

MINUTES
(Audio Recording Is Available)
BOARD OF ZONING APPEALS
NOVEMBER 19, 2015
LAKEWOOD CITY HALL

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

REVIEW MEETING
6:30 P.M.
AUDITORIUM

The review meeting was called to order at 6:42 p.m.

1. Roll Call

Members Present

James Amendola
Cynthia Bender
Christopher Bindel
Kyle Krewson, Vice-Chairman
James Nagy, Chairman

Others Present

Michelle Nocht, BZA Secretary, P&D Program Coordinator
Michael Molinski, City Architect, Building Commissioner
Mandy J. Gwartz, Assistant Law Director

2. Approve Minutes of the September 17, 2015 meeting

A motion was made by Mr. Krewson, seconded by Ms. Bender to **DEFER** the October 15, 2015 meeting minutes until December 17, 2015, as clarification was needed for Docket No. 10-23-15 1579 Marlowe Avenue regarding the granted height variance. All of the members voting yea, the motion passed.

3. Opening Remarks

Ms. Nocht read the Opening Remarks.

NEW BUSINESS

4. Docket No. 11-24-15 1534 Ridgewood Avenue

Peter Lora, Idea Remodeling, applicant requests the review and approval of 3 variances in order to build a deck:

1. a variance to exceed the maximum lot coverage,
2. a variance for the maximum rear lot coverage, and
3. a variance for the maximum area for an unroofed deck,

pursuant to sections 1123-09(a)(c) – maximum lot area coverage and 1123.03(d) – permitted accessory uses. The property is located in an R2, Single and Two Family district. (Page 2)

Ms. Nocht announced the applicant Peter Lora, Idea Remodeling was no longer the contractor, as per the property owner Denise Fiocco. The work would be done by Delbert Sowders and Denise Fiocco.

Denise Fiocco was present to explain the request.

Mr. Molinski that only two variances were being needed; one was for lot coverage due to the large size of the principal structure, a two-family home. The second was for the rear lot coverage, as the four-car garage took most of the rear yard already. The code allowed for a 300 sq. ft. deck. City administration did not support the request for the larger deck.

Mr. Krewson asked for the distance from the finished deck and the garage. 17 feet was the response. Asked for a practical difficulty, Ms. Fiocco said there was none other than the desire for a large deck. Because it was on a visible corner lot bordering Franklin Boulevard, the Board discussed the need for screening.

A motion was made by Mr. Amendola, to APPROVE with the following stipulation:

- a living fence is along the property line on Franklin Boulevard to provide screening.

Mr. Krewson asked the property owner for her thoughts. She was not opposed to the screening. Discussion ensued about type of screening and the height.

The motion was withdrawn by Mr. Amendola.

A motion was made by Mr. Amendola, seconded by Mr. Bindel to **APPROVE** the request **with the following stipulations:**

- **screening of some type (living or fence) is provided along Franklin Boulevard; and**
- **the screening is to be 6 feet in height and be from the rear of the house to the driveway.**

All of the members voting yea, the motion passed.

5. Docket No. 11-25-15 13225 Merl Avenue

George Rumack, Diversified Contractors, applicant requests the review and approval of a 10 foot variance from the required 40 foot rear yard setback, pursuant to section 1123.07 – minimum yard requirements for principal building. The property is located in an R2, Single and Two Family district. (Page 11)

George Rumack, Diversified Contractors, applicant and Darren Mancuso, President of Relief Properties were present to explain the request.

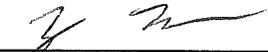
City administration supported the request. There were comments or questions from the Board. Ms. Nocht addressed an e-mail that was received from a neighbor located at 13231 Merl Avenue (made part of record).

Mr. Krewson stated the parcel was unique, the rear property owner was the railroad, and the structure would be in line with the others in the neighborhood. Mr. Krewson said he supported the request. Ms. Bender felt there was a hardship with the rear owner being the railroad and supported the request.

A motion was made by Mr. Amendola, seconded by Mr. Bindel to **APPROVE** the request for a variance. All of the members voting yea, the motion passed.

ADJOURN

A motion was made by Mr. Amendola, seconded by Ms. Bender to ADJOURN at 7:12 p.m. All of the members voting yea, the motion passed.



