

<p>1 2 3 CITY OF ELYRIA, BOARD OF ZONING APPEALS 4 Meeting, held at Elyria City Hall, 131 Court Street, 5 2nd Floor Council Chambers, Elyria, Ohio, on Thursday, 6 June 6, 2025, at 3:05 p.m. 7 8 --- 9 10 BOARD OF ZONING APPEALS MEMBERS PRESENT: 11 Timothy Golden Member 12 Julianne Sadowski Member 13 James Miller Chairman 14 Ann Tanner Member 15 16 ALSO PRESENT: 17 Darryl Farkas Official Building Inspector 18 Christopher Schoenig City Planner 19 Mark Craig Administrative Legal 20 Counsel 21 Mary Tomski Secretary 22 23 --- 24 25</p>	<p>3 1 would be three of the four. 2 Okay. I just want you all to understand that 3 so that you have the option to go forward or to 4 wait until we have a full compliment of the Board, 5 and that is your option. 6 Okay. Approval of the minutes from the 7 April 3rd, 2025, meeting. 8 MS. SADOWSKI: I motion to approve the minutes 9 from April 3rd. 10 MS. TANNER: Second. 11 MR. MILLER: It's been moved and seconded. 12 All those in favor, say aye. 13 MR. GOLDEN: Aye. 14 MS. SADOWSKI: Aye. 15 MS. TANNER: Aye. 16 MR. MILLER: Aye. 17 Opposed, nay. 18 The meeting minutes from April 3rd are 19 approved. 20 Okay. So now we're going to go to the case 21 presentation format, and we'll ask you to come 22 forward -- 23 And we don't have a court reporter, do we? 24 Oh, you're recording it. 25 MS. TOMSKI: Yeah, she's sick today, so I'm</p>
<p>2 1 <u>PROCEEDINGS</u> 2 MR. MILLER: All right. This is the Thursday, 3 June 5th, 2025, City of Elyria Boarding of Zoning 4 Appeals Meeting. The time is 3:05. I will call 5 the meeting to order. 6 Madam Secretary, please call the roll. 7 MS. TOMSKI: Joel Fritz. 8 MR. MILLER: He's excused. 9 MS. TOMSKI: Timothy Golden. 10 MR. GOLDEN: Here. 11 MS. TOMSKI: Julianne Sadowski. 12 MS. SADOWSKI: Present. 13 MS. TOMSKI: Ann Tanner. 14 MS. TANNER: Present. 15 MS. TOMSKI: James Miller. 16 MR. MILLER: Present. 17 All right. Just a little bit of housekeeping. 18 For those people that are appearing before the 19 Board of Zoning Appeals today, since we don't have 20 a full compliment of members, you have the option, 21 when we call your case, to tell us you want to 22 have the full Board to hear your case. 23 If you elect to go forward, we'll hear your 24 case, but you do have to get a majority of the 25 people here to vote in favor of your case, which</p>	<p>4 1 recording the meeting. 2 MR. MILLER: So, everyone, if you're going to 3 give testimony, you do have to be sworn in. 4 So, Mary, have you sworn anybody in? 5 MS. TOMSKI: I don't do that. 6 MR. MILLER: I'll swear them in. 7 So before you come up, walk up to the front 8 here, and I'll swear -- or go to the microphone, 9 I'll swear you in from there, and then you can 10 give your testimony; okay? 11 So the format is the building inspector shall 12 present the City's position, the applicant shall 13 explain his or her case to the Board, proponents 14 and opponents shall voice their positions, and 15 questions and discussions of the Board will be 16 made. 17 So we'll go into the very first case -- 18 actually, shall we do the new business first, 19 Mary? 20 Okay. We're going to do -- there is no old 21 business, so we'll do new business. 22 There is a proposed change of the meeting 23 dates from the first Thursday of the month to the 24 third Thursday of the month. 25 Do I have a motion to change them or --</p>

