

**CITY OF KENT  
BOARD OF ZONING APPEALS  
PUBLIC HEARING & BUSINESS MEETING  
June 15, 2026**

**MEMBERS PRESENT:** Randall Smith  
Michelle Sahr  
O'livia Kennedy  
Robert Szygenda (arrived late)

**STAFF PRESENT:** Bridget Susel, Director  
Kailyn Cyrus, Zoning and Grants Coordinator

**I. CALL TO ORDER**

The meeting was called to order at 7:00 p.m.

**II. ROLL CALL**

Randall Smith, Michelle Sahr, Robert Szygenda, and O'livia Kennedy were present.

**III. PREAMBLE**

The Board of Zoning Appeals, Kent citizens serving without pay, hear evidence at public meetings both in support of and in opposition to an applicant's request before rendering a decision. Generally, the Board will decide to approve or deny each requested application at the meeting that it hears the testimony. Some decisions may be continued for further review. Once a decision has been made, the case is closed for the Board, as there is no provision in the code for the Board to reopen a case. If the petitioner disagrees with the findings of the Board, there are only two proper procedures. One is to resubmit a revision of the request that is more compatible with the code and the second is to file an appeal in the Common Pleas Court. Anyone interested in appealing a decision of the Board is advised to seek private legal counsel.

**IV. ADMINISTRATION OF OATH**

Ms. Susel instructed members of the audience, wishing to be heard on any of the cases presented at this meeting, to raise their right hand. She administered the oath. The participant(s) responded affirmatively.

Ms. Susel stated that one of the board members has stated that he will be late for the meeting so there are currently only three board members present. She stated that because there are only three board members, the cases will need an affirmative vote from all three members in order for the variance to be granted. She explained that at any time before the votes are cast, the applicant may delay their case to the following meeting where all four members would be present. Rob Szygenda arrived at the meeting at 7:02 p.m. so all four current Board members were now present.

**V. OLD BUSINESS**

**A.      BZ26-005      MELISSA CLEMENS  
                                 1300 WINDWARD LANE**

**The applicant is requesting the following variances:**

- 1. A variance from Section 1106.11(B) to allow a 4-foot, 4-inch variance where 15 feet is the minimum requirement to allow an outdoor swimming pool to be located 11 feet and 8 inches from the west property line.**
- 2. A variance from Section 1106.11(B) to allow a 4-foot, 4-inch variance where 15 feet is the minimum requirement to allow an outdoor swimming pool to be located 11 feet and 8 inches from the east property line.**

Ms. Cyrus stated that each of the Board members has been given two new photos at the meeting that were provided by an abutting property owner who will be speaking during the public comment period for the case. Ms. Cyrus presented the staff report. She explained that the property is located within the R-2: Medium Density Residential Zoning District and is surrounded by residential uses on all sides. She stated that the applicant has revised the original variance request to reduce the variance to the minimum necessary and the new location is centered between the two property lines. She reported that the applicant states that variances are needed because the parcel is pie shaped and narrows significantly toward the rear yard making it difficult to place a pool in the rear yard and still meet the required 15 foot side and rear yard setback requirements for a pool.

James Clemens, 1300 Windward Lane stated that they took the comments from the last meeting into consideration and have centrally located the pool from both side yard property lines and moved it closer to the primary structure.

**PUBLIC COMMENT**

Wendy Grazioni, 1294 Windward Lane stated that she is the neighbor to the east. She stated she is respectfully opposing the variance requests. She stated that she doesn't feel that the applicant has demonstrated a practical difficulty or unnecessary hardship. She stated that allowing the pool to be located within the 15-foot setback would create a negative impact on the neighboring properties due to the noise, elevated sight lines, and equipment sounds as well as drainage issues. She stated that she feels that the hardship is self-created as it is not a necessity. She stated that she was concerned that approving the variances would create a precedent and reduce the value of her property.

Melissa Clemens, 1300 Windward Lane, stated that having a pool on your property is a given right as a citizen of Ohio and the United States. She explained that the issue is that they don't have the room with the required setbacks. She stated that she is a realtor.

Ms. Grazioni, stated that a hardship does not apply to having leisure in your backyard and as a realtor the current owner should have known that a pool wouldn't fit when they were looking to purchase the property and now they want to impose on the neighbors. She stated that she doesn't want anyone to infringe on her rights to be able to sit on her deck and not see a pool and hear the noise.

### **BOARD OF ZONING OF APPEALS DISCUSSION**

Ms. Sahr reviewed the original variance request for Mr. Szygenda, who was not present at the previous meeting.

Mr. Smith stated that the applicant has reduced the variances as much as they can to have this pool fit but the question comes down to do they have the right to have a pool.

Ms. Sahr stated that they clearly have the right to have a pool. She stated that the other concerns are a result of the lot configuration but the question is regarding the variances for each side. She stated that in her mind, the hardship is the size of the lot and there is literally nowhere they can put that pool on this lot without a variance.

Mr. Smith suggested that they could install a smaller pool.

Mr. Szygenda stated that some of the objections that have been raised would still exist if the pool was 8 feet smaller and didn't require any variances.

Mr. Smith stated that it would be a 7-foot pool.

Ms. Sahr questioned if that was even an available size. She questioned the applicant about the size of the pool as well as if there were any other modifications to the layout that they would consider.

Mr. Clemens stated that it wouldn't make much sense to move it off center due to the staircase of the permanent deck. He stated that it is possible to get a 12-foot pool but they would still need a variance.

Ms. Sahr stated that she can see both sides on this issue but she feels that it meets the hardship criteria.

Mr. Szygenda stated that they have granted other variances due to odd-shaped lots in the past. He noted that the slope of the property also drops significantly.

Mr. Smith stated that the concern is if this lot is suitable for a pool because of its odd shape.

**MOTION:**      *In case BZ26-005 applicant Melissa Clemens, 1300 Windward Lane, Mr. Smith moved that the Board of Zoning Appeals grant the applicant's request for a variance from Section 1106.11(B) to allow a 4-foot, 4-inch variance where 15 feet is the minimum requirement to allow an outdoor swimming pool to be located 11 feet and 8 inches from the west property line.*

*Mr. Szygenda seconded the motion.*

**VOTE:**          *The motion was denied 2-2. A tie vote results in the motion failing.*

**MOTION:**      *In case BZ26-005 applicant Melissa Clemens, 1300 Windward Lane, Mr. Smith moved that the Board of Zoning Appeals grant the applicant's request for a variance from Section 1106.11(B) to allow a 4-foot, 4-inch variance where 15 feet is the minimum requirement to*

*allow an outdoor swimming pool to be located 11 feet and 8 inches from the east property line.*

*Mr. Szygenda seconded the motion.*

**VOTE:**        *The motion was denied 2-2. A tie vote results in the motion failing.*

**VI.    MEETING MINUTES**

**MOTION:**        Mr. Smith moved to approve the November 17, 2025 Board of Zoning Appeals Meeting Minutes. Mr. Szygenda seconded the motion. The motion passed 3-0-1. Ms. Kennedy abstained.

**MOTION:**        Mr. Smith moved to approve the February 16, 2026 Board of Zoning Appeals Meeting Minutes. Mr. Szygenda seconded the motion. The motion passed 3-0-1. Ms. Sahr abstained.

**VII.   OTHER BUSINESS**

None

**VIII. ADJOURNMENT**

Ms. Sahr adjourned the meeting at 7:25 pm.