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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 November 20, 2025, at 3:03 p.m.
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10 BOARD OF ZONING APPEALS MEMBERS PRESENT:
11 Joel Fritz Chairman
12 Julianne Sadowski Member
13 Chris Sito Alternate Member
14
15 ALSO PRESENT:
16 Mark Craig Administrative Legal
17 Counsel
18 Christopher Schoenig City Planner
19 Mary Tomski Secretary
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1 PROCEEDINGS
2 MR. FRITZ: Okay. Good afternoon, folks.
3 This here is the Board of Zoning Appeals for the
4 City of Elyria. It is, according to the clock on
5 the wall, about 3:03. We're about ready to get
6 started here.
7 This is, again, the Board of Zoning Appeals
8 for the City of Elyria here at 131 Court Street,
9 2nd Floor Council Chambers, at Elyria City Hall.
10 First order of business is to ask
11 Madam Secretary to call the roll.
12 MS. TOMSKI: Joel Fritz.
13 MR. FRITZ: Present.
14 MS. TOMSKI: Ann Tanner.
15 MR. FRITZ: She's excused.
16 MS. TOMSKI: Timothy Golden.
17 MR. FRITZ: He's excused.
18 MS. TOMSKI: James Miller.
19 MR. FRITZ: And he's excused.
20 MS. TOMSKI: Julianne Sadowski.
21 MS. SADOWSKI: Present.
22 MS. TOMSKI: And Chris Sito.
23 MR. SITO: Present.
24 MR. FRITZ: And before we even start, some of
25 the other matters: Just because we do not have a

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1 full compliment of the Board, we have a quorum.
2 So that means we can hear your case, however, if
3 you don't want to have just three of us rule on
4 your case, you can ask to have your case passed
5 till the next month's meeting where you have the
6 full compliment of the Board.
7 If we make a decision on your case, you live
8 with it, and it might be different if there were
9 five Board members instead of three. So that is
10 up to you, and it is no offense to us. But if you
11 want to go forward, we're glad to hear your case.
12 If you don't want to go forward, you want to pass,
13 that's fine with us as well.
14 Having said that, the Chair will entertain
15 approval of our minutes from October 16th meeting.
16 MS. SADOWSKI: I motion to approve the minutes
17 from the October meeting.
18 MR. SITO: Second.
19 MR. FRITZ: It's been moved and seconded that
20 we approve the minutes of our October 16th
21 meeting.
22 All in favor, say aye.
23 MS. SADOWSKI: Aye.
24 MR. SITO: Aye.
25 MR. FRITZ: Aye.

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1 Those opposed.
2 The ayes have it. The minutes are approved.
3 So here's our case presentation format: We're
4 going to call your case, we'll ask you to step
5 forward to the microphone and be sworn, if you
6 haven't been sworn, and you can tell us why you
7 would like your variance.
8 Once you've explained to us why you would like
9 your variance, we'll have the City present their
10 position on the case. And then there could be
11 some discussion of the people in the audience that
12 want to speak. They can speak. We might have
13 questions from the Board members. And then at
14 that time, we'll take a vote, and we will vote on
15 your variance.
16 Seeing that there is no Old Business, we'll
17 start with our New Business.
18 First case is Case Number 2025-34: Jeremy
19 Hummrich, for Joanna Vance, at 604 Garfield
20 Avenue, requesting a variance from Section 1144.07
21 of the Elyria Codified Ordinances. The proposed
22 front porch overhang is 22 feet from the front
23 property line, and the minimum allowable setback
24 is 30 feet.
25 Is Jeremy here?

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1 MR. HUMMRICH: Yes, sir.
2 MR. FRITZ: Jeremy, would you come on up here
3 and be sworn. And right over there to the
4 microphone.
5 Make sure that green light is on, too, please.
6 MR. HUMMRICH: Okay. Green light is on.
7 (Sworn)
8 MR. FRITZ: Thank you.
9 So tell us why you want your variance.
10 MR. HUMMRICH: We're requesting a variance at
11 this time because it's a necessary thing to be
12 done. Joanne's house is sitting only 30 feet from
13 the property line, and she needs access in and out
14 of the house. She has an elevated door, and she's
15 always had a front porch and an overhang that was
16 rotten and deteriorated and pretty dangerous.
17 MR. FRITZ: Okay. Anything else?
18 MR. HUMMRICH: That's it.
19 MR. FRITZ: Mr. Schoenig, City of Elyria.
20 MR. SCHOENIG: Thank you, Mr. Chair. Through
21 you.
22 The applicant for 2025-34 is seeking a
23 variance from Section 1144.07. The code does
24 permit 5 foot encroachments, however, that is for
25 uncovered decks, and this does exceed to the 7

