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2 CITY OF ELYRIA, BOARD OF ZONING APPEALS 4 Meeting, held at Elyria City Hall, 131 Court Street, 5 2nd Flore Council Chambers, Elyria, Ohio, on Thursday, 6 August 21st, 2025, at 3:00 p.m. 7 8 9 10 BOARD OF ZONING APPEALS MEMBERS PRESENT: 11 Joal Fritz Chairman 12 Timothy Golden 13 Julianne Sadowski Member 14 James Miller Member 15 Ann Tanner Member 16 Counsel 16 Counsel 17 Cliristopher Schoenig City Planner 18 Christopher Schoenig City Planner 19 Mark Craig Administrative Legal 20 Counsel 21 Counsel 22 Exprovements Secretary 21 Mary Tomski Secretary 22 Legan Secretary 23 Torder, The sis the City of Elyria Board of Counsel 24 Zegan Secretary 25 Legan Secretary 26 MR, FRITZ: We're going to call this meeting or over to the podium. Sometimes we do it differents, but who knows. 21 All in some country of the four or uses presentation format. When we call your case, we've going to ask that you come up close to us way and seconded. 27 All revolved and seconded. 28 All in sory, aye. 39 MR, FRITZ: Mye. 30 MR, FRITZ: Mye. 30 MR, FRITZ: Aye. 31 The syes have it, and those minutes are approved. 41 James Sadowski Member 42 Dear Member 43 Julianne Sadowski Member 44 James Miller Member 45 All revolved and seconded. 46 MR, FRITZ: Mye. 47 MR, GOLDEN: Aye. 48 MR, FRITZ: Mye. 48 MR, FRITZ: Hye. 49 MR, FRITZ: Aye. 40 MR, FRITZ: Hye sens miller approved to the five of the format, just want to let you know that we do not have a full board. We have five beard empore, and for the four of us as opposed to the five of user most meeting in September, or you live with the decision of the four of us as opposed to the five of user most meeting in September, or you live with the decision of the four of us as opposed to the five of user most meeting in September, or you live with the decision of the four of us as opposed to the five of user most meeting in September, or you live with the decision of the four of us as opposed to the five of user meeting in September, or you live with the decision of the four of user approvaled with the decisio	1.	1		_
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	19	MR. MILLER: Present.		•
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that motion to approve the minutes of the June 5th 24 start with our new business:	19 20 21	MR. MILLER: Present.  MR. FRITZ: At this time, the Chair will entertain a motion for approval of our minutes of	20 21	So you don't have to worry about the first thing I said because now we have a full board and
25 meeting. 25 Case Number 2025-9: Continental Management	19 20 21 22 23	MR. MILLER: Present.  MR. FRITZ: At this time, the Chair will entertain a motion for approval of our minutes of our June 5th, 2025.  MR. GOLDEN: Mr. Chairman, I'd like to make	20 21 22 23	So you don't have to worry about the first thing I said because now we have a full board and you can live with our decision today.  Seeing as that we have no old business, we'll

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- 1 located at 20545 Center Ridge Road, Suite LL20,
- 2 Rocky River, Ohio 44116, for 52 Bunker Hill Lane
- 3 in Elyria, Ohio, requesting a variance from
- 4 Section 1137.15(C)(1) of the Elyria Codified
- 5 Ordinances, a 6 foot fence chain link fence is
- 6 proposed in the front yard. The front yard fences
- 7 shall be no more than 4 feet in height and shall
- 8 be 50 percent open.
- 9 And I take it you are a representative. Will
- 10 you please state your name and have --
- 11 Has she been sworn?
- 12 THE REPORTER: No.
- MR. FRITZ: Okay. Will you swear her in.
- 14 (Sworn)
- 15 MS. KYER: My name's Marie Kyer, and I work
- 16 for Continental Management. We manage Village
- 17 Green Condominium Owners Association which is on
- 18 the corner of West River and Fox Hill Lane.
- So they would like to put up a 6 foot fence to
- 20 deter people from jumping over it. They currently
- 21 have a 4 foot fence, which I included pictures of
- 22 the entire fence line. People are jumping over
- 23 it, and it's completely ruined the fence.
- 24 So that's basically it. They just want to
- 25 know if they can put a higher fence in to stop
- 1 people from jumping over it.
- 2 MR. FRITZ: Okay.
- 3 City of Elyria.
- 4 MR. SCHOENIG: Thank you, Mr. Chair.
- 5 Case 2025-09, the property at 52 Bunker Hill
- 6 Lane has a zoning of Residential-Multi-Household
- 7 High Density. Per Section 1137.15(C)(1) of our
- 8 Codified Ordinances, front yard fences are
- 9 required to be no more than 4 feet that are
- 10 located in the front yard and shall be open for no
- 11 more than 50 percent of the projected area.
- The fence here is indicated as 6 feet, as the
- 13 applicant has indicated, and there is no projected
- 14 open area for the proposed fence.
- 15 Thank you.
- MR. FRITZ: Okay. Are there any people in the
- 17 audience either for or against this request that
- 18 wish to speak?
- 19 No?
- 20 Any questions by board members?
- 21 No?
- 22 Okay. At this time, the Chair will entertain
- 23 a motion on Case Number 2025-9: Continental
- 24 Management, 20545 Center Ridge Road, Suite LL20,
- 25 Rocky River, Ohio 44116, for 52 Bunker Hill Lane,

