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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 October 16, 2025, at 3:00 p.m.
7
8 ---
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10 BOARD OF ZONING APPEALS MEMBERS PRESENT:
11 Joel Fritz Chairman
12 Ann Tanner Member
13 Timothy Golden Member
14 James Miller Member
15
16 ALSO PRESENT:
17
18 Mark Craig Administrative Legal
Counsel
19 Christopher Schoenig City Planner
20 Mary Tomski Secretary
21
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1 PROCEEDINGS
2 MR. FRITZ: Okay. Good afternoon, folks.
3 It's about 3:00 o'clock according to the clock
4 here at Elyria City Hall, 131 Court Street. This
5 is the 2nd Floor Council Chambers. It is
6 Thursday, October 16th, 2025, and this is the
7 Board of Zoning Appeals for Elyria.
8 And I will call the meeting to order and ask
9 that the Madam Secretary call the roll.
10 MS. TOMSKI: Joel Fritz.
11 MR. FRITZ: Present.
12 MS. TOMSKI: Ann Tanner.
13 MS. TANNER: Present.
14 MS. TOMSKI: Timothy Golden.
15 MR. GOLDEN: Present.
16 MS. TOMSKI: James Miller.
17 MR. MILLER: Present.
18 MS. TOMSKI: Julianne Sadowski.
19 MR. FRITZ: She's excused. She had a little
20 baby a couple of weeks ago.
21 Before we get started, because we do not have
22 a full compliment of the Board, you can present
23 your case to the Board today and you live with
24 what our decision would be, but if you think that
25 you would rather have a full compliment of the

3

1 Board, you, by all means, can pass your case to
2 the next session, which is next month.
3 So, up to you, but if you want to go forward
4 today, you live with the decision. I can't tell
5 you whether the decision would be different or not
6 if we had a fifth member here.
7 So, having said that, anybody that's going to
8 testify or speak today, they need to stand and be
9 sworn in. So anybody that's going to present a
10 case, we'll have you all stand up at once. Raise
11 your right hands.
12 (All sworn.)
13 MR. FRITZ: Thank you.
14 Okay. Since we got through that, the Chair
15 will entertain a motion on the minutes of
16 September 18th, 2025.
17 MR. MILLER: I move that we accept the
18 minutes.
19 MS. TANNER: Second.
20 MR. FRITZ: It's been moved and seconded that
21 we approve the minutes of September 18th, 2025.
22 All in favor, say aye.
23 MS. TANNER: Aye.
24 MR. GOLDEN: Aye.
25 MR. MILLER: Aye.

4

1 MR. FRITZ: Aye.
2 Those opposed.
3 The ayes have it, and those minutes are
4 approved.
5 So here's our format for you folks. When we
6 call your case, you want to step up to the podium
7 over there and speak into the microphone so
8 everybody can hear you and that the court reporter
9 can take down your testimony, and you'll just tell
10 us why you would like the variance.
11 After that, we'll give the City a chance to
12 say why they want you to have the variance or not
13 want you to have the variance. And there could be
14 some discussion from Board members, questions.
15 There might even be some people in the audience
16 that might have a question. They're more than
17 welcome to do that.
18 And after it's all said and done, we'll vote,
19 and you'll know today whether your variance was
20 granted or not.
21 Seeing as that we have no old business, the
22 first matter of our new business is
23 Case Number 2025-5: Kelly Adkins, 114 River Run
24 Drive, Elyria, Ohio 44035, requesting a variance
25 from Section 1175.03 of the Elyria Codified

5 1 Ordinances. The site plan shows a proposed 4 feet 2 by 29 feet driveway addition. The addition will 3 increase the concrete coverage to 44.99 percent. 4 The maximum allowed per City ordinance is 5 one-third, or 33 percent -- 33-and-a-third percent 6 coverage. 7 Did somebody come here to speak on 8 Kelly Adkins? 9 Come on up to the podium, sir. 10 MR. ADKINS: Hello. 11 MR. FRITZ: Good afternoon. Mr. Adkins, tell 12 us why you would like this variance. 13 MR. ADKINS: Honestly, I hired a company to do 14 it because I needed to park a vehicle in my 15 driveway for some extra space, and apparently they 16 didn't take the proper steps to get a permit. And 17 then through some back and forth with the City, 18 they recontacted me, stated that I need to be here 19 today to state my case. 20 I don't really have a case to state besides 21 that I paid for some work to get done and I was 22 under the impression that it was all approved with 23 the City. And now I'm finding out, after the 24 fact, that we're having some issues, so I'm just 25 trying to take care of that today.	7 1 MR. ADKINS: I just -- not trying to make this 2 work in benefit to my favor, I just park my police 3 cruiser there, that's all. 4 MR. FRITZ: You just need wider for parking 5 purposes? 6 MR. ADKINS: Yes, sir. 7 MR. FRITZ: Okay. Thank you. 8 Second factor is whether the property in 9 question will yield a reasonable return or whether 10 there can be any beneficial use of the property 11 without a variance. 12 I believe that he has stated that he needs it, 13 and I think you showed a picture. It looks like 14 you got a truck and a trailer that's pretty wide. 15 You got a dually or something like that? 16 MR. ADKINS: Yes, sir. 17 MR. FRITZ: Okay. So I think it probably 18 would yield a more reasonable return. 19 Would everybody agree with me? 20 MS. TANNER: Yes. 21 MR. GOLDEN: Yes. 22 MR. MILLER: Yes. 23 MR. FRITZ: Third factor would be whether the 24 variance is substantial and is the minimum 25 necessary to make possible the reasonable use of
6 1 MR. FRITZ: Okay. Anything else? 2 MR. ADKINS: No, sir. 3 MR. FRITZ: Okay. Mr. Schoenig, City of 4 Elyria. 5 MR. SCHOENIG: Thank you, Mr. Chair, through 6 you. 7 Case Number 2025-5 for 114 River Run Drive, 8 Section 1175.03 of the code, as you indicated, 9 driveways shall not exceed one-third of the area 10 of such yard, and the calculation from the 11 inspector was 44.99 percent. 12 Thank you. 13 MR. FRITZ: Thank you. 14 Any Board members have any questions for this 15 gentleman? 16 Okay. Let's go through our factors. 17 Okay. First factor that we are to consider 18 here today is whether there is any special 19 circumstances or conditions that exist that are 20 peculiar to the land or the structure that's 21 involved here. 22 I don't see that you had answered any of 23 those, Mr. Adkins, but is there any special 24 conditions or circumstances that exist on your 25 property that would require this?	8 1 the land. 2 When you had your -- this person that was 3 going to do the job, did you already have in mind 4 that you needed it to be this wide? 5 MR. ADKINS: I went off -- based off their 6 recommendations and their prior experience within 7 the City of Elyria. They have done houses prior 8 to mine within my -- where I live at, so I based 9 off of their recommendation. 10 MR. FRITZ: Okay. Well, I would say that it 11 would seem to be a little bit more substantial 12 than necessary according to the City code. We 13 have allowed some variances for greater concrete 14 in the yard. I don't know that we've ever granted 15 almost 45 percent, but we'll see how that goes. 16 Whether the essential character of the 17 neighborhood would be substantially altered. 18 Madam Secretary, did the notices go out to the 19 adjacent land owners, and did you receive anything 20 back? 21 MS. TOMSKI: They did, and I did not hear 22 anything back. 23 MR. FRITZ: Okay. So it doesn't seem like 24 anybody thinks that the essential character of 25 your neighborhood would be changed if you did

1. this.