Signature

1/21/16

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. DENISE FIOCCO

[Handwritten signature of Denise Fiocco]

2. *[Handwritten signature]*

[Handwritten signature]

3. DARRAN MANCUSO

[Handwritten signature of Darran Mancuso]

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: _____

Schwarz, Johanna

From: Nochta, Michelle
Sent: Friday, November 13, 2015 12:02 PM
To: Schwarz, Johanna
Subject: FW: 1534/1536 Ridgewood Ave Deck

From: Denise fiocco [<mailto:denisefiocco925@gmail.com>]
Sent: Monday, November 09, 2015 11:22 AM
To: Nochta, Michelle
Subject: RE: 1534/1536 Ridgewood Ave Deck

Delbert Sowders &
Denise Fiocco

On Nov 9, 2015 8:17 AM, "Nochta, Michelle" <Michelle.Nochta@lakewoodoh.net> wrote:

Yes, I do.

Michelle Nochta

Program Coordinator

Division of Community Development

Department of Planning and Development

City of Lakewood

12650 Detroit Avenue

Ph:[216-529-5906](tel:216-529-5906)

Fax: [216-529-5907](tel:216-529-5907)

From: Denise fiocco [<mailto:denisefiocco925@gmail.com>]
Sent: Friday, November 06, 2015 5:25 PM

To: Nochta, Michelle
Subject: RE: 1534/1536 Ridgewood Ave Deck

I am considering a couple family members to help me build it. Do you need their names ?

Denise Fiocco

On Nov 6, 2015 3:46 PM, "Nochta, Michelle" <Michelle.Nochta@lakewoodoh.net> wrote:

Ms. Fiocco,

Thanks for letting me know. Can you send me the name of your new contractor- that will be your new applicant. I will let you know next week if it is two or three variances that you will need to request. Thanks.

Michelle Nochta

Program Coordinator

Division of Community Development

Department of Planning and Development

City of Lakewood

12650 Detroit Avenue

Ph:[216-529-5906](tel:216-529-5906)

Fax: [216-529-5907](tel:216-529-5907)

From: Denise fiocco [mailto:denisefiocco925@gmail.com]

Sent: Friday, November 06, 2015 2:22 PM

To: Nochta, Michelle

Subject: 1534/1536 Ridgewood Ave Deck

Hi Michelle -

We spoke last night at the meeting regarding my deck / variance. Please let me know what is needed from me. We have decided to build the deck with a family member that is a carpenter. We are no longer using Peter Lora as our contractor.

Thank you,
Denise Fiocco
[216.235.0257](tel:216.235.0257)

Schwarz, Johanna

From: Chris <christinecowen@aol.com>
Sent: Friday, November 13, 2015 3:41 PM
To: Planning Dept
Cc: Molinski, Michael
Subject: Docket 11-25-15

Mrs. Michelle Nochtka,

I am writing to give input to the public meeting on Thursday November 19, 2015 regarding the request from George Rumack, Diversified Contractors to get a 10 foot variance on the property at 13225 Merl Avenue.

First, I am not going to waste my time going to this meeting as I doubt anything anyone will say makes any difference at this point. I was told I would have 15 feet from my house to the next and it is now 9 feet. Is this even enough for someone to open a car door in the driveway without hitting my house?

Second, the abutting property owner to the south is the railroad. Has anyone actually contacted them to ask if they have input? The same contractor that is asking for this variance has removed all trees from this property even though they do not own it. I am doubtful if they asked permission before they did this.