1 Elyria, Ohio.

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- 2 Before we do that, I forgot to ask,
- 3 Madam Secretary -- where is she?
- 4 MR. SCHOENIG: Mr. Chair, I'm assuming that
- 5 you are to ask about any mail-outs that were sent?
- 6 MR. FRITZ: Yes, any of the property owners.
- 7 MR. SCHOENIG: Proper noticing was submitted,
- 8 and no responses were provided.
- 9 MR. FRITZ: Thank you.
- 10 And we will move on, then. The Chair will
- 11 entertain that motion.
- MR. MILLER: Mr. Chairman, I move that the
- 13 variance be accepted.
- 14 MS. SADOWSKI: I'll second.
- MR. FRITZ: It's been moved and seconded that
- 16 we grant Case Number 2025-9.
- 17 All in favor, say aye.
- 18 MR. GOLDEN: Aye.
- 19 MS. SADOWSKI: Ave.
- 20 MS. TANNER: Aye.
- 21 MR. MILLER: Aye.
- 22 MR. FRITZ: Aye.
- 23 Those opposed.
  - The ayes have it. Your variance is granted,
- 25 and you'll get a letter in the next couple of
- 6
- 1 days.

- 2 MS. KYER: Okay. Thank you, guys, very much.
- 3 MR. FRITZ: Thank you.
- 4 Next case is Case Number 2025-10: Willard
- 5 Murphy, 328 Concord Avenue, Elyria, Ohio 44035,
- 6 requesting a variance from Sections 1142.07 and
- 7 1125.115 of the Elyria Codified Ordinances. The
- 8 proposed deck is 20 feet from the property line.
- 9 25 feet is the minimum allowed per ECO Section
- 10 1125.115 exception. The minimum front yard
- 11 setback shall not be less than 30 feet.
- 12 And you are the Murphys?
- 13 MR. MURPHY: Yes, sir.
- 14 MR. FRITZ: Have they been sworn?
- 15 THE REPORTER: No.
- 16 (Sworn)
- MR. FRITZ: So tell us why you would like this
- 18 variance.
- MR. MURPHY: Well, we have a -- presently a
- 20 porch in the front of the house that is starting
- 21 to deteriorate, and we just wanted to do an
- 22 8-by-10 front porch. There seems to be some
- 23 discrepancy as far as distance. The paperwork
- 24 that we presently have states that -- what you
- 25 have mentioned, but it also stated the minimum

- 1 front yard setback shall not be less than 30 feet.
- Where this deck would end would be more than
- 3 25 feet from the variance indicated. And I have
- 4 several people on our street already -- my
- 5 neighbor -- next-door neighbor, his is out even
- 6 farther than what I chose to have.
- 7 And I do have some pictures of that if you're
- 8 willing to see those.
- 9 MR. FRITZ: Sure. We'll take a look at
- 10 whatever you want to present.
- 11 MR. MURPHY: Brandon Borrelli, who I spoke
- 12 with in the City, he said that it would -- you
- 13 know, with my friend who was going to help me
- 14 build the deck -- or the front porch, he has more
- 15 knowledge in this than I do. I'm just a grunt.
- 16 And he had spoke to Mr. Borrelli about all the
- 17 structural things that would be required, and
- 18 Mr. Borrelli had said that it was probably okay to
- 19 do it.
- 20 But I would like to show -- who do I go to?
- 21 MR. FRITZ: Sure. Come on up.
- 22 (Thereupon, pictures were presented to the
- 23 Board by Mr. Murphy.)
- 24 (Off the record)
- 25 MR. FRITZ: Okay. Thank you.
- 10

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- City of Elyria.
- 2 MR. SCHOENIG: Thank you, Mr. Chair.
- 3 Case Number 2025-10 for 328 Concord Avenue.
- 4 per Section 1142.07 of the code indicates a
- 5 minimum front yard setback for properties in the
- 6 R-LD District have no less than 30 feet. An
- 7 exception is permitted in 1125.115 allowing for an
- 8 extra 5 feet. Minimum distance there for the deck
- 9 can be 25 feet from the front property line.
- The applicant has indicated 20 feet from the property line.
- 12 Thank you.
- MR. FRITZ: And just for edification purposes,
- 14 this Concord Avenue is in a part of the City that
- 15 I think they're, like, called post World War II
- 16 homes and the properties are much smaller. I
- 17 think this board has, in the past -- much like the
- 18 Heights area, we have granted almost every one
- 19 that violated that 30 foot setback, and I think,
- 20 as a rule, that's why they made that exception.
- 21 Are there any opponents or proponents that
- 22 wish to speak about this particular request?
- 23 How about adjoining property owners?
- MS. TOMSKI: They were notified, and I did not
- 25 hear back from anybody.