<p style="text-align: right;">5</p> <p>1 MS. TANNER: So moved.</p> <p>2 MS. SADOWSKI: Second.</p> <p>3 MR. MILLER: It's been moved and seconded.</p> <p>4 Is there any discussion?</p> <p>5 Seeing no discussion, all those --</p> <p>6 MS. SADOWSKI: Hold on a moment here.</p> <p>7 MR. MILLER: What?</p> <p>8 Oh, sorry. Yes, sir.</p> <p>9 MR. SCHOENIG: Chris Schoenig, City Planner,</p> <p>10 City of Elyria. I'm stepping in for Mr. Farkas,</p> <p>11 Building Official, today.</p> <p>12 Just to give a little background on this,</p> <p>13 there has been a change in our proposed meetings</p> <p>14 moving forward from today. We are proposing to</p> <p>15 move these to the third Thursday of each month,</p> <p>16 moving forward with the month of July onward.</p> <p>17 This has caused scheduling conflicts</p> <p>18 throughout historically due to Planning Commission</p> <p>19 and Board of Zoning Appeals being in the same</p> <p>20 week. So this will alleviate the City's staff in</p> <p>21 terms of scheduling conflicts.</p> <p>22 Thank you.</p> <p>23 MR. MILLER: Okay.</p> <p>24 Anything else? Mr. Craig or anything?</p> <p>25 Okay. All those in favor, say aye.</p>	<p style="text-align: right;">7</p> <p>1 MS. TOMSKI: -- but they're not here.</p> <p>2 MR. MILLER: Well, seeing that they're not</p> <p>3 here, I guess we'll just carry them over to the</p> <p>4 next meeting then.</p> <p>5 Is that normal procedure?</p> <p>6 Okay.</p> <p>7 MS. TOMSKI: Yeah, and I will give them a call</p> <p>8 to see if they plan on being here next month.</p> <p>9 MR. MILLER: Yeah, provide plenty of notice</p> <p>10 for that.</p> <p>11 Okay. So with that one dispensed with for</p> <p>12 today, we'll now move on to the next case, Case</p> <p>13 Number 2025-7, Roxana Rodriguez, 1360 Abbe Road,</p> <p>14 requests a variance from Section 1142.05(B) of the</p> <p>15 Elyria Codified Ordinances. A chicken coop is</p> <p>16 constructed in the rear of the yard of the</p> <p>17 property that will contain six hens. The total</p> <p>18 lot coverage consists of .28 acres. Lot width,</p> <p>19 per the Lorain County Auditor's site, is 76 foot</p> <p>20 30 inches. Agriculture uses shall have a minimum</p> <p>21 lot area of not less than five acres and a width</p> <p>22 of not less than 300 feet.</p> <p>23 Is Ms. Rodriguez here?</p> <p>24 Please step forward to the microphone, and if</p> <p>25 you're going to give testimony, I'll swear you in;</p>
<p style="text-align: right;">6</p> <p>1 MR. GOLDEN: Aye.</p> <p>2 MS. SADOWSKI: Aye.</p> <p>3 MS. TANNER: Aye.</p> <p>4 MR. MILLER: Aye.</p> <p>5 Opposed, nay.</p> <p>6 The motion carries.</p> <p>7 Okay. We'll now move on to the first case,</p> <p>8 Case Number 2025-5, Kelly Adkins, 114 River Run</p> <p>9 Drive, Elyria, Ohio 44035, requests a variance</p> <p>10 from Section 1175.03 of the Elyria Codified</p> <p>11 Ordinances. The site plan shows a proposed 4 foot</p> <p>12 by 29 foot driveway addition. The addition will</p> <p>13 increase the concrete coverage to 44.99 percent.</p> <p>14 The maximum allowed by City ordinance is one-third</p> <p>15 coverage.</p> <p>16 Is Ms. Adkins here?</p> <p>17 Is anybody for this case here?</p> <p>18 Madam Secretary, did they contact you or</p> <p>19 anything like that?</p> <p>20 MS. TOMSKI: No, they did not. They did show</p> <p>21 up last month when we didn't have a meeting and</p> <p>22 they were not on the agenda. And I sent out a new</p> <p>23 notice for today, but -- I thought they were</p> <p>24 coming --</p> <p>25 MR. MILLER: Okay.</p>	<p style="text-align: right;">8</p> <p>1 okay?</p> <p>2 (Sworn)</p> <p>3 MR. MILLER: All right. Ms. Rodriguez, you</p> <p>4 want to tell us what you propose and why you're</p> <p>5 here?</p> <p>6 Thank you.</p> <p>7 MS. RODRIGUEZ: I was planning on having hens.</p> <p>8 I was building the chicken coop by myself. It's</p> <p>9 on the corner. I don't know how to explain it,</p> <p>10 but if this is my lot, the front, it's on the</p> <p>11 right corner.</p> <p>12 The three neighbors that will be completely</p> <p>13 affected, let's say, by that corner are okay with</p> <p>14 that. Even one of them -- sorry. Even the one</p> <p>15 behind, he came and he signed. Like he just gave</p> <p>16 me this a few days ago with the signature of him</p> <p>17 and his wife saying that they don't have any</p> <p>18 problem.</p> <p>19 Last year I had to take care of my sister's</p> <p>20 chickens. It was very nice for us. We wanted to</p> <p>21 have it. When I find the information online, I</p> <p>22 thought it -- I was allowed, but I never saw the</p> <p>23 five acres area.</p> <p>24 And I don't know, we learned a lot in the time</p> <p>25 we were baby-sitting the chickens of my sister,</p>

