MINUTES
(Audio Recording Is Available)
BOARD OF ZONING APPEALS
MAY 15, 2014
LAKEWOOD CITY HALL

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

The meeting was called to order at 6:35 p.m.

1. **Roll Call**

Members Present	Others Present
Cynthia Bender	Mary Leigh, Secretary, DCD Programs Manager, P&D
Kyle Krewson, Vice-Chairman	Michael Molinski, City Architect
James Nagy, Chairman	Kevin Butler, Law Director

A motion was made by Mr. Krewson, seconded by Ms. Bender to **EXCUSE** the absences of Christopher Bindel and Jennifer Matousek. All of the members voting yea, the motion passed.

2. **Approve Minutes of the January 16, 2014 meeting**, deferred from the March 20th meeting.

A motion was made by Ms. Bender, seconded by Mr. Krewson to **APPROVE** the January 16, 2014 meeting minutes until the meeting of May 15, 2014. All of the members voting yea, the motion passed.

3. **Approve Minutes of the April 17, 2014 meeting**

A motion was made by Ms. Bender, seconded by Mr. Krewson to **DEFER** the April 17, 2014 meeting minutes until the meeting of June 19, 2014. All of the members voting yea, the motion passed.

4. **Opening Remarks**

Ms. Leigh read the Opening Remarks. Mr. Nagy added that anyone wanting to give testimony to sign the Oath situated on the podium.

NEW BUSINESS

6. **Docket 05-07-14** **13415 Emerson Avenue**

Robert H. Heba, applicant and property owner, requests the review and approval of two variances: (1) a 5-foot variance to the allowed 15-foot in order to construct a garage 20 feet in height, pursuant to Section 1123.05 (b) - Height Regulations, and (2) a 208.5 sq. ft. variance in order to build a 720 sq. ft. garage pursuant to Section 1123.09(c) - Maximum Lot Area Coverage. The property is located in an R-2, Single and Two-Family district. (Page 2)

Robert H. Heba, applicant and property owner was present to explain the request. A bigger garage was needed for storage as the residents had five vehicles, including a dirt bike and ATV, and garden tools; an existing shed currently housed most of the items. Mr. Molinski said the large garage would not be obtrusive to the neighbors or neighborhood; therefore, the Division of Housing and Building ("H&B") had no objections.

Mr. Nagy closed public comment as there was no one else to address the issue. There were no comments or questions from the Board members.

A motion was made by Ms. Bender, seconded by Mr. Nagy to **GRANT** the request **with the following stipulations:**

- **The shed would be removed from the property, and**
- **The upstairs of the garage would be used for storage of incidental items only.**

All of the members voting yea, the motion passed.

6. **Docket 05-08-14** **1268 French Avenue**

Erin Wereb, applicant and property owner, requests a three-foot (3') variance to the required five-foot (5') set back in order to install an A/C condenser in the side yard two feet (2') from the property line, pursuant to Section 1121.07 - Minimum yard requirements for principal buildings. The property is located in an R-1H, Single Family High Density district. (Page 8)

Erin Wereb, applicant and property owner was present to explain the request. There were plans to install a patio in the rear yard of the home. Mr. Molinski said that H&B had no objections to the proposal. Ms. Wereb confirmed the unit would not be seen from the street because of the existing fence. The Board asked if the City had heard from any of the neighbors regarding this matter. Ms. Leigh replied there had been no communication either for or against the proposal.

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

7. **Docket 05-09-14** **1535 Wayne Avenue**

Marguerite O'Donnell, applicant and property owner, requests a two-foot (2') variance to the allowed six-foot (6') in order to install an eight-foot (8') fence, pursuant to Section 1153.02(c) - Regulations. The property is located in an R-2, Single and Two-Family district. (Page 11)

Marguerite O'Donnell, applicant and property owner was present to explain the request. The proposal was to replace the deteriorating fence with a higher one on both sides of the property for privacy. The proposal had been discussed with the neighbors. Mr. Molinski said that H&B did not support the application. The code allowed for a six-foot high fence. A fence of eight feet was allowed in some instances; however, the additional two feet had to be open by 50 percent, such as the use of lattice-work.

Ms. Leigh suggested a deferral to allow for submitted drawings of the proposal. Ms. O'Donnell said she had not selected a contractor as of yet. Mr. Molinski said once the contractor was selected, plans could be submitted to H&B thereby allowing the erection of the fence. Ms. O'Donnell then requested a deferral until next month.

