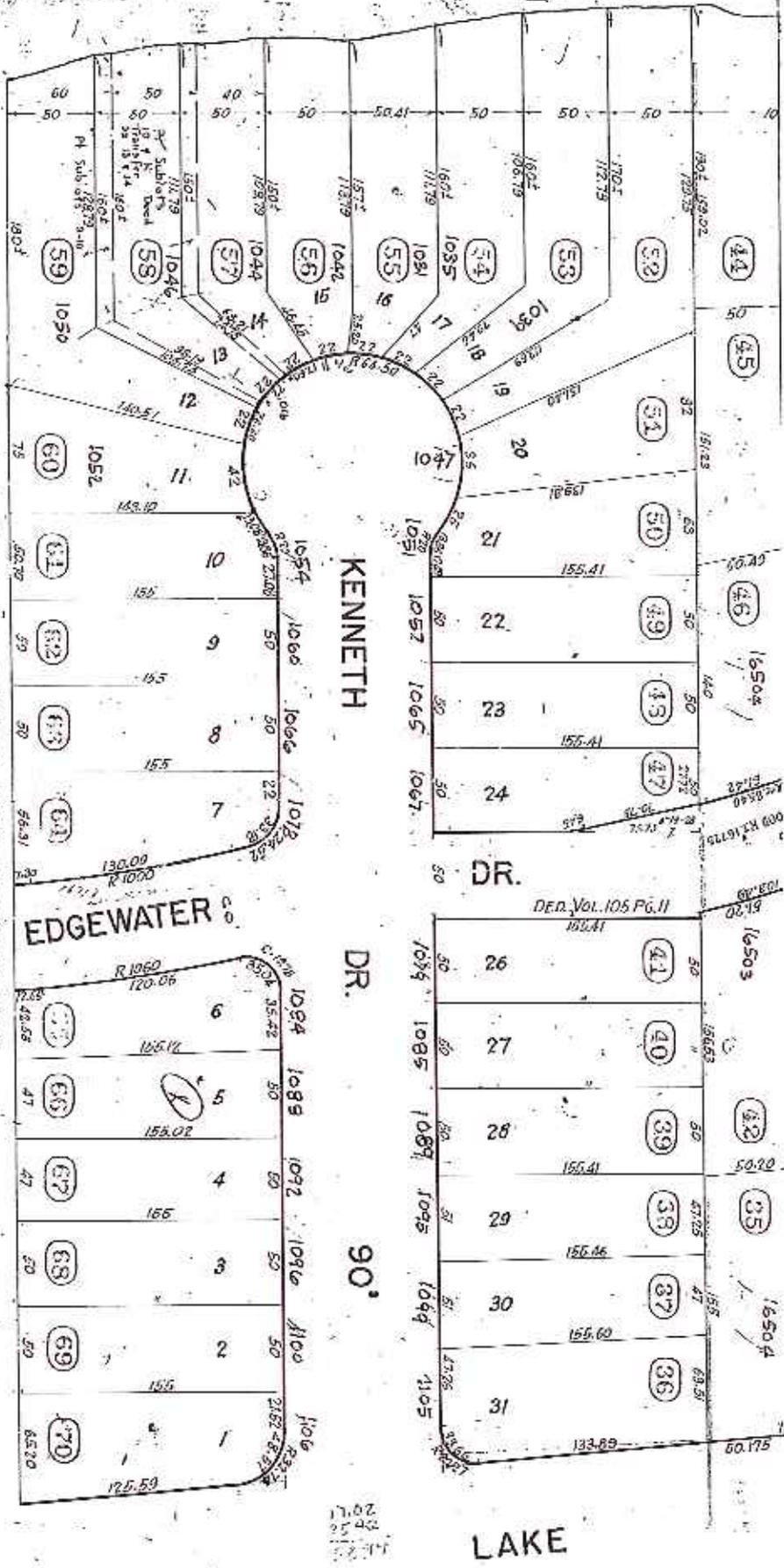
Our house backs onto Kenneth Lane and we have been distressed by the two new fences which were installed fronting Kenneth Lane. The fence on the south side of Kenneth Lane seems so tall and out of place in the neighborhood. The fence on the north side of Kenneth Lane between the two houses is very unusual because it has two different heights and also restricts the view of the lake not only for the adjacent property owner but for other residents. In our opinion, both fences are inappropriate for the neighborhood and we would agree with both homeowners who are appealing the building permit that they should both be removed.

Thank you.

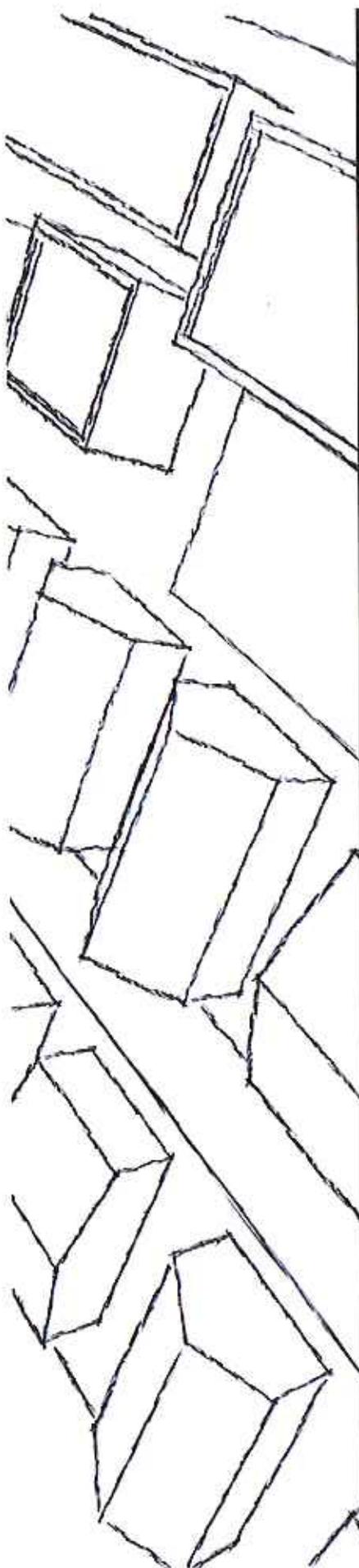
David J. Sangree
Laura M. Sangree
1052 Maple Cliff
Lakewood, Ohio 44107
216-227-8395

LAKE CLIFF EST. RE-SUBN. PROPOSED
 OF LAKE CLIFF EST. SUBD. V.79-P24 &
 N.R.-3
 WEST LAKE PARK SUBD. V28-P11

70 LOTS SHOWN AND TRANSFERRED
 ARE ACCORDING TO PROP. RESUBD.
 OF LAKE CLIFF EST. SUBD. V.79-P24 &
 N.R.-3
 WEST LAKE PARK SUBD. V28-P11