<p style="text-align: right;">9</p> <p>1 and we wanted to have that opportunity. I know 2 there is a lot of good factors about having them. 3 I'm even trying to build -- to grow my own baggies 4 and things in the house. 5 So, I don't know, I wanted to have them, and I 6 would like to have the permission to do it. It's 7 the first time I'm involved in any of this. So I 8 don't know if I have to say or explain anything 9 else because I don't know. I'm sorry. 10 MR. MILLER: Thank you. 11 Sir. 12 MR. SCHOENIG: Yes. Chris Schoenig, City 13 Planner, City of Elyria, subbing in for 14 Mr. Farkas, Building Official. 15 From staff's point of view, the property 16 address is 1360 Abbe Road South. This is 17 currently zoned Residential-Low Density, or R-LD. 18 The property is 0.28 of an acre. The request was 19 for a variance to the current zoning code 20 regarding the keeping of chickens. 21 The applicant is seeking to have six chickens 22 in their backyard. They claim they have a fenced 23 yard and the chickens will be inside a 4-by-8 24 chicken coop with extra area to run. 25 As indicated, the property is zoned R-LD. A</p>	<p style="text-align: right;">11</p> <p>1 MR. MILLER: Okay. 2 Sure, Mr. Farkas. 3 MR. FARKAS: Mr. Chair, through you. Darryl 4 Farkas, Building Official. 5 Just for the Board's information, the 6 department has received a citizen's complaint 7 regarding chickens in the backyard. Staff was 8 dispatched, confirmed that we did have a hen 9 house, but unable to verify the chickens 10 themselves. I just wanted the Board to be made 11 aware. 12 Thank you. 13 MR. MILLER: Okay. Is there any other -- do 14 you have any other item, Ms. Rodriguez, or 15 anything? 16 MS. RODRIGUEZ: No, just the letter that my -- 17 the other two neighbors, he said she's not coming 18 because she's at work and she doesn't have any 19 issues. The one in the back, he didn't have any 20 issues. He just asked me to keep it clean because 21 that way they don't get affected if there is any 22 smell, and this is the one at the other corner. 23 MR. MILLER: You can give the letter to the 24 secretary -- the clerk. 25 Okay. All right. So what we do is we go</p>
<p style="text-align: right;">10</p> <p>1 chicken coop would be defined as an agricultural 2 use as found in our codified ordinances. 3 Agricultural uses are permitted in the 4 Residential-Low Density zoning district, however, 5 they must have a minimum lot area of not less than 6 five acres and a width not less than 300 feet per 7 Section 1142.05 Part (B). This requirement is not 8 met by the applicant as the property is .28 of an 9 acre and has a lot frontage of approximately 75 10 feet less than what is required by code. 11 Historically, the Board has not granted a 12 variance for chicken coops on lots smaller than 13 five acres, however, it should be noted that 14 neighboring communities have begun recently 15 passing legislation permitting backyard chickens. 16 And of a second note, the City of Elyria is 17 currently working on writing a new zoning code. 18 Within this proposed zoning code, there may be 19 allowances for backyard chickens if several 20 conditions are met. We are currently working with 21 our legal department in review of what those 22 requirements will include. However, I would like 23 to remind the board that this is only the proposed 24 zoning code, it is only in draft form, and has not 25 been formally adopted by the City.</p>	<p style="text-align: right;">12</p> <p>1 through the different -- do you have anything to 2 say -- sorry. 3 What? What? 4 Oh, does anybody in the audience have anything 5 to say? If you do, please come forward. 6 Ms. Rodriguez, thank you. You can sit down. 7 All right. Could you please state your name? 8 MS. CERNEY: Kelly Cerney. 9 MR. MILLER: And your address? 10 MS. CERNEY: 1350 Abbe Road South. 11 MR. MILLER: Please raise your right hand. 12 (Sworn) 13 MR. MILLER: Go ahead. 14 MS. CERNEY: I am the neighbor that lives on 15 the opposite side of Ms. Rodriguez. We are the 16 ones that complained in regards to it. We live 17 within city limits. We bought our house in city 18 limits to stay away from livestock issues other 19 than dogs, cats, you know, those type of animals, 20 but we don't want to live next to chickens. 21 That's the reason why we moved and bought the 22 house where we did. 23 So we do have an issue with it. We do have an 24 issue with cleanness of it. Chickens smell. They 25 do not have a big enough backyard for it. And we</p>

