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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 August 21st, 2025, at 3:00 p.m.  
7  
8 ---  
9  
10 BOARD OF ZONING APPEALS MEMBERS PRESENT:  
11 Joel Fritz Chairman  
12 Timothy Golden Member  
13 Julianne Sadowski Member  
14 James Miller Member  
15 Ann Tanner Member  
16  
17 ALSO PRESENT:  
18 Christopher Schoenig City Planner  
19 Mark Craig Administrative Legal  
20 Counsel  
21 Mary Tomski Secretary  
22  
23 ---  
24  
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1 PROCEEDINGS  
2 MR. FRITZ: We're going to call this meeting  
3 to order. This is the City of Elyria Board of  
4 Zoning Appeals. Today is Thursday, August 21st,  
5 2025. It's approximately 3:03 p.m. here at Elyria  
6 City Hall, 131 Court Street, 2nd Floor Council  
7 Chambers.  
8 At this time, I will ask Madam Secretary to  
9 call the roll.  
10 MS. TOMSKI: Joel Fritz.  
11 MR. FRITZ: Present.  
12 MS. TOMSKI: Timothy Golden.  
13 MR. GOLDEN: Present.  
14 MS. TOMSKI: Juliann Sadowski.  
15 MR. FRITZ: I believe she's excused.  
16 MS. TOMSKI: Ann Tanner.  
17 MS. TANNER: Present.  
18 MS. TOMSKI: James Miller.  
19 MR. MILLER: Present.  
20 MR. FRITZ: At this time, the Chair will  
21 entertain a motion for approval of our minutes of  
22 our June 5th, 2025.  
23 MR. GOLDEN: Mr. Chairman, I'd like to make  
24 that motion to approve the minutes of the June 5th  
25 meeting.

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1 MR. MILLER: Mr. Chairman, I second that  
2 motion.  
3 MR. FRITZ: It's been moved and seconded.  
4 All in favor, say aye.  
5 MR. GOLDEN: Aye.  
6 MS. TANNER: Aye.  
7 MR. MILLER: Aye.  
8 MR. FRITZ: Aye.  
9 The ayes have it, and those minutes are  
10 approved.  
11 Prior to talking about today's case  
12 presentation format, I just want to let you know  
13 that we do not have a full board. We have five  
14 board members. There's only four here.  
15 You can pass your case, if you wish, to our  
16 next meeting in September, or you live with the  
17 decision of the four of us as opposed to the five  
18 of us. I'm not sure that would make a big  
19 difference, but who knows.  
20 Having said that, also just acknowledge that  
21 Building Department Chris Schoenig's here, and for  
22 the City of Elyria, Attorney Mark Craig.  
23 And we will now begin talking about our case  
24 presentation format. When we call your case,  
25 we're going to ask that you come up close to us

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1 and speak loud enough --  
2 Well, actually, what we'll do is have you go  
3 over to the podium. Sometimes we do it  
4 differently, but today we'll have you go to the  
5 podium so the court reporter can take down your  
6 testimony, and you'll tell us why you want the  
7 variance that you're requesting.  
8 After you've presented your case, we're going  
9 to let the City of Elyria give their case. They  
10 may say they're okay with it. They may not want  
11 you to have it. We don't know.  
12 And then there might be a discussion between  
13 the board members, we might ask questions of you,  
14 at which time, we will put your case to a vote,  
15 and you will walk out of here today knowing  
16 whether or not your variance is granted.  
17 (Julianne Sadowski just entered the meeting)  
18 MR. FRITZ: Oh, and now we do have a full  
19 board. I didn't think she was coming.  
20 So you don't have to worry about the first  
21 thing I said because now we have a full board and  
22 you can live with our decision today.  
23 Seeing as that we have no old business, we'll  
24 start with our new business:  
25 Case Number 2025-9: Continental Management

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.

13 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.

19 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.

12 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.

16 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.

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.

12 MR. MILLER: Mr. Chairman, I move that the  
13 variance be accepted.

14 MS. SADOWSKI: I'll second.

15 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: Aye.

20 MS. TANNER: Aye.

21 MR. MILLER: Aye.

22 MR. FRITZ: Aye.

23 Those opposed.

24 The ayes have it. Your variance is granted,  
25 and you'll get a letter in the next couple of

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)

17 MR. FRITZ: So tell us why you would like this  
18 variance.

19 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.  
 2 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

1 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.  
 10 The applicant has indicated 20 feet from the  
 11 property line.  
 12 Thank you.  
 13 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?  
 24 MS. TOMSKI: They were notified, and I did not  
 25 hear back from anybody.