A motion was made by Mr. Nagy, seconded by Ms. Bender to **DEFER** the request until the meeting of June 19, 2014. All of the members voting yea, the motion passed.

ADJOURN

A motion was made by Mr. Krewson, seconded by Ms. Bender to **ADJOURN** the meeting at 6:55 p.m. All of the members voting yea, the motion passed.

Signature

7-17-14

Date

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. ROBERT H. HEBA	[illegible]
2. Erin C. Wereb	Erin C Wereb
3. MARGUERITE O'DONNELL	Marguerite O'Donnell
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

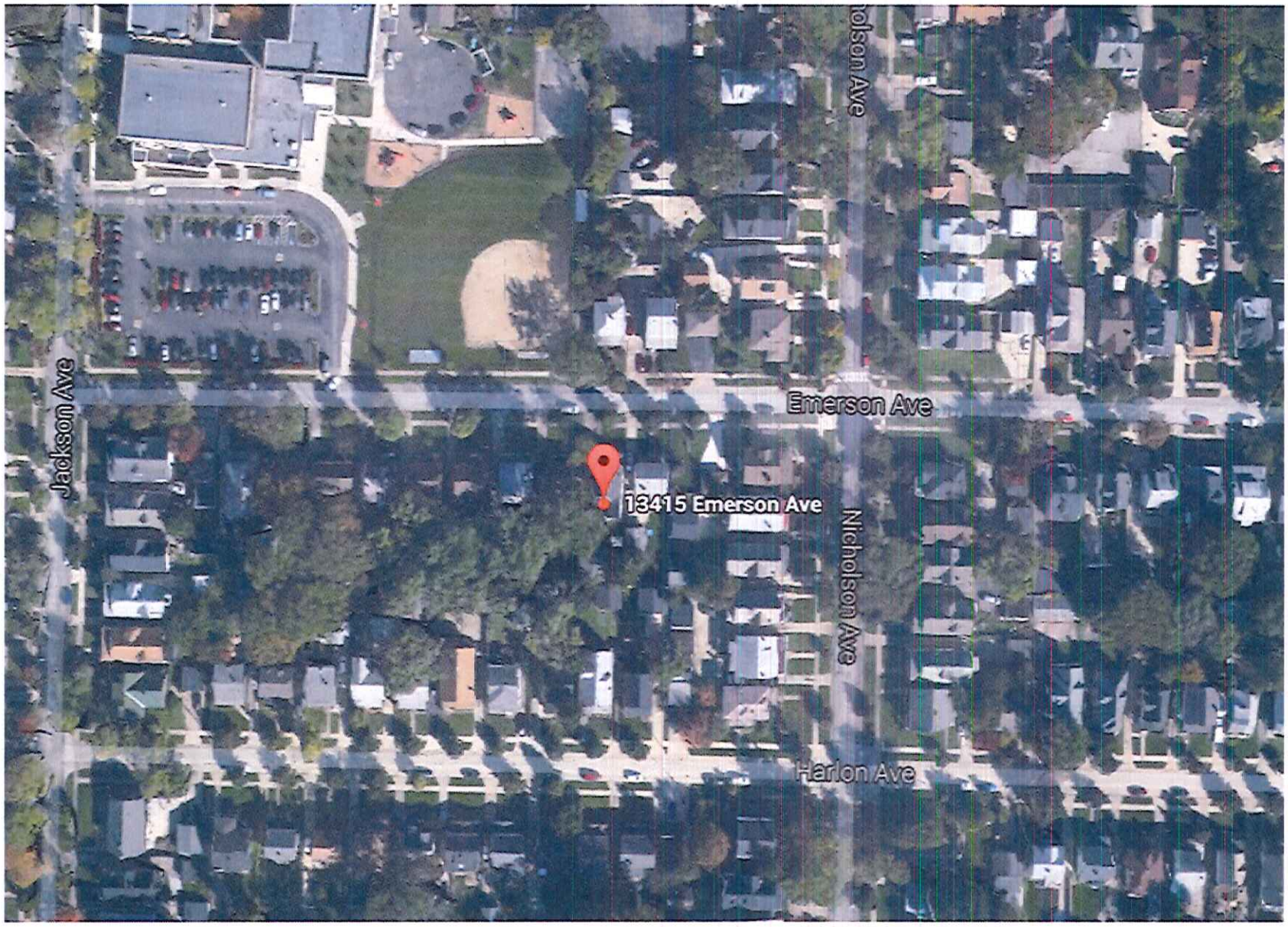
Lakewood Administrative Procedure: ☐ ABR/BBS/Sign ☐ Citizens Advisory ☐ Civil Service ☐ Dangerous Dog ☐ Income Tax Appeals ☐ Loan Approval ☐ Nuisance Abatement Appeals ☐ Planning ■ Zoning Appeals ☐ Other:

Date of Proceeding: Thursday, May 15, 2014

Board of Zoning Appeals

May 2014

LAKEWOOD OHIO



LAKEWOOD OHIO

BZA May 2014

13415 Emerson

LAKEWOOD OHIO

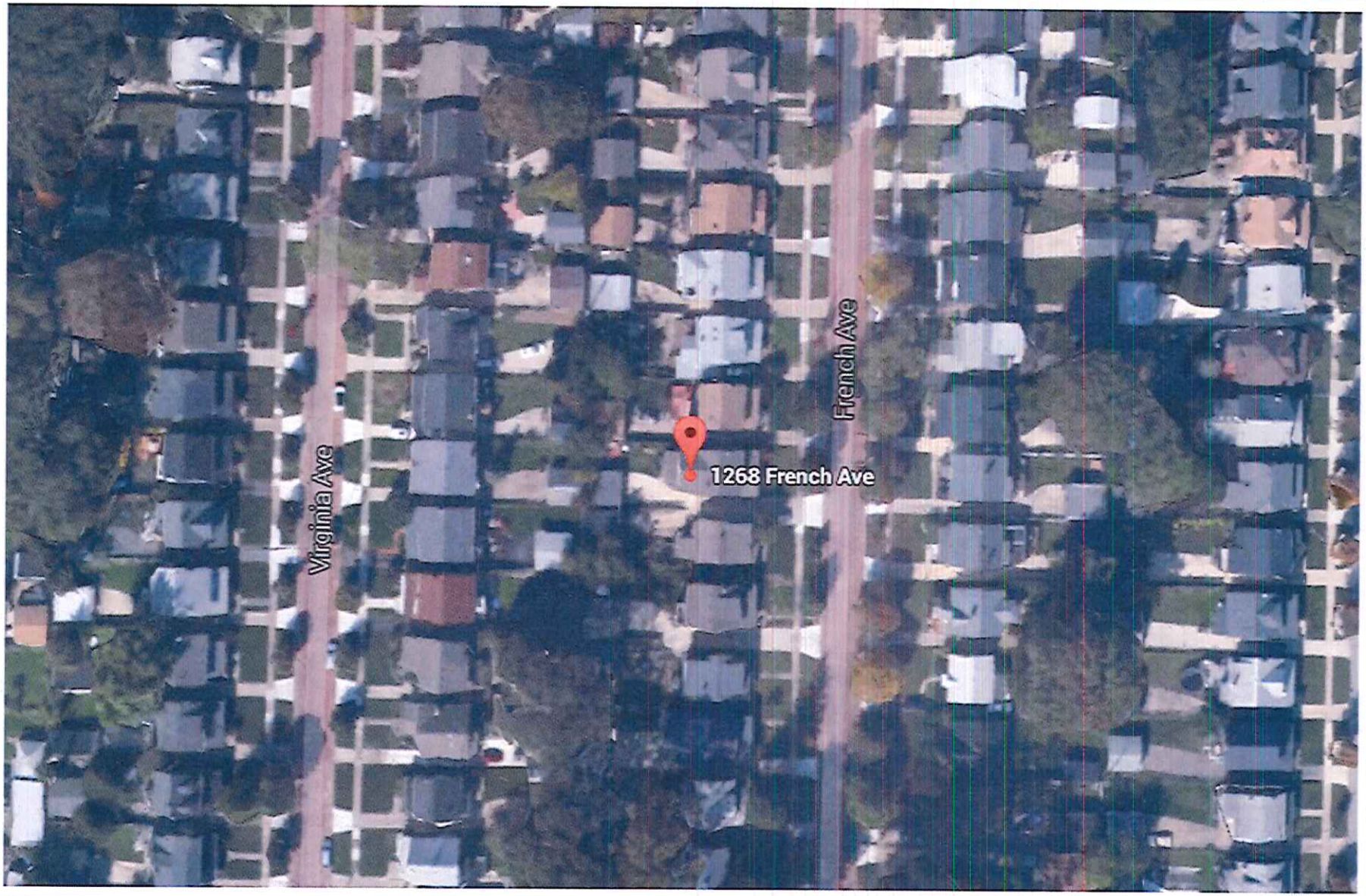