2 Does everybody agree with that?

3 MS. TANNER: Yes.

4 MR. GOLDEN: Yes.

5 MR. MILLER: Yes.

6 MR. FRITZ: Fifth factor is whether the

7 variance would adversely affect the delivery of

8 government services, such as water, sewer, or

9 trash.

10 We haven't heard any evidence of that, so I

11 would say the answer to that is no.

12 Does everybody agree?

13 MS. TANNER: Yes.

14 MR. GOLDEN: Yes.

15 MR. MILLER: Yes.

16 MR. FRITZ: The sixth factor is whether the

17 property owner purchased the property with

18 knowledge of the zoning restrictions.

19 You know, I really hate that one. Nobody ever

20 knows that.

21 Seven, whether special conditions or

22 circumstances exist as a result of the actions of

23 the owner.

24 Well, he hasn't done anything yet. He's

25 trying to, and he needs a wider thing for his

1 truck.

2 Does everybody agree?

3 MS. TANNER: Yes.

4 MR. GOLDEN: Yes.

5 MR. MILLER: Yes.

6 MR. FRITZ: All right. Eight, whether the

7 property owner's predicament feasibly can be

8 obviated through some method other than a

9 variance.

10 Do you think you could get that down to 40

11 percent by any chance? Would that help at all?

12 MR. ADKINS: I'm not sure. I guess I would

13 just have to recontact the company, and they would

14 just have -- I don't know what the process would

15 be of reducing that.

16 MR. FRITZ: All right. Well, I guess the

17 answer to that would be no.

18 Does everybody agree with that?

19 MS. TANNER: Yes.

20 MR. GOLDEN: Yes.

21 MR. MILLER: Yes.

22 MR. FRITZ: All right. The ninth one is

23 whether the spirit and intent behind the zoning

24 requirement would be observed and a substantial

25 justice done by granting the variance.

1 Well, like I said, I don't -- I can't recall a

2 time when we granted anything much more than 40

3 percent.

4 Does everybody agree with that?

5 MS. TANNER: Yes.

6 MR. GOLDEN: Yes.

7 MR. MILLER: Yes.

8 MR. FRITZ: Okay. And Number 10 is whether

9 the granting of this variance will confer any --

10 on this applicant any special privilege that is

11 denied by these regulations or lands, structures,

12 or buildings.

13 I believe they probably would only because if

14 we grant this, that will be the largest -- I

15 believe the largest one we've ever granted.

16 Does everybody agree?

17 MS. TANNER: Yes.

18 MR. GOLDEN: Yes.

19 MR. MILLER: Yes.

20 MR. FRITZ: And Number 11, the variance sought

21 is the minimum which will afford relief to the

22 applicant.

23 You know, my personal preference, which

24 doesn't mean anything really, but my personal

25 preference would be to see would it be useful to

1 you if you pared it down to 40 percent. I think

2 that would make me feel much better, but we still

3 have to have the vote of the Board, and we'd give

4 you the opportunity, or maybe even grant a

5 variance that says you can do 40 percent, but not

6 45.

7 But, again, that's just my personal opinion,

8 and we still have to vote on this. But without

9 another drawing of some sort, it would be hard for

10 anybody to make that determination based on the

11 materials that we have.

12 Does everybody agree with that?

13 MR. SCHOENIG: Mr. Chair --

14 MR. FRITZ: Is it already --

15 MR. SCHOENIG: -- I do have a question through

16 you to the applicant.

17 MR. FRITZ: Yes.

18 MR. SCHOENIG: Just for a point of

19 clarification for the Board, has this work been

20 completed?

21 MR. ADKINS: Yes.

22 MR. FRITZ: Oh, I thought you were looking to

23 get it even bigger.

24 MR. ADKINS: NO.

25 MR. FRITZ: So, well, then we have the

1 proverbial asking for forgiveness instead of
2 permission.

3 Okay. Well, since we've gone through the
4 factors, the Chair will entertain a motion on
5 Case Number 2025-5: Kelly Adkins, 114 River Run
6 Drive, Elyria, Ohio.

7 MS. TANNER: I move to grant the variance.

8 MR. MILLER: I'll second.

9 MR. FRITZ: It's been moved and seconded that
10 we grant the variance in Case Number 2025-5.

11 All in favor, say aye.

12 MS. TANNER: Aye.

13 MR. GOLDEN: Aye.

14 MR. MILLER: Aye.

15 MR. FRITZ: Aye.

16 Those opposed.

17 The ayes have it. The variance is granted.

18 MR. ADKINS: Thank you.

19 MR. FRITZ: You'll get a letter in the next
20 couple of days.

21 Okay. Moving on to Case Number 2025-27:
22 Parker Hannifan, 711 Taylor Street, Elyria, Ohio
23 44035, requesting a variance from Section
24 1174.06(B) of the Elyria Codified Ordinances for
25 the installation of signage.

1 All right. Starting to get the signage cases
2 out.

3 How you doing?

4 MR. PFAFF: Good.

5 How are you?

6 MR. FRITZ: Good.

7 What's your name?

8 MR. PFAFF: My name is Brad, and I'm with
9 Excel Management.

10 MR. FRITZ: Okay.

11 MR. PFAFF: I'm here on Parker's behalf.
12 We're the ones going to be installing the two
13 signs.

14 MR. FRITZ: All right.

15 MR. PFAFF: On the sheet, you can see they
16 have -- I have a picture of the signage they
17 currently have. They have two signs that are
18 already in place and have been there for a long
19 time.

20 What they did is they purchased two other
21 signs to put in two different areas to direct
22 traffic to the parking lots and to the loading
23 bays. To keep continuity across the front of the
24 building, they wanted, of course, to keep their
25 signs the same.

1 If you guys have ever been over to Parker, Joe
2 over there treats this like a house. The place is
3 spotless. It's meticulous. It's the way he likes
4 things.

5 MR. FRITZ: Yeah, I think we granted you guys
6 a variance for that fence --

7 MR. PFAFF: For the fence, yeah.

8 MR. FRITZ: -- because those people at that
9 bar were having parties and stuff in your parking
10 lot.

11 MR. PFAFF: It was going nuts for them. It
12 really was. I mean, there were people doing
13 donuts and throwing bottles. It stopped all that,
14 which is good.

15 MR. FRITZ: Oh, yeah, the fence looks great.

16 MR. PFAFF: Yeah, they haven't had to do
17 anything else.

18 And also the location, as you can see by the
19 two things, the one is going to be down almost
20 parallel with the fence, way down. The one by the
21 corner is going to be kind of tucked in behind the
22 electric box and stuff that's there. So I don't
23 see any reason it would block visibility.

24 MR. FRITZ: Are they identical to the two
25 signs that are up?

1 MR. PFAFF: Yes.

2 MR. FRITZ: Same material, whole bit?

3 MR. PFAFF: Same material, same look, same
4 colors, everything.

5 MR. FRITZ: All right.

6 City of Elyria, Mr. Schoenig.

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

8 Per Section 1174.06, directional signs, as
9 these would be classified, shall not exceed 8
10 square foot per sign face. The signs that are
11 proposed exceed that requirement of 22 square
12 feet, however, as indicated by the applicant,
13 there are existing signs on the property that are
14 of similar nature and size.