<p style="text-align: right;">13</p> <p>1 live on the north side of it, so any time that</p> <p>2 there is wind, we're going to have the brunt of</p> <p>3 the smell of them. So being in my home, in my</p> <p>4 backyard, I just -- I don't want to deal with it.</p> <p>5 So I did make the complaint in regards to the</p> <p>6 chickens, and I would like the ordinance to stay</p> <p>7 as is.</p> <p>8 MR. MILLER: Okay. Thank you.</p> <p>9 MS. CERNEY: Thank you.</p> <p>10 MR. MILLER: Sir, ma'am, please raise your</p> <p>11 right hands.</p> <p>12 (Sworn)</p> <p>13 MR. MILLER: Please state your names.</p> <p>14 MS. STYLES: Sherry Styles, 125 Queen Anne</p> <p>15 Circle, Elyria, Ohio.</p> <p>16 MR. SMITH: Mark Smith, 125 Queen Anne Circle,</p> <p>17 Elyria, Ohio.</p> <p>18 MR. MILLER: Thank you. Go ahead.</p> <p>19 MS. STYLES: Okay. From where the chicken</p> <p>20 coop will be placed, we are the neighbors that are</p> <p>21 directly behind where the property is, so our main</p> <p>22 concern -- we had like four points for our</p> <p>23 concerns.</p> <p>24 For one, the zoning. With it not being enough</p> <p>25 space for chickens to inhabit it or enough</p>	<p style="text-align: right;">15</p> <p>1 the door for plenty of other animals to come in,</p> <p>2 you know.</p> <p>3 And the noise concerns, because they're going</p> <p>4 to be up all times of the night, the morning,</p> <p>5 feeding. When they feed, they make noise. If</p> <p>6 something attacks them or they get scared, they're</p> <p>7 going to make noise. We have children in the</p> <p>8 neighborhood.</p> <p>9 That's all. That's all I have.</p> <p>10 MR. MILLER: Sir, do you have anything you</p> <p>11 want to add?</p> <p>12 MR. SMITH: I do. My wife is slightly</p> <p>13 mistaken. We're actually catty-corner to them.</p> <p>14 So we're not directly behind them, we're</p> <p>15 catty-corner to them.</p> <p>16 MR. MILLER: Okay.</p> <p>17 MR. SMITH: So the three houses -- the two</p> <p>18 houses next to them and the house directly behind</p> <p>19 them, we sit next to that house.</p> <p>20 MR. MILLER: Okay.</p> <p>21 MR. SMITH: And I would just like to add that</p> <p>22 we've lived there now right before COVID started</p> <p>23 in 2019. The house directly behind us, which is</p> <p>24 the house directly next-door to them, they have</p> <p>25 dogs. The dogs have -- and it's definitely not</p>
<p style="text-align: right;">14</p> <p>1 property, we don't think that that's right</p> <p>2 considering that it's like, what, an</p> <p>3 agricultural -- it's supposed to be on</p> <p>4 agricultural land. So for it to be smashed -- I</p> <p>5 don't have a better word, but in order for it --</p> <p>6 for it all to be like put into that one little</p> <p>7 complex, that one little -- instead of being where</p> <p>8 it's supposed to be, that will cause like a lot of</p> <p>9 problems as far as the zoning for us.</p> <p>10 The sanitation as well, like health concerns</p> <p>11 as far as them not being certified to handle the</p> <p>12 chickens. I know you said that you dealt with the</p> <p>13 chickens as far as whenever you were at your</p> <p>14 family member's house, but that's a big thing.</p> <p>15 Because if you're not clean enough or sanitary</p> <p>16 enough with that, you could bring disease into</p> <p>17 your own house, not only to all of the surrounding</p> <p>18 neighbors, but to us as well. Because whenever it</p> <p>19 rains, that tracks through everybody's yard, all</p> <p>20 of that fecal matter.</p> <p>21 Property value: Because you put that back</p> <p>22 there, now it's almost like that GEICO commercial</p> <p>23 with the screaming goats. Because that's back</p> <p>24 there, not -- the chickens can come, but after a</p> <p>25 while, what else can come, you know. That opens</p>	<p style="text-align: right;">16</p> <p>1 the dogs' issue, but the fences that we all have,</p> <p>2 the dogs have dug under the fences. So we've had</p> <p>3 their dogs come into our backyard. They've come</p> <p>4 over, taking care of it, that's fine, but my point</p> <p>5 is that if an animal gets loose and then gets into</p> <p>6 somebody else's yard, how quickly would that</p> <p>7 animal be corralled so that the people who live</p> <p>8 there, you know, can be made whole.</p> <p>9 And then my last point is: I have a daughter</p> <p>10 who's nine. We moved here from New York City.</p> <p>11 She's not used to chickens or hens or anything</p> <p>12 else. She's used to concrete and buses and trucks</p> <p>13 and cars. And my fear is if my daughter is in the</p> <p>14 backyard playing and somehow one of the chickens</p> <p>15 get loose and gets under one of the holes in the</p> <p>16 fence because of the digging in the ground, my</p> <p>17 daughter may be affected by that.</p> <p>18 That's the only thing I have to add.</p> <p>19 MR. MILLER: All right. Thank you very much.</p> <p>20 Anybody else from the audience who wants to</p> <p>21 say anything?</p> <p>22 Okay. You want to come back? You may come</p> <p>23 back.</p> <p>24 MS. RODRIGUEZ: So I don't know if -- of</p> <p>25 course I never finished building the chicken coop,</p>