1 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.  
 7 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.  
 11 MR. GOLDEN: Aye.  
 12 MS. SADOWSKI: Aye.  
 13 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

12

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.  
 15 (All participants sworn)  
 16 MR. FRITZ: Great. Thank you.  
 17 Mr. Huffman, why would you like us to grant  
 18 your request?  
 19 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.  
 24 So if I go out to 19 feet away from the  
 25 sidewalk, it allows me to get past that tree and a

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.

12 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 yard, 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.

24 MR. FRITZ: Sure. If you want to present  
25 them, we'll take anything you got.

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 --

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.

11 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.

14 MR. FRITZ: Did you check every one of these  
15 to see if they had a variance? Did you ask every  
16 property owner?

17 MR. HUFFMAN: No, I just talked to two in my  
18 neighborhood.

19 MR. FRITZ: Okay.

20 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.

1 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  
6 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.

12 So that's what the backyard -- I put pins in  
13 and lines so you can kind of see.

14 MR. FRITZ: Yeah, we have a couple of those  
15 pictures.

16 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.

20 City of Elyria.

21 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

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.

14 MR. FRITZ: Okay. Thank you.

15 Is there anybody in the audience, proponent or  
16 opponent, of this request.

17 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.

22 So the house in question at 160 Antioch  
23 belonged to my late grandmother. We lovelily  
24 called her yiayia. She was born in Greece, and  
25 she raised her three boys by herself.

17

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  
 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

18

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.

23 MR. FRITZ: It's been moved and seconded that  
 24 we grant Case Number 2025-11: Jason Huffman, 160  
 25 Antioch Drive, Elyria, Ohio.

19

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.

12 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.

21 Is Mr. Pickens here?

22 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.

20

1 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...

12 MR. FRITZ: That's the old bank building,  
 13 right?

14 MR. PICKENS: Yes, sir.

15 MR. FRITZ: City of Elyria.

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

17 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.

24 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.  
 12 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?  
 22 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.

1 MR. FRITZ: Okay. Thank you.  
 2 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.  
 13 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.  
 21 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.  
 17 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.  
 23 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.  
 12 So there, don't worry about it.  
 13 All right. Seven: Whether special conditions  
 14 or circumstances exist as a result of the actions  
 15 of the owner.  
 16 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.  
 22 MR. FRITZ: Eight: Whether the property  
 23 owner's predicament feasibly can be obviated  
 24 through some method other than the variance.  
 25 Well, I suppose you could build it on the

1 other side and take away your parking.  
 2 Yeah, I don't think that would be the right  
 3 thing to do.  
 4 Does everybody agree?  
 5 MR. GOLDEN: Yes.  
 6 MS. SADOWSKI: Yes.  
 7 MS. TANNER: Yes.  
 8 MR. MILLER: Yes.  
 9 MR. FRITZ: All right. Nine: Whether the  
 10 spirit and intent behind the zoning requirement  
 11 would be observed and substantial justice done by  
 12 granting the variance.  
 13 That's an interesting one because, actually, I  
 14 believe, Chris, aren't you rewriting all these  
 15 right now, working on those?  
 16 MR. SCHOENIG: Yes, Mr. Chair, we are  
 17 currently rewriting --  
 18 MR. FRITZ: I'm just being factious here. I  
 19 apologize. I believe the spirit of our zoning  
 20 code would not be affected by this.  
 21 Does everybody agree?  
 22 MR. GOLDEN: Yes.  
 23 MS. SADOWSKI: Yes.  
 24 MS. TANNER: Yes.  
 25 MR. MILLER: Yes.

1 MR. FRITZ: All right. Ten: Whether the  
 2 granting of the variance requested will confer on  
 3 the applicant any special privilege that is denied  
 4 by these regulations of other land structures.  
 5 Well, we just granted a set here; right?  
 6 MR. GOLDEN: Right.  
 7 MR. FRITZ: Thank you.  
 8 And the last factor: The variance sought is  
 9 the minimum which will afford relief to the  
 10 applicant.  
 11 I believe the answer to that is yes.  
 12 Does everybody agree?  
 13 MR. GOLDEN: Yes.  
 14 MS. SADOWSKI: Yes.  
 15 MS. TANNER: Yes.  
 16 MR. MILLER: Yes.  
 17 MR. FRITZ: Having said all that, the Chair  
 18 will entertain a motion on Case Number 2025-12:  
 19 Glenn Pickens, 1000 Lowell Street --  
 20 And that was on behalf of the LLC -- Lowell  
 21 Street, LLC?  
 22 MR. PICKENS: Yes, sir.  
 23 MR. FRITZ: Thank you.  
 24 MS. TANNER: Mr. Chair, I move that we grant  
 25 the variance.