BZA May 2014

13415 Emerson

LAKEWOOD OHIO

BZA May 2014

13415 Emerson



LAKEWOOD OHIO

BZA May 2014

1268 French

LAKEWOOD OHIO

BZA May 2014

1268 French

LAKEWOOD OHIO

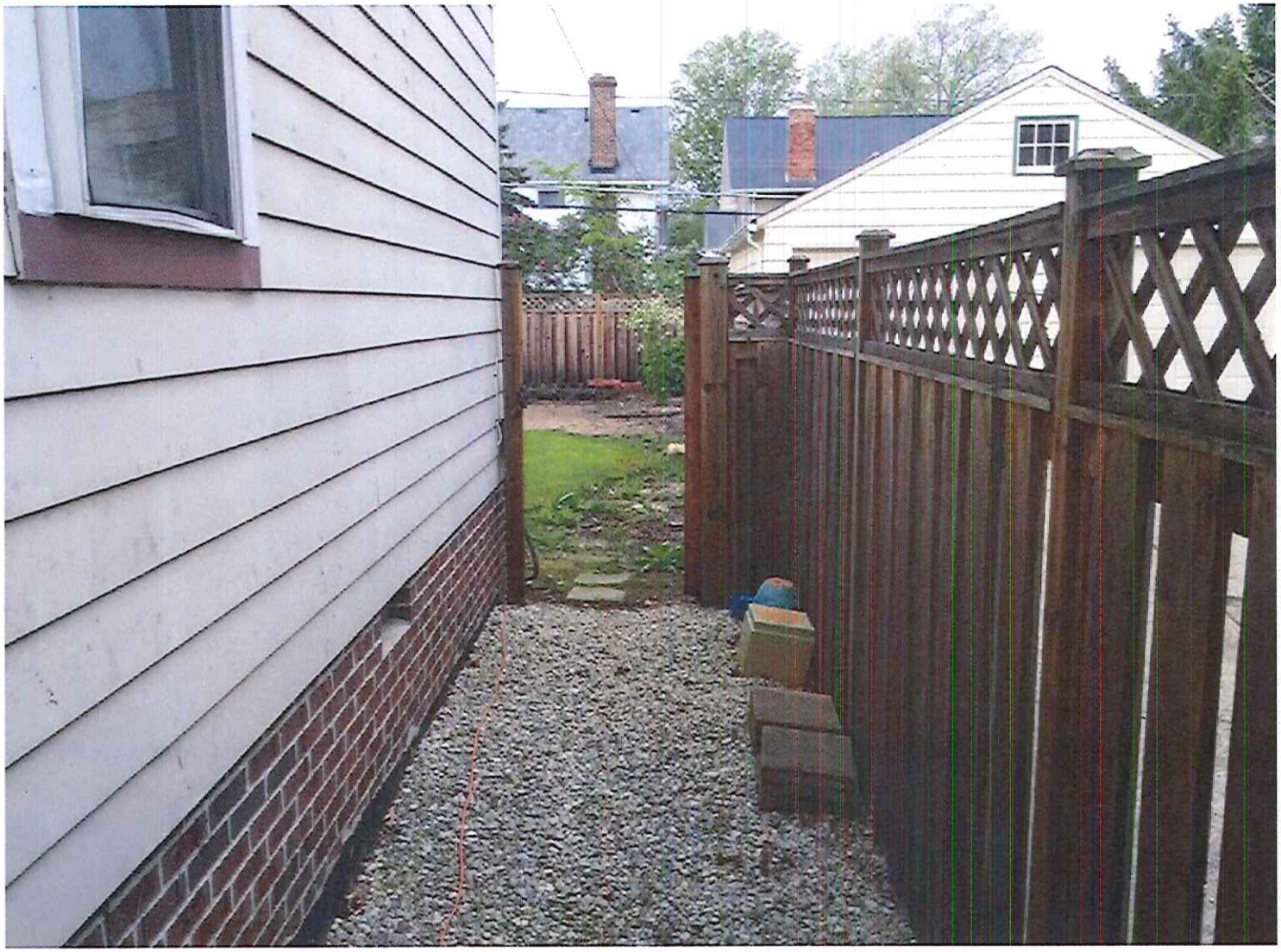