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1 foot encroachment based on the site plan that was
2 provided.
3 Thank you.
4 MR. FRITZ: Thank you.
5 Is there anybody else in the audience that has
6 anything to say about this matter?
7 Any questions from the Board?
8 I will comment for the Board that this is in
9 an area where the lots are a little bit smaller.
10 MR. HUMMRICH: May I add one more thing?
11 MR. FRITZ: Sure.
12 MR. HUMMRICH: Most of the homes on this
13 street already have a covered porch.
14 MR. FRITZ: Sure.
15 And I can say --
16 MR. HUMMRICH: Even one inch off the house
17 would be out of variance.
18 MR. FRITZ: Yeah, I understand. We've -- I
19 don't know, for the last 10, 15 years I've been on
20 this Board, we've granted pretty much all these
21 that are in that area because of the lot size.
22 So I will ask the Board members, does
23 everybody agree that all the 11 factors that we
24 need to consider here, would they be in favor of
25 granting this variance?

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1 MS. SADOWSKI: Yes.
2 MR. SITO: Yes.
3 MR. FRITZ: Then the Chair will entertain a
4 motion on Case Number 2025-34: Jeremy Hummrich,
5 for Joanna Vance, at 604 Garfield Avenue.
6 MS. SADOWSKI: I move we accept Case Number
7 2025-34.
8 MR. SITO: Second the motion.
9 MR. FRITZ: It's moved and seconded that we
10 grant Case Number 2025-34.
11 All in favor, say aye.
12 MS. SADOWSKI: Aye.
13 MR. SITO: Aye.
14 MR. FRITZ: Aye.
15 Those opposed.
16 The ayes have it, and the variance is granted.
17 You'll get a letter in the mail in a couple --
18 two, three days.
19 MR. HUMMRICH: Thank you. We appreciate your
20 time.
21 MR. FRITZ: Thank you.
22 Okay. Moving on to our second case,
23 Case Number 2025-35: Brilliant Electric Sign
24 Company, 4811 Van Epps Road in Cleveland, Ohio
25 44131, for 333 Prospect Street, Elyria, Ohio

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1 44035, requesting a variance from Sections 1174.12
2 b.1.a.(1) and (2) for the height and setback for
3 the installation of signage.
4 Sir, please raise your right hand.
5 (Sworn)
6 MR. FRITZ: Please state your name.
7 MR. BENEDICT: Yes, John Benedict with the
8 Brilliant Electric Sign Company, and I'm here
9 today -- we're looking to -- it's a sign
10 replacement project at 333 Prospect Street. We've
11 been working with Morgan Landscape Development on
12 this project. I believe they've come before the
13 Board, at least the Planning Commission, earlier
14 in the year, as they are the entity that's going
15 to be installing the framework for the signage.
16 So they're doing the masonry work. And what we're
17 going to be hopefully doing is installing the
18 replacement sign cabinet.
19 It came to our attention when we submitted the
20 sign permit application that the structure was
21 within 5 feet of the right-of-way. Measurements
22 show that it's about 19 -- a little over 19 feet
23 from the sides of the curb of the roadway and over
24 5 feet -- 5 feet 4 inches to the sidewalk. So the
25 existing sign was also within that area, close to

1 the right-of-way. So we're looking for a variance
2 for that.

3 And apparently the area of the sign that we're
4 proposing, it's not just a square. It's kind of
5 old, so it kind of jets above the masonry columns.
6 And so the overall area is more than what is
7 allowable by current code, so requesting a
8 variance for the increase in sign area.

9 When we measure out -- I know we kind of boxed
10 off the entire sign, but when you measure the
11 actual area where the sign space, the negative
12 space, we would still be a little bit over the
13 existing code, but we'd be looking at
14 approximately 36.23 square feet per sign face when
15 you consider the negative space of the shape of
16 the sign.

17 So in looking at the area -- we are Industrial
18 zoning, and the overall look and character of
19 the -- where the sign would be placed, we don't
20 feel, is out of character with the current
21 conditions, and that's why we're here to pursue
22 the variance for the area and for the position of
23 the sign.