Dockets 10-43-12 and
 10-44-12
 16510 Kenneth Lane



Board of Zoning Appeals

October 2012





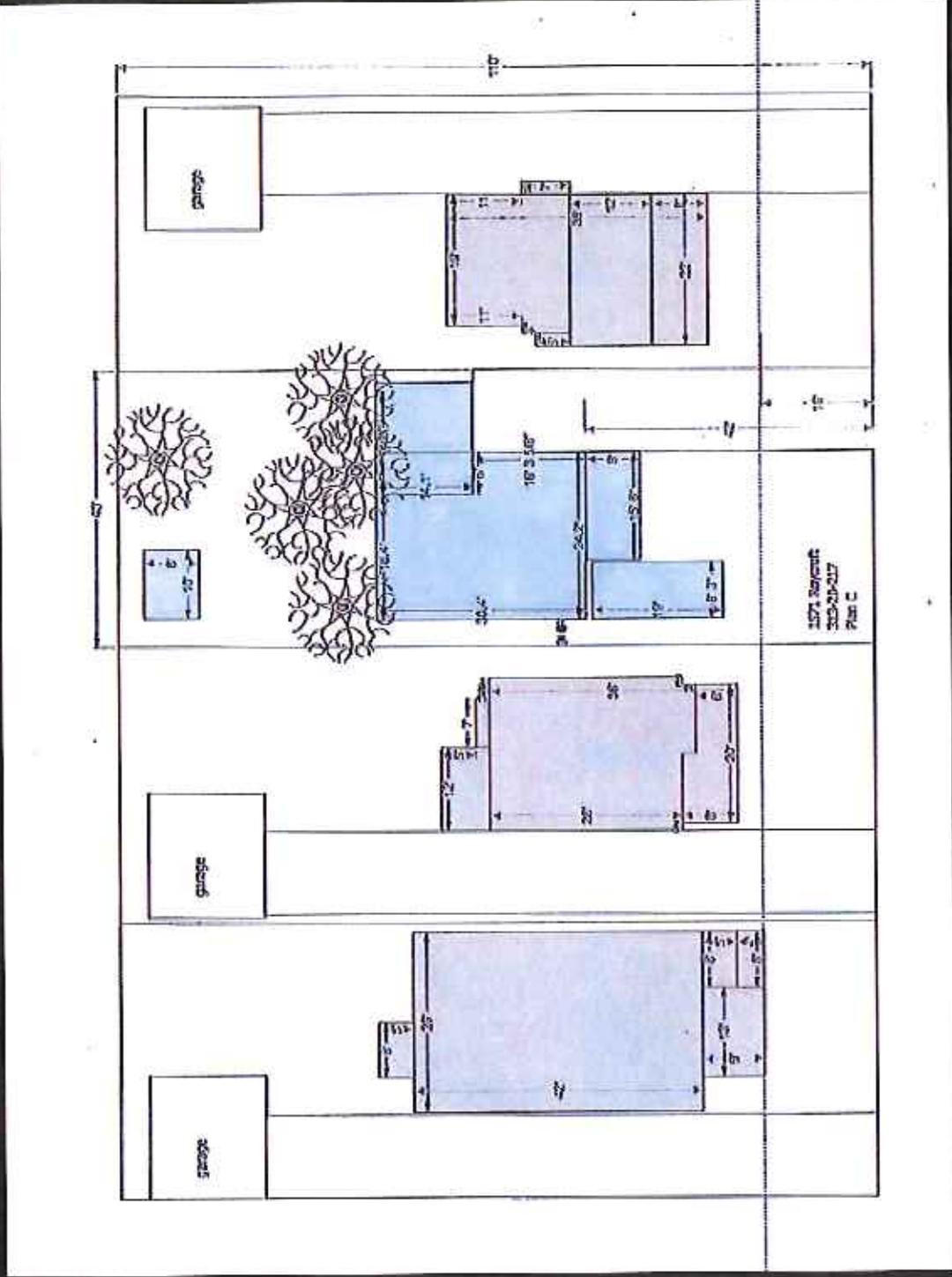
1571 Roycroft Avenue

BZA October 2012

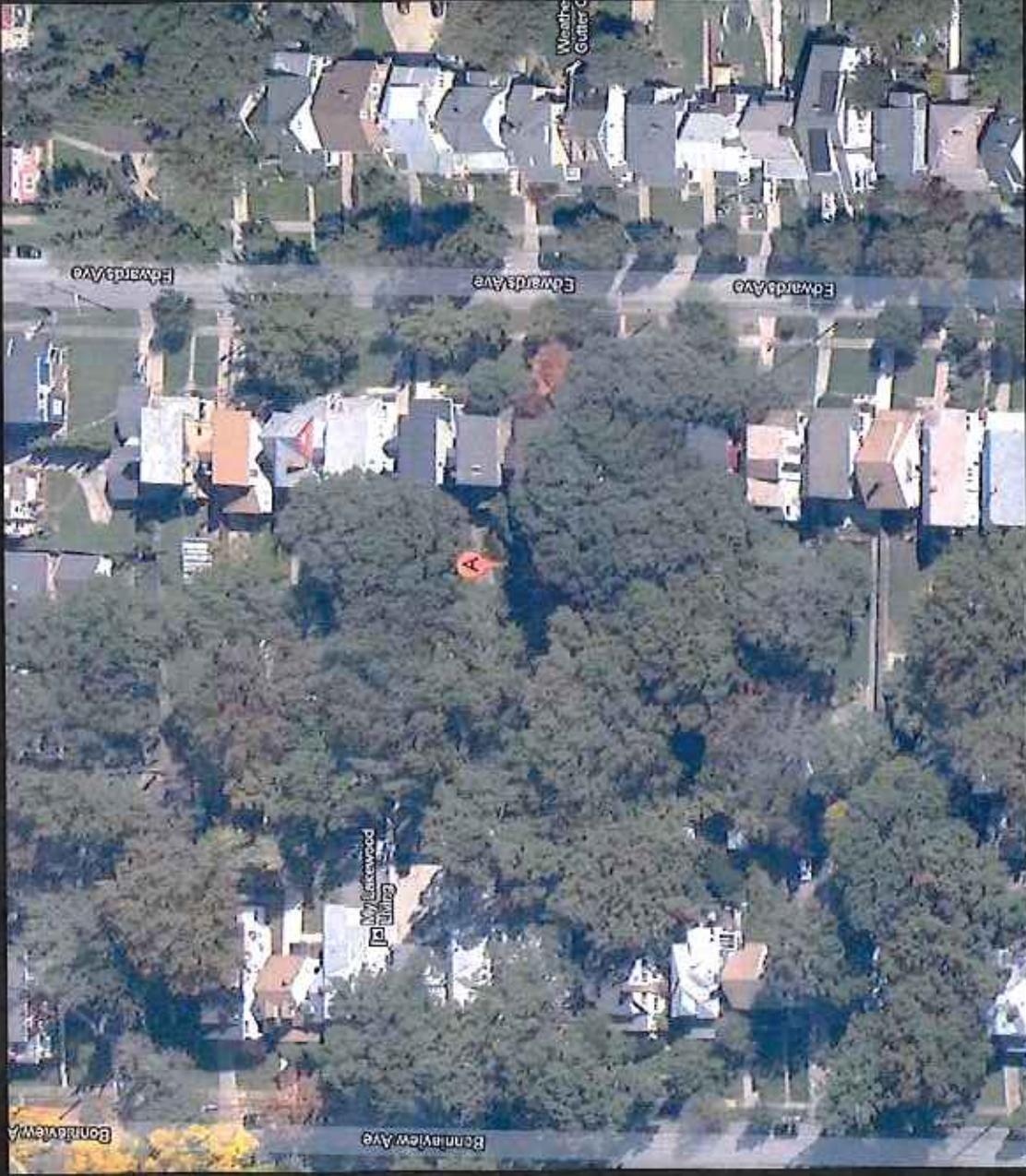


1571 Roycroft Avenue

BZA, October 2012



1571 Roycroft Avenue



1224 Edwards Avenue

BZA October 2012



1224 Edwards Avenue

BZA October 2012



1224 Edwards Avenue

BZA October 2012

STOLTZ GARAGE

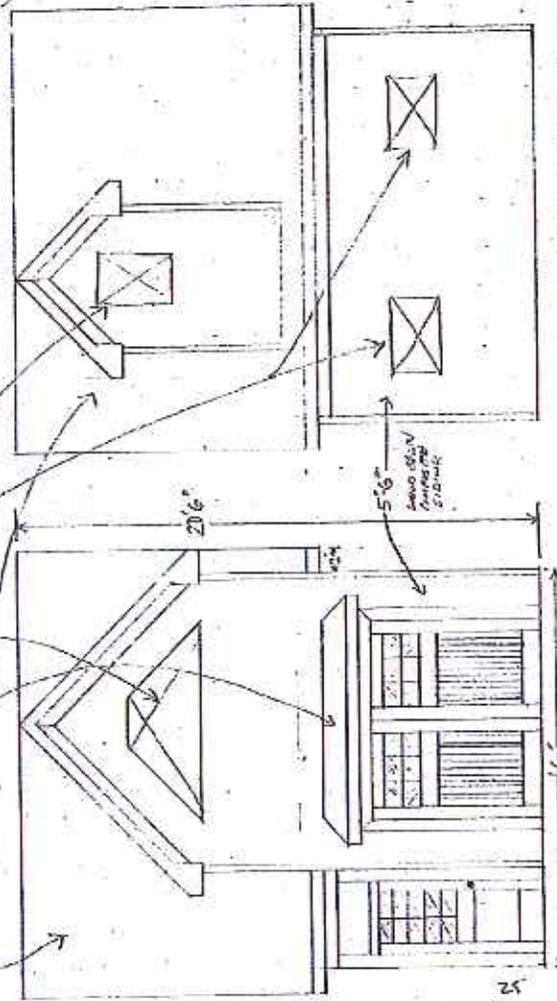
1/4" = 1 FOOT

EAST ELEVATION

WEST ELEVATION

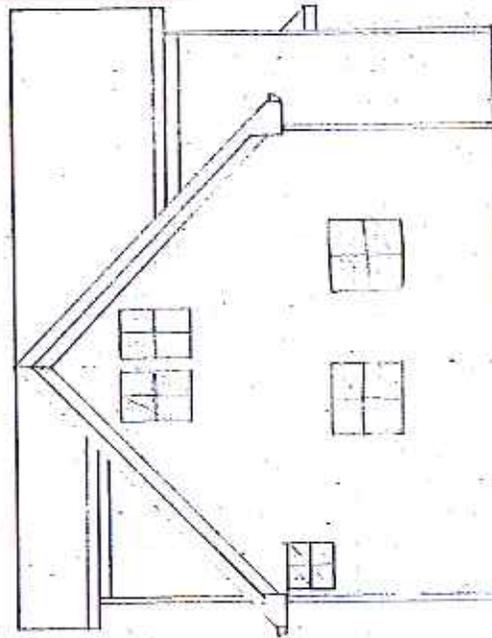
* WINDOW SIZE AND SHAPE TO BE DETERMINED

STATE LONG ASPHALT SHINGLES



STOLTZ GARAGE

SOUTH ELEVATION

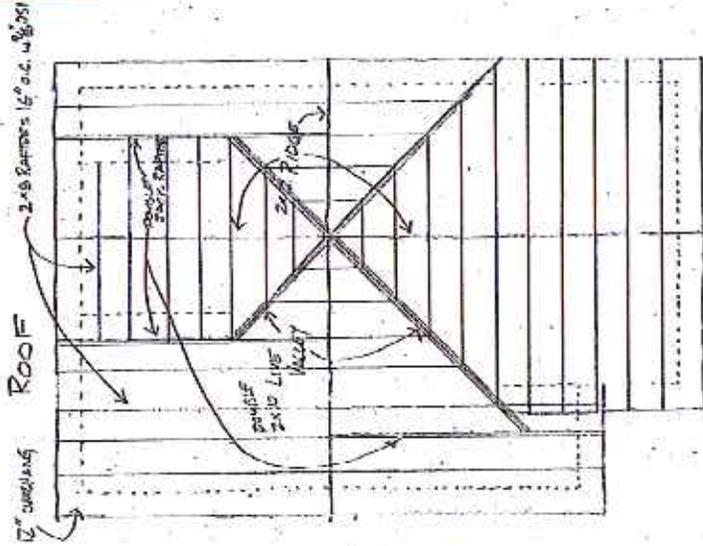
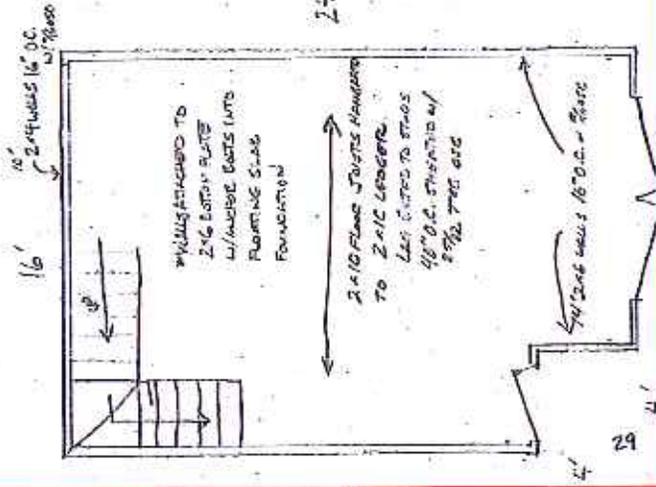


