

**MINUTES**  
**Board of Zoning Appeals**  
**March 14, 2023**

The Wyoming Board of Zoning Appeals (BZA) met Tuesday, March 14, 2023 in the Council Chambers of the City Building. The meeting was called to order at 6:00 p.m. by Charlie Jahnigen, Chair. Attendance was as follows:

**Members:**

Charlie Jahnigen, Chair  
Abigail Horn  
Bob Kearns  
Chris Woodside

**Absent:**

Jennifer Eismeier

**Staff:**

Megan Statt Blake, Community Development Director  
Tana Bere, Community Development Specialist  
Rusty Herzog, City Manager

**Approval of November 8, 2022 Meeting Minutes:**

Mr. Kearns moved to approve the minutes as written. Mr. Woodside seconded the motion. By voice vote all voted yes, the motion carried.

Ms. Statt Blake introduced Abigail Horn, the BZA's newest member who has replaced Mr. Bueckman. Ms. Horn provided her background for the Members who warmly welcomed her to the Board.

**Business:**

Mr. Jahnigen briefly described new hearing procedures the Board will follow to ensure hearings are conducted in compliance with Ohio law. The new procedures ensure that the applicant receives due process and the Board's decisions are afforded the highest level of deference should its decision be appealed.

**Case #1-23, 79 Bonham Road, Front Yard Setbacks Variance Request**

Mr. Jahnigen announced case #1-23 for 79 Bonham Road. The applicants are Linda and Niko Nikolaidis who are requesting two front yard setback variances and are accompanied by their architect, Sara Aschliman. Mr. Jahnigen then swore in the witnesses.

Ms. Statt Blake provided a background of the case. Linda and Niko Nikolaidis, owners of the subject corner lot property, as represented by Architect Sara Aschliman, are requesting two

front yard setback variances to construct a covered front porch on the front of the house within the Bonham Road front yard setback, and a single-story addition to the rear of the house within the West Avenue front yard setback. The property is located in the 'A' Single-Family Residence District and is required to meet minimum front yard setbacks from both streets as follows, per [§1155.04\(a\)](#):

*(4) Where a new home is constructed or where an existing home is added to or altered on a Corner Lot, there shall be a front yard on each street side of such Corner Lot, the remaining two yards being considered side yards. Neither front yard setback shall be less than the front yard setback of the residence on the adjoining lot fronting the same street.*

As shown on the site plan, the front porch addition shows a setback of 17'-2" from the Bonham Road right-of-way, whereas the neighboring property at 73 Bonham Road is setback 22'-1¼". The rear addition shows a setback of 9'-6½" from the West Avenue right-of-way, whereas the neighboring property at 58 W. Charlotte Avenue is setback 17'. The project fails to comply with this provision of the Code and a variance is being sought on this basis.

Ms. Aschliman, Architect for the applicants, addressed the Members. The applicants would like to enhance the curb appeal and functionality of their home by adding a new larger covered front porch to the front as well as a family room and mud room addition to the rear. Several options were considered including a two-story rear addition. The current design proposal was chosen to complement the original home's simple massing and detail, as well as to work with the site's topography and surrounding neighborhood.

The property's qualification as a corner lot creates an exceptional condition. In the abutting section of West Avenue, neither of the adjacent properties at 101 Bonham nor 58 West Charlotte are oriented with front yards facing West Avenue. Requiring 79 Bonham to maintain a "front yard" along West Avenue would arguably not continue the fabric of the neighborhood.

The proposed work is appropriate and similar to other properties in the area and therefore the essential character of the neighborhood will not be substantially altered.

Mr. Nikolaidis addressed the Members and added that the project is not more massive than what some neighbors already have and the rear addition will be consistent with the current setback of the house from West Ave. The front porch is an important feature as that is where they would like to spend more time and engage with neighbors. Mr. Nikolaidis explained that shortly after moving in he remodeled the entire interior of the home down to its rafters and now they are prepared to improve the outside of the home.

Mr. Jahnigen asked the applicants if they know when the house was built. Mr. Nikolaidis stated that while he was remodeling the interior of the home, he found someone had written on the wood the year 1926. He added that the house was constructed when Bonham Road was called Winton Road.

Mr. Woodside asked for clarification regarding corner lots and their setback requirements in comparison to interior or non-corner lot properties. Ms. Statt Blake explained that if West Avenue were not present, the applicants would have a side yard with a minimum side yard setback of 7' which would make the proposed rear addition to the house compliant with the Zoning Code. The front porch would be encroaching into the setback regardless of corner or interior lot status.

Mr. Kearns stated that the proposal will be an improvement to the home and neighborhood. Mr. Jahnigen concurred and added that when the home was placed on the lot nearly 100 years ago, current setback requirements did not apply. Ms. Horn stated that the proposal appears to be a straightforward request.

With no further questions or comments, Mr. Woodside moved to grant the request for variance as submitted. Mr. Kearns seconded the motion. By roll call vote, all voted yes, the motion carried.

**Miscellaneous:**

Ms. Statt Blake reported that the Board will convene on April 11, 2023 to consider three cases. Mr. Jahnigen and Ms. Horn will be absent for the April meeting.

**Excusal of Absent Members:**

Mr. Woodside moved to excuse Ms. Eismeier. Mr. Kearns seconded the motion. By voice vote, all voted yes, the motion carried.

**Adjourn:**

With no further business before the Members, Mr. Kearns moved to adjourn the meeting. Mr. Woodside seconded the motion. By voice vote, all voted yes, the motion carried. The meeting adjourned at 6:20 p.m.

Respectfully submitted,

Debby Martin, Executive Assistant

Charlie Jahnigen, Chair