24 MR. FRITZ: Very good. Thank you.

25 Mr. Schoenig, City of Elyria.

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

3 For Case Number 2025-35, the proposed sign
4 would be considered non-conforming in that they've
5 changed -- the dimensions are larger as indicated
6 by the applicant, therefore, requirement for the
7 variance is needed here.

8 Based on the information that they provided,
9 the East Broad Street setback is less than 5 feet,
10 which, per our code, requires 5 feet for the
11 right-of-way. They do meet that requirement to
12 the Prospect Street frontage, however,
13 (unintelligible).

14 Thank you.

15 MR. FRITZ: Thank you.

16 Is there anybody in the audience that has a
17 comment on this matter?

18 No.

19 I will note, again, for the record, that
20 Diamond Products is a long-standing business in
21 this community and do a lot of good things.
22 They've done a lot of improvements lately it
23 seems.

24 Does everybody here agree on our Board that
25 all the 11 factors would be in favor of granting

1 this variance?

2 MS. SADOWSKI: Yes.

3 MR. SITO: Yes.

4 MR. FRITZ: So then the Chair will entertain a
5 motion on Case Number 2025-35: Brilliant Electric
6 Sign Company for 333 Prospect Street, Elyria,
7 Ohio.

8 MS. SADOWSKI: I'll move to accept
9 Case Number 2025-35.

10 MR. SITO: Second.

11 MR. FRITZ: It's been moved and seconded that
12 we grant Case Number 2025-35: Brilliant Electric
13 Sign Company for 333 Prospect Street, Elyria,
14 Ohio.

15 All in favor, say aye.

16 MS. SADOWSKI: Aye.

17 MR. SITO: Aye.

18 MR. FRITZ: Aye.

19 Those opposed.

20 The ayes have it. The variance is granted.

21 You'll get a letter in a couple days, hopefully
22 before Thanksgiving.

23 MR. BENEDICT: Thank you very much.

24 MR. FRITZ: Okay. Let's move on. We have one
25 more case on the docket today, and that's

1 Case Number 2025-36: David DiFrancesco,
2 1939 West 25th Street, Cleveland, Ohio 44113, for
3 730 Midway Boulevard, requesting a variance from
4 the following sections of the Elyria Codified
5 Ordinances:

6 One: Section 1160.08, which is a rear yard
7 setback for a reduction from 20 feet to 5 feet.

8 Second would be Section 1160.09: Maximum
9 building height increase from 40 feet to 45 feet.

10 Three: Section 1175.06: Parking space
11 reduction from two cars per dwelling to one car
12 per dwelling.

13 And the last one: Section 1175 .08: Parking
14 allowed within 20 feet front yard.

15 And you are, sir?

16 MR. DIFRANCESCO: My name is
17 David DiFrancesco.

18 MR. FRITZ: Thank you. Would you please raise
19 your right hand.

20 (Sworn)

21 MR. FRITZ: Thank you very much.

22 Tell us why you need a variance for all these
23 things.

24 MR. DIFRANCESCO: Sure.

25 Well, first of all, just to clarify that I'm

1 here representing my clients, which is a
2 partnership between McGregor and CHN Housing
3 Partners, and the project is the development of
4 115 new, affordable senior apartments on the
5 property immediately west of the McGregor Case
6 Adult Day and Wellness Center that was recently
7 opened earlier this month. The two projects sort
8 of work in tandem with one another.

9 Regarding the variances, let's start with the
10 building height. 115 units, all one-bedroom
11 apartments of a minimum size dictated by the
12 financing creates a very large footprint, really
13 too large to be effective in a three-story
14 building for seniors; creates very long travel
15 distances from the elevator to the further
16 apartments.

17 And one of the goals, one of the things that
18 you try to do in a senior design is to minimize
19 that distance so that it's manageable for the
20 residents, so that really pushed the building off
21 to a four-story building. And because it's a wood
22 frame structure and not masonry and tilt up like a
23 hotel, for example, we need the extra 5 feet in
24 order to get the full four stories, including the
25 parapet which will help to screen a small amount

1 of rooftop mechanical equipment, as well as the
2 elevator override.

3 As far as the parking goes, affordable senior
4 housing residents rarely have their own cars, much
5 less two, and so my clients, who have a great deal
6 of experience in these kinds of developments, have
7 found that one car per apartment is more than
8 sufficient. Some projects have even less.