- MR. FRITZ: Then the Chair will entertain a
- 2 motion on Case Number 2025-10: Willard Murphy,
- 3 328 Concord Avenue, Elyria, Ohio 44035.
- 4 MR. MILLER: Mr. Chair, I move that the
- 5 variance be granted.
- 6 MS. SADOWSKI: I'll second it.
  - MR. FRITZ: It's been moved and seconded that
- 8 we grant Case Number 2025-10: Willard Murphy, 328
- 9 Concord Avenue.
- 10 All in favor, say aye.
  - MR. GOLDEN: Aye.
- 12 MS. SADOWSKI: Aye.
- MS. TANNER: Aye.
- 14 MR. MILLER: Aye.
- 15 MR. FRITZ: Aye.
- 16 Those opposed.
- 17 The ayes have it. Your variance is granted.
- 18 You'll get a letter in the next couple of days.
- 19 MR. MURPHY: Thank you.
- 20 MRS. MURPHY: Thank you.
- 21 MR. FRITZ: Okay. Let's call the next case,
- 22 Case Number 2025-11: Jason Huffman, 160 Antioch
- 23 Drive, Elyria, Ohio 44035, requests a variance
- 24 from Section 1137.15(C) of the Elyria Codified
- 25 Ordinances. The plan show a 6 foot high fence
- A boing installed within the front authoric
  - 1 being installed within the front setback. The
  - 2 front yard fence shall not be more than 4 feet in
  - 3 height and at least 50 percent open.
  - 4 You are Jason Huffman?
  - 5 MR. HUFFMAN: Yes.
  - 6 MR. FRITZ: Tell us why you would like your
  - 7 variance, sir?
  - 8 Oh, yeah, you have to be sworn.
  - 9 THE REPORTER: Do you want me to swear them
  - 10 all in at once?
  - 11 MR. FRITZ: Yeah, you can do that.
  - 12 Anybody that's going to testify, if you want
  - 13 to stand and raise your right hand, we can swear
  - 14 you all in right now.
    - (All participants sworn)
  - 16 MR. FRITZ: Great. Thank you.
  - 17 Mr. Huffman, why would you like us to grant
  - 18 your request?
  - MR. HUFFMAN: There's a couple reasons. The
  - 20 main one being is at the normal 30 feet away from
  - 21 the sidewalk, there's a tree in the way which is
  - 22 the only tree shade in the backyard, so -- but
  - 23 that would be in the way of the fence.
  - So if I go out to 19 feet away from the
  - 25 sidewalk, it allows me to get past that tree and a

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- 1 stump, and it allows for a swingset -- room for a
- 2 swingset for my granddaughter. It's a 15-by-11
- 3 swingset, so there's a concrete pad on the left
- 4 side. And on the right side -- you know, it's a
- 5 limited area with a 6 foot fall zone around that
- 6 with the house, the fence, and a tree. So the
- 7 extra 11 feet allows, you know, me to have the
- 8 space for that because I intend -- she's supposed
- 9 to move in and the house is going to be left to
- 10 her, so it's actually going to end up being her
- 11 home.
- So she's here as well. She wants it primarily
- 13 for the safety of my six-year-old granddaughter
- 14 and my grandson, because Antioch is a very busy
- 15 street and -- you know, driving-wise and also, you
- 16 know, a lot of people walk through the
- 17 neighborhood there. So, you know, she just wants
- 18 to also have the privacy with the kids to not have
- 19 to worry about them wandering out of the vard, you
- 20 know. But the privacy, you know, is definitely
- 21 wanted for, you know, the minor children.
- 22 And then I just I had some pictures here if
- 23 you want to look at them or not.
- MR. FRITZ: Sure. If you want to present
- 25 them, we'll take anything you got.
- 14
- 1 (Thereupon, pictures were presented to the
- 2 Board by Mr. Huffman.)
- 3 (Off the record)
- 4 MR. FRITZ: Are any of those corner lots like
- 5 your --

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- 6 MS. TOMSKI: Mr. Chair, I'm sorry to
- 7 interrupt. The court reporter can't hear him.
- 8 MR. FRITZ: Okay. Yeah, if you're going to
- 9 say anything, you just have to speak up a little
- 10 bit so the court reporter can take it down.
  - MR. HUFFMAN: So I just have 13 pictures here
- 12 of different properties in Elyria with corner lots
- 13 where they have the variance already.
- MR. FRITZ: Did you check every one of these
- to see if they had a variance? Did you ask every
- 16 property owner?
- MR. HUFFMAN: No, I just talked to two in my
- 18 neighborhood.
- 19 MR. FRITZ: Okay.
- MR. HUFFMAN: And then I didn't see if they
- 21 have a variance or not, but these are corner lots
- 22 where they're within -- you know, they had
- 23 variances.
- 24 And then there's a list of -- there's 24
- 25 altogether, but pictures are 13 here.