1 MR. GOLDEN: I'll second that motion,  
 2 Mr. Chairman.  
 3 MR. FRITZ: It's been moved and seconded that  
 4 we grant Case Number 2025-12: Glenn Pickens, 1000  
 5 Lowell Street, Elyria, Ohio, on behalf of Lowell  
 6 Street, LLC.  
 7 Those in favor, say aye.  
 8 MR. GOLDEN: Aye.  
 9 MS. SADOWSKI: Aye.  
 10 MS. TANNER: Aye.  
 11 MR. MILLER: Aye.  
 12 MR. FRITZ: Aye.  
 13 Those opposed.  
 14 The ayes have it. Your variance is granted,  
 15 and you'll get a letter in the next couple of  
 16 days.  
 17 MR. PICKENS: Thank you.  
 18 MR. FRITZ: All right.  
 19 Again, folks, I appreciate your patience. We  
 20 have a very large docket, as we did not have a  
 21 meeting in July.  
 22 All right. Our next case is Case Number  
 23 2025-13: Jamil Elder, 346 Broad Street, Elyria,  
 24 Ohio 44035 --  
 25 Oh, is that pulled?

1 MR. SCHOENIG: Mr. Chair, that has been  
 2 removed from the agenda, and a variance is no  
 3 longer needed.  
 4 Thank you.  
 5 MR. FRITZ: All right. Well, we'll pass on  
 6 that.  
 7 And then the next case is Case Number 2025-14:  
 8 Alice --  
 9 Is it Gobeille?  
 10 MS. GOBEILLE: Gobeille.  
 11 MR. FRITZ: -- Gobeille, 121 Harrison Street,  
 12 Elyria, Ohio 44035, requesting a variance from  
 13 Section 1142.05(B) of the Elyria Codified  
 14 Ordinances, a chicken coop 90-by-19.7 feet.  
 15 MS. GOBEILLE: That's incorrect.  
 16 MR. FRITZ: Well, yeah. It's 90 feet by 19.7  
 17 inches; right?  
 18 MS. GOBEILLE: It's 9 feet.  
 19 MR. FRITZ: Okay. By 19.7.  
 20 MS. GOBEILLE: 9 feet, not 90.  
 21 MR. FRITZ: Yeah, that's what I said,  
 22 90-by-19.7. Thank you.  
 23 It is constructed in the rear yard of the  
 24 property that contains 17 hens. Total lot  
 25 coverage consists of .64 acres and has a lot width

1 of 135 feet.

2 Agricultural uses shall have a minimum lot  
3 area of not less than 5 acres and have a width of  
4 not less than 300 feet.

5 Tell us why you want your variance. Probably  
6 because of the hens.

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

10 Okay. So I got lost within it, but I thought  
11 I was clear and -- but my house and my property is  
12 rather unique for the area. I actually have the  
13 largest single-family home -- historical home in  
14 Elyria, and it's on one-and-a-half acres of land.  
15 Although it says that's the lot size, I actually  
16 have 324 frontage and three and a half -- or  
17 one-and-a-half acres. And I have a very large red  
18 barn.

19 What I'm trying to do with that property,  
20 because it is very unique to the area -- in the  
21 spirit of that, the area -- we're in the  
22 Hickories, so we have the Hickories 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.

1 What I'm trying to do, because we do live  
2 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.

10 It is a special property in the area. Anyone  
11 that knows that area, knows that house, so that's  
12 why I -- my hobby is to -- is this house. That's  
13 my hobby. That's what I do. I'm retired and  
14 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  
17 year, and I love them. And they all have names  
18 and they come when I go outside and -- and they're  
19 adorable.

20 And I've contacted all my neighbors. They  
21 sent -- I've attached two letters from two of the  
22 neighbors and the other neighbor sent in a letter.  
23 They were all in favor of the chickens and of this  
24 variance to the ordinance.

25 MR. FRITZ: Thank you.

1 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.

9 Per the report received from the Building  
10 Department, a chicken coop -- point of correction  
11 9.8 feet by 19.7 feet is constructed in the rear  
12 yard of the property referenced and contains 17  
13 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 County  
16 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  
24 stated, that is not in final form and has not been  
25 approved by City Council.

1 A letter was received from the Washington  
2 Avenue 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.

9 MR. FRITZ: Okay. Other than that letter, all  
10 property owners were notified? Any response?

11 MS. TOMSKI: Yes, and no responses.

12 MR. FRITZ: Okay. Other than the church, even  
13 though they're not -- are they an adjacent  
14 property owner?

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

16 MS. TOMSKI: Let me rephrase that, please.

17 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.

22 MR. FRITZ: Okay. Thank you.

23 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.