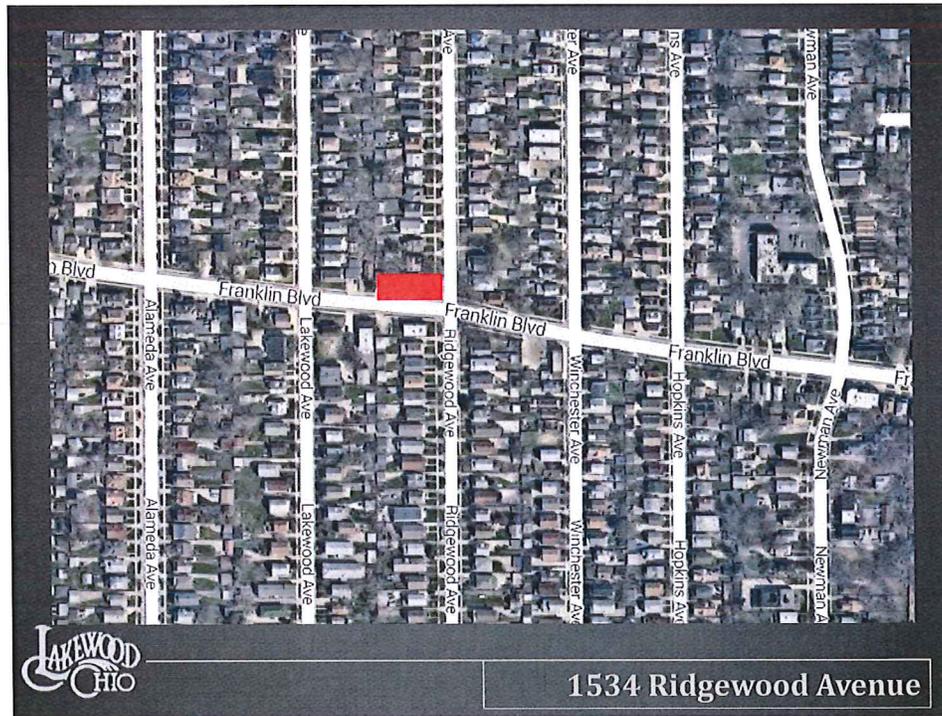
Sincerely,

Chris Cowen
13231 Merl Avenue
Lakewood, OH 44107
13231 Merl Avenue
Lakewood, OH 44107