15 Thank you.

16 MR. FRITZ: Thank you.

17 MR. PFAFF: I am sorry, though, when I did
18 that, or when I filed for the permit, I thought it
19 was a total for both sides of it. It's a
20 two-sided sign. So that 22 square feet is
21 considering both sides. It's actually about 11.25
22 square feet per side. So sorry about that.

23 MR. FRITZ: I think we granted a variance to
24 Crane for a bigger sign than that over there by
25 the tracks, so...

1 MR. PFAFF: Right.
 2 MR. FRITZ: Okay. Any questions by the Board?
 3 Any questions from what I've talked about?
 4 Okay. Board members, does everybody agree
 5 with me that each and every fact and answer on
 6 every -- all 11 factors would actually be in favor
 7 of this variance?
 8 MS. TANNER: Yes.
 9 MR. GOLDEN: Yes.
 10 MR. MILLER: Yes.
 11 MR. FRITZ: Then the Chair will entertain a
 12 motion on Case Number 2025-27: Parker Hannifan,
 13 711 Taylor Street, Elyria.
 14 MR. MILLER: I move that we grant the variance
 15 on Case Number 2025-27.
 16 MR. GOLDEN: I'll second that motion.
 17 MR. FRITZ: It's been moved and seconded that
 18 we grant Case Number 2025-27.
 19 All in favor, say aye.
 20 MS. TANNER: Aye.
 21 MR. GOLDEN: Aye.
 22 MR. MILLER: Aye.
 23 MR. FRITZ: Aye.
 24 Those opposed.
 25 The ayes have it. You got your variance, and

1 you'll get a letter in the next couple of days.
 2 MR. PFAFF: Thank you very much.
 3 MR. FRITZ: Yep.
 4 Okay. Moving on, next case, Case Number
 5 2025-28: Fast Signs, 24181 Lorain Road, North
 6 Olmsted, Ohio 44070, for 914 Cleveland Street,
 7 Elyria, Ohio 44035, requesting a variance from
 8 Section 1174.12(1)(b) of the Elyria Codified
 9 Ordinances for the installation of signage.
 10 How you doing?
 11 MR. DOYLE: Hi. Good afternoon. My name is
 12 Redmond Doyle. I'm with Fast Signs. We're here
 13 today to request a variance for Nirvana Dispensary
 14 that is in the old Ponderosa, I believe.
 15 They're requesting -- they would like to block
 16 out the windows in front because they are not
 17 allowed to have any of the products they sell
 18 visible from the public right-of-way. And that
 19 exceeds the maximum allotted amount of window
 20 graphics in the City, so we would like to request
 21 a variance to cover those windows with perforated
 22 window vinyl to help them comply with that
 23 Department of Cannabis Control requirement.
 24 MR. FRITZ: Thank you. Anything further?
 25 Mr. Schoenig, City of Elyria.

1 MR. SCHOENIG: Thank you, Mr. Chair, through
 2 you.
 3 There are two requirements indicated in the
 4 zoning code for the signage. As these window
 5 signs would be classified as wall signs, it does
 6 exceed the number of wall signs permitted per code
 7 1174.12, as well as the total signage area does
 8 exceed the amount which would be permitted to
 9 153.3 square feet based on the frontage of the
 10 building. A total of 209.04 square feet is
 11 proposed in this instance.
 12 Thank you.
 13 MR. FRITZ: Thank you.
 14 I have a question for you, Mr. Schoenig.
 15 Would you agree with me that a local ordinance can
 16 not obviate a state law?
 17 MR. SCHOENIG: In terms of the Ohio Revised
 18 Code?
 19 MR. FRITZ: Yes.
 20 MR. SCHOENIG: Yes, I would concur with that.
 21 MR. FRITZ: Thank you.
 22 And there's a specific code section that deals
 23 with the fact that they can't have any visible
 24 products for their buildings; correct?
 25 MR. SCHOENIG: In terms of this state code

1 requirements?
 2 MR. FRITZ: Yes.
 3 MR. SCHOENIG: Yes.
 4 MR. FRITZ: Okay. And the City, if I recall,
 5 granted them the license to operate in the City of
 6 Elyria at 914; correct?
 7 MR. SCHOENIG: A conditional use permit is
 8 required for any sort of marijuana or recreational
 9 facility in the City currently, yes.
 10 MR. FRITZ: Thank you.
 11 Well, again, considering all the facts, does
 12 anybody have any questions?
 13 I've driven by there many times. It looks
 14 fine.
 15 Does everybody agree with me that all 11
 16 factors would support granting this variance?
 17 MS. TANNER: Yes.
 18 MR. GOLDEN: Yes.
 19 MR. MILLER: Yes.
 20 MR. FRITZ: Then the Chair will entertain a
 21 motion on Case Number 2025-28.
 22 MR. MILLER: I move that we grant the variance
 23 in Case Number 2025-28.
 24 MS. TANNER: I second.
 25 MR. FRITZ: It's been moved and seconded that

1. we grant Case Number 2025-28.
 2 All in favor, say aye.
 3 MS. TANNER: Aye.
 4 MR. GOLDEN: Aye.
 5 MR. MILLER: Aye.
 6 MR. FRITZ: Aye.
 7 Those opposed.
 8 The ayes have it. You'll get a letter in the
 9 next couple of days.
 10 MR. DOYLE: Thank you.
 11 MR. FRITZ: Okay. Moving on to
 12 Case Number 2025-29: Anibal Irizarry,
 13 P.O. Box 2014, Lorain, Ohio 44052, for 1048 West
 14 River Road, North, Elyria, Ohio 44035, requesting
 15 a variance from Sections 1144.08(A) and 1175.03 of
 16 the Elyria Codified Ordinances for the side yard
 17 setbacks and lot width of the driveway.
 18 Mr. Schoenig, City of Elyria -- oh, I'm sorry.
 19 I'm getting ahead of myself. Sorry.
 20 Is Mr. Irizarry here?
 21 MR. IRIZARRY: Yes.
 22 MR. FRITZ: Please step over to the
 23 microphone, sir.
 24 Tell us why you'd like us to grant you this
 25 variance.

1 MR. IRIZARRY: For one thing, I wanted to make
 2 the area match with the other homes, and the only
 3 thing -- I went there -- when I went to the
 4 property, I went -- also went downtown to Elyria
 5 to get all their information I needed and some
 6 assistance with the people that worked in the
 7 department. And I wanted -- before I did a little
 8 research. Also I wanted to make sure they had the
 9 waterlines, sewers, all the credentials so I
 10 didn't have to go pay it out of my pocket to make
 11 it easier, convenient for me following the
 12 regulations what you guys require.
 13 So I met with the City and the guys. They
 14 came out there, very professional. They went out
 15 of their way to mark all the lines, all the sewer
 16 lines, everything I needed. So that went very
 17 well.
 18 Based on the land when I seen it, I had just a
 19 little intention that it was a straight shot, but
 20 it -- what it has, it was at a narrow -- wider
 21 shot, came down just a hair narrow on the
 22 driveway.
 23 So the only reason I wanted the driveway,
 24 because I have a little Caravan. And I have -- my
 25 sister have a handicap -- a little van for her and

1 then storage for our garage based on I'm taking
 2 care of my sister. And so I guess the garage is
 3 supposed to be 20 feet by 20 feet. I think you
 4 guys require 18 feet, which is right -- one
 5 percent.
 6 Now, the back is -- I thought it was the
 7 overhang that is only 4 feet from the back, off,
 8 and maybe less than 6 feet long that I thought the
 9 overhang was -- that was the issue, but, to me, I
 10 don't feel it's no issue.
 11 But I came here for assistance to make sure
 12 that I don't see no problem. But that -- that's
 13 what I came here to see, if I can get my variance
 14 to build my little ranch house for me and my
 15 sister.
 16 Basically it's not rocket science on
 17 everything else, but, again, I'm here to go by the
 18 guidance and have your assistance for you guys to
 19 help me out to build my ranch and to go further.
 20 I'm not building an empire, but I'm following the
 21 regulations and I want to match the residential
 22 and the -- and the houses as well. That's all,
 23 just a new member around the house.
 24 MR. FRITZ: Thank you.
 25 MR. IRIZARRY: Thank you, sir.