* WINDOW SIZE
SHAPE & LOCATION
NOT CRUCIAL

1224 Edwards Avenue

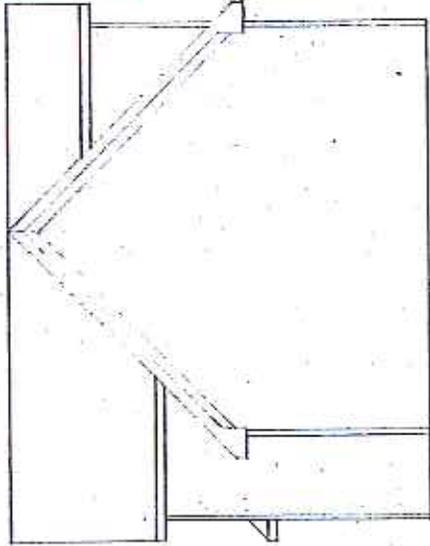
STOLTZ GARAGE

FIRST FLOOR



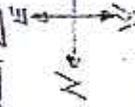
STOLTZ GARAGE

NORTH ELEVATION

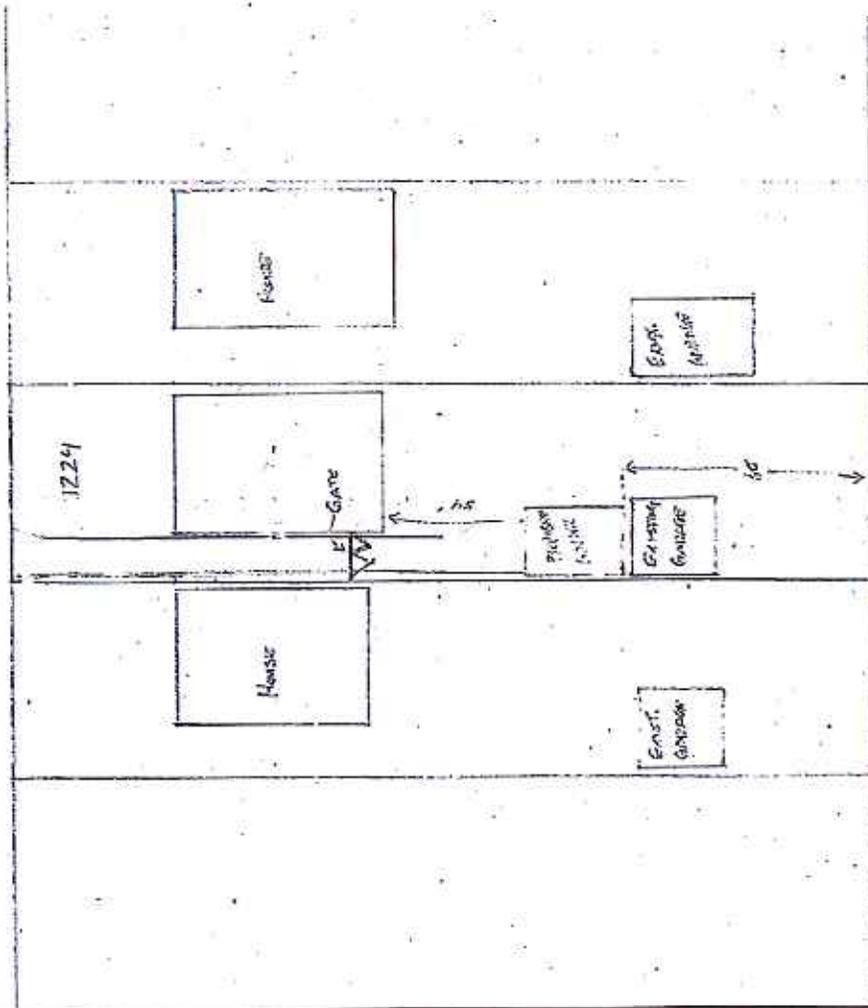


1224 Edwards Avenue

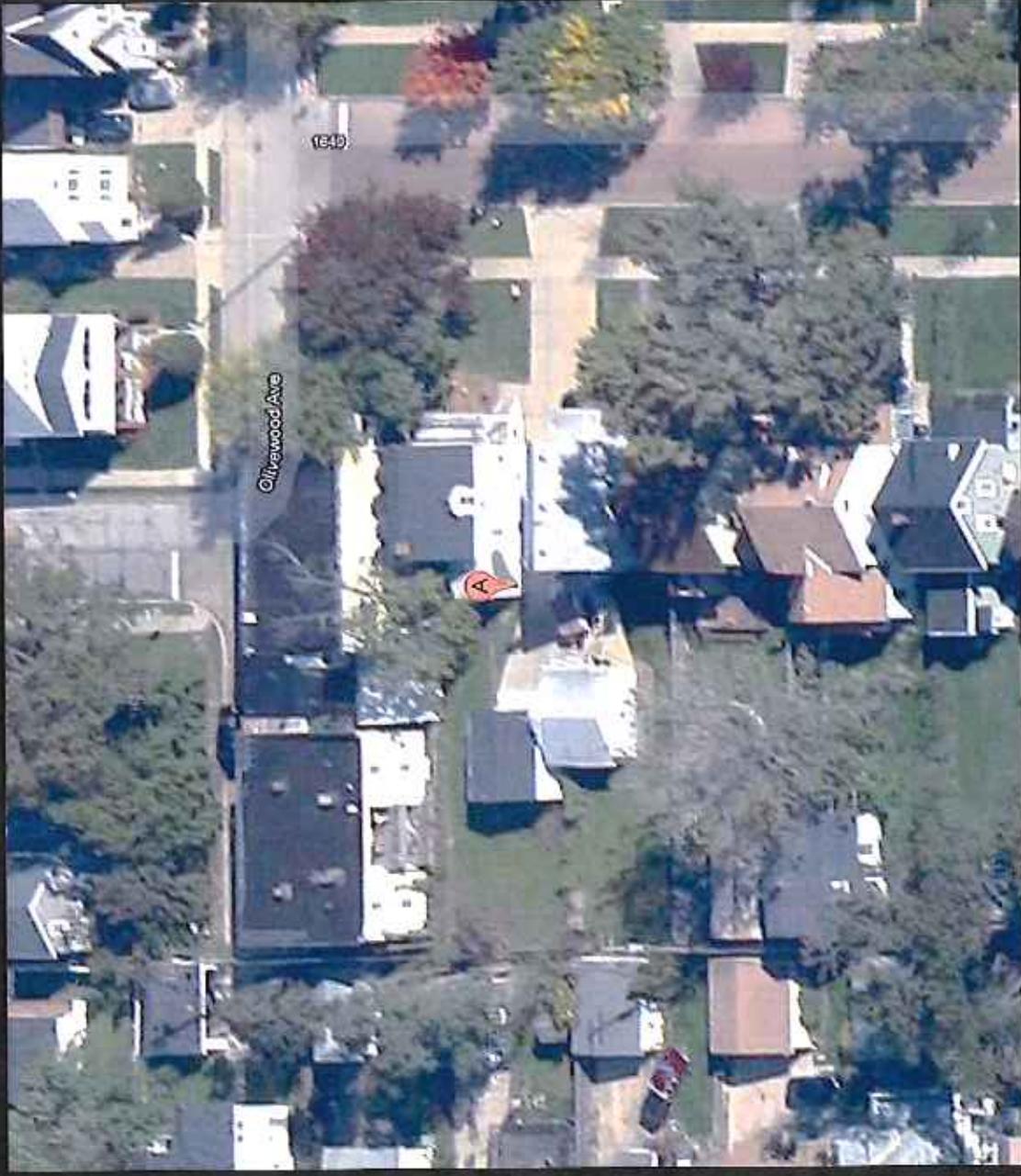
STOLTZ GARAGE LOT LAYOUT 1/4" = 2'



LEWIS & CLARK



1224 Edwards Avenue



1658 Roosevelt Avenue

BZA October 2012



1658 Roosevelt Avenue

BZA, October 2012

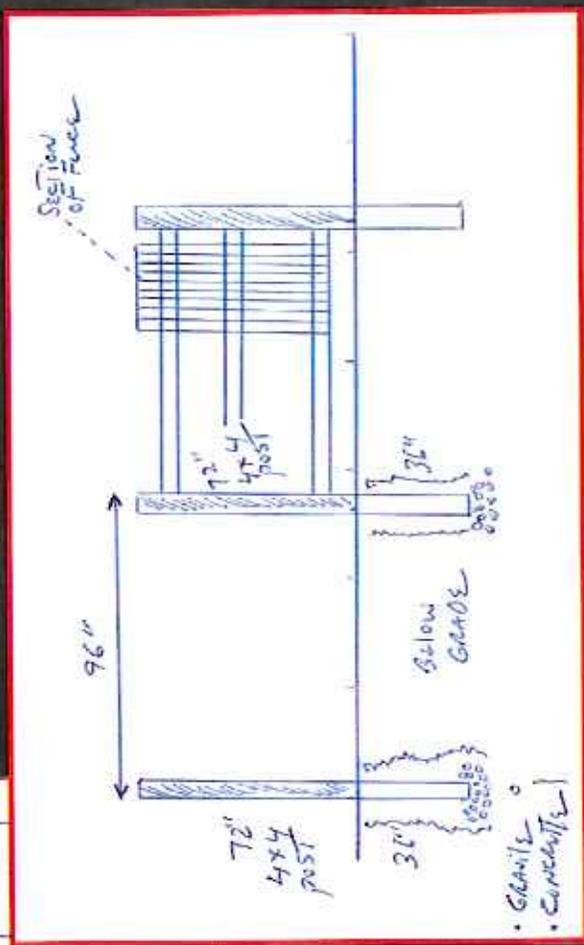
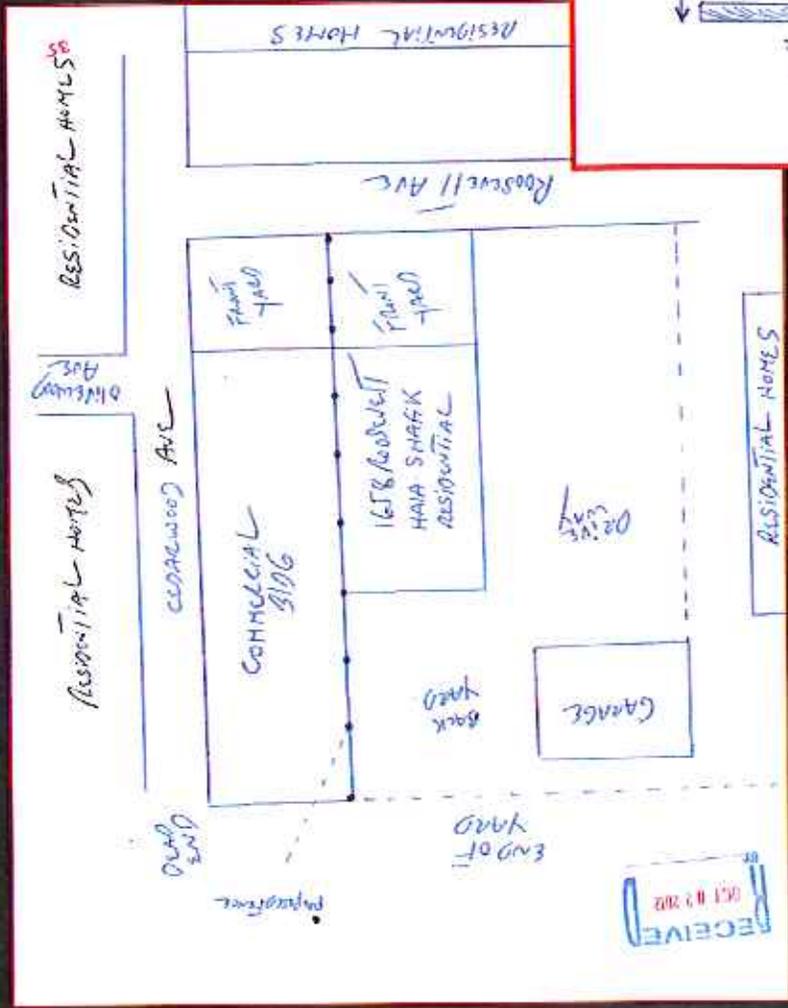