Board of Zoning Appeals

November 2015







LAKELWOOD
OHIO

1534 Ridgewood Avenue



LAKELWOOD
OHIO

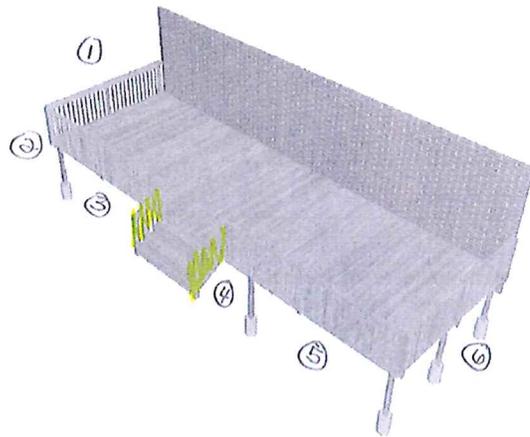
1534 Ridgewood Avenue



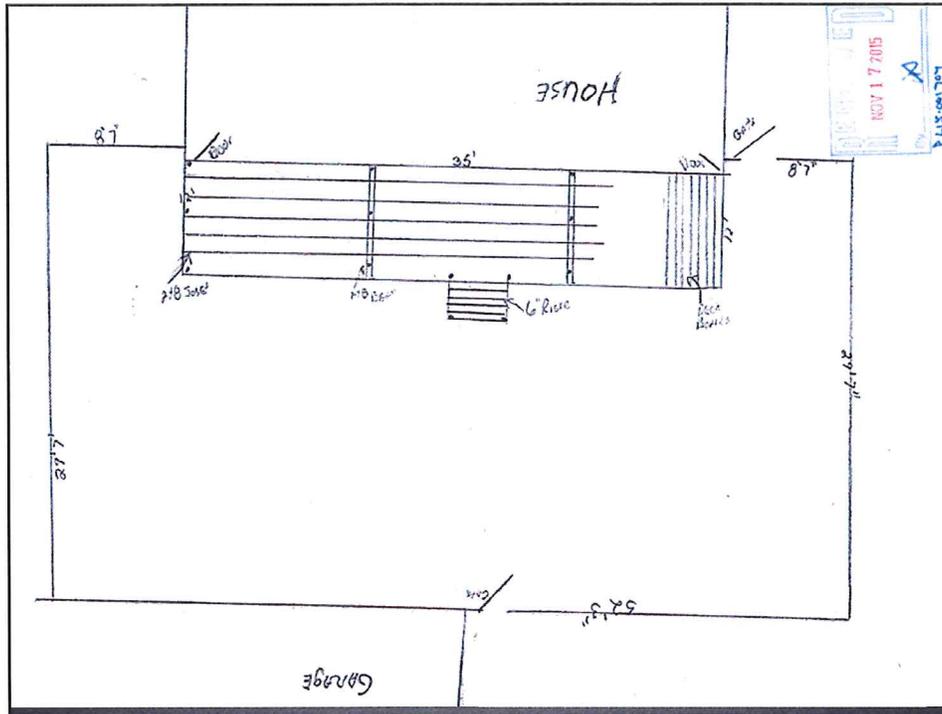
1534 Ridgewood Avenue