<p style="text-align: right;">17</p> <p>1 and I'm doing it by myself, so I don't know when I 2 will start because I don't have the chickens right 3 now. But they are supposed to be for safety in an 4 enclosed -- I don't know how you call it, and 5 that's completely enclosed.</p> <p>6 Now, I don't know if -- I understand English, 7 but it's not my first language, so I don't know if 8 maybe I'm mistaken. My dogs never left my fence. 9 I don't know if that was mentioned. Like they 10 don't run like --</p> <p>11 MR. MILLER: I don't think that they were 12 talking about your dogs. They were talking about 13 other dogs.</p> <p>14 MS. RODRIGUEZ: Okay. Okay. That's fine. 15 Because, yeah, they -- if I take them out to walk, 16 they are always running there. So if that concern 17 is that they are going to -- that the chicken may 18 run away, that will not happen.</p> <p>19 I was taking care of the chickens for a month, 20 my sister's chickens, and I even had to deal with 21 one that was sick because it was hurt by the 22 others, by pecking.</p> <p>23 MR. MILLER: Yeah.</p> <p>24 MS. RODRIGUEZ: And I'm even a volunteer on 25 the Multiple Breed Rescue, so I do help with</p>	<p style="text-align: right;">19</p> <p>1 residential property and just like the other ones. 2 The variance request stems from a condition 3 that is unique to the property at issue and not 4 ordinarily found in the zoning of the district. 5 No, it's not unique to this property. It 6 would be the case for every other property in that 7 district. They're not large enough to have a hen 8 house.</p> <p>9 The hardship condition was not created by 10 actions of the applicant.</p> <p>11 Well, you did build the coop, and if you did 12 put hens in there, it would be by your actions, so 13 yes, it was.</p> <p>14 The granting of the variance will not 15 adversely affect the rights of the adjacent 16 property owners or residents.</p> <p>17 As we've seen, the residents adjacent and 18 near -- and catty-corner from the property would 19 be affected, and that's why they've complained.</p> <p>20 The granting of the variance will not 21 adversely affect public health, safety, or general 22 welfare.</p> <p>23 There is questions about public health, 24 whether or not they'd be safe. Generally, I think 25 that that would be either way because we allow it</p>
<p style="text-align: right;">18</p> <p>1 animals. And, of course, not chickens yet, but -- 2 I don't know, that's just because of what I heard.</p> <p>3 Again, because it's in the corner, the -- 4 exactly the three neighbors close to that, that 5 may say they will be the most affected by the 6 smell, if there is any, they are okay with that.</p> <p>7 And also the chickens won't make noise at 8 night. They sleep. And they will be -- the 9 chicken coop, it's locked in a way that no other 10 animal can go and get them at night. So they 11 don't do noise at night. They sleep.</p> <p>12 I don't know. I don't know if -- that will be 13 all. Thank you.</p> <p>14 MR. MILLER: Okay. Thank you.</p> <p>15 All right. So we now go over a set of factors 16 that we look at for each case, and I will go over 17 the factors, and for the members of the Board.</p> <p>18 First of all, I should ask, does any member of 19 the Board have any questions?</p> <p>20 MR. GOLDEN: Not yet.</p> <p>21 MR. MILLER: Not yet.</p> <p>22 So Number 1, the property cannot be put to an 23 economically viable use under any of the permitted 24 uses of the zoning code.</p> <p>25 I would say no, it can because it's a</p>	<p style="text-align: right;">20</p> <p>1 for some cases, but with such a tight lot, that 2 might be definitely a case in this situation.</p> <p>3 The variance will be consistent with the 4 general spirit and intent of the zoning code.</p> <p>5 I don't think it is. The zoning code asks for 6 five acres and this is nowhere close.</p> <p>7 Does everybody agree? I keep forgetting to 8 ask.</p> <p>9 MR. GOLDEN: Yes, on everything.</p> <p>10 MS. SADOWSKI: Yes.</p> <p>11 MS. TANNER: Yes.</p> <p>12 MR. MILLER: Yes, I figured you would chirp up 13 if you didn't, Mr. Golden.</p> <p>14 Okay. The variance sought is the minimum 15 which will afford relief to the applicant.</p> <p>16 I don't know if it's the minimum. The only 17 way they're going to get relief is if we did do 18 it. I can't think of any other way to do that, so 19 it's -- but it -- so I -- but I -- I don't think 20 it's -- I think it is the minimum, but it's still 21 a question of whether or not we grant it.</p> <p>22 Does anybody have any comments or questions or 23 agree?</p> <p>24 MS. SADOWSKI: Yeah, I agree.</p> <p>25 MR. MILLER: I think it is the minimum. It</p>