BZA October 2012

1658 Roosevelt Avenue

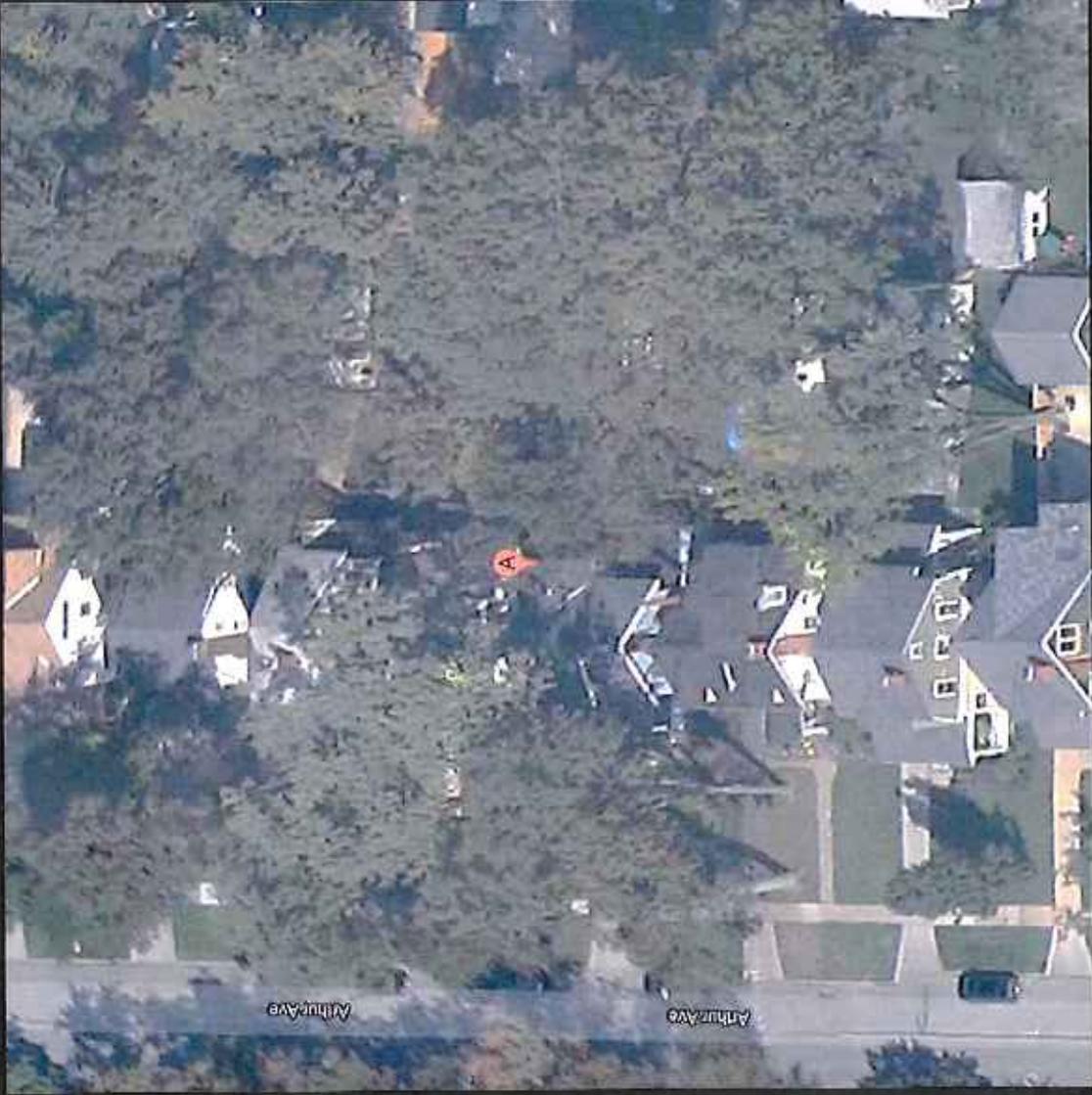


1658 Roosevelt Avenue



1658 Roosevelt Avenue

RECEIVED
OCT 11 2012



1497 Arthur Avenue

BZA, October 2012



1497 Arthur Avenue

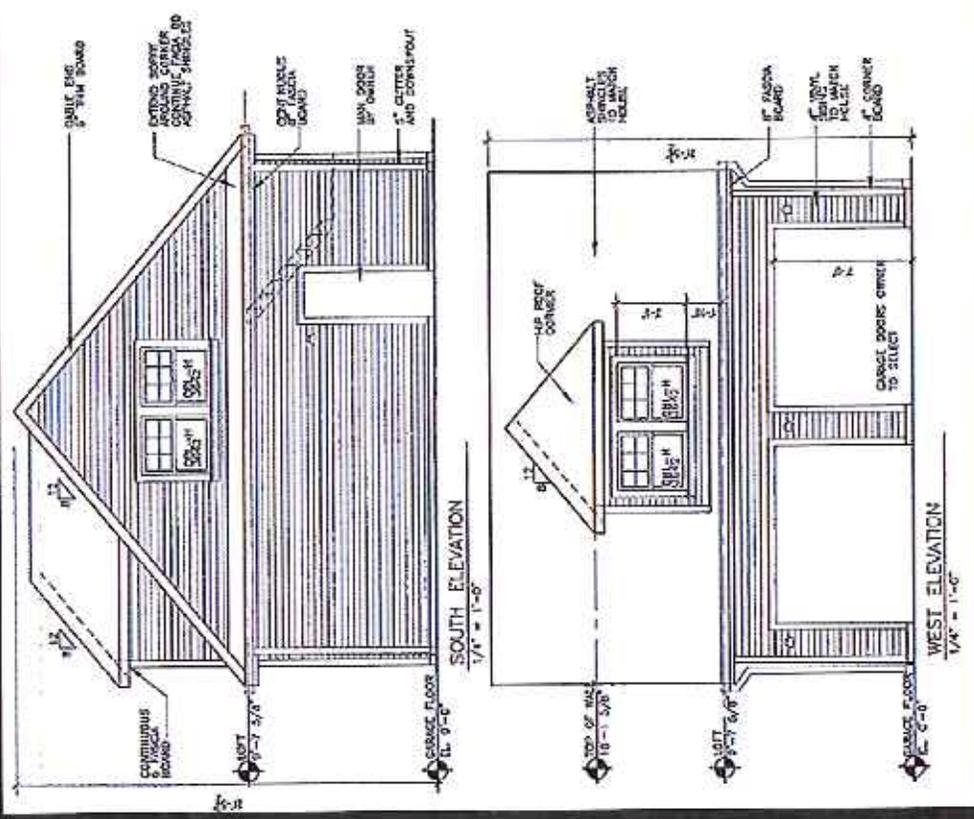
EZA October 2012



1497 Arthur Avenue

BZA October 2012

1497 Arthur Avenue



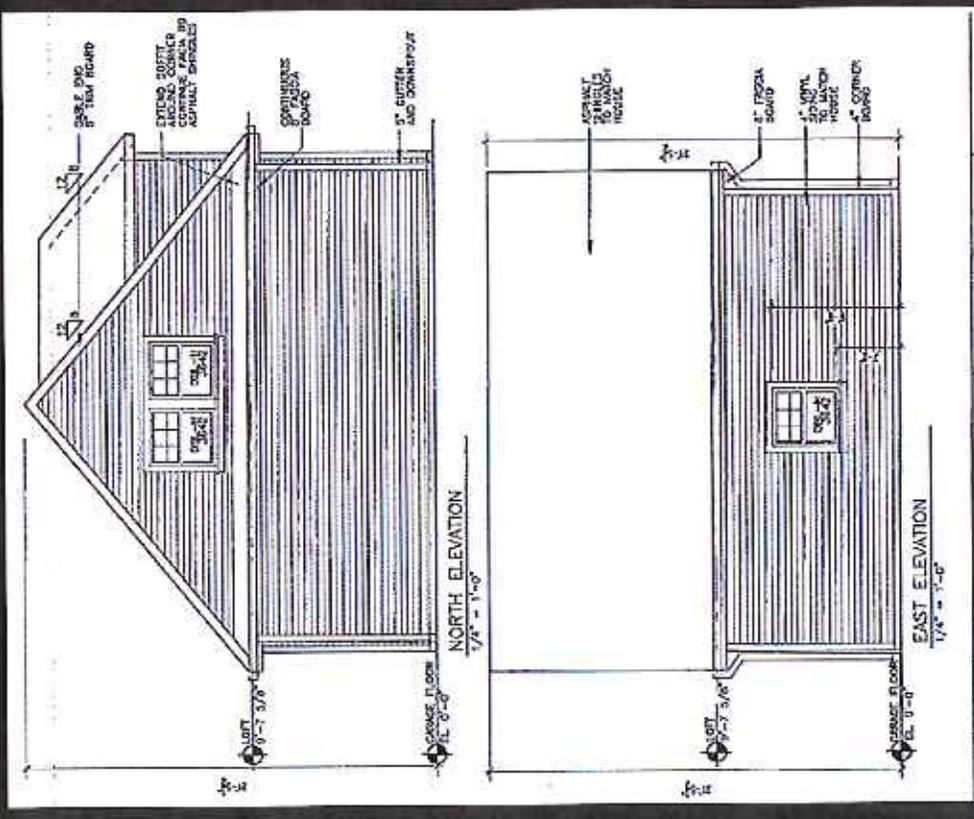
STOCKMAN ARCHITECTURE
 1653 MAPLECLIFFE
 LAKEWOOD, OHIO 44107
 P 227-1316

GARAGE

Jim and Megan Fox
 1497 ARTHUR AVE.
 Lakewood, Ohio 44107

Exterior Elevations
 September, 2012

A-4



STOCKMAN ARCHITECTURE
 1653 MAPLECLIFFE
 LAKEWOOD, OHIO 44107
 P 227-1316

GARAGE

Jim and Megan Fox
 1497 ARTHUR AVE.
 Lakewood, Ohio 44107

Exterior Elevations
 September, 2012

A-5

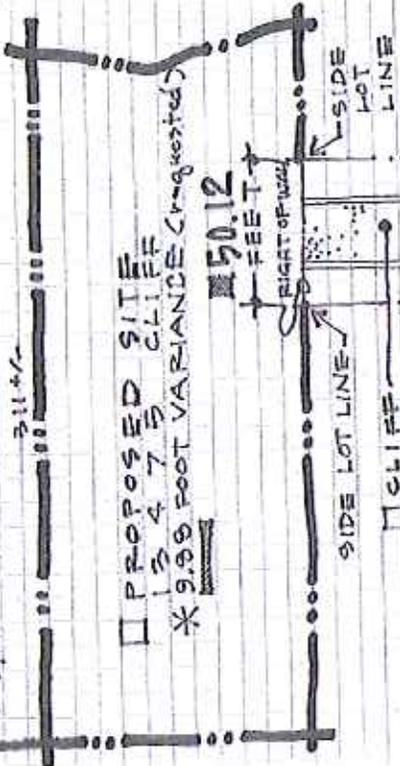


BZA, October 2012

13475 Cliff Drive

SINGLE FAMILY MEDIAN PENULT.

R1/M: MIN. LOT FRONTAGE (40) 60' 18"



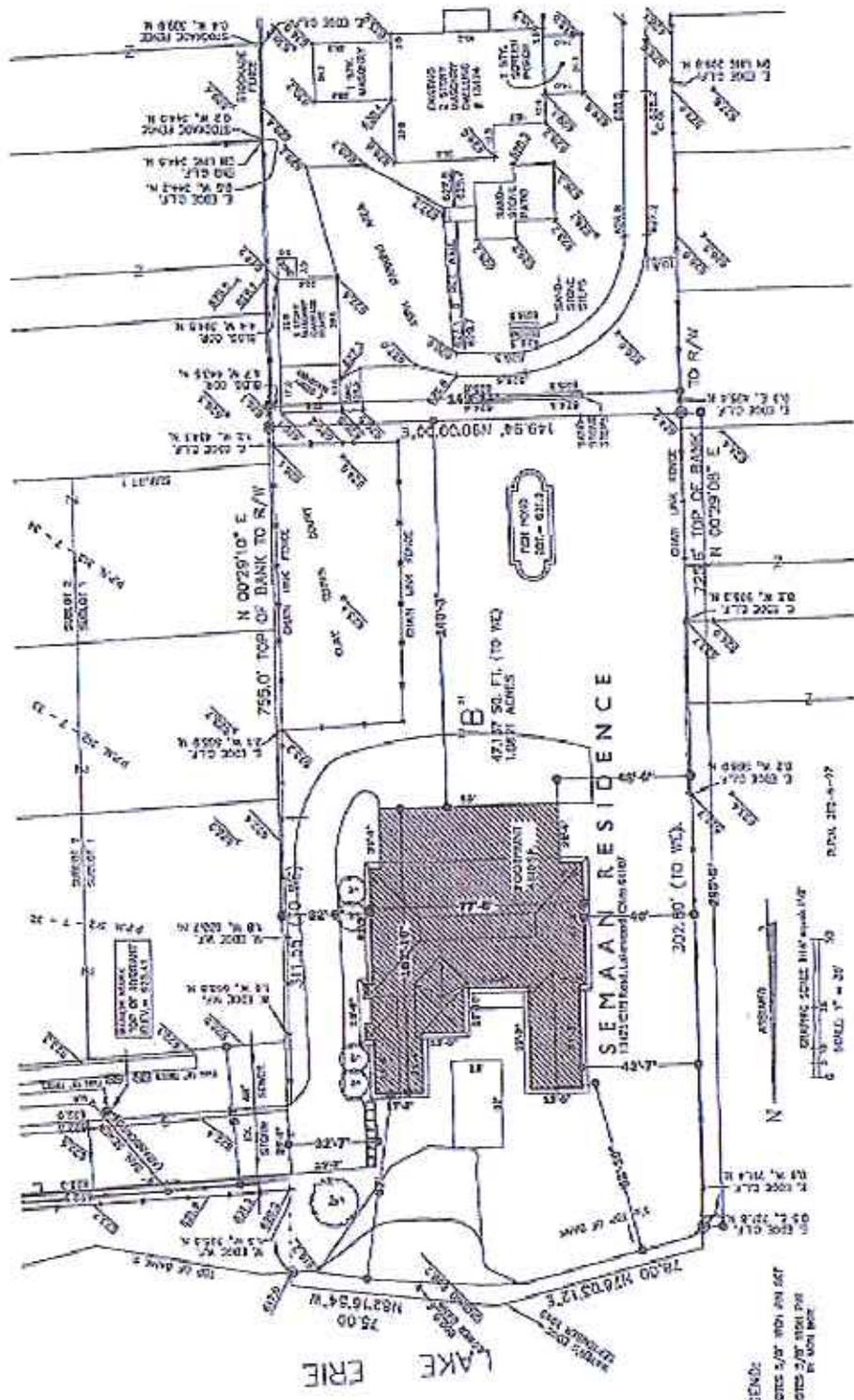
1103.02 PERINITIONS

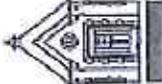
(40) LOT FRONTAGE:

means the distance between the side lot lines measured at the right-of-way.