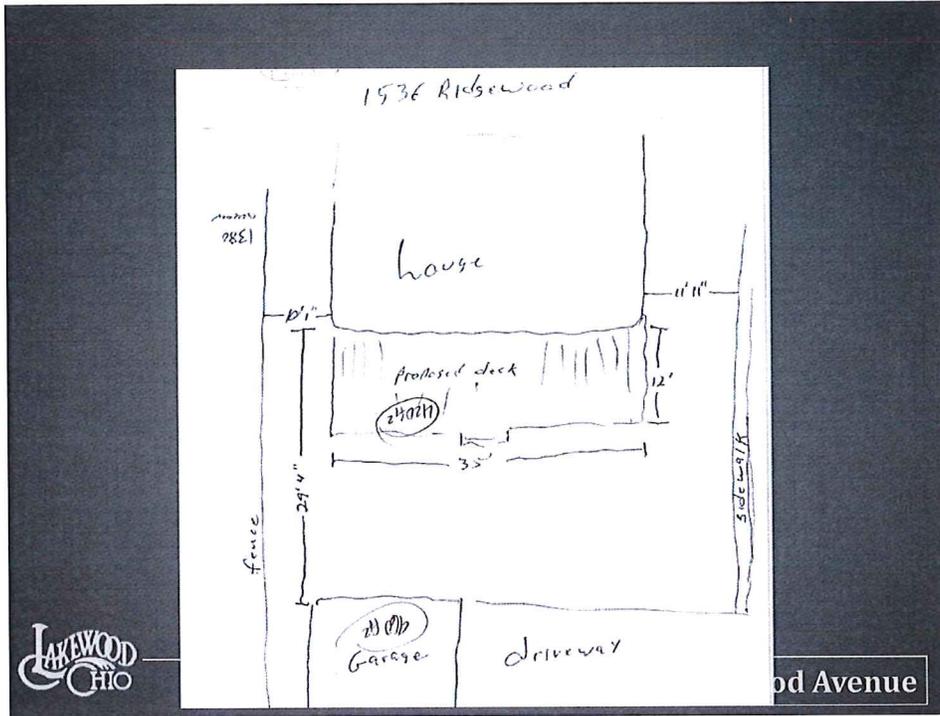
PRO DECK DESIGN

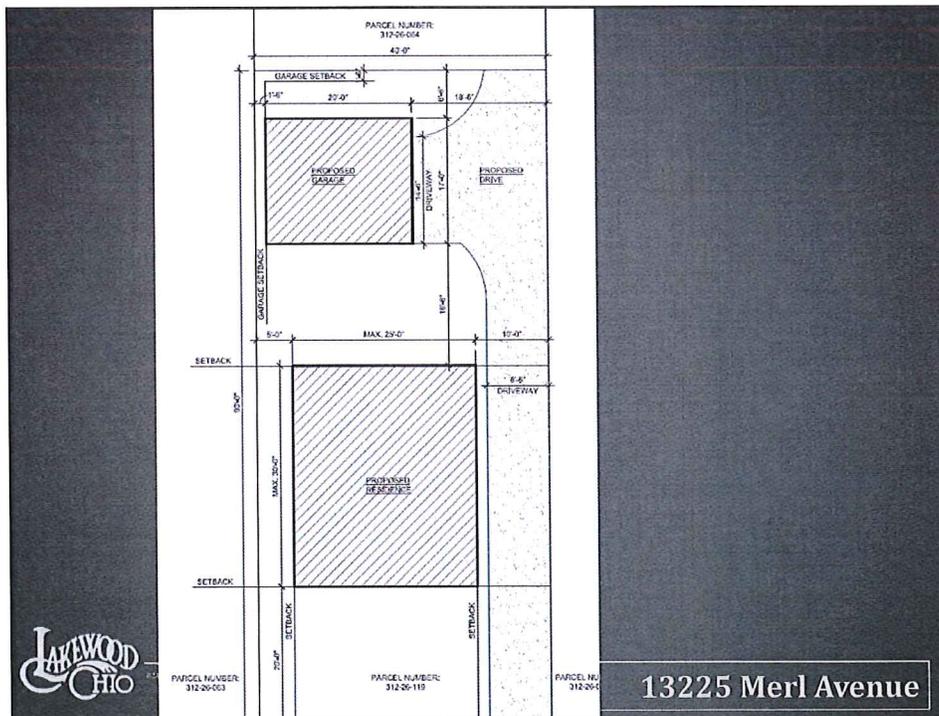
3D View

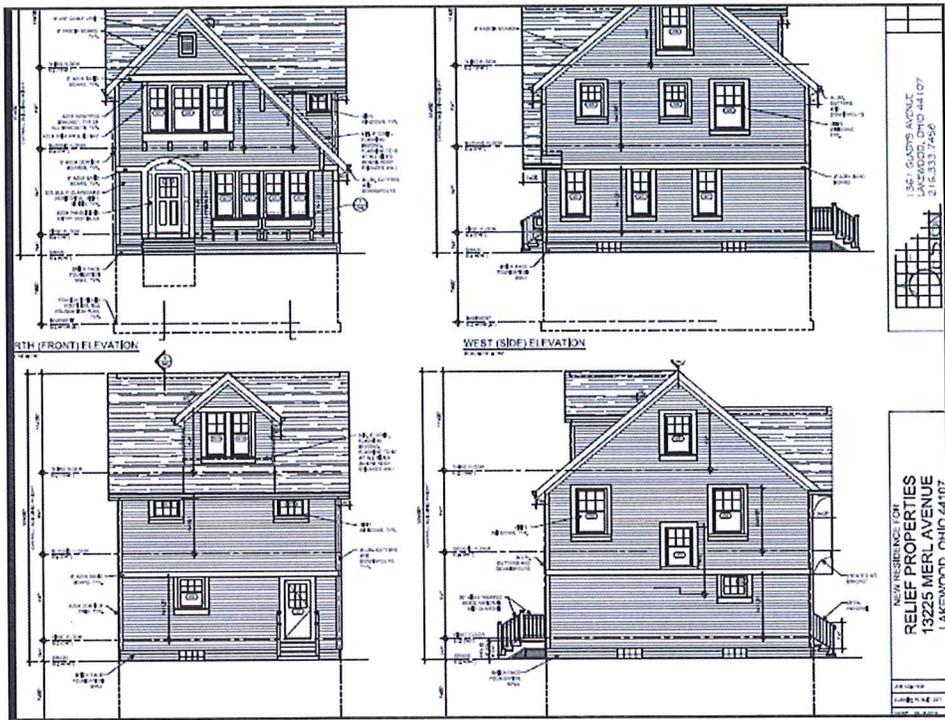


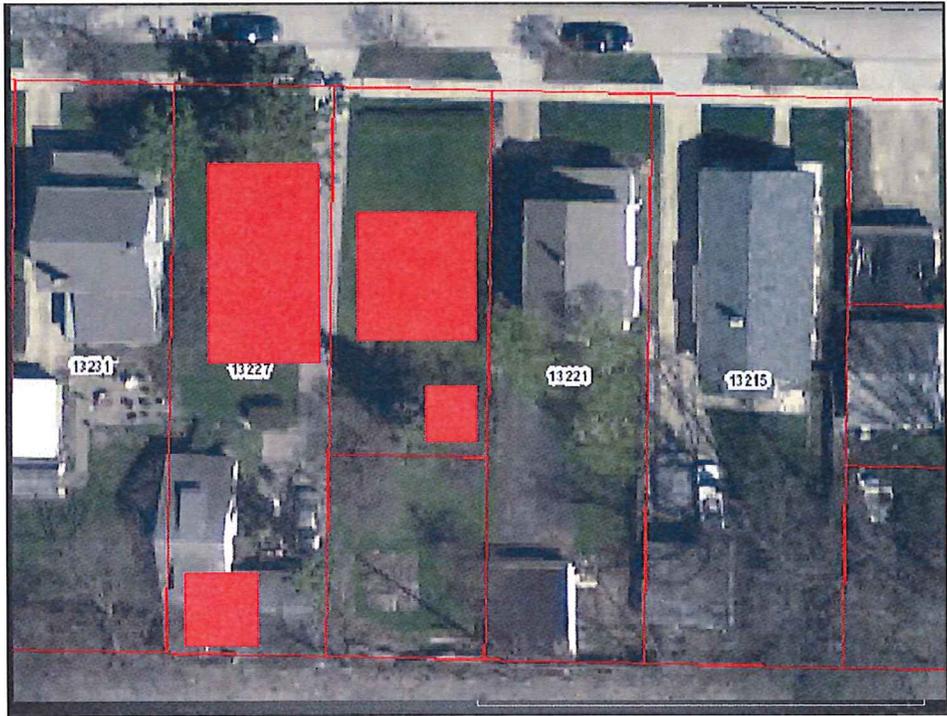
1534 Ridgewood Avenue















Board of Zoning Appeals

November 2015