BZA May 2014

1268 French

LAKEWOOD OHIO

BZA May 2014

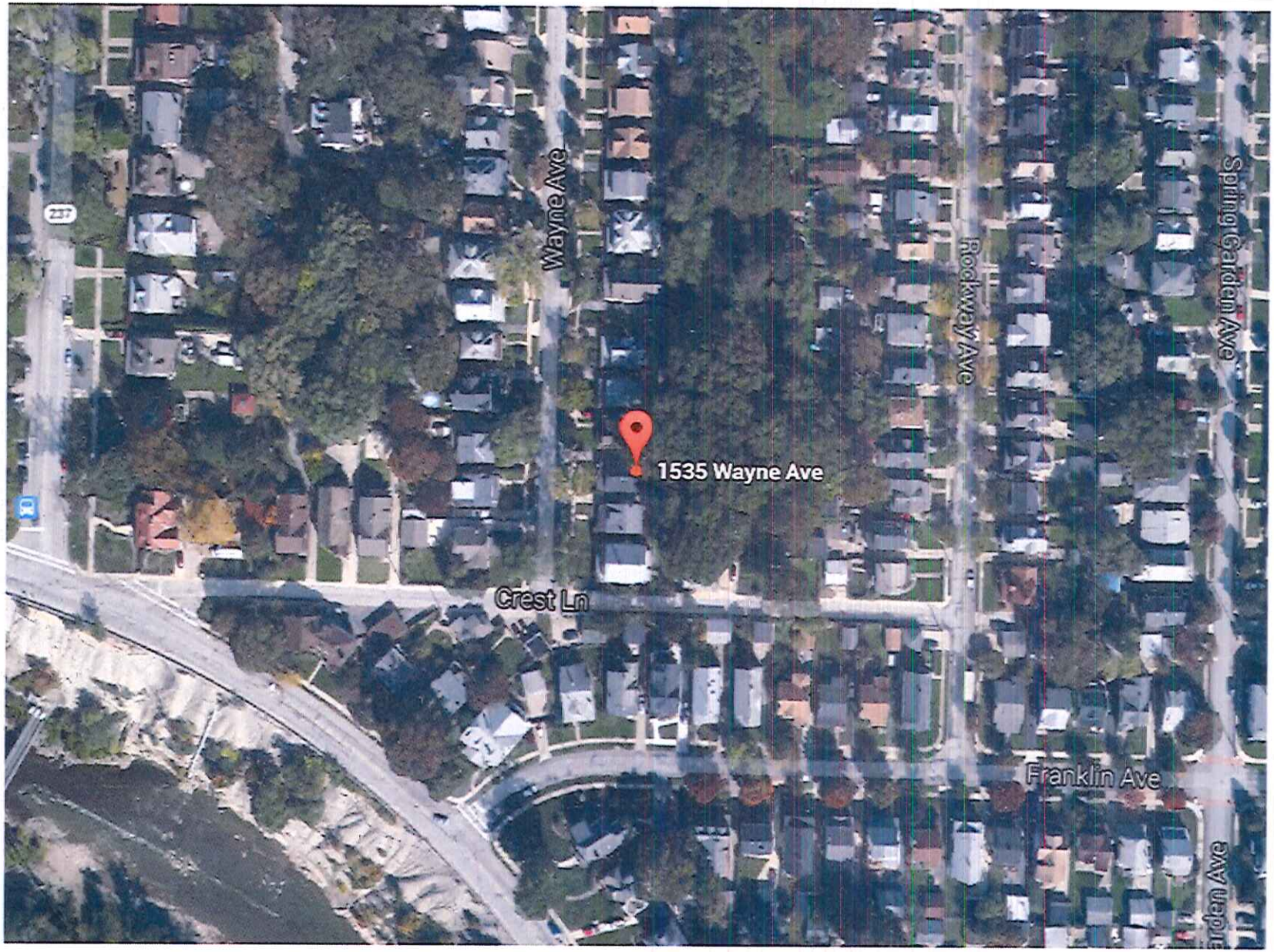
1268 French



LAKEWOOD OHIO

BZA May 2014

1268 French



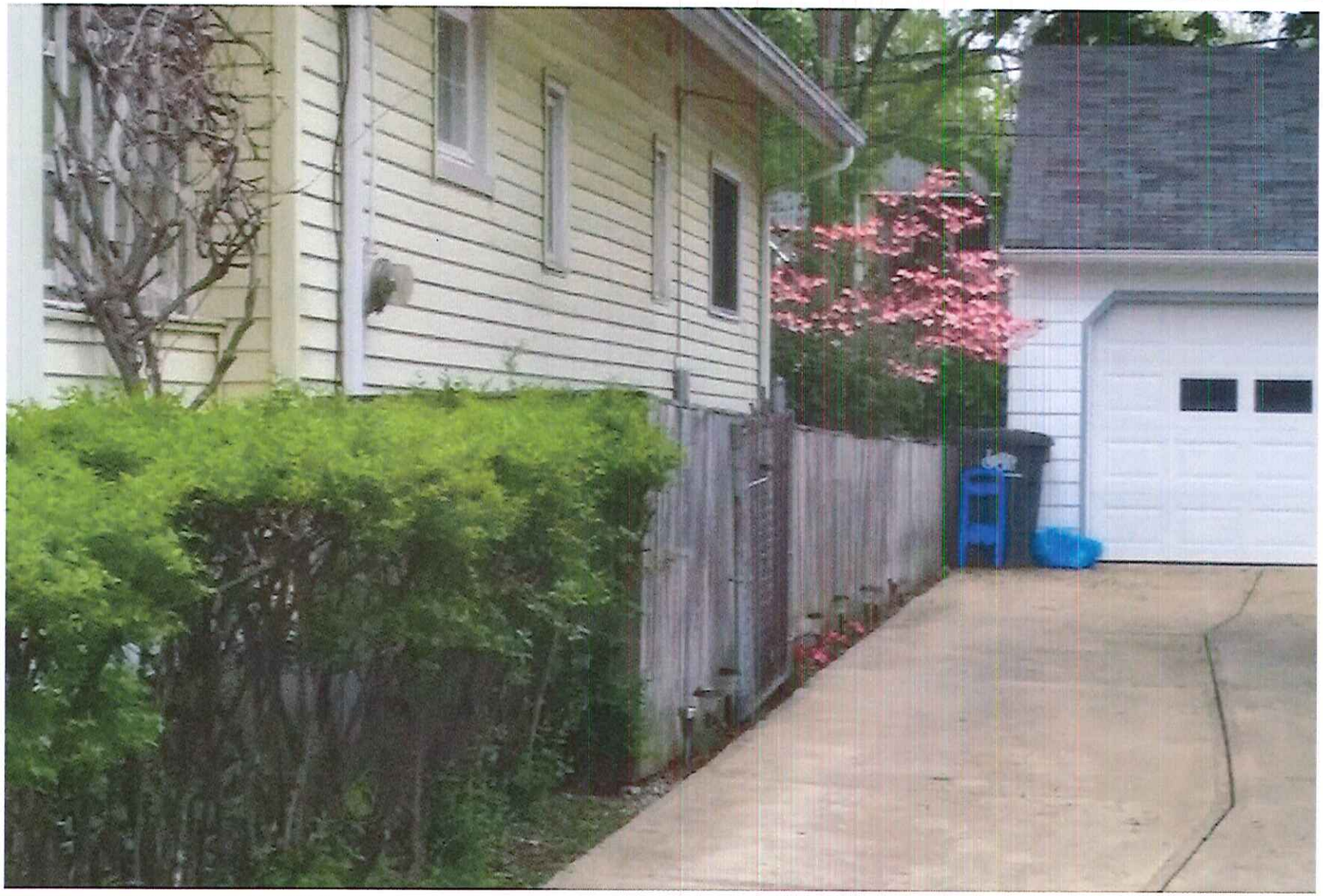
BZA May 2014

1535 Wayne

LAKEWOOD OHIO

BZA May 2014

1535 Wayne



LAKEWOOD OHIO

BZA May 2014

1535 Wayne

LAKEWOOD OHIO

BZA May 2014

1535 Wayne

Board of Zoning Appeals

May 2014

LAKEWOOD OHIO