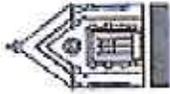
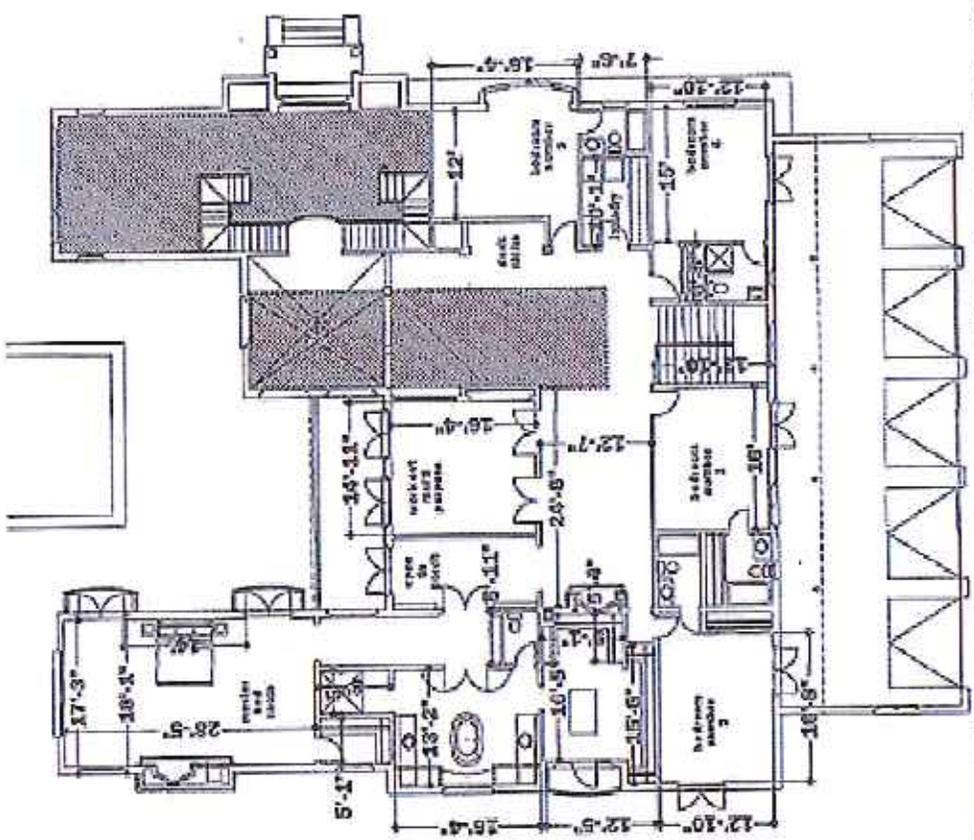
NEW VARIANCE 14' less 9.99 feet

13475 Cliff Drive




MARK REINHOLD ARCHITECTS
 1126 Forest Road, Lakewood, Ohio 44107 (216) 755-7997
 SEMAAN RESIDENCE
 PHASE II
 13475 Cliff Drive, Lakewood, Ohio 44127
 OCTOBER 2012 SHEET

13475 Cliff Drive



MARK REINHOLD ARCHITECT

SEM A N RESIDENCE
 104 MATIC BLVD (1) HOUSE DEVELOPER'S REPRESENTATION

11115 CLIFF ROAD, CLIFF ROAD, ONTARIO

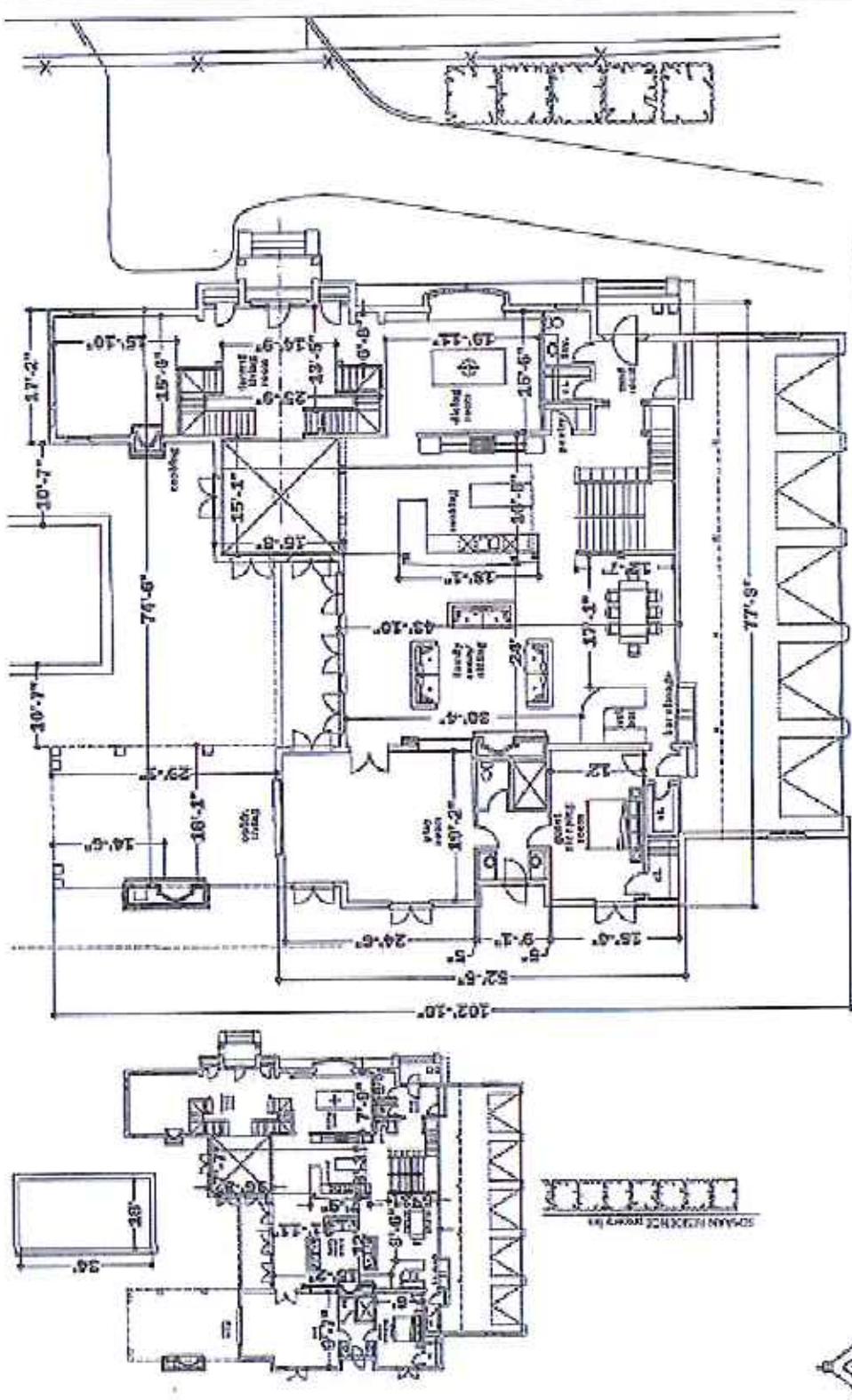
1120 FERRIS ROAD, CLIFF ROAD, ONTARIO (1) 115-215-3627

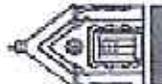
10-3-2012
 1-1-2012

OCTOBER 2012

13475 Cliff Drive

BZA October 2012




MARK REINHOLD ARCHITECT
 1125 Ferry Road, Lakewood, Ohio 44127 (440) 901-7983
 www.mrkarch.com
 10-25-2011
 QCT10055 2012 Summer