<p style="text-align: right;">21</p> <p>1 would have to -- to put the chicken coop in, they</p> <p>2 would have to get this variance, so...</p> <p>3 Okay. So seeing that those are the things --</p> <p>4 does anybody else have any questions or anything?</p> <p>5 MR. GOLDEN: I just have one.</p> <p>6 MR. MILLER: Go ahead.</p> <p>7 MR. GOLDEN: Thank you, Mr. Chairman.</p> <p>8 As you know, a couple months back I wrote a</p> <p>9 little brief on this and did a survey of all the</p> <p>10 communities around us, if they permit chickens,</p> <p>11 what type of chickens, et cetera, and got a very</p> <p>12 detailed list. I believe everyone has that.</p> <p>13 MR. MILLER: Yes.</p> <p>14 MR. GOLDEN: The problem is that I look at and</p> <p>15 the Ohio Supreme Court tells us, that certain</p> <p>16 factors have to be met for us to grant the</p> <p>17 variance. You just went through the list of</p> <p>18 factors for a use variance, and I don't think any</p> <p>19 of them have been met, not even close.</p> <p>20 I truthfully believe the applicant -- if it</p> <p>21 was me and just talking out loud, I would probably</p> <p>22 get ahold of my city councilperson and work with</p> <p>23 them on having the zoning code updated and going</p> <p>24 through public hearings and that. But for us</p> <p>25 granting the variance on a chicken coop that has</p>	<p style="text-align: right;">23</p> <p>1 Thanks. Thank you very much.</p> <p>2 All right. We now go to our next thing on the</p> <p>3 agenda, which is Case Number 2025-8, Ruff Neon</p> <p>4 Sign & Lighting Maintenance, 295 West Prospect</p> <p>5 Street, Painesville, Ohio 44077, for Lorain County</p> <p>6 Community College, 1005 North Abbe Road, Elyria,</p> <p>7 Ohio 44035, request a variance from Section</p> <p>8 1174.051 of the Elyria Codified Ordinances for the</p> <p>9 installation of signage that is 118 square feet in</p> <p>10 size. The zoning code allows up to 62 square foot</p> <p>11 in size.</p> <p>12 Is there somebody from Ruff Neon Sign here?</p> <p>13 Sir or ma'am.</p> <p>14 MS. ROTH: Hello.</p> <p>15 MR. MILLER: Since we don't have a court</p> <p>16 reporter, come over to the microphone so we can</p> <p>17 hear you.</p> <p>18 Please raise your right hands.</p> <p>19 (Sworn)</p> <p>20 MR. MILLER: Okay. Please state your name,</p> <p>21 address, and tell us about why you want the</p> <p>22 variance.</p> <p>23 MS. ROTH: Perfect. I'm Jessica Roth. I'm</p> <p>24 with the sign company -- Ruff Neon Signs.</p> <p>25 MR. MAHONEY: My name is Leo Mahoney. I'm the</p>
<p style="text-align: right;">22</p> <p>1 not met any requirements of the factors, I don't</p> <p>2 see how we can at all approve this.</p> <p>3 Thank you.</p> <p>4 MR. MILLER: Thank you, Mr. Golden.</p> <p>5 Anybody else?</p> <p>6 Seeing none, I'll take a motion on Case Number</p> <p>7 2025-7.</p> <p>8 MR. GOLDEN: I'll make the motion,</p> <p>9 Mr. Chairman, to deny the request for the</p> <p>10 variance.</p> <p>11 MS. SADOWSKI: I'm going to second.</p> <p>12 MR. MILLER: It's been moved and seconded to</p> <p>13 deny the request for a variance.</p> <p>14 All those in favor of denying the request for</p> <p>15 a variance, say aye.</p> <p>16 MR. GOLDEN: Aye.</p> <p>17 MS. SADOWSKI: Aye.</p> <p>18 MS. TANNER: Aye.</p> <p>19 MR. MILLER: Aye.</p> <p>20 All those opposed?</p> <p>21 The motion carries.</p> <p>22 I'm sorry, but as you heard, the City is</p> <p>23 updating their code. Perhaps maybe with a new</p> <p>24 code, you may fit into that. I would talk to your</p> <p>25 councilman about that; okay?</p>	<p style="text-align: right;">24</p> <p>1 director of facilities with Lorain County</p> <p>2 Community College.</p> <p>3 MS. ROTH: So we are proposing -- if you look</p> <p>4 through your packet on Page 3, you'll see an</p> <p>5 overview of sign 1 and sign 2.</p> <p>6 Sign 1 is representing the new set of channel</p> <p>7 letters that will be internally illuminated. This</p> <p>8 will be a new sign that we're proposing.</p> <p>9 And sign 2 is a face replacement of an</p> <p>10 existing sign.</p> <p>11 MR. MILLER: Okay.</p> <p>12 MS. ROTH: So on the next page, 4, shows an</p> <p>13 overview of the channel letter side. Again, these</p> <p>14 will be internally illuminated.</p> <p>15 And then in this image, you will also see the</p> <p>16 ground sign that we are just doing a face</p> <p>17 replacement on.</p> <p>18 On Page 5, we'll show you the overall size of</p> <p>19 the channel letter set. It is 20-inch tall</p> <p>20 letters. Overall width would be the 17 feet</p> <p>21 overall. And, again, these are internally</p> <p>22 illuminated with LED.</p> <p>23 And on the next page, Page 6, you'll see the</p> <p>24 existing ground sign. Overall size of this is</p> <p>25 43-and-a-half-by-120 and, again, this is just a</p>