- MR. FRITZ: Okay.
- 2 MR. HUFFMAN: And then I think you guys have
- 3 already -- that's what I'm speaking of when
- 4 there's a concrete slab on one side. So I really
- 5 only have room here for a playground area, and
- that's -- it makes a big difference. And that's
- 7 the tree that would be -- if I was 30 feet away,
- 8 it's in the line of the fence. Allowing me to
- 9 extend another 11 feet, I get past the tree and
- 10 the roots, you know, and I'm still 19 feet from
- 11 the sidewalk.
- So that's what the backyard -- I put pins in
- 13 and lines so you can kind of see.
- MR. FRITZ: Yeah, we have a couple of those
- 15 pictures.
- MR. HUFFMAN: And then you guys have these
- 17 pictures already. So that's it.
- 18 MR. FRITZ: Okay. Great. Thank you.
- 19 Appreciate it.

21

- 20 City of Elyria.
  - MR. SCHOENIG: Thank you, Mr. Chair.
- 22 Case Number 2025-11: The property located at
- 23 160 Antioch Drive has a zoning classification of
- 24 Residential-Low Density. Per Section 1137.15(C),
- 25 front yard fences shall be no more than 4 feet in
  - 16
- 1 height and shall be open for at least 50 percent
- 2 of its projected area.
- 3 The site plan provided in your staff report
- 4 indicates that the fence is 6 feet high and is
- 5 installed within the front yard.
- 6 Thank you.
- 7 MR. FRITZ: Okay. Again, have there been any
- 8 property owners that were either responding to any
- 9 of the mailers?
- 10 MR. SCHOENIG: Mr. Chair, there was a letter
- 11 that we did receive from Council Member Kenny
- 12 Oswald. He was in favor of granting of the
- 13 variance for this.
  - MR. FRITZ: Okay. Thank you.
- 15 Is there anybody in the audience, proponent or
- 16 opponent, of this request.
- MS. MAZIARZ: I would like to speak, if I may.
- 18 MR. FRITZ: Certainly.
- 19 MS. MAZIARZ: I'm Alexa Maziarz, Jason's
- 20 daughter. This is my son Elijah. So thank you
- 21 for giving me the chance to speak.
- So the house in question at 160 Antioch
- 23 belonged to my late grandmother. We lovelily
- 24 called her viavia. She was born in Greece, and
- 25 she raised her three boys by herself.

- 1 I grew up in a terrible -- with a horrible
- 2 mother. My parents were divorced, and my dad and
- 3 my yiayia's house was my safe place. Yiayia just
- 4 opened everybody -- loved everybody with open
- 5 arms, so I'm so excited to move back there and get
- 3 anns, so this so excited to move back there and ge
- 6 things back to life because it wasn't taken care
- 7 of. She ended up getting pancreatic cancer and
- 8 passing on.
- 9 My dad has poured so much resources and time
- 10 into getting the house back to where it needs to
- 11 be, and so have I, and so to be able to have my
- 12 kids protected in the backyard would be awesome.
- 13 They're used to 15 acres of open land, and they
- 14 know no boundaries. Every time we go over there,
- 15 I'm constantly yelling at my daughter and her
- 16 friends to stay away from the street, you know, no
- 17 running that way. My daughter chased a butterfly
- 18 off in -- there's a bush over there and I couldn't
- 19 see her, and I was losing it.
- 20 We have people -- college kids and people from
- 21 the bar -- the Dawg House Bar up the road
- 22 constantly cutting through the side yard, and I
- 23 don't know them or their intentions, which is a
- 24 little concerning when I have two little ones.
- 25 And my kids also like to climb, so I don't
- 1 think a 4-foot fence would do a whole lot in
- 2 protecting them. My son's not even one yet and
- 3 he's climbing the stairs and getting into
- 4 everything. And my daughter's the same way, so...
- 5 MR. FRITZ: Thank you.
- 6 Well, I'll let you folks know that, first of
- 7 all, when you live on a corner lot, you basically
- 8 have two front yards. That's basically what the
- 9 law is in the City of Elyria. And in the past,
- 10 we've granted these before so long as the City of
- 11 Elyria doesn't tell us that it impedes the sight
- 12 lines of vehicles because that's a very important
- 13 safety feature.
- 14 So I think this board would agree that the
- 15 factors of Duncan v. Middlefield would be
- 16 satisfied.
- 17 So in that vein, the Chair will entertain a
- 18 motion on Case Number 2025-11: Jason Huffman, 160
- 19 Antioch Drive, Elyria.
- 20 MR. MILLER: Mr. Chair, I move that the
- 21 variance be granted.
- 22 MS. SADOWSKI: I'll second.
- MR. FRITZ: It's been moved and seconded that
- 24 we grant Case Number 2025-11: Jason Huffman, 160
- 25 Antioch Drive, Elyria, Ohio.

- 1 All in favor, say aye.
- 2 MR. GOLDEN: Aye.
- 3 MS. SADOWSKI: Aye.
- 4 MS. TANNER: Aye.
- 5 MR. MILLER: Aye.
- 6 MR. FRITZ: Aye.
- 7 Those opposed.
- 8 The ayes have it. The variance is granted,
- 9 and you'll get a letter in the next couple of
- 10 days.
- 11 MR. HUFFMAN: All right. Thank you.
- MS. MAZIARZ: Thank you so much for your time.
- 13 MR. FRITZ: Next case, Case Number 2025-12:
- 14 Glenn Pickens, 1000 Lowell Street, Elyria, Ohio
- 15 44035, requesting a variance from Section 1164.07
- 16 of the Elyria Codified Ordinances, side yard
- 17 setback. A proposed addition on the east side of
- 18 the property is 10 feet from the existing
- 19 structure from the eastern side of the property
- 20 line. The minimum side yard setback is 15 feet.
  - Is Mr. Pickens here?
- Yes, if you'd just step up to the podium.
- 23 MR. PICKENS: Good afternoon. My name is
- 24 Glenn Pickens. I'm here on behalf of 1000 Lowell,
- 25 LLC.