SEMAN RESIDENCE
 1101 CEDAR LANE, LAKESIDE, OHIO 44137
 FOR ARCHITECT: PHILIP HARTMAN CONSTRUCTION

13475 Cliff Drive

CUYAHOGA COUNTY

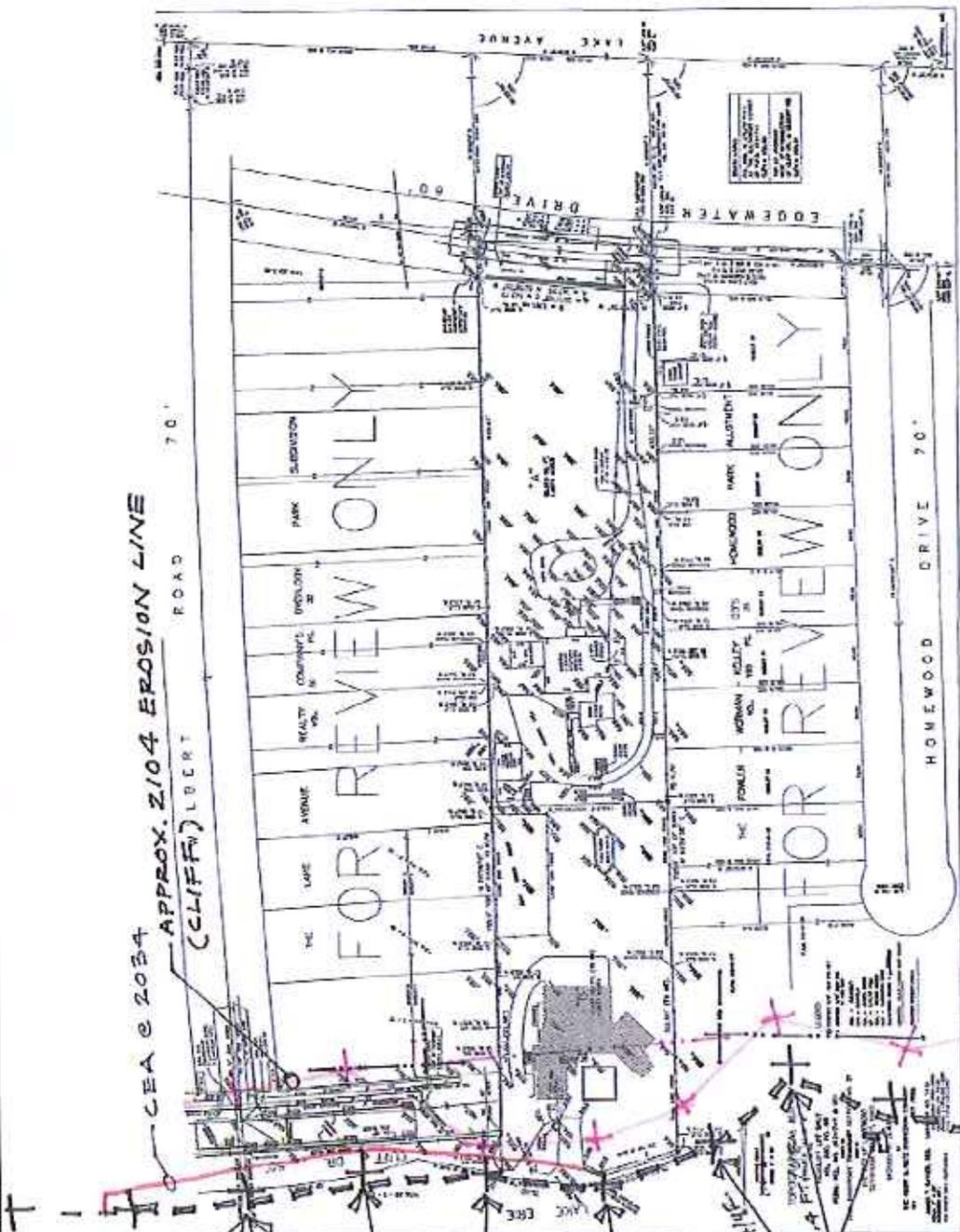
Frame: 409
Number of Profiles: 36

TRANS	MEAS DIST	RECESS RATE	ANTICIPATED DIST	STATUS
409-1	7.2	0.5	9.2	NO CEA
409-2	0.0	0.0	5.5	NO CEA
409-3	2.3	0.2	3.1	NO CEA
409-4	0.0	0.0	1.1	NO CEA
409-5	0.0	0.0	0.4	NO CEA
409-6	0.0	0.0	0.0	NO CEA
409-7	0.0	0.0	0.0	NO CEA
409-8	0.0	0.0	0.0	NO CEA
409-9	0.0	0.0	0.0	NO CEA
409-10	0.0	0.0	0.0	NO CEA
409-11	0.0	0.0	0.0	NO CEA
409-12	0.0	0.0	0.7	NO CEA
409-13	0.0	0.0	2.4	NO CEA
409-14	4.1	0.3	5.2	NO CEA
409-15	2.1	0.2	6.7	NO CEA
409-16	4.4	0.3	9.3	NO CEA
409-17	4.2	0.3	13.6	CEA
409-18	11.4	0.8	18.7	CEA
409-19	12.0	0.9	18.7	CEA
409-20	3.1	0.2	9.1	CEA
409-21	5.9	0.4	11.5	CEA
409-22	5.2	0.4	9.7	NO CEA
409-23	5.5	0.4	8.4	NO CEA
409-24	6.1	0.4	9.4	NO CEA
409-25	5.6	0.4	12.7	CEA
409-26	12.4	0.9	14.4	CEA
409-27	0.8	0.1	9.3	NO CEA
409-28	3.2	0.2	5.9	NO CEA
409-29	0.0	0.0	4.2	NO CEA
409-30	5.1	0.4	4.7	NO CEA
409-31	0.0	0.0	2.8	NO CEA
409-32	0.0	0.0	2.0	NO CEA
409-33	1.4	0.1	2.5	NO CEA
409-34	2.8	0.2	3.0	NO CEA
409-35	0.0	0.0	1.9	NO CEA

* * * * *

1990-04 1ft/yr. 2034 x30.

13475 Cliff Drive



CEA @ 2034
 APPROX. 2104 EROSION LINE
 (CLIFF) LIBERT ROAD 70'

1990 RESSION LINE
 + BASE 2004 RESSION POINT
 + CALCULATED 2104 (100 YEAR)

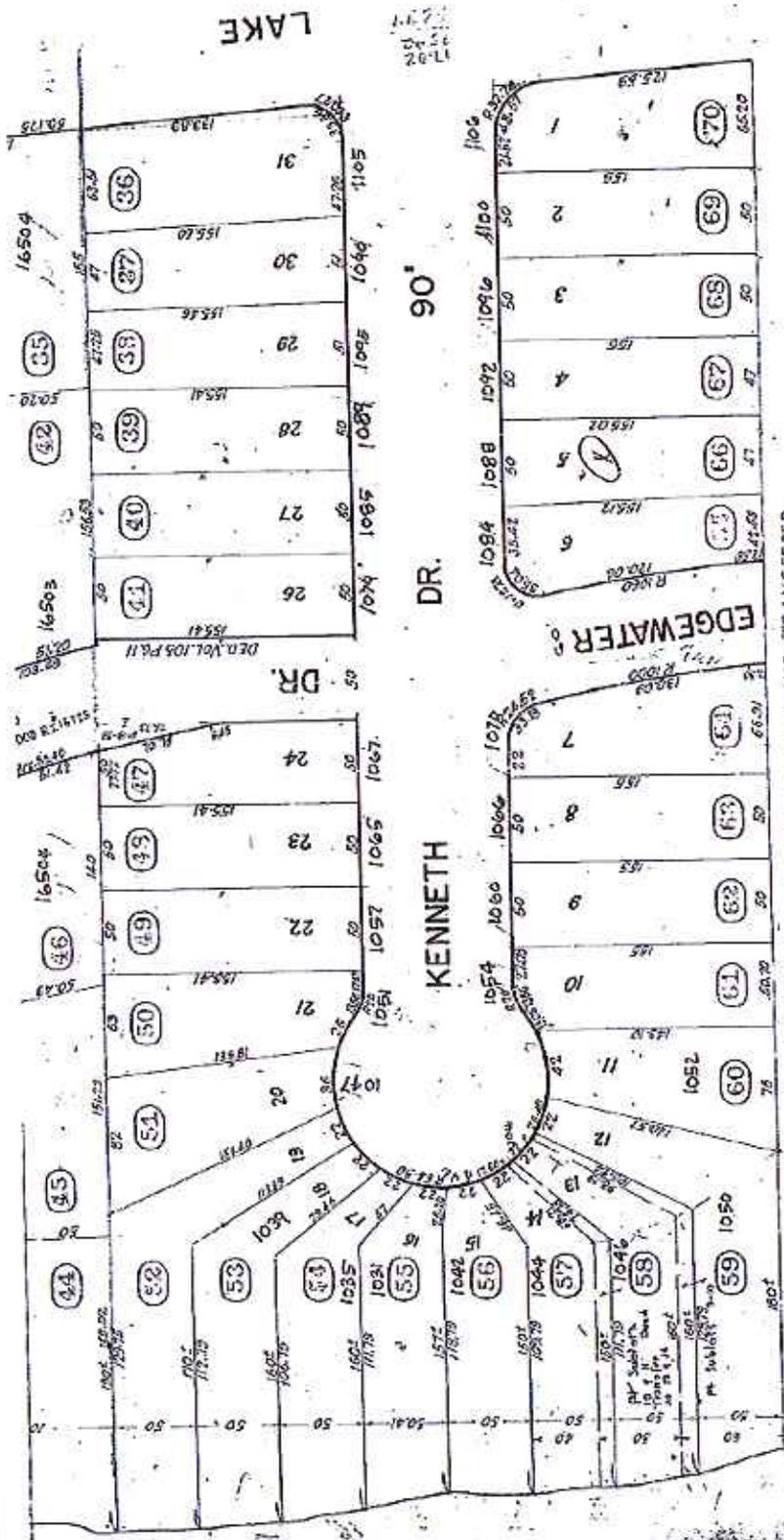
- 409-18 + RECESS RATE 0.025 FT/PER YR.
- 409-19 + RECESS RATE 0.9 FT/PER YR.
- 409-20 + RECESS RATE 0.2 FT./YEAR.
- 409-21 + RECESS RATE 0.4 FT/HEAR.
- 409-24 RECESS PT 0.4 FT/HR.
- 409-23-11 +
- 409-23-11

13475 Cliff Drive



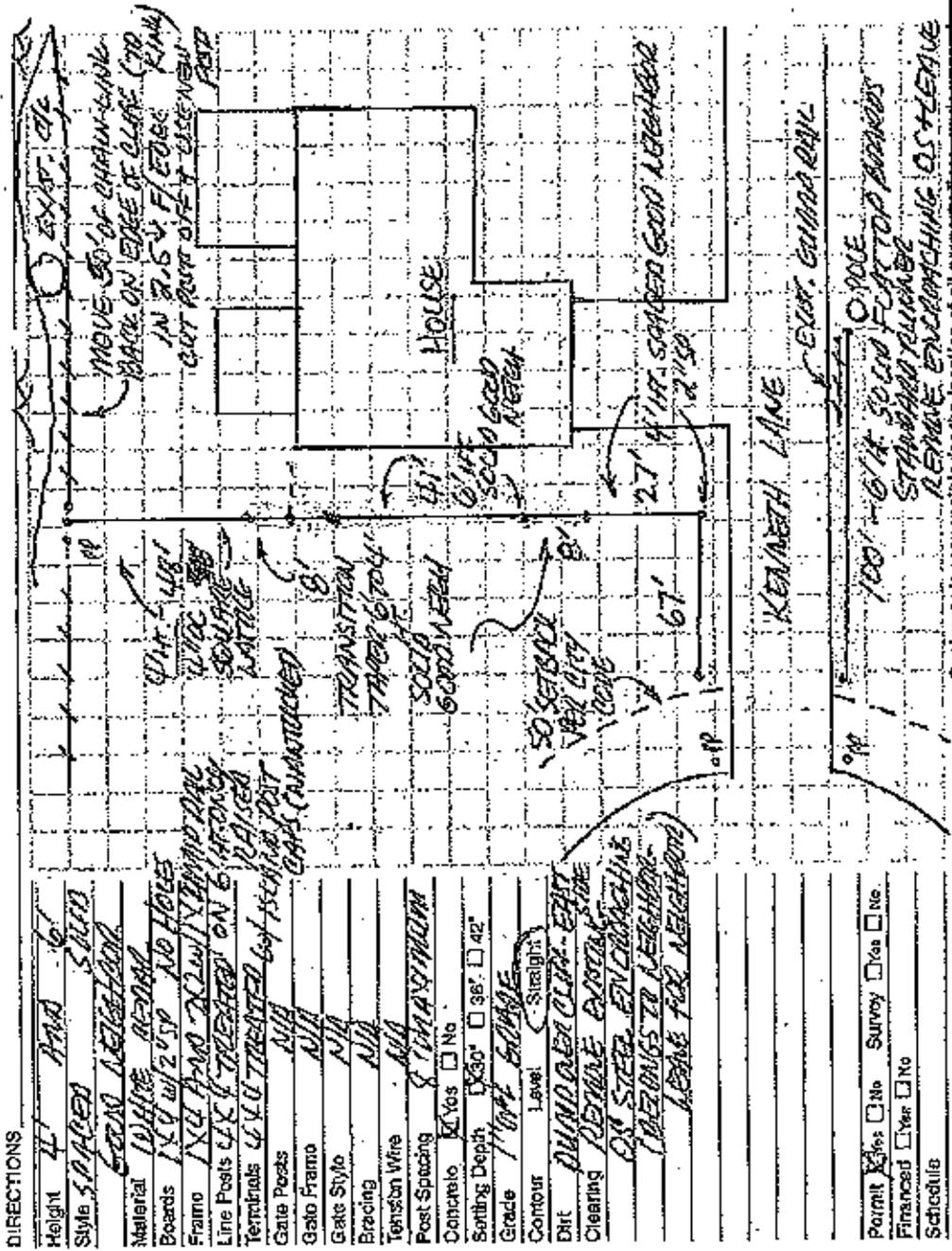
16510 Kenneth Lane

BZA October 2012



16510 Kenneth Lane

PROPOSAL TO: GEORGE AND PHYLLIS FANNIN PL CABLE
 ADDRESS: 16510 KENNETH LN. CALENWOOD
 INSTALLATION SITE: 44107 TWP.



