

**PLANNING COMMISSION  
CITY OF WILLOUGHBY  
REGULAR MEETING  
OCTOBER 10, 2013  
REGULAR MEETING  
MINUTES**

**PRESENT:** R. Fiala; K. Kary; Greg Patt; C. Cox, Acting Chairman

**ABSENT:** G. Merhar

**OTHERS:** Mike Germano, Asst. Law Director; Richard Smith, Chief  
Bldg. & Zoning Inspec.; Jerry Ranally, Ward 3 Councilman;  
Betty Nardelli, Sec'y

Planning Commission welcomes Greg Patt, new member, replacing Robert Irvine who resigned.

Acting Chairman Charles Cox called the regular meeting to order at 7:00 p.m.

**OLD BUSINESS**

**MINUTES**

**September 26, 2013**

The minutes of September 26, 2013 were approved as written.

**COYOTE BAR & GRILL**                      37640 Vine St.                      **Elev. Plans - revised**  
Covered Patio  
R-B dist.

A motion was made by Ken Kary and seconded by Greg Patt to remove this proposal from the agenda for discussion.

ROLL CALL:            Yeas:            B. Fiala; K. Kary; G. Patt; C. Cox  
                             Nays:            J. Merhar

**Motion Carried:            APPROVED TO UNTABLE**

Marvin Simicevic, Coyote Bar & Grill owner, represented this revised elevation, tabled at the last meeting, of the covered patio (constructed) located in front of the former Laundromat attached to the Coyote Bar Grill. At that meeting Bob Fiala wanted to see plans showing the changes which are seven items that deviate from the previously approved plans of 2010. Acting Chairman Cox went down

**Planning Commission**  
**City of Willoughby**  
**Regular Meeting minutes**  
**October 10, 2013**  
**Page 2**

the list and Mr. Simicevic explained the changes for each of the seven items.

1. **Columns** - rather than use stucco and stone surrounds, Mr. Simicevic said he will use actual red brick with a mortar cap on the bottom of the columns going up about 36" to 42" around three sides of the columns. On the upper portion and on the entire inside of the columns, Azak will be used. This is the side that the garage doors will be located. Mr. Simicevic presented samples of the brick and of the Azak that will be used. The Azak is similar to a hard plastic and it can be painted.
2. **Roof overhangs** - These have been removed.
3. **Roof cupola** - This has been removed. This was a cost factor. No one had a problem with this so the removal is okay.
4. **Standing seam metal roof** - Fiberglass shingles were used in place of the metal for the roof. Planning Commission needed to know the shingles color. This also was a cost factor. Mr. Simicevic said the shingles color is dark brown and black mixed. No one had a problem with this so this is okay.
5. **Gable end** - This was changed from stucco and standing seam metal to texture T1-11 painted wood. The color was to be supplied. T1-11 painted white or vinyl siding will be used. A sample of the vinyl siding was presented. Most of the peak will be covered by the sign which was removed while construction of the patio took place.
6. **Patio door from covered patio to outside patio removed.** This area was proposed to be walled in and covered with T1-11 painted wood. The color needed to be known. Mr. Fiala suggested running brick up 36" and paint the rest white.
7. **South side exterior to be solid wall texture 1-11.** The color needed to be known. Mr. Simicevic said that white vinyl siding will be used on this wall. This wall will be insulated on the inside. Mr. Simicevic presented a sample of the siding. Originally this side of the patio was to be left open. This side is near a residence.

**Planning Commission**  
**City of Willoughby**  
**Regular Meeting minutes**  
**October 10, 2013**  
**Page 3**

There was discussion regarding the garage doors. Mr. Simicevic said there will be five garage doors. These doors, similar to curtains, are rolled up into a cylinder tube when not in use and rolled down to close in the patio. These doors will be used for the front facing Vine St. and the side facing Skiff St. Mike Germano said that the patio has to be open if used as a smoking area. Ken Kary said that these doors will never be closed then unless closed for the night. Mr. Kary suggested using visqueen or canvas instead that can be rolled up and down and would be cheaper. Mr. Simicevic asked if he could return for the garage doors approval.

Mr. Simicevic said the structure doesn't have gutters. He will connect the downspouts to the storm water in the middle of the parking lot in response to Mr. Smith's question.

