

MINUTES
(Audio Recording Is Available)
BOARD OF ZONING APPEALS
JANUARY 22, 2015
LAKEWOOD CITY HALL

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

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
Christopher Bindel
Kyle Krewson, Vice-Chairman
James Nagy, Chairman

Others Present

Bryce Sylvester, Secretary, City Planner
Jennifer Mladek, Assistant Law Director
Michael Molinski, Building Commissioner

2. Approve Minutes of the December 18, 2014 meeting.

A motion was made by Mr. Krewson, seconded by Ms. Bender to **APPROVE** the minutes of the December 18, 2014 meeting. All of the members voting yea, the motion passed.

3. Opening Remarks

Mr. Sylvester read the Opening Remarks and asked for anyone speaking to sign the Oath that was on the podium.

OLD BUSINESS

**4. Docket No. 09-29-14 13714 Madison Avenue
Kidzenia Lakewood Daycare**

Erin Gendt, LDA Architects, applicant requests the review and approval of a 32 parking space variance to the required 37, pursuant to Section 1143.05, Schedule of Space and Use Requirements. The property owner is opening a day care center with 148 children. Five existing spaces are on site. The property is located in C-3, Commercial and General Business district. This item was deferred from the meeting of December 18, 2014. (Page 2)

Erin Gendt, LDA Architects, applicant was present to explain the request.

Administrative staff was concerned primarily with pick-up of the children between the hours of 4 p.m. and 6 p.m. and recommended the application be denied.

No one from the public addressed the issue.

Ms. Bender was concerned about the safety of the children as there was not a designated drop-off and pick-up area in the heavily trafficked location.

Mr. Nagy believed the market would resolve the problem but could not predict how long that would take. The property owner should have had contingencies in place.

Mr. Krewson compared the proposed with a smaller daycare facility that had been in the area; he was concerned about the amount of traffic and lack of staff parking, a shuttle system would not work.

Mr. Bindel felt it was unfair to the business to grant a variance conditionally for one year.

Mr. Krewson concurred.

A motion was made by Mr. Nagy, seconded by Mr. Bindel to DENY the request. All of the members voting yea, the motion passed.

NEW BUSINESS

5. **Docket No. 01-01-15** **1096 Kenneth Drive**

Dana Paul, property owner and applicant requests the review and approval of a 47 inch variance to the required 60 inch side yard in order to install a condenser 13 inches from the property line, pursuant to Section 1121.07 – Minimum Yard Requirements for Principal Buildings. The property is located in an R1H, Single and High Density district. (Page 3)

Mr. Nagy recused himself from the item.

Dana Paul, property owner and applicant was present to explain the request.

City administrative did not have any objection to the proposal.

No one from the public addressed the issue.

A motion was made by Mr. Krewson, seconded by Ms. Bender to GRANT CONDITIONALLY with the stipulation that screening is maintained, as viewed from the street. Ms. Bender, Mr. Bindel, and Mr. Krewson voting yea, and Mr. Nagy voting to abstain, the motion passed.

6. **Docket No. 01-02-15**
Communication from Planning and Development Planner Bryce Sylvester Regarding Proposal to Amend Board of Zoning Rules and Procedures

There is a proposal to amend Board of Zoning Appeals Rules and Procedures as it relates to the Opening Remarks. Bryce Sylvester, Board Secretary and Planner with the City of Lakewood will present the proposal. (Page 11)

Bryce Sylvester, Planner with the City of Lakewood and applicant, was present to explain the changes.

There was discussion among the Board members and administrative staff as to the legal and grammatically correct verbiage.

A motion was made by Mr. Krewson, seconded by Ms. Bender to **APPROVE** the revised Opening Remarks as noted in the word document and to be included in the minutes. All of the members voting yea, the motion passed.

ADJOURN

A motion was made by Ms. Bender, seconded by Mr. Bindel to **ADJOURN** the meeting at 7:26 p.m. All of the members voting yea, the motion passed.

Joseph S. By
Signature
Approved subject to
inclusion of 5th A.

April 16 '08
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. ERIN GENDT

Erin Gendt
[Handwritten signature]

2. _____

3. Denise Paul

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 Citizens Advisory Civil Svc. Dangerous Dog Income Tax Appeals Loan Approval Nuisance Abatement Appeals Parking Planning Zoning Appeals Other:

Date of Proceeding: Thursday, January 22, 2015



LAKWOOD
OHIO

13714 Madison



LAKWOOD
OHIO

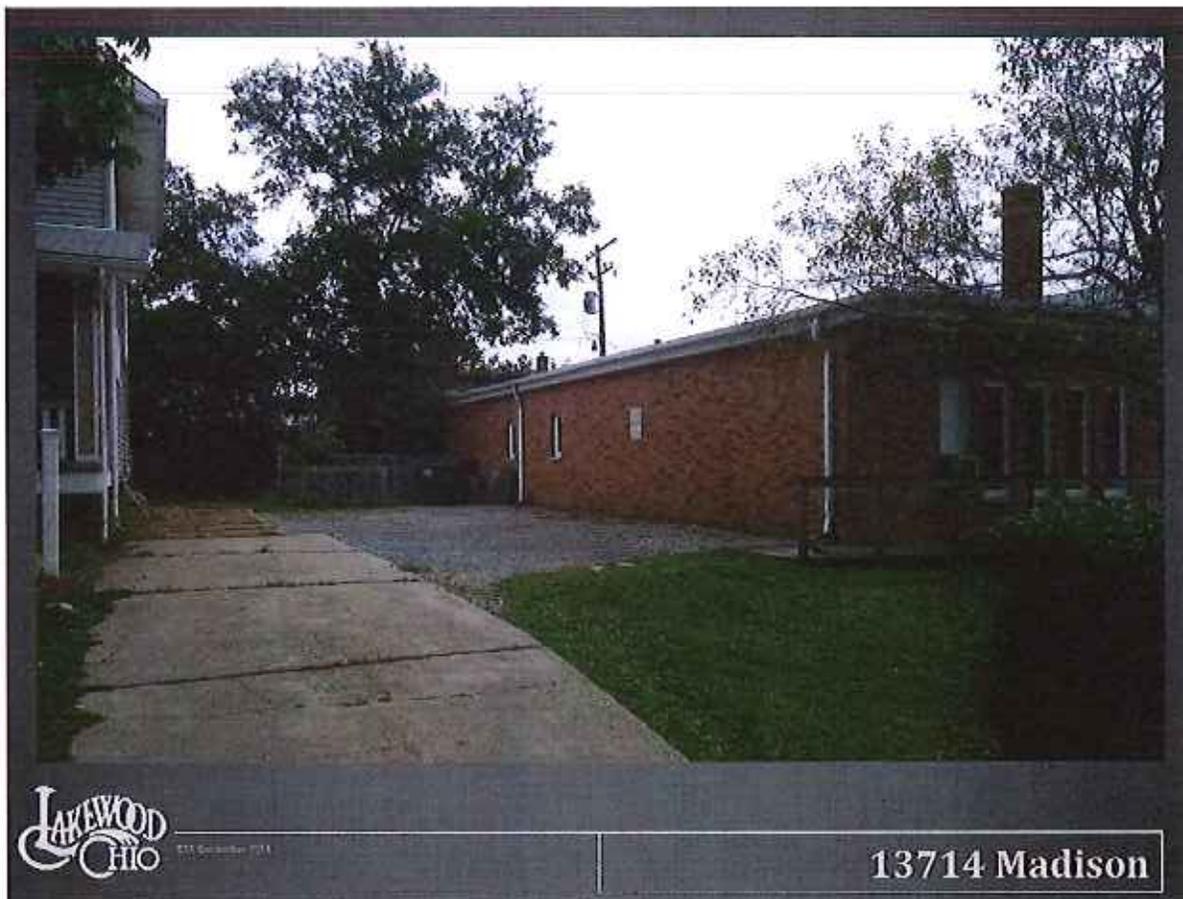
13714 Madison



LAKWOOD
OHIO

111 Columbus 771