DIRECTIONS

Height 4 AND 6
 Style SPACED SOLID
GRAN DELEGATION

Material WHITE REDWOOD
 Boards 1 1/4" x 2 1/2" NO HOLES

Framo 1 1/2" x 4" x 10' x 10' x 10' x 10'
 Line Posts 6" x 6" TREATED ON 6' SPACING
 Terminals 4" x 4" TREATED ON 6' SPACING

Gate Posts N/A
 Gate Framo N/A
 Gate Style N/A
 Bracing N/A

Tension Wire N/A
 Post Spacing 8' x 10' x 10' x 10'

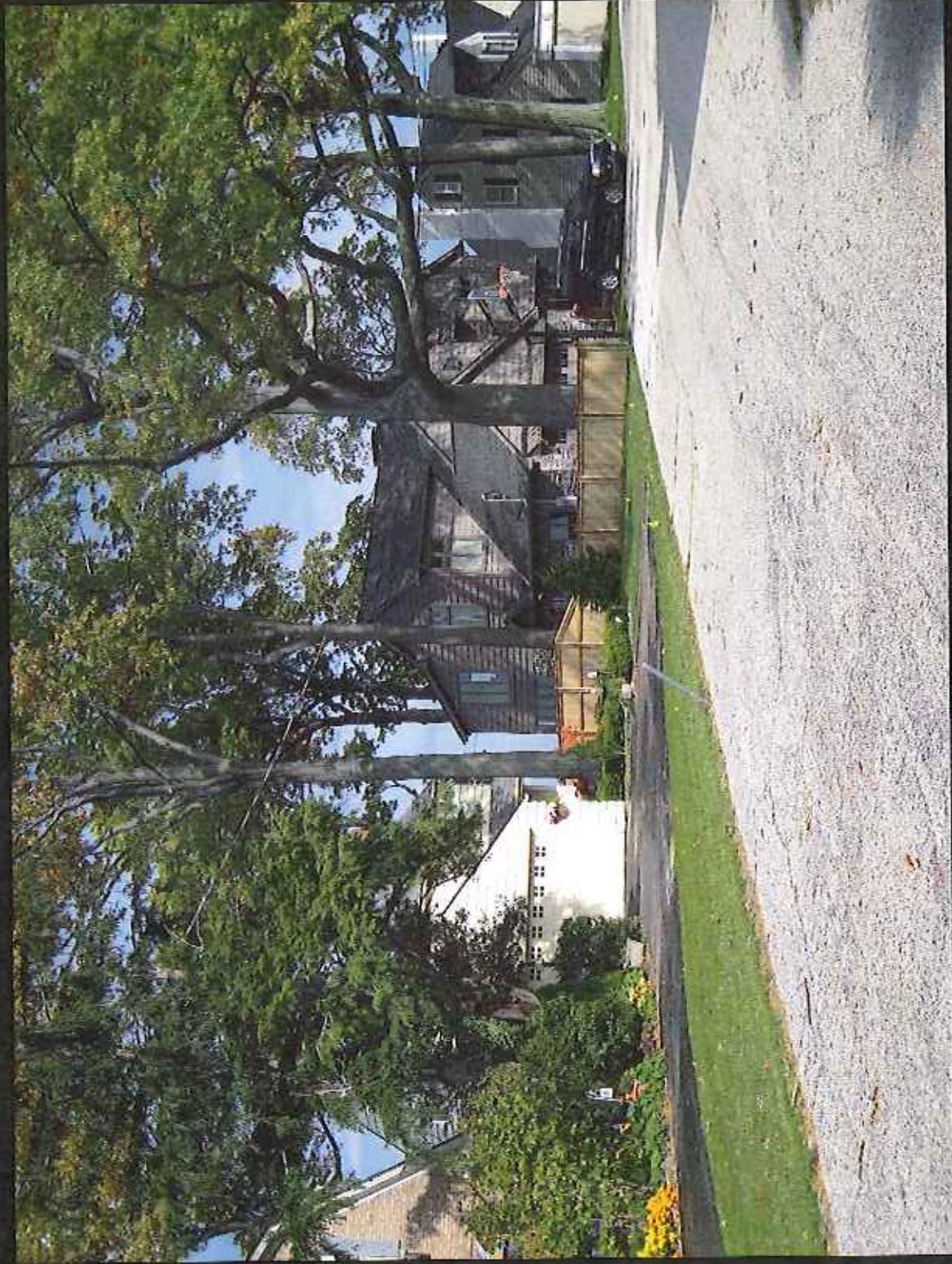
Concrete Yes No
 Setback Depth 30' 35' 42'

Grade 1" ON 8' SLOPE
 Contour Level C (Straight)