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- I'm requesting the side yard setback variance.
- 2 The reason being, there is an existing
- 3 drive-through canopy that is actually in place of
- 4 where I'm proposing this addition. I believe I'm
- 5 extending it maybe 2 feet beyond that existing
- 6 canopy to utilize an existing retaining wall as
- 7 part of the foundation.
- 8 The design kind of maximizes the space, that
- 9 length that I'm proposing, for an optimized floor
- 10 plan.
- 11 But other than those two reasons, that's...
- MR. FRITZ: That's the old bank building,
- 13 right?

- 14 MR. PICKENS: Yes, sir.
- 15 MR. FRITZ: City of Elyria.
- MR. SCHOENIG: Thank you, Mr. Chair.
  - Case 2025-12: 1000 Lowell Street has a zoning
- 18 classification of Light Industrial. Per
- 19 Section 1164.07, there shall be a minimum side
- 20 yard setback of 15 feet for properties in the LI
- 21 District. The proposed expansion of the building
- 22 is approximately 10 feet from the eastern side
- 23 property line.
- The site plan provided did dimension it
- 25 improperly. The accurate measurements were

- 1 provided via the county auditor.
- 2 Thank you.
- 3 MR. FRITZ: Thank you.
- 4 Madam Secretary, were there any property
- 5 owners who are adjacent, we're they notified and
- 6 did you receive any replies?
- 7 MS. TOMSKI: They were notified, and I did not
- 8 hear from anybody.
- 9 MR. FRITZ: Thank you.
- 10 I think this one we should go through the
- 11 factors.
- So we're going to go through the factors that
- 13 we need to discuss.
- 14 The first one being whether the special
- 15 conditions or circumstances exist which are
- 16 peculiar to the land or structure involved, which
- 17 are not applicable generally in other lands or
- 18 structures.
- 19 My recollection -- what's the property to the
- 20 east? Who's the property owner to the east where
- 21 you're expanding?
- MR. PICKENS: It is a -- I believe a screw
- 23 factory, and it's directly adjacent to their
- 24 drive. Their building is probably another 75 feet
- 25 behind this proposed structure.
- 22

- 1 MR. FRITZ: Okay. Thank you.
- Then I believe the answer to that would be no.
- 3 Would everybody agree?
- 4 MR. GOLDEN: Yes.
- 5 MS, SADOWSKI: Yes.
- 6 MS. TANNER: Yes.
- 7 MR. MILLER: Yes.
- 8 MR. FRITZ: Okay. The second one would be
- 9 whether the property in question will yield a
- 10 reasonable return or whether there can be any
- 11 beneficial use of the property without the
- 12 variance.
- Well, I mean, again, it's in use now, but it's
- 14 being expanded for greater use, so I think the
- 15 answer to that would yes.
- 16 Does everybody agree?
- 17 MR. GOLDEN: Yes.
- 18 MS. SADOWSKI: Yes.
- 19 MS. TANNER: Yes.
- 20 MR. MILLER: Yes.
- MR. FRITZ: Three: Whether the variance is
- 22 substantial and is the minimum necessary to make
- 23 possible the reasonable use.
- 24 It appears from the projections that you gave
- 25 us that it doesn't seem to be excessive.

- 1 Does everybody agree?
- 2 MR. GOLDEN: Yes.
- 3 MS. SADOWSKI: Yes.
- 4 MS. TANNER: Yes.
- 5 MR. MILLER: Yes.
- 6 MR. FRITZ: Thank you.
- 7 Four: Whether the essential character of the
- 8 neighborhood would be substantially altered or
- 9 whether the adjoining properties would suffer
- 10 substantial detriment.
- 11 I believe the answer to that would be no.
- 12 Does everybody agree?
- 13 MR. GOLDEN: Yes.
- 14 MS. SADOWSKI: Yes.
- 15 MS. TANNER: Yes.
- 16 MR. MILLER: Yes.
- MR. FRITZ: And the fifth element, whether the
- 18 variance would adversely affect the delivery of
- 19 governmental services such as water, sewer, trash
- 20 pickup.
- 21 Didn't hear anything from the City, and they
- 22 would usually tell us that.
- The answer to that is no; correct?
- 24 MR. GOLDEN: Yes.
- 25 MS. SADOWSKI: Yes.
- 1 MS. TANNER: Yes.
  - 2 MR. MILLER: Yes.
  - 3 MR. FRITZ: Thank you.
  - 4 Number six: Whether the property owner
  - 5 purchased the property with knowledge of the
  - 6 zoning restrictions.
  - 7 I hate this one because how many people --
  - 8 Raise your hand if anybody checked out the
  - 9 zoning restrictions or anything before you bought
  - 10 your property.
  - 11 I didn't, and I'm a lawyer.
  - So there, don't worry about it.
  - 13 All right. Seven: Whether special conditions
  - 4 or circumstances exist as a result of the actions
  - 15 of the owner.
  - No, he's doing this properly.
  - 17 Everybody agree?
  - 18 MR. GOLDEN: Yes.
  - 19 MS. SADOWSKI: Yes.
  - 20 MS. TANNER: Yes.
  - 21 MR. MILLER: Yes.
  - MR. FRITZ: Eight: Whether the property
  - 23 owner's predicament feasibly can be obviated
  - 24 through some method other than the variance.
    - Well, I suppose you could build it on the