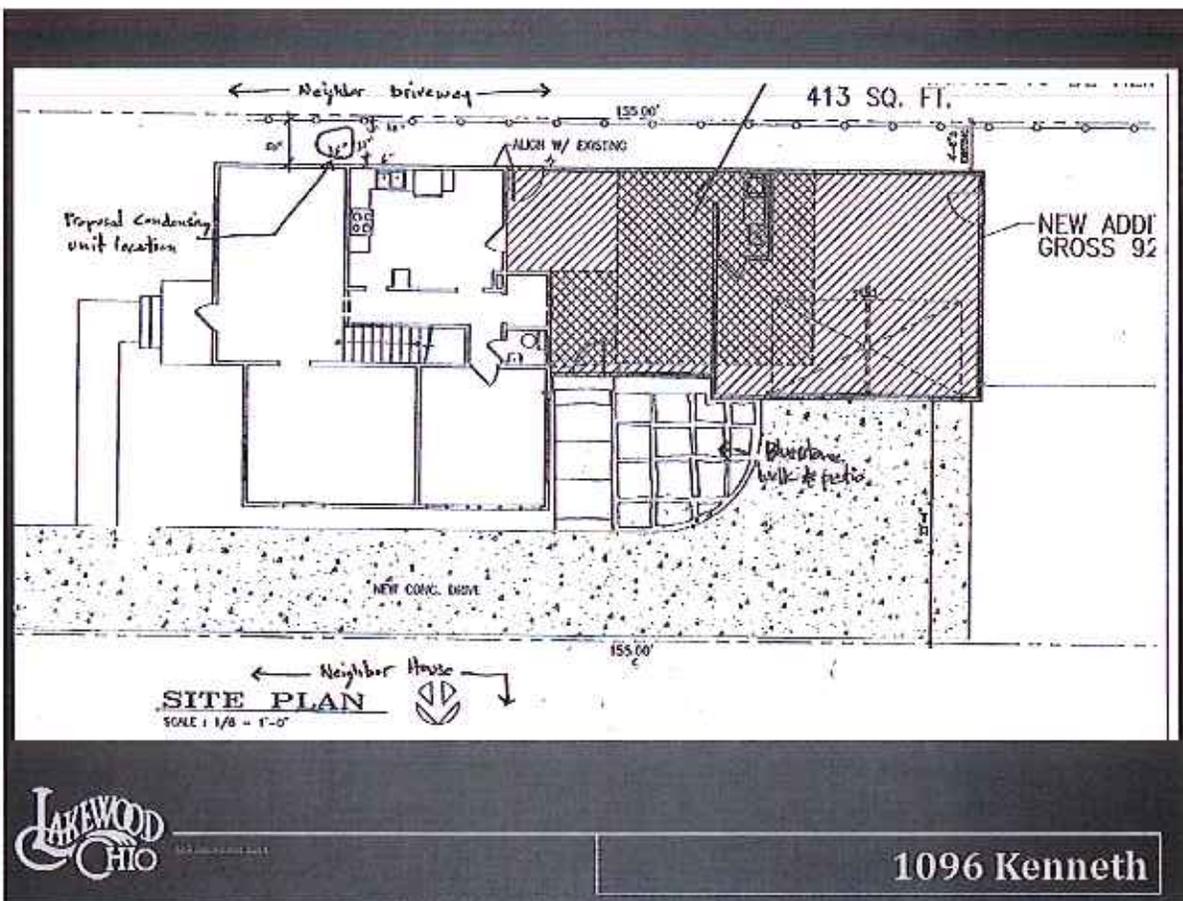
13714 Madison



LAKWOOD
OHIO

111 Columbus 771

13714 Madison





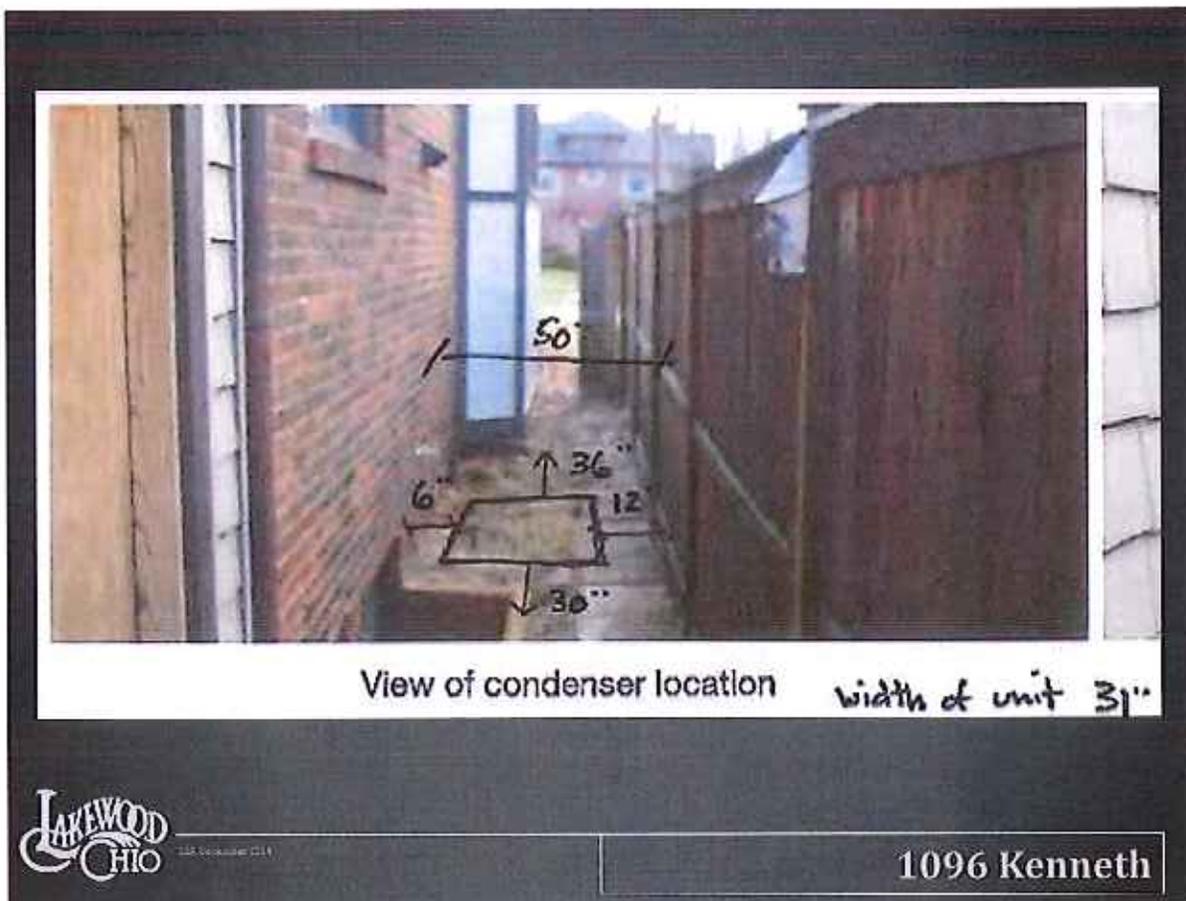
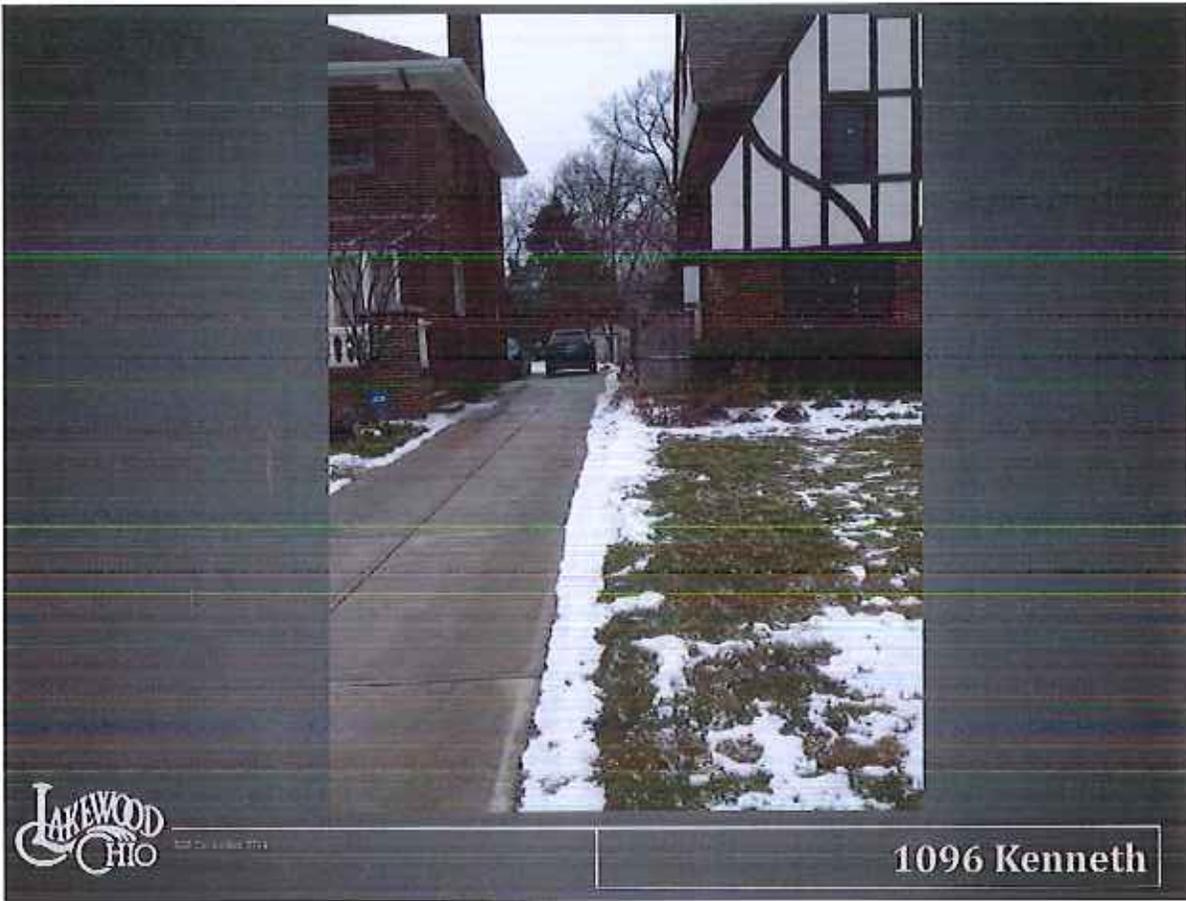
LAKWOOD
OHIO

1096 Kenneth



LAKWOOD
OHIO

1096 Kenneth





31"

View from backyard towards street



1096 Kenneth



View from street



1096 Kenneth



Amendment to Opening Remarks



Board of Zoning Appeals

January 2015