Dirt QUINCY CLAY - EAST
 Clearing REMOVE EXISTING
ON STEEP ENCROACHING
(NEEDS TO BE REMOVED)
LEAVE FOR NEIGHBORS

Permit Yes No Survey Yes No
 Financed Yes No
 Schedule

16510 Kenneth Lane



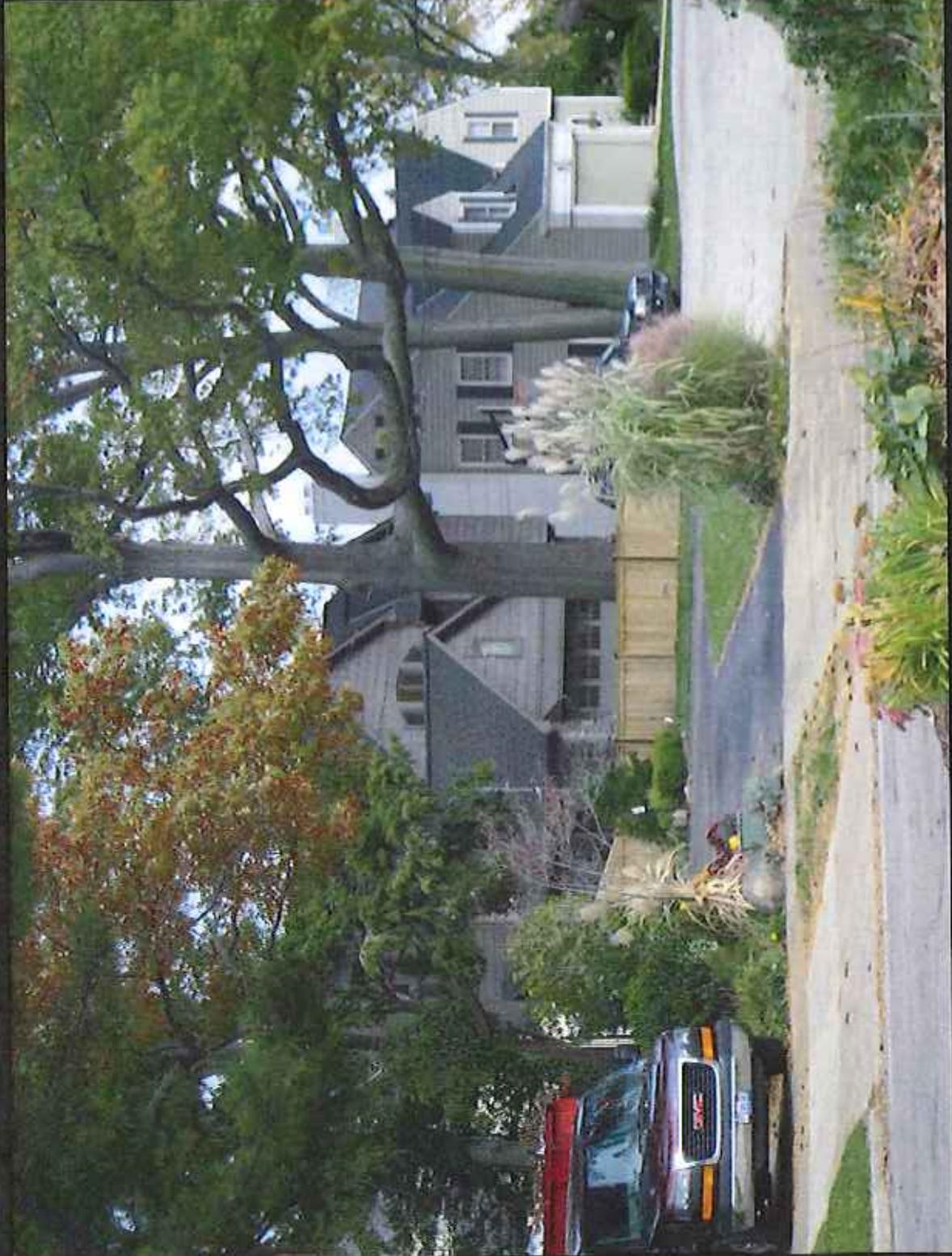
BZA October 2012

16510 Kenneth Lane



16510 Kenneth Lane

BZA October 2012



16510 Kenneth Lane

BZA, October 2012



16510 Kenneth Lane

BZA October 2012



16510 Kenneth Lane

BZA, October 2012



16510 Kenneth Lane

BZA, October 2012



EZA October 2012

16510 Kenneth Lane











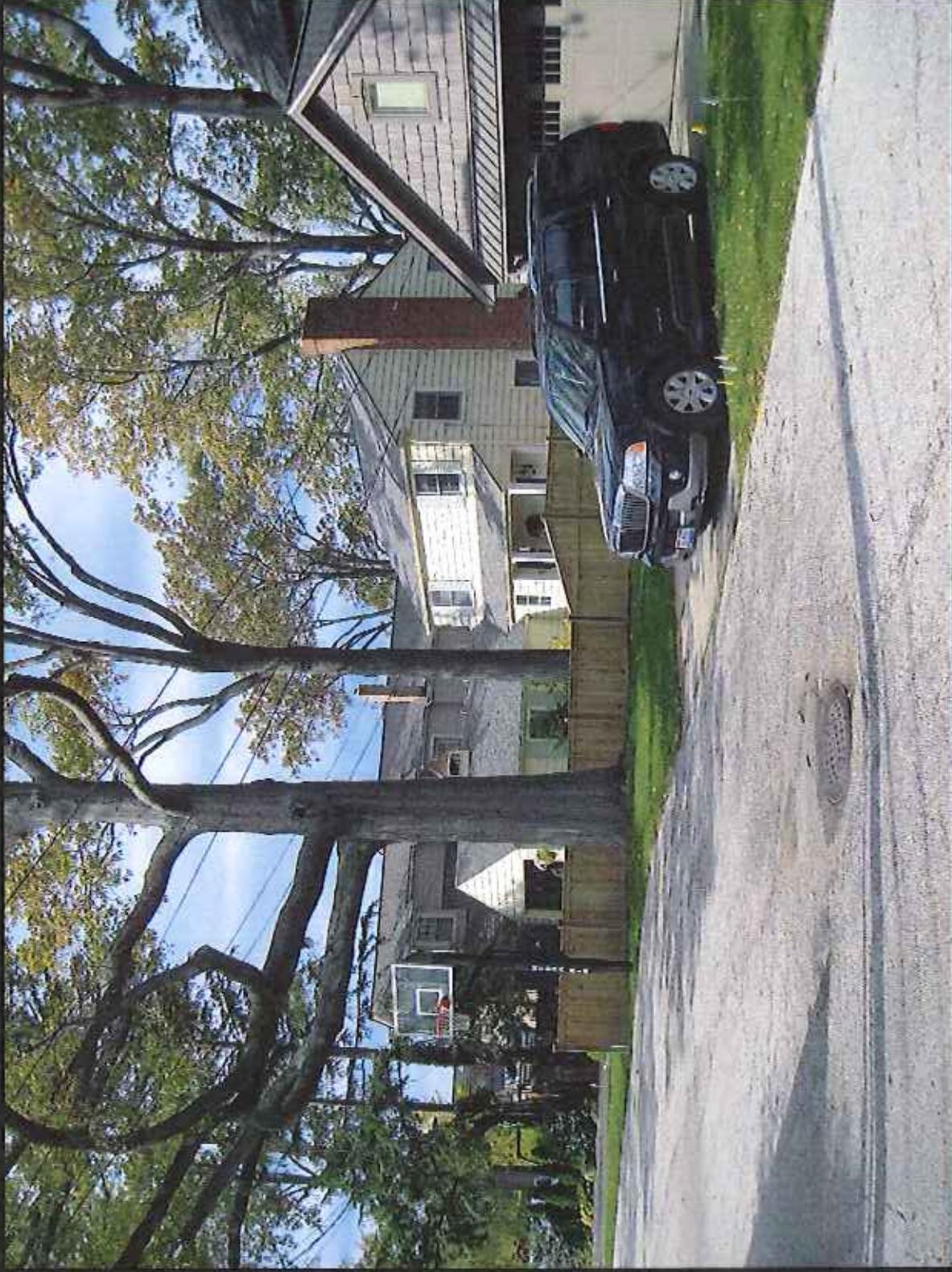
16510 Kenneth Lane

BZA, October 2012



BZA, October 2012

16510 Kenneth Lane



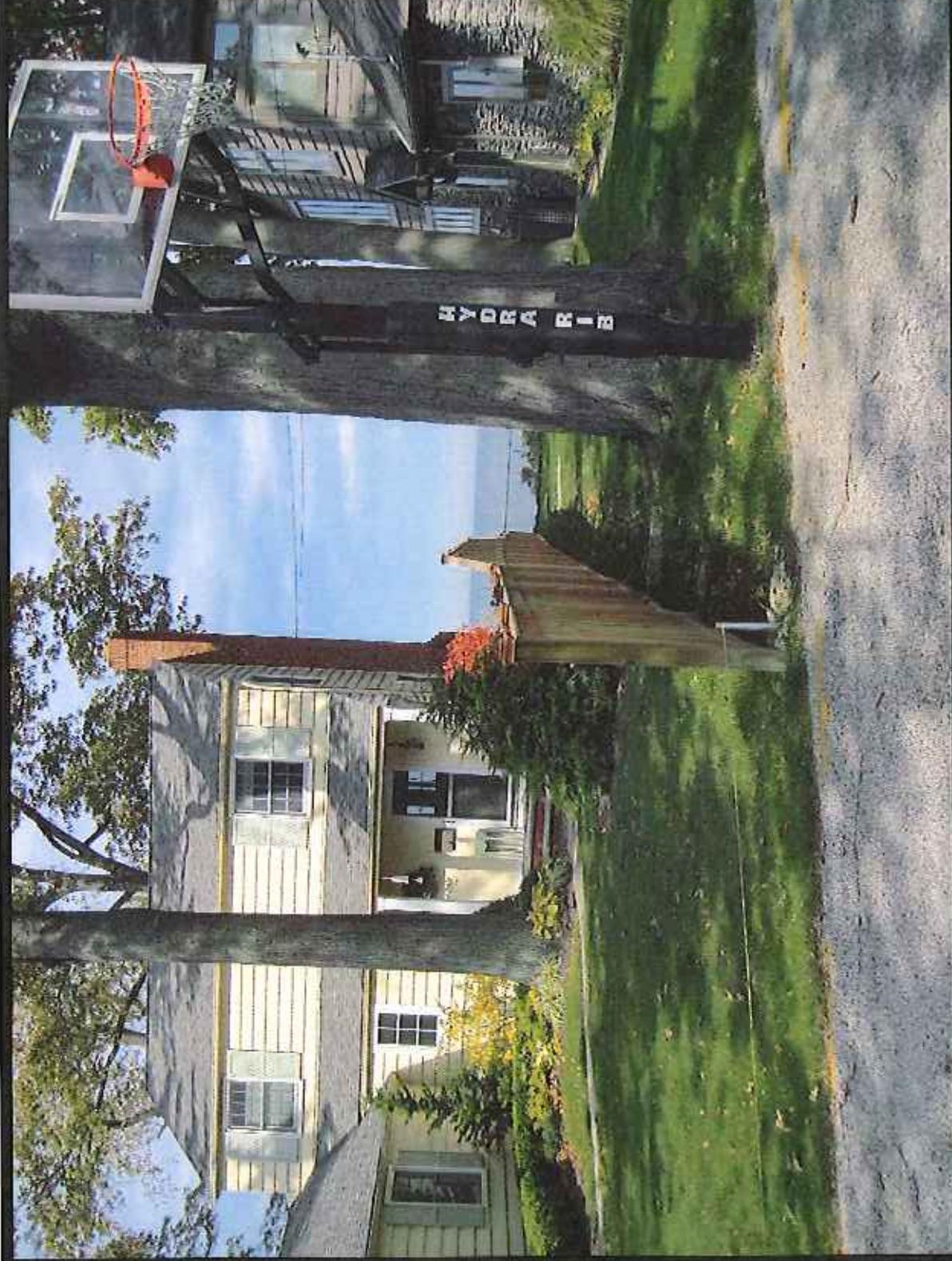
16510 Kenneth Lane

BZA October 2012



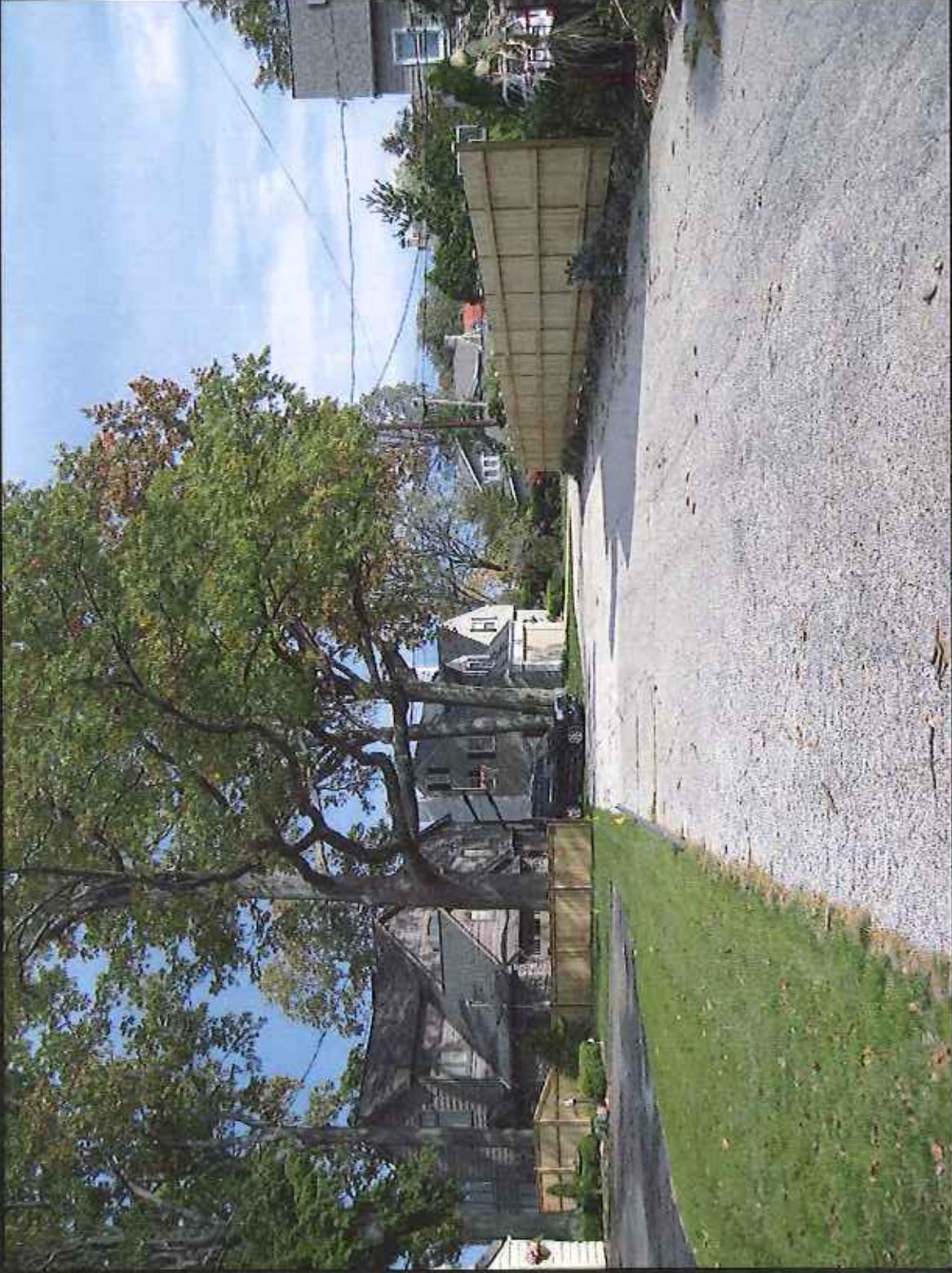
BZA, October 2012

16510 Kenneth Lane



16510 Kenneth Lane

EZA October 2012



BZA, October 2012

16510 Kenneth Lane



16510 Kenneth Lane

BZA, October 2012



EZA, October 2012

16510 Kenneth Lane



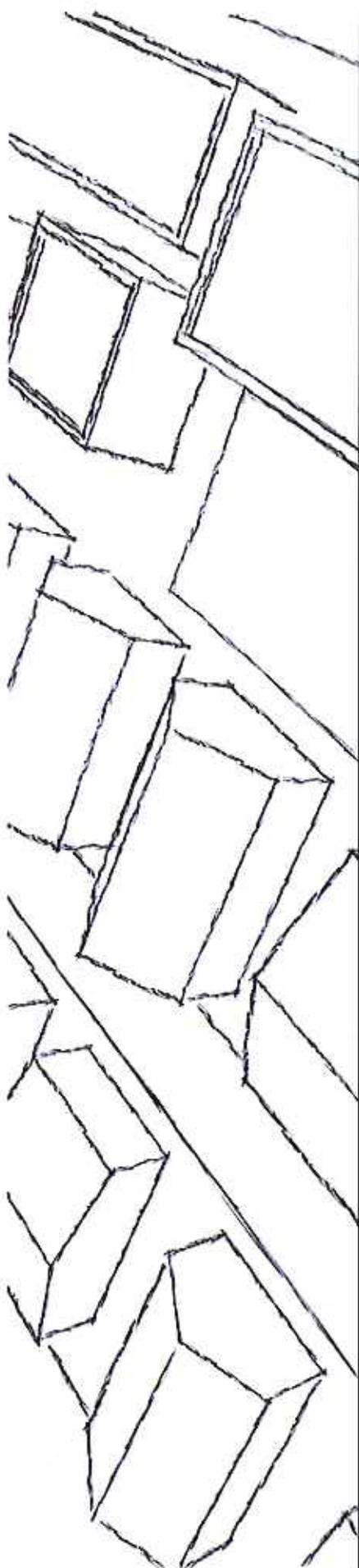
16510 Kenneth Lane

BZA October 2012



BZA October 2012

16510 Kenneth Lane



Board of Zoning Appeals

October 2012