1 MR. FRITZ: Mr. Schoenig, finally, City of
 2 Elyria.
 3 MR. SCHOENIG: Thank you, Mr. Chair, through
 4 you.
 5 Case 2025-29, two variances would be required
 6 based on the site plan that was provided to City
 7 staff. For 1144.08(A), the minimum side yard
 8 requirements as indicated by the site plan that
 9 was provided to the Board, the total setbacks of
 10 the side yard equals 12 feet. A 16-foot
 11 requirement is needed in total for the R-MD
 12 District. Both the northern and southern property
 13 lines for the side yards are both 6 feet.
 14 Second requirement for the variance would be
 15 1175.03, the proposed driveway is exceeding the
 16 one-third requirement and is slightly over only at
 17 34 percent in this instance.
 18 Thank you.
 19 MR. FRITZ: That wouldn't be very nice of us
 20 when we just granted some guy a 45 percent
 21 concrete and telling you 34.
 22 MR. IRIZARRY: Yeah, I'm not building an
 23 empire, so that's why I'm here. I don't want to
 24 go out of the way, but it's just a hair
 25 difference. But like I say, you guys do the

1 decision.

2 MR. FRITZ: All right. Does anybody have any
3 questions?

4 Madam Secretary, adjoining property owners,
5 have they been notified and did you receive any
6 reply?

7 MS. TOMSKI: They were notified, and I have
8 not heard from anybody.

9 MR. SHAREEF: We're right here.

10 MR. FRITZ: Okay. Were you folks sworn in?

11 MR. SHAREEF: Yes.

12 MR. FRITZ: Do you wish to comment on this?

13 MR. SHAREEF: Yes.

14 MR. FRITZ: Well, then come on up.

15 Hold on. You got to wait to get over here.

16 And, sir, Mr. Irizarry, would you just step

17 away so he can...

18 MR. IRIZARRY: Yeah, sure.

19 MR. FRITZ: Now, first of all, raise your
20 right hand -- oh, you were already sworn.

21 MR. SHAREEF: Yes.

22 MR. FRITZ: What's your name?

23 MR. SHAREEF: Abdul Shareef.

24 MR. FRITZ: Okay. Where do you live?

25 MR. SHAREEF: 690 Bell Avenue, Elyria, Ohio

1 to flood worse than it does currently.

2 MR. FRITZ: I'm sorry. I couldn't
3 understand.

4 MR. SHAREEF: Which would essentially cause my
5 yard to flood worse than it does currently.

6 MR. FRITZ: Did you have an expert tell you
7 that your yard is going to flood?

8 MR. SHAREEF: I mean, if you pour a concrete
9 nonpermeable surface where water can't seep
10 through up against a property line that already
11 floods, it's gonna just wash over.

12 MR. FRITZ: But it's not against the property
13 line. It's 6 feet off the property line.

14 You understand that it's not on your property
15 line. It's 6 feet off your property line; right?

16 MR. SHAREEF: Okay.

17 MR. FRITZ: Okay. And does your property
18 flood now?

19 MR. SHAREEF: Yes.

20 MR. FRITZ: Have you done anything to
21 remediate that flooding?

22 MR. SHAREEF: Well, I was going to have it
23 done this summer, but then I would have to have it
24 redone.

25 MR. MILLER: You live on Bell Avenue?

1 44035.

2 MR. FRITZ: You got something you got to say
3 about this?

4 MR. SHAREEF: Yes, I looked over the Codified
5 Ordinance that he's requesting, and it's basically
6 a blanket ordinance for him to be able to pour a
7 nonpermeable surface up to my property line, and I
8 wish for that not to happen.

9 MR. FRITZ: I'm sorry?

10 MR. SHAREEF: I wish for that not to happen.

11 MR. FRITZ: Why?

12 MR. SHAREEF: Because my yard already floods,
13 and I don't want a nonpermeable surface up against
14 my property line.

15 MR. FRITZ: Is it going to be right up against
16 the property line? Isn't it 6 feet?

17 MR. SCHOENIG: Mr. Chair, through you.

18 It appears that the -- from the southern
19 property line -- and I do not have a large copy of
20 the site plan with me, but it does look like it
21 exceeds the 6 feet for the driveway on the
22 southern property line. And the second also does
23 exceed the amount required based on the site plan
24 that was provided to the Board.

25 MR. SHAREEF: Which essentially causes my yard

1 MR. SHAREEF: Yes.

2 MR. MILLER: So your property is west of where
3 this is proposed; correct?

4 MR. SHAREEF: South.

5 MR. MILLER: Oh, you're that house -- you face
6 Bell, but it's West River and Bell or --

7 MR. SHAREEF: No, I'm on West River. The way
8 the house is, his property sits here. Mine sits
9 here. It's south.

10 MR. MILLER: But your address is Bell Avenue?

11 MR. SHAREEF: Yes.

12 MR. MILLER: I understand. Okay. I was
13 confused because I was thinking, well, Bell Avenue
14 would be to the south, but if you're that
15 property -- okay. I understand. I understand.

16 MR. FRITZ: All right. Do you have anything
17 else to say?

18 MR. SHAREEF: No, that would be it.

19 MR. FRITZ: Is there somebody else that wanted
20 to say something? Nobody back there wants to say
21 anything?

22 Okay. Mr. Irizarry.

23 MR. IRIZARRY: I understand where he's coming
24 from, which is -- his yard is not near my
25 property.

1 And I also -- when I'm doing my property as
2 well -- and, again, I'm here for the community,
3 not just for myself, but all my surroundings. So
4 if we all can get together -- which I have no part
5 of his flood or whatever is going on over there.
6 I came here to be inside the community, and if I'm
7 building my development, of course, it's just
8 common sense it's going to put extra lines. So if
9 there was a flood that I'm not aware of, I will
10 cover all that from my property.

11 So I don't know what he's talking about, a
12 flood, because while I been cutting the grass and
13 looking at their yard and it had been raining,
14 it's dry around the property from our side of the
15 house, back of the house, inside my house, all the
16 houses, they had no issue. So what issue he
17 wants, he can rectify it and prove what he's
18 talking about because it don't make no sense.