Bob Fiala told Mr. Simicevic to add the information discussed this evening into drawings for the file and submitted to Mr. Smith. If Mr. Smith agrees that the drawings match to what was discussed he will notify Planning Commission and Mr. Simicevic won't have to return with the drawings.

Acting Chairman Cox asked for a motion.

A motion was made by Bob Fiala and seconded by Greg Patt to approve the finished materials discussed this evening with the use of natural brick applied 36" up on the piers with caps on the top of the bricks, to approve the Azak trim above the brick on the piers and in between the two columns, the use of beige vinyl siding for the south elevation and painted T1-11 for the east elevation and for the gable and all is to be documented on a drawing and given to the Building Department.

ROLL CALL:       Yeas:        B. Fiala; K. Kary; G. Patt; C. Cox  
                  Nays:        J. Merhar

**Motion Carried:        APPROVED**

Planning Commission  
City of Willoughby  
Regular Meeting minutes  
October 10, 2013  
Page 4

**NEW BUSINESS**

**DISCUSSION**

**BABOCK PROPERTIES LLC**      37937 Clark Ct.  
(Mitch Babcock)

**Rezoning - discuss.**  
R-50 to D-B  
**Demo garage** to  
Install area for  
Babcock Fun. Home pkg

Mitchell Babcock, owner, represented this discussion for rezoning of 37937 Clark Ct. Mr. Babcock said that he purchased this property 6 ½ years ago from Charles Davis, previous owner. The property has sat vacant all those years. The house has deteriorated and it is not in Mr. Babcock's budget to restore it as one contractor quoted that it will cost \$150,000.00 to restore it. Mr. Smith advised him to demo the house, grade and seed the property. He will keep the existing detached garage for storage which is located on the east center of the property. Mr. Babcock said he will reside the garage using vinyl siding and reroof it. He will use splash blocks because the garage has no gutters. The driveway is also in bad shape and it will be replaced.

Mr. Babcock said he would like to rezone this property to Downtown Business, the same zoning as the funeral home because the property has to be the same zoning if used by the funeral home. Funeral home use is not permitted in residential districts of which this property currently is classified as.

Mr. Babcock said he wants to extend the 10' wide driveway around the existing garage to meet the funeral home's rear parking lot. Mr. Babcock said that the driveway would not be used for through traffic but as a means of access which would rarely be used. The driveway would be used for his own personal vehicles. It would not be used for ingress egress for funeral processions or for deliveries. Mr. Babcock said he will landscape the property in the spring. Mr. Babcock said if deed restrictions are needed he will supply them. Mr. Babcock said that nothing will be built there as long as he owns it. It will just be open space. Mr. Babcock said that if Planning Commission denies the rezoning and the neighbors

**Planning Commission**  
**City of Willoughby**  
**Regular Meeting minutes**  
**October 10, 2013**  
**Page 5**

don't want it he will not pursue it any further. He will asphalt the driveway to the funeral home and fence it with a wood picket fence on the east side of Clark Ct. and the Antonio Ross property (corner House) to replace the existing fence that is in poor shape. The property on the west side, Doreen Langa, will be the one most impacted by the rezoning. Mr. Babcock said that he wants to be sure that everyone is comfortable with the proposal in response to Ken Kary's question. Mr. Babcock said that he will combine all the parcels.

Mr. Babcock said the purpose of the rezoning in response to Acting Chairman Cox is for the use of the driveway which has to be rezoned to be the same zoning as the funeral home in order to use it. Mr. Babcock said that it is also for tax benefits in response to Greg Patt's question. Mr. Smith said that if the property isn't rezoned Mr. Babcock would have to get a use variance of which use variances are frowned on because it is a legislative process mending the zoning code. Mr. Smith said that the corner lot should also be rezoned or it will be spot zoning. Bob Fiala said that each property owner should apply for rezoning their property. Greg Patt said that all three lots should be rezoned, Babcock Properties, Gerber's property and Antonio Ross's property.

Mr. Babcock said that he will talk to the neighbors about rezoning each of their properties.

No action was taken on this discussion.

There being no further business the regular meeting closed at 7:20 p.m.

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Charles Cox, Acting Chairman

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Betty A. Nardelli, Secretary