<p style="text-align: right;">25</p> <p>1 face replacement of the existing.</p> <p>2 And then if Leo wanted to add anything to</p> <p>3 that...</p> <p>4 MR. MAHONEY: Yes, thank you.</p> <p>5 So I just wanted to give you some context. So</p> <p>6 the college last year received a gift from Eric</p> <p>7 and Jane Nord Family Fund to set up the Eric and</p> <p>8 Jane Nord STEM Discovery Institute, primarily a</p> <p>9 scholarship foundation. And in recognition of</p> <p>10 that gift, the college decided to rename the</p> <p>11 college center building to the Eric and Jane Nord</p> <p>12 College Center. And to represent that gift and</p> <p>13 recognize that gift, we wanted to install an</p> <p>14 illuminated sign on the building.</p> <p>15 The ground sign has already been approved.</p> <p>16 The variance is just for the illuminated building</p> <p>17 channel letters.</p> <p>18 And I just want to add that we've got four</p> <p>19 buildings already on Abbe Road, three of which</p> <p>20 have illuminated channel letter signs that already</p> <p>21 exist within the building. Those buildings are</p> <p>22 over 840 feet off of Abbe Road. They exist within</p> <p>23 a multi-building campus that's other 250 acres,</p> <p>24 and I've got a total of seven buildings that have</p> <p>25 the same exact channel letter illumination signs</p>	<p style="text-align: right;">27</p> <p>1 MR. MILLER: Thank you.</p> <p>2 Any questions from the Board right now?</p> <p>3 MS. SADOWSKI: No.</p> <p>4 MR. MILLER: Okay. So we can go through our</p> <p>5 factors unless -- it appears to me that if the</p> <p>6 rest of the Board agrees instead of going through</p> <p>7 them individually -- do you agree that all the</p> <p>8 factors do apply?</p> <p>9 MR. GOLDEN: Yes.</p> <p>10 MS. SADOWSKI: Yes.</p> <p>11 MS. TANNER: Yes.</p> <p>12 MR. MILLER: Yes.</p> <p>13 Okay. So since all the factors do apply, I'll</p> <p>14 ask for a vote of the Board.</p> <p>15 By the way, Ms. Secretary, we sent out the</p> <p>16 notices or whatever we do in this case?</p> <p>17 I don't know, who's their neighbors?</p> <p>18 MS. TOMSKI: Yeah, I did send some out, and I</p> <p>19 didn't hear from anybody.</p> <p>20 MR. MILLER: Okay. I was assuming that was</p> <p>21 the case.</p> <p>22 Okay. So I'll take a motion on this case.</p> <p>23 MS. SADOWSKI: A motion that we accept</p> <p>24 Case Number 2025-8.</p> <p>25 MS. TANNER: Second.</p>
<p style="text-align: right;">26</p> <p>1 on those buildings.</p> <p>2 So we'd respectfully request that you would</p> <p>3 grant us the variance to, you know, adequately</p> <p>4 represent -- or recognize the tremendous gift that</p> <p>5 we've received from the Eric and Jane Nord Family</p> <p>6 Fund.</p> <p>7 Thank you.</p> <p>8 MR. MILLER: Thank you.</p> <p>9 Anything further?</p> <p>10 City?</p> <p>11 MR. SCHOENIG: Thank you. Through you,</p> <p>12 Mr. Chair.</p> <p>13 The property address is 1005 Abbe Road North.</p> <p>14 They are requesting, as they indicated,</p> <p>15 illuminated channel letters on the property.</p> <p>16 Unfortunately, this property is currently</p> <p>17 zoned R-TH, Residential-Two Household. This</p> <p>18 permits institutional signage and limits it to one</p> <p>19 ground-mounted wall or painted wall sign.</p> <p>20 Additionally, the maximum area limit is</p> <p>21 limited to 64 square feet per Section 1174.07. A</p> <p>22 memo was provided during the design review process</p> <p>23 indicating that a variance would be required due</p> <p>24 to this hardship of our current zoning code.</p> <p>25 Thank you.</p>	<p style="text-align: right;">28</p> <p>1 MR. MILLER: Okay. It's been moved that we</p> <p>2 accept the Case Number 2025-8 and grant a variance</p> <p>3 for the construction of this sign.</p> <p>4 All those in favor, say aye.</p> <p>5 MR. GOLDEN: Aye.</p> <p>6 MS. SADOWSKI: Aye.</p> <p>7 MS. TANNER: Aye.</p> <p>8 MR. MILLER: Aye.</p> <p>9 Opposed, nay.</p> <p>10 Thank you very much. You'll have a letter in</p> <p>11 about a week or two.</p> <p>12 MR. MAHONEY: Thank you very much.</p> <p>13 MS. ROTH: Thank you.</p> <p>14 MR. MILLER: Seeing that we have covered all</p> <p>15 the business on the agenda --</p> <p>16 MR. GOLDEN: Mr. Chairman, just one thing.</p> <p>17 The current chairman has sent me, and maybe all of</p> <p>18 us, a copy of a letter that was received from the</p> <p>19 acting legal counsel for this Board and about</p> <p>20 updating our rules and doing a -- you know, voting</p> <p>21 in a new chairman --</p> <p>22 MR. MILLER: Okay.</p> <p>23 MR. GOLDEN: -- and things of this nature.</p> <p>24 And I have been working with Joel on this</p> <p>25 right now. He did tell me he was going to be gone</p>