19 I'm not here to make a mess. I'm not here to
20 create a mess. I'm here to make a small ranch and
21 to join the development as well. And I'm going to
22 cover my end as necessary on my property, but
23 I -- it don't make no sense why he's -- what he's
24 saying. If he has a flood, then I --

25 MR. FRITZ: Do you think you could build that

1 driveway a few degrees towards the inside of your
2 property --

3 MR. IRIZARRY: Yes, it's fine.

4 MR. FRITZ: -- so then the rain will go into
5 your property?

6 MR. IRIZARRY: No, I mean, I'm not --

7 MR. FRITZ: See, that would be kind of
8 neighborly now, wouldn't it?

9 MR. IRIZARRY: Yeah. I know what you mean.

10 MR. FRITZ: You want to join the neighborhood,
11 don't you?

12 MR. IRIZARRY: No, I mean, I want to do the
13 right thing, but, you know --

14 MR. FRITZ: Exactly.

15 MR. IRIZARRY: -- if he has an issue that he
16 says he has a flood and he's going to take care of
17 it, then I suggest he take care of it. Don't talk
18 about -- don't talk about it after the fact. Do
19 what he said he's going to do for your councilman
20 and take care of the issue. Don't make something
21 out of something that's not necessary. If you
22 want to take care of it, take care of it. Don't
23 cry over spilled milk when you can grab another
24 glass of milk and continue.

25 MR. FRITZ: I understand.

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

2 MR. FRITZ: Yes.

3 MR. SCHOENIG: I do have the full set of plans
4 if you would like to review those.

5 MR. FRITZ: We have them with us, too.

6 MR. SCHOENIG: You do have the full set,
7 full-size plans?

8 MR. FRITZ: Yeah, we've been looking at them
9 up here.

10 MR. SCHOENIG: Just wanted to make sure.

11 MR. FRITZ: Okay.

12 MR. SCHOENIG: Thank you.

13 MR. IRIZARRY: Like I said, my land from all
14 the way in the back and everything is -- that's
15 the main thing I liked about it is -- and it'd
16 been raining and everything -- it's super clean,
17 super dry.

18 MR. FRITZ: All right. Well, we're going to
19 go through the factors here.

20 So the first factor we have to consider is
21 whether there are any special conditions and
22 circumstances that exist which are peculiar to the
23 land.

24 Well, the first thing I noticed is it kind of
25 tapers in. It's not square.

1 MR. IRIZARRY: Exactly.

2 MR. FRITZ: It's not rectangular. It's kind
3 of -- and it tapers narrow -- more narrow towards
4 the back of the property, I believe.

5 Does everybody agree with me?

6 MS. TANNER: Yes.

7 MR. GOLDEN: Yes.

8 MR. MILLER: Yes.

9 MR. FRITZ: All right. Now, the second factor
10 we have to consider is whether the property in
11 question will yield a reasonable return or whether
12 there can be any beneficial use of the property
13 without the variance.

14 I would say the answer to that is no.

15 Does everybody agree?

16 MS. TANNER: Yes.

17 MR. GOLDEN: Yes.

18 MR. MILLER: Yes.

19 MR. FRITZ: So the third one is whether the
20 variance is substantial and is the minimum
21 necessary to make possible the reasonable use of
22 the land and structures.

23 I believe the answer to that would be yes.

24 Does everybody agree?

25 MS. TANNER: Yes.

1. MR. GOLDEN: Yes.

2. MR. MILLER: Yes.

3. MR. FRITZ: The fourth factor is whether the
4 essential character of the neighborhood would be
5 substantially altered or whether adjoining
6 properties would suffer substantial detriment as a
7 result of the variance.

8 I know that the adjoining property owner did
9 voice his concern about flooding or that it might
10 be a detriment to his property, but I've seen no
11 studies or any factual proof other than anecdotal
12 proof of that.

13 Does everybody agree?

14 MS. TANNER: Yes.

15 MR. GOLDEN: Yes.

16 MR. MILLER: Yes.

17 MR. FRITZ: Fifth factor is whether the
18 variance would adversely affect the delivery of
19 any governmental services; water, sewer, trash
20 pickup.

21 And it sounds like Mr. Irizarry has done all
22 his homework regarding that and there would be no
23 effect.

24 Does everybody agree?

25 MS. TANNER: Yes.

1. MR. GOLDEN: Yes.

2. MR. MILLER: Yes.

3. MR. FRITZ: The sixth factor is whether the
4 property owner purchased the property with
5 knowledge of zoning restrictions.

6 Yes, he -- oh, he was aware. That's why he's
7 here. My god, you get a star for that one because
8 nobody ever does that.

9 Whether special conditions or circumstances
10 exist as a result of the actions of the owner.

11 I would believe not yet, and they haven't.

12 Does everybody agree?

13 MS. TANNER: Yes.

14 MR. GOLDEN: Yes.

15 MR. MILLER: Yes.

16 MR. FRITZ: And the eighth factor we have to
17 consider is whether the property owner's
18 predicament feasibly can be obviated through some
19 method other than a variance.

20 And the -- I think the answer to that is no.

21 Does everybody agree?

22 MS. TANNER: Yes.

23 MR. GOLDEN: Yes.

24 MR. MILLER: Yes.

25 MR. FRITZ: The ninth factor is whether the

1 spirit and intent behind the zoning requirement

2 would be observed and substantial justice done by
3 granting the variance.

4 I believe the answer to that is yes.

5 Does everyone agree?

6 MS. TANNER: Yes.

7 MR. GOLDEN: Yes.

8 MR. MILLER: Yes.

9 MR. FRITZ: For the tenth factor, whether the
10 granting of the variance requested will confer on
11 this applicant any special privilege that is
12 denied by these regulations or other lands,
13 structures, or buildings in the same district.

14 I believe the answer is no. We've granted
15 side yard setbacks, driveways, fences, you know,
16 front yards that are really side yards.

17 Does everybody agree?

18 MS. TANNER: Yes.

19 MR. GOLDEN: Yes.

20 MR. MILLER: Yes.

21 MR. FRITZ: And the last factor is the
22 variance sought the minimum which will afford the
23 relief to the applicant.

24 I believe the answer to that is yes.

25 Does everybody agree?

1 MS. TANNER: Yes.

2 MR. GOLDEN: Yes.

3 MR. MILLER: Yes.

4 MR. FRITZ: So now -- oh, you have a question.

5 MR. GOLDEN: Mr. Chairman, I'd like to ask the
6 City one question.

7 MR. FRITZ: Certainly.

8 MR. GOLDEN: The Engineering Department will
9 be doing the final grade on this property after
10 the house is built?

11 MR. SCHOENIG: Through you, Mr. Chair. I will
12 notify the Engineering Department of -- that there
13 was a question at the Board meeting today and get
14 an answer from them as to what will be required on
15 their end.

16 MR. FRITZ: Does anybody else have any
17 questions, comments?

18 Okay. Then the Chair will entertain a motion
19 on Case Number 2025-29: Anibal Irizarry, P.O. Box
20 2014, Lorain, Ohio 44052, for 1048 West River
21 Road, North, Elyria, Ohio 44035.

