

**BOARD OF ZONING APPEALS  
CITY OF WILLOUGHBY  
DECEMBER 11, 2019  
PUBLIC HEARING MEETING  
MINUTES**

**PRESENT:** Joe Palmer; Mike Merhar; James Ralston, Chairman  
**ABSENT:** Mike Ross  
**OTHERS:** Michael Lucas, Law Director; Vicki Grinstead, Secretary

**Chairman Ralston called the regular meeting to order at 7:03 p.m.**

Chairman Ralston advised the participants of their right to be heard in person or by attorney present and/or proffer evidence present and examine witnesses and the subpoena of evidence and/or witnesses. Chairman Ralston advised the participants that the board has five members of which a majority of the board is needed to grant an appeal. Chairman Ralston stated all five members of the board are not present this evening and the applicants need a majority or three votes to pass their appeals. If an appeal is denied the applicant has thirty days to file an appeal with the Lake County Court of Common Pleas. All of the applicants that were present wished to proceed with their appeals.

The appeal application, the letter of the meeting notification, the letter of non-compliance and the list of names and addresses of adjoining property owners within the required distant of the appellant were noted into the record.

**MINUTES**

**November 13, 2019**

Mr. Merhar moved to accept the Board of Zoning Appeals Public Hearing meeting minutes of November 13, 2019 as submitted and Mr. Palmer seconded.

**ROLL CALL:** Yeas: Mr. Merhar; Mr. Palmer; Chairman Ralston  
Nays: None  
Absent: Mr. Ross

**Motion Carried: Approved**

**OLD BUSINESS**

*Zeppe's Tavern has asked to remain tabled until the next scheduled Board of Zoning Appeals meeting.*

**City of Willoughby  
Board of Zoning Appeals  
Public Hearing Meeting Minutes  
December 11, 2019**

**NEW BUSINESS**

*NEO Classics has asked to be tabled.*

**NEO Classics**  
38721 Mentor Ave.  
(John F. McDonald, Owner)

**Indoor and on-line motor vehicles for  
for sale and storage**

Mr. Palmer moved to table the appeal for NEO Classics, 38721 Mentor Ave., Willoughby, OH 44094, per their request, and Mr. Merhar seconded.

ROLL CALL:           Yeas:   Mr. Palmer; Mr. Merhar; Chairman Ralston  
                              Nays:   None  
                              Absent: Mr. Ross

**Motion Carried:    Tabled**

**Gretchen Kennedy**  
2677 Lost Nation Rd.  
(Rep-Rob Mahar, Goodwin Construction, LLC)

**Accessory garage at rear of property**

Chairman Ralston stated the applicant cited practical difficulty number 2 on the application for appeal and noted all items that were in the packet.

Chairman Ralston asked if there was anyone who wished to speak for this appeal. Rob Mahar, 5240 Parkcrest Lane, Columbus, OH of Goodwin Construction, was sworn in to speak for this appeal.

Mr. Mahar said his client's garage was dilapidated and she also needed a larger garage. The garage will be made deeper so his client can pull her car in and be able to store lawn equipment.

Mr. Palmer asked if the existing shed will remain and Mr. Marhar said yes, she would like the extra storage. He said his client would remove the shed to have the larger garage if necessary. Mr. Palmer asked if they would reduce the size of the garage from 780 sq. ft. to 720 sq. ft. or 24 x 30 and Mr. Marhar agreed. Mr. Palmer said they can keep the shed. Mr. Marhar asked to amend his request for the accessory garage from a 780 sq. ft. to 720 sq. ft. total square feet.

Chairman Ralston asked if there was anyone else who wished to speak for this appeal. Gretchen Kennedy, 2