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	25		27
1	other side and take away your parking.	1	MR. GOLDEN: I'll second that motion,
2	Yeah, I don't think that would be the right	2	Mr. Chairman.
3	thing to do.	3	MR. FRITZ: It's been moved and seconded that
4	Does everybody agree?	4	we grant Case Number 2025-12: Glenn Pickens, 1000
5	MR. GOLDEN: Yes.	5	Lowell Street, Elyria, Ohio, on behalf of Lowell
6	MS. SADOWSKI: Yes.	6	Street, LLC.
7	MS. TANNER: Yes.	7	Those in favor, say aye.
8	MR. MILLER: Yes.	8	MR. GOLDEN: Aye.
9	MR. FRITZ: All right. Nine: Whether the	9	MS. SADOWSKI: Aye.
10	spirit and intent behind the zoning requirement	10	MS. TANNER: Aye.
11	would be observed and substantial justice done by	11	MR. MILLER: Aye.
12	granting the variance.	12	MR. FRITZ: Aye.
13	That's an interesting one because, actually, I	13	Those opposed.
14	believe, Chris, aren't you rewriting all these	14	The ayes have it. Your variance is granted,
15	right now, working on those?	15	and you'll get a letter in the next couple of
16	MR. SCHOENIG: Yes, Mr. Chair, we are	16	days.
17	currently rewriting	17	MR. PICKENS: Thank you.
18	MR. FRITZ: I'm just being factious here. I	18	MR. FRITZ: All right.
19	apologize. I believe the spirit of our zoning	19	Again, folks, I appreciate your patience. We
20	code would not be affected by this.	20	have a very large docket, as we did not have a
21	Does everybody agree?	21	meeting in July.
22	MR. GOLDEN: Yes.	22	All right. Our next case is Case Number
23	MS. SADOWSKI: Yes.	23	2025-13: Jamil Elder, 346 Broad Street, Elyria,
24	MS. TANNER: Yes.	24	Ohio 44035
25	MR. MILLER: Yes.	25	Oh, is that pulled?
	20		28
1 1	MR_FRITZ: All right Ten: Whether the		28 MR SCHOENIG: Mr Chair that has been
1 2	MR. FRITZ: All right. Ten: Whether the	1 2	MR. SCHOENIG: Mr. Chair, that has been
2	granting of the variance requested will confer on	2	MR. SCHOENIG: Mr. Chair, that has been removed from the agenda, and a variance is no
2	granting of the variance requested will confer on the applicant any special privilege that is denied	2 3	MR. SCHOENIG: Mr. Chair, that has been removed from the agenda, and a variance is no longer needed.
2 3 4	granting of the variance requested will confer on the applicant any special privilege that is denied by these regulations of other land structures.	3 4	MR. SCHOENIG: Mr. Chair, that has been removed from the agenda, and a variance is no longer needed.  Thank you.
2 3 4 5	granting of the variance requested will confer on the applicant any special privilege that is denied by these regulations of other land structures. Well, we just granted a set here; right?	2 3 4 5	MR. SCHOENIG: Mr. Chair, that has been removed from the agenda, and a variance is no longer needed.  Thank you.  MR. FRITZ: All right. Well, we'll pass on
2 3 4 5 6	granting of the variance requested will confer on the applicant any special privilege that is denied by these regulations of other land structures.  Well, we just granted a set here; right?  MR. GOLDEN: Right.	2 3 4 5 6	MR. SCHOENIG: Mr. Chair, that has been removed from the agenda, and a variance is no longer needed.  Thank you.  MR. FRITZ: All right. Well, we'll pass on that.
2 3 4 5 6 7	granting of the variance requested will confer on the applicant any special privilege that is denied by these regulations of other land structures.  Well, we just granted a set here; right?  MR. GOLDEN: Right.  MR. FRITZ: Thank you.	2 3 4 5 6 7	MR. SCHOENIG: Mr. Chair, that has been removed from the agenda, and a variance is no longer needed.  Thank you.  MR. FRITZ: All right. Well, we'll pass on that.  And then the next case is Case Number 2025-14:
2 3 4 5 6 7 8	granting of the variance requested will confer on the applicant any special privilege that is denied by these regulations of other land structures.  Well, we just granted a set here; right?  MR. GOLDEN: Right.  MR. FRITZ: Thank you.  And the last factor: The variance sought is	2 3 4 5 6 7 8	MR. SCHOENIG: Mr. Chair, that has been removed from the agenda, and a variance is no longer needed.  Thank you.  MR. FRITZ: All right. Well, we'll pass on that.  And then the next case is Case Number 2025-14: Alice
2 3 4 5 6 7 8 9	granting of the variance requested will confer on the applicant any special privilege that is denied by these regulations of other land structures.  Well, we just granted a set here; right?  MR. GOLDEN: Right.  MR. FRITZ: Thank you.  And the last factor: The variance sought is the minimum which will afford relief to the	2 3 4 5 6 7 8	MR. SCHOENIG: Mr. Chair, that has been removed from the agenda, and a variance is no longer needed.  Thank you.  MR. FRITZ: All right. Well, we'll pass on that.  And then the next case is Case Number 2025-14: Alice  Is it Gobeille?