22 MR. GOLDEN: Mr. Chairman, I'll make the
23 motion to approve the variance 2025-29.

24 MR. MILLER: I second.

25 MR. FRITZ: It's been moved and seconded that

37

1 we grant Case Number 2025-29.
 2 All in favor, say aye.
 3 MS. TANNER: Aye.
 4 MR. GOLDEN: Aye.
 5 MR. MILLER: Aye.
 6 MR. FRITZ: Aye.
 7 Those opposed.
 8 The ayes have it. The variance is granted,
 9 sir, and you'll get a letter in the next couple of
 10 days.
 11 MR. IRIZARRY: Thank you, sir. You guys have
 12 a blessed day.
 13 MR. FRITZ: All right. Let's call the next
 14 case. That's Case Number 2025-30: Jeffrey
 15 Rutushin -- I hope I said that right -- 36333
 16 Fortunato Drive, North Ridgeville, Ohio 44039, for
 17 Riverfield Development, 10516 Indian Hollow Road,
 18 Elyria, Ohio 44035, requesting a variance from
 19 Section 1174.07(8) and (1) of the Elyria Codified
 20 Ordinances for two residential subdivision entry
 21 monuments and signage at Grafton Road and Indian
 22 Hollow Road.
 23 Hello, sir.
 24 MR. RUTUSHIN: Hello.
 25 How are you doing?

38

1 MR. FRITZ: Good.
 2 What's your name?
 3 MR. RUTUSHIN: My name is Jeff Rutushin. I'm
 4 with Land Stream, LLC, and I'm the designer of the
 5 plans representing the developer, Riverfield
 6 Development, LLC, and I'm before the Board this
 7 afternoon to request a variance for the
 8 installation of a secondary monument sign on the
 9 upcoming five-phase subdivision known as
 10 Riverfield Reserve.
 11 We're proposing the secondary entry monument
 12 because we believe it will be a benefit to the
 13 residents in the communities by providing
 14 additional way finding and visibility to the
 15 neighborhoods to the south. It's -- the proposal
 16 for the secondary signage is also in response to
 17 the size and specific orientation, location of the
 18 subdivision itself.
 19 The sign -- secondary sign is smaller in size
 20 to the primary proposed entrance signage on
 21 Grafton Road, and it's utilizing materials that --
 22 we believe that are, I guess, working with the
 23 existing context and providing sort of a metal --
 24 a metal-type, raw stick installation, which we
 25 think will fit very nicely into the community.

39

1 And those are basically our reasons.
 2 MR. FRITZ: Okay. Thank you.
 3 Mr. Schoenig, City of Elyria.
 4 MR. SCHOENIG: Thank you, Mr. Chair, through
 5 you.
 6 The variance being sought for Case 2025-30 is
 7 for Section 1174.07. Per our current code, the
 8 restriction on subdivision signs is one
 9 ground-mounted sign per subdivision. The
 10 applicant is requesting signs on Grafton, as well
 11 as Indian Hollow Road.
 12 Thank you.
 13 MR. FRITZ: Yeah, this one kind of puzzled me
 14 a little bit. So, you know, growing up around
 15 here, there's several subdivisions. Subdivisions
 16 change over the years, but most of them, you know,
 17 there's one way in and then maybe a small road
 18 out, but no major road. And Grafton Road,
 19 Indian -- now, you already have it at Grafton;
 20 right?
 21 MR. RUTUSHIN: Yes.
 22 MR. FRITZ: Okay. And you want to put it --
 23 put another one on the other side of Indian
 24 Hollow?
 25 MR. RUTUSHIN: Right. We think there's going

40

1 to be, you know, a lot of residents coming in from
 2 Grafton. And then on Indian Hollow, the benefit
 3 is coming from the suburbs, in that direction,
 4 which also connects to Middle Avenue, Elyria.
 5 MR. FRITZ: Right. And the other developments
 6 on the other side of Indian Hollow, as well;
 7 right?
 8 MR. RUTUSHIN: Yes.
 9 MR. FRITZ: That's what I thought.
 10 Anybody have any questions?
 11 Madam Secretary, did any of the adjoining
 12 property owners reply, and were the notices sent?
 13 MS. TOMSKI: They were sent, and no replies.
 14 MR. FRITZ: Okay. Does everybody agree with
 15 me that the factors we consider would make this in
 16 favor of a variance?
 17 MS. TANNER: Yes.
 18 MR. GOLDEN: Yes.
 19 MR. MILLER: Yes.
 20 MR. FRITZ: Do you have any questions?
 21 Okay. Well, if you agree with me, then, the
 22 Chair will entertain a motion on
 23 Case Number 2025-30.
 24 MR. MILLER: Mr. Chairman, I move that we
 25 grant the variance on Case 2025-30.

1. MS. TANNER: I second.
 2 MR. FRITZ: It's been moved and seconded that
 3 we grant Case Number 2025-30.
 4 All in favor, say aye.
 5 MS. TANNER: Aye.
 6 MR. GOLDEN: Aye.
 7 MR. MILLER: Aye.
 8 MR. FRITZ: Aye.
 9 Those opposed.
 10 The ayes have it. You'll get a letter in the
 11 mail in the next couple of days.
 12 MR. RUTUSHIN: Great. Thank you.
 13 MR. FRITZ: Thank you.
 14 The next Case Number 2025-31: Rodney Hilton,
 15 131 Williams Street, 322 Summer Street, Elyria,
 16 Ohio 44035, requesting a variance from Sections
 17 1164.07, side yard setbacks; 1164.06, front yard
 18 setback; and 1175.06, parking space requirements.
 19 You are Mr. Hilton?
 20 MR. HILTON: Yes, sir.
 21 MR. FRITZ: Please tell us why you'd like us
 22 to grant your request for a variance.
 23 MR. HILTON: Good afternoon. My name is
 24 Rodney Hilton, and I'm requesting this side yard
 25 variance and the front yard setback variance.

1 I purchased this property around 15 months ago
 2 to run my asphalt company from there. So when I
 3 purchased this property, it had multiple zonings
 4 from R-TH to Light Industrial, Heavy Industrial,
 5 and so on. So I went ahead through all the steps,
 6 got everything rezoned.
 7 Now, it's all rezoned to LI, and all of the
 8 combinations of all the 12 parcels is now zoned
 9 one parcel. So this is our last step here for the
 10 variance for the side yard setback and the front
 11 yard setback. So I'm requesting that so I can
 12 move on to the next step.
 13 MR. FRITZ: Excuse me one second.
 14 Do you have anything else?
 15 MR. HILTON: No.
 16 MR. FRITZ: Thank you.
 17 Mr. Schoenig, City of Elyria.
 18 MR. SCHOENIG: Thank you, Mr. Chair, through
 19 you.
 20 As indicated by the applicant, this was a
 21 previous rezoning of this property through
 22 Planning Commission Case 2025-100051, and did
 23 receive final approval from City Council on
 24 September 3rd via Ordinance 2025-127.
 25 Additionally, the applicant is requesting that

1 the proposed lots -- or rather the existing 12
 2 lots that he has be consolidated into one
 3 contiguous lot, and that was heard at Planning
 4 Commission this week via Planning Commission Case
 5 2025-100118 and was approved by Planning
 6 Commission.

7 The proposed variances in front of you are
 8 contingent on final approve from the County, as
 9 Mr. Hilton will need to work with them on that
 10 next step as indicated at the bottom of your
 11 report.

12 1164.06, the first variance, is due to the
 13 existing building having been rezoned. The front
 14 yard setbacks for the buildings do not meet the 20
 15 foot front yard requirement.

16 The second section of the code, 1164.07, the
 17 side yard requirements, due to the age of the
 18 area, the buildings were close to residential
 19 properties at the time, they will also need
 20 required -- do not meet the required setbacks and,
 21 therefore, need a variance.