1 today, but we've probably got a lot of it done.
 2 We've obtained information from other cities and
 3 looked at the different factors, how they handle
 4 their boards. That's all.

5 MR. MILLER: All right. Sounds good.

6 So I will put that down -- we'll just put that
 7 down as, you know, old business on our next
 8 meeting. Do you think that will be -- and we will
 9 discuss the operating procedures for this -- of
 10 this -- of this Committee.

11 MR. GOLDEN: Thank you.

12 MR. MILLER: Do I have a motion to adjourn?

13 MS. SADOWSKI: I motion we adjourn.

14 MS. TANNER: Second.

15 MR. MILLER: It's been moved and seconded.

16 All those in favor, say aye.

17 MR. GOLDEN: Aye.

18 MS. SADOWSKI: Aye.

19 MS. TANNER: Aye.

20 MR. MILLER: Aye.

21 Opposed, nay.

22 We stand adjourned.

23 Thank you.
 24
 25

1 C E R T I F I C A T E

2 The State of Ohio,)
 3) SS:
 4 County of Erie.)

5 I, Mary A. Hammond, a Court Reporter and Notary
 6 Public within and for the State of Ohio, do hereby
 7 certify that I transcribed the foregoing meeting from
 8 digital media, wrote the same in stenotype, and that
 9 this is a true and correct transcript of my stenotype
 10 notes.

11 I do further certify that I am not a relative,
 12 employee of, or attorney for any of the parties or
 13 otherwise interested in the outcome of this action.

14 I am not, nor is the court reporting firm with
 15 which I am affiliated, under a contract as defined in
 16 Civil Rule 28(D).

17 In WITNESS WHEREOF, I have hereunto set my hand
 18 and affixed my seal of office at Berlin Heights, Ohio,
 19 this 20th day of June, 2025.
 20
 21
 22
 23
 24
 25

Mary A. Hammond

Mary A. Hammond
 Court Reporter, Notary Public
 My Commission Expires 12-25-27
 Recorded in Erie County, Ohio