2 3 4 5 6 7 8 9	granting of the variance requested will confer on the applicant any special privilege that is denied by these regulations of other land structures.  Well, we just granted a set here; right?  MR. GOLDEN: Right.  MR. FRITZ: Thank you.  And the last factor: The variance sought is the minimum which will afford relief to the applicant.	2 3 4 5 6 7 8 9	MR. SCHOENIG: Mr. Chair, that has been removed from the agenda, and a variance is no longer needed.  Thank you.  MR. FRITZ: All right. Well, we'll pass on that.  And then the next case is Case Number 2025-14:  Alice  Is it Gobeille?  MS. GOBEILLE: Gobeille.
2 3 4 5 6 7 8 9 10	granting of the variance requested will confer on the applicant any special privilege that is denied by these regulations of other land structures.  Well, we just granted a set here; right?  MR. GOLDEN: Right.  MR. FRITZ: Thank you.  And the last factor: The variance sought is the minimum which will afford relief to the applicant.  I believe the answer to that is yes.	2 3 4 5 6 7 8 9 10	MR. SCHOENIG: Mr. Chair, that has been removed from the agenda, and a variance is no longer needed.  Thank you.  MR. FRITZ: All right. Well, we'll pass on that.  And then the next case is Case Number 2025-14: Alice  Is it Gobeille?  MS. GOBEILLE: Gobeille.  MR. FRITZ: Gobeille, 121 Harrison Street,
2 3 4 5 6 7 8 9 10 11	granting of the variance requested will confer on the applicant any special privilege that is denied by these regulations of other land structures.  Well, we just granted a set here; right?  MR. GOLDEN: Right.  MR. FRITZ: Thank you.  And the last factor: The variance sought is the minimum which will afford relief to the applicant.  I believe the answer to that is yes.  Does everybody agree?	2 3 4 5 6 7 8 9 10 11	MR. SCHOENIG: Mr. Chair, that has been removed from the agenda, and a variance is no longer needed.  Thank you.  MR. FRITZ: All right. Well, we'll pass on that.  And then the next case is Case Number 2025-14:  Alice  Is it Gobeille?  MS. GOBEILLE: Gobeille.  MR. FRITZ: Gobeille, 121 Harrison Street,  Elyria, Ohio 44035, requesting a variance from
2 3 4 5 6 7 8 9 10 11 12 13	granting of the variance requested will confer on the applicant any special privilege that is denied by these regulations of other land structures.  Well, we just granted a set here; right?  MR. GOLDEN: Right.  MR. FRITZ: Thank you.  And the last factor: The variance sought is the minimum which will afford relief to the applicant.  I believe the answer to that is yes.  Does everybody agree?  MR. GOLDEN: Yes.	2 3 4 5 6 7 8 9 10 11 12 13	MR. SCHOENIG: Mr. Chair, that has been removed from the agenda, and a variance is no longer needed.  Thank you.  MR. FRITZ: All right. Well, we'll pass on that.  And then the next case is Case Number 2025-14:  Alice  Is it Gobeille?  MS. GOBEILLE: Gobeille.  MR. FRITZ: Gobeille, 121 Harrison Street,  Elyria, Ohio 44035, requesting a variance from Section 1142.05(B) of the Elyria Codified
2 3 4 5 6 7 8 9 10 11 12 13	granting of the variance requested will confer on the applicant any special privilege that is denied by these regulations of other land structures.  Well, we just granted a set here; right?  MR. GOLDEN: Right.  MR. FRITZ: Thank you.  And the last factor: The variance sought is the minimum which will afford relief to the applicant.  I believe the answer to that is yes.  Does everybody agree?  MR. GOLDEN: Yes.  MS. SADOWSKI: Yes.	2 3 4 5 6 7 8 9 10 11 12 13 14	MR. SCHOENIG: Mr. Chair, that has been removed from the agenda, and a variance is no longer needed.  Thank you.  MR. FRITZ: All right. Well, we'll pass on that.  And then the next case is Case Number 2025-14:  Alice  Is it Gobeille?  MS. GOBEILLE: Gobeille.  MR. FRITZ: Gobeille, 121 Harrison Street,  Elyria, Ohio 44035, requesting a variance from Section 1142.05(B) of the Elyria Codified Ordinances, a chicken coop 90-by-19.7 feet.
2 3 4 5 6 7 8 9 10 11 12 13 14	granting of the variance requested will confer on the applicant any special privilege that is denied by these regulations of other land structures.  Well, we just granted a set here; right?  MR. GOLDEN: Right.  MR. FRITZ: Thank you.  And the last factor: The variance sought is the minimum which will afford relief to the applicant.  I believe the answer to that is yes.  Does everybody agree?  MR. GOLDEN: Yes.  MS. SADOWSKI: Yes.  MS. TANNER: Yes.	2 3 4 5 6 7 8 9 10 11 12 13 14 15	MR. SCHOENIG: Mr. Chair, that has been removed from the agenda, and a variance is no longer needed.  Thank you.  MR. FRITZ: All right. Well, we'll pass on that.  And then the next case is Case Number 2025-14: Alice  Is it Gobeille?  MS. GOBEILLE: Gobeille.  MR. FRITZ: Gobeille, 121 Harrison Street, Elyria, Ohio 44035, requesting a variance from Section 1142.05(B) of the Elyria Codified Ordinances, a chicken coop 90-by-19.7 feet.  MS. GOBEILLE: That's incorrect.
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25 the variance.