22 Point of correction for the Board, as well as
 23 the applicant, Section 1175.06, upon review with
 24 the applicant and per e-mail correspondence, the
 25 applicant employs between five to eight employees,

1 and, therefore, the initial request for a variance
 2 from 1175.06 is no longer needed as the parking
 3 requirements are met.

4 Thank you.

5 MR. FRITZ: Thank you.

6 Any Board members have any questions regarding
 7 this request?

8 Does everybody agree with me that after we've
 9 considered all of these factors, the 11 factors,
 10 that they would all support the granting of this
 11 variance?

12 MS. TANNER: Yes.

13 MR. GOLDEN: Yes.

14 MR. MILLER: Yes.

15 MR. FRITZ: Then the Chair will entertain a
 16 motion on Case Number 2025-31: Rodney Hilton,
 17 131 Williams Street and 322 Summer Street in
 18 Elyria, Ohio.

19 MR. GOLDEN: Mr. Chairman, I'll make a motion
 20 to approve this variance, 2025-31.

21 MR. MILLER: I'll second.

22 MR. FRITZ: It's been moved and seconded that
 23 we grant Case Number 2025-31.

24 All in favor, say aye.

25 MS. TANNER: Aye.

1 MR. GOLDEN: Aye.
 2 MR. MILLER: Aye.
 3 MR. FRITZ: Aye.
 4 Those opposed.
 5 The ayes have it. You'll get a letter
 6 granting the variance in the next couple of days.
 7 MR. HILTON: Thank you so much. I appreciate
 8 it.
 9 MR. FRITZ: Thank you.
 10 All right. We have a couple cases left. The
 11 next Case Number is 2025-32: Builders &
 12 Developers, 8899 West Ridge Road, requesting a
 13 variance from Section 1152.11(b)(1), 1152.13,
 14 1175.08, 1174.07(B)(1)(a)(b) of the Elyria
 15 Codified Ordinances for parking side yard
 16 setbacks, total number of signs.
 17 My God, what are you doing to us.
 18 How are you doing?
 19 MR. BARON: I'm doing fine.
 20 How are you?
 21 MR. FRITZ: What's your name?
 22 MR. BARON: My name is Rich Baron. I'm with
 23 Builders & Developers.
 24 MR. FRITZ: Why do you want the variance?
 25 MR. BARON: Okay. There's a total of four

1 mixed in all of that. This site is a
 2 nine-and-a-half acre site that's kind of been out
 3 there forever in the field between West Ridge and
 4 Brunswick. It's very irregular. The site plan
 5 design is for 23 buildings. They're four units
 6 each.
 7 The first item, which would be the 20-foot
 8 setback, we're requesting a reduction from 40 to
 9 20. The buildings actually have porches over the
 10 entranceways. That is where there is a 20-foot
 11 difference between the buildings. If you use
 12 those porches as non-liveable area, it's actually
 13 an additional 8 feet. So we'd have 28 feet
 14 instead of 40.
 15 The way we could get around this, we could go
 16 with 20-foot separations without the request for a
 17 variance, but we would have to eliminate windows
 18 that are currently in the living and dining areas.
 19 It would still meet code because it would have a
 20 front door to get in and out, but the tenants that
 21 we have -- and we have just under 250 of these
 22 units today in service in other locations within
 23 the county. We have a great number that are
 24 elderly units who babysit their children. They
 25 like to be able to sit inside, watch TV, and look

1 outside, who's coming to the front door or what
 2 are their children doing. So we're requesting the
 3 distance from 40 be reduced to 20.
 4 There's also a part of your code that talks
 5 about it can be no less than one half the height
 6 or the equal means of the height, which in this
 7 case is 19 foot, so we exceed that. And I think
 8 in many ways, the code is written for
 9 two-and-a-half to three-story apartments that are
 10 built 40 foot apart with bedrooms to bedrooms
 11 visibility. You know, the person on top could be
 12 looking across at somebody, and then all the way
 13 down.
 14 We don't have that. We just have these
 15 windows that are living space to living space.
 16 There's no bedroom windows that face each other on
 17 this request.
 18 MR. FRITZ: Thank you.
 19 MR. BARON: Do you want me to go to the next
 20 one?
 21 MR. FRITZ: Yes.
 22 MR. BARON: Okay. The next one has to do with
 23 30 parking spots maximum.
 24 So we have long driveways going through.
 25 There's an entrance both off of West Ridge and off

1 of Brunswick, and those drives are 20-foot wide
 2 concrete pavement. And then off of that, we have
 3 different groups of parking where your code
 4 basically says you can't have any more than 30
 5 units, and we have 80.
 6 So kind of like what happens behind this
 7 building. You've got a large parking lot back
 8 there with 120 spaces, but that's got four
 9 different driveways through it, so they're split
 10 up.
 11 We're kind of requesting the same thing. We
 12 have long driveways. The parking is off the
 13 drive. It's right up against the buildings
 14 themselves. We have more parking spots than what
 15 we need, but, again, we have -- you know, two cars
 16 per unit seems to always have been the rule. We
 17 find that occasionally it goes beyond that.
 18 We got two-bedroom units. They're both gonna
 19 have cars. The grandmother comes over to visit,
 20 so we end up with more spaces. So if you really
 21 look at it as those driveways are driveways, we
 22 really would conform, but, you know, we're here to
 23 request an okay as it's laid out based on the fact
 24 that those are actual drives, not parking areas.
 25 Shall I continue?

1 MR. FRITZ: Yes.

2 MR. BARON: All right. The third item which
3 is replacing a roll-up concrete curb with bumpers.

4 So the same parking in driveways that I'm
5 talking about are actually graded from in front of
6 the buildings to the middle of the driveway area.
7 So all of the water falls in the building to the
8 middle, and there's no curb design.

9 A couple things with that: Number one, we do
10 not want steps going from -- or even a curb that
11 would go from the parking area to the walkways.
12 We want most of these units to be ADA accessible.
13 That would eliminate any steps at all in the
14 majority of the cases.

15 The other item there is we -- you can have a
16 4-inch roll-up curb or a 6-inch roll-up curb with
17 concrete. That has a roll up. It's not
18 noticeable. If you look at a concrete bumper, it
19 actually has a flat side that would face out. So
20 if you're driving normal and trying to park a
21 vehicle, you hit the bumper, you're going to know
22 that before you hit a roll-up curb.

23 So we just felt that that was a better fit for
24 the way the design would be. Again, a lot of this
25 is -- it's not all elderly, but a lot of it would

1 That's it.

2 MR. FRITZ: Thank you.

3 Mr. Schoenig, City of Elyria.

4 MR. SCHOENIG: Thank you, Mr. Chair, through
5 you.

6 As indicated by the applicant, the variance --
7 four variances are required for the proposed
8 development project. I will add that this project
9 was approved at Planning Commission this week on
10 October 14th, as well as approved at Community
11 Development with no conditions on their end.

12 Thank you.

13 MR. FRITZ: I note in your notes that if we
14 were to grant this, it's still contingent upon the
15 City Council for zoning. Would that be correct,
16 Mr. Craig, or, Mr. Schoenig, either one of you?

17 MR. SCHOENIG: Yes, the zoning was approved by
18 Planning Commission and Community Development. It
19 has not received final approval from Council. My
20 apologies.

21 MR. FRITZ: Okay. No worries.

22 Does everybody agree with me that all of the
23 11 factors that we'd consider would support the
24 granting of this variance?