9 And then as far as the setbacks go, it's
10 really a function of the size of the site, the
11 number of cars that we're trying to provide, as
12 well as the size of the building itself.

13 MR. FRITZ: Thank you.

14 Do you have anything further?

15 MR. DIFRANCESCO: I don't. I'm happy to
16 answer any questions.

17 MR. FRITZ: Thank you.

18 Mr. Schoenig, City of Elyria.

19 MR. SCHOENIG: Thank you, Mr. Chair. Through
20 you.

21 Case 2025-36, the four sections of the code
22 that meet the applicable variances are as follows:

23 The plans indicate the covered patio is 5 feet
24 from the property line. The main building is 13
25 feet from the property line. Based on the site

1 plan that's provided by the applicants, the
2 development that is behind this proposed project
3 is landscaping. There is no concerns there from
4 the planning perspective as there's no building
5 environment behind the structure.

6 The second point is the proposed building
7 height is 45 feet to the top of the parapet. The
8 top of the parapet, this is as close as possible
9 based on the testimony of the applicant.

10 The third requirement, the parking while it is
11 a drastic change from 115 parking spaces to 230
12 that are required, the parking calculation are
13 currently adjusted in our proposed zoning code,
14 therefore, these hardships that are being faced by
15 some of applicants will be lessened in the near
16 future.

17 Fourth point is the required front yard for
18 the parking. This could be construed as concerns
19 of line of sight. There is ample landscaping as
20 indicated by the site plan. The ingress and
21 egress of the project does provide a
22 significant -- or a sufficient -- what I would
23 determine as sufficient line of sight at the
24 project area.

25 Thank you.

1 MR. FRITZ: Thank you.

2 I need to go out of turn just one second
3 because I realized that probably what I failed to
4 do is to ask Madam Secretary on the first case
5 today, were any adjacent land owners notified?

6 MS. TOMSKI: Yes, they were, and I did not
7 hear from anybody.

8 MR. FRITZ: Okay. What about the second case
9 for the sign?

10 MS. TOMSKI: Same.

11 MR. FRITZ: And how about for this one?

12 MS. TOMSKI: Same.

13 MR. FRITZ: Very good.

14 Does anybody have any questions?

15 The City does -- I think the City would
16 appreciate the fact that there is some more
17 seniors spaces. I think it seems to be a growing
18 need, not only in our community, but pretty much
19 throughout the entire lower 48.

20 Any questions by any Board members?

21 Does everybody then agree that all the factors
22 that we have to consider would be in favor of all
23 four of these requested variances?

24 MS. SADOWSKI: Yes.

25 MR. SITO: Yes.

MR. FRITZ: So then the Chair will entertain a motion on Case Number 2025-36: Mr. DiFrancesco for the 730 Midway Boulevard project.

MS. SADOWSKI: I motion we accept Case Number 2025-36.

MR. SITO: Second.

MR. FRITZ: It's been moved and seconded that we grant Case Number 2025-36.

All in favor, say aye.

MS. SADOWSKI: Aye.

MR. SITO: Aye.

MR. FRITZ: Aye.

Those opposed.

The ayes have it. The variance is granted, sir. You'll get a letter in the next couple of days.

MR. DIFRANCESCO: Thank you very much.

MR. FRITZ: So it is now on the clock on the wall about 3:21, and at this time the Chair will entertain a motion to adjourn.

MS. SADOWSKI: I motion we adjourn.

MR. SITO: Second.

MR. FRITZ: It's been moved and second that we are adjourned.

All in favor, say aye.

MS. SADOWSKI: Aye.

MR. SITO: Aye.

MR. FRITZ: Aye.

Those opposed. I never got an opposed to that one.

Next meeting is December 18th. Everyone have a wonderful holiday, wonderful Thanksgiving, be safe out there. See you next month.

C E R T I F I C A T E

The State of Ohio,)
County of Erie.) SS:

I, Mary A. Hammond, a Court Reporter and Notary Public within and for the State of Ohio, do hereby certify that I attended the foregoing meeting, wrote the same in stenotype, and that this is a true and correct transcript of my stenotype notes.

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

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

In WITNESS WHEREOF, I have hereunto set my hand and affixed my seal of office at Berlin Heights, Ohio, this 5th day of December, 2025.

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