25 coverage consists of .64 acres and has a lot width

- 1 of 135 feet.
- Agricultural uses shall have a minimum lot
  area of not less than 5 acres and have a width of
  not less than 300 feet.

Tell us why you want your variance. Probablybecause of the hens.

MS. GOBEILLE: Well, that's one thing, but I
did look up the code before I did get hens, but I
didn't find the one that you have there.

Okay. So I got lost within it, but I thought
I was clear and -- but my house and my property is
rather unique for the area. I actually have the
Iargest single-family home -- historical home in

Elyria, and it's on one-and-a-half acres of land.Although it says that's the lot size, I actually

16 have 324 frontage and three and a half -- or

one-and-a-half acres. And I have a very large red barn.

What I'm trying to do with that property,
because it is very unique to the area -- in the
spirit of that, the area -- we're in the
Hickories, so we have the Hickories Museum, which

22 mickones, so we have the mickones museum, which

23 is also on the National Registry of Historic

24 Landmarks. My house, too, is on the National

25 Registry of Historic Landmarks.

30

1 What I'm trying to do, because we do live

there with my mother and my granddaughter, I'm

3 trying to restore it back to the 1870s when this

4 house was built and the kind of uses that it had.5 Back then, it was a farm and it had a lot of

6 farm land, and they raised horses and the barn and

7 they had chickens and they had an orchard. I'm

8 trying to bring back some of that history into the

9 house, into that yard.

It is a special property in the area. Anyone
that knows that area, knows that house, so that's
why I -- my hobby is to -- is this house. That's
my hobby. That's what I do. I'm retired and
that's what I do. And that's why I wanted the

15 chickens.16 And now it's at the point, I've had them for a

year, and I love them. And they all have names
and they come when I go outside and -- and they're
adorable.

And I've contacted all my neighbors. They
sent -- I've attached two letters from two of the
neighbors and the other neighbor sent in a letter.
They were all in favor of the chickens and of this

3 They were all in favor of the chickens and of this

24 variance to the ordinance.

25 MR. FRITZ: Thank you.

City of Elyria.

2 MR. SCHOENIG: Thank you, Mr. Chair.

3 Case 2025-14 at 121 Harrison Street, the

4 property is zoned Residential-Low Density. Per

5 Section 1142.05(B), agricultural uses, as this

6 would be classified, shall have a minimum lot area

7 of not less than 5 acres and a width of not less

8 than 300 feet.

Per the report received from the Building
Department, a chicken coop -- point of correction
9.8 feet by 19.7 feet is constructed in the rear
yard of the property referenced and contains 17
hens. Total lot coverage of the property is .64

14 of an acre and has a lot width of 135 feet at the

15 front property line per the Lorain County16 Auditor's office.

17 Historically, the board has denied these
18 requests for chicken coops or chickens on the
19 property. A point to remember, though, with that
20 is the proposed zoning code, which is in draft
21 form and has not been approved is, shall, or may
22 allow for chickens on properties as low as a
23 quarter of an acre in its current form. But as I

stated, that is not in final form and has not been

25 approved by City Council.

32

A letter was received from the WashingtonAvenue Christian Church to read this into the

3 record. They were not in favor of the request for

4 a variance at this property. Their address is --

5 actually, my apologies. I don't have the address,

6 but the Washington Avenue Christian Church

7 provided us a letter as well.

8 Thank you.

11

15

17

23

MR. FRITZ: Okay. Other than that letter, allproperty owners were notified? Any response?

MS. TOMSKI: Yes, and no responses.

MR. FRITZ: Okay. Other than the church, even though they're not -- are they an adjacent

14 property owner?

And, again, I'll get to you folks.

MS. TOMSKI: Let me rephrase that, please.

So last month when I sent the letters, I did

18 have a couple of people respond. One didn't care.

19 A couple people said that they didn't want them.

20 This time when I sent the letters, I didn't hear

21 anything.

MR. FRITZ: Okay. Thank you.

It appears that there are some opponents or

24 proponents in the audience. If you'd like to

25 speak up, I'd like you to come over to the podium.