25 MS. TANNER: Yes.

1 be elderly, and putting a stop from the parking
2 lot to each of those sidewalks -- and every
3 sidewalk would service four units the way they're
4 set up. They come up and then they split out.

5 So that is our request on that part of it.

6 Do you want the fourth one?

7 MR. FRITZ: You're on a roll.

8 MR. BARON: Okay. The fourth one is actually
9 two parts, sign and then footage of the signs.

10 So we have the two entranceways. We're
11 proposing two signs at each entranceway. They're
12 small landscape signs. They fit into the
13 landscape beds. They are identifying the
14 apartments only. It strictly says "The Ridge."
15 They don't say "managed by." It doesn't say, you
16 know, anything else on those signs whatsoever. We
17 believe the traffic in the case of West Ridge and
18 Brunswick could come from north or south.

19 But the signs in total are 72 square feet, and
20 we are at 64 square feet. So we're 10 percent --
21 even though we have four signs, only 10 percent
22 over what's allowed by the square footage. And
23 there should be -- I don't know if Chris handed
24 out, but we had pictures of the signs with some of
25 the stuff we turned in.

1 MR. GOLDEN: Yes.

2 MR. MILLER: Yes.

3 MR. FRITZ: Then the Chair will entertain a
4 motion on Case Number 2025-32: Builders &
5 Developers, 8899 West Ridge Road.

6 MR. MILLER: Mr. Chair, I move that the
7 variances in Case Number 2025-32, all four
8 variances requested be granted.

9 MR. GOLDEN: I'll second that.

10 MR. FRITZ: It's been moved and seconded that
11 we grant Case Number 2025-32, again, contingent on
12 City Council final voting.

13 All in favor, say aye.

14 MS. TANNER: Aye.

15 MR. GOLDEN: Aye.

16 MR. MILLER: Aye.

17 MR. FRITZ: Aye.

18 Those opposed.

19 You got it. You'll get a letter in the next
20 couple of days.

21 MR. BARON: Thank you.

22 MR. FRITZ: And these fellows over here,
23 whoever's been waiting, maybe, Ms. Thompson, I'm
24 not sure, but whoever's been waiting for this
25 case, you've been very patient. Thank you very

4 much.

2 We'll call the last case, Case Number 2025-33:
3 Jayden Thompson, 311 15th Street, Elyria, Ohio
4 44035, requesting a variance from Section 1137.15
5 of the Elyria Codified Ordinance for installation
6 of fencing.

7 The easiest one of the day, and you had to sit
8 here for an hour.

9 MS. THOMPSON: Save the best for last.

10 MR. FRITZ: Yes.

11 Why do you want a variance?

12 MS. THOMPSON: So I bought my house last year,
13 and I moved into it. I live alone. I'm a young
14 woman.

15 Since I've moved in, I've had issues with the
16 neighbors trespassing in the back. There's about
17 maybe -- you could fit four cars in the parking
18 back there off of 14th street. I've had random
19 people decide to park their cars there and leave
20 them there. My neighbors have had their guests
21 park there. No matter how many times I ask them
22 not to have people park there, they do anyways.

23 I've also had my -- the neighborhood children
24 throw rocks at my car that I park back there.
25 I've had my tires slashed because I've asked

1 people not to park there.

2 So I just have a constant worry whenever I'm
3 not home. I have cameras back there, but they
4 seem to never catch anybody doing anything in the
5 act.

6 So really I would just like the variance to be
7 approved just for a peace of mind really and just
8 safety of my property and myself. I do have a
9 protection order against one of my neighbors due
10 to something happening about this and them parking
11 on my property became this whole thing. He
12 threatened to burn down my house and like
13 threatened bodily harm on me.

14 And I just really don't want to have to pay
15 for tires again. They're expensive. And it would
16 just really give me peace of mind to be able to
17 fully fence in my parking spaces. Obviously, a
18 garage would be a better option, but a fence is a
19 little more budget friendly, so...

20 MR. FRITZ: Understood. Thank you.

21 MS. THOMPSON: Thank you.

22 MR. FRITZ: Mr. Schoenig, City of Elyria.

23 MR. SCHOENIG: Mr. Chair, through you.

24 Case 2025-33, Section 1137.15 of the code
25 requires any front yard fence to be 4 feet or

1 less. The applicant has indicated a desire to
2 have, I believe, it's a 6-foot fence on the
3 property and includes an opening of 50 percent of
4 the projected area with equal spacing.

5 I will also add to that point that moving
6 forward with the proposed zoning code, corner
7 lots, as well as double frontage lots such as this
8 in which two front yards would be required, that
9 requirement will be changed with the proposed
10 zoning code to alleviate some of these
11 circumstances that this Board is confronted with.

12 Thank you.

13 MR. FRITZ: Do you want one higher than 6
14 feet? Do you want one for 8 or 10? It sounds
15 like you need a moat.

16 MS. THOMPSON: I know. 6 is enough. I do
17 have like the sides of my yard fenced in. I
18 also -- you guys probably saw it. I submitted
19 supporting documentation with the house, I think,
20 two doors down that has a fence just about going
21 out to the street on 14th.

22 MR. FRITZ: Sure.

23 MS. THOMPSON: It does have an opening, but I
24 obviously don't want an opening.

25 MR. FRITZ: Totally understood.

1 Madam Secretary, I'm sure that notices went
2 out. Did you receive anything back? It sounds
3 like this one might have got some back.

4 MS. TOMSKI: I did not hear anything from
5 anybody.

6 MR. FRITZ: Really. Sounds like there is some
7 turmoil over there, isn't there?

8 MS. THOMPSON: Yeah.

9 MR. FRITZ: All right. Does everybody agree
10 with me that all 11 factors would support this
11 variance?

12 MS. TANNER: Yes.

13 MR. GOLDEN: Yes.

14 MR. MILLER: Yes.

15 MR. FRITZ: Then the Chair will entertain a
16 motion on Case Number 2025-33: Jayden Thompson
17 311 15th Street, Elyria, Ohio.

18 MS. TANNER: I make a motion to grant variance
19 2025-33.

20 MR. MILLER: Second.

21 MR. FRITZ: It's been moved and seconded that
22 we grant Case Number 2025-33.

23 All in favor, say aye.

24 MS. TANNER: Aye.

25 MR. GOLDEN: Aye.

1 MR. MILLER: Aye.
 2 MR. FRITZ: Aye.
 3 Those opposed.
 4 The ayes have it, and your variance is
 5 granted. You'll get a letter in the next couple
 6 of days.
 7 MS. THOMPSON: Thank you so much.
 8 MR. FRITZ: Go get a big fence and grease it.
 9 All right. It is about 3:54, and the Chair
 10 will entertain a motion to adjourn.
 11 MR. MILLER: So moved.
 12 MS. TANNER: Second.
 13 MR. FRITZ: All in favor.
 14 MS. TANNER: Aye.
 15 MR. GOLDEN: Aye.
 16 MR. MILLER: Aye.
 17 MR. FRITZ: Aye.
 18 All right. Let's go. Thanks, everybody.
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 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 attended the foregoing meeting, wrote
 8 the same in stenotype, and that this is a true and
 9 correct transcript of my stenotype notes.

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

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

16 In WITNESS WHEREOF, I have hereunto set my hand
 17 and affixed my seal of office at Berlin Heights, Ohio,
 18 this 14th day of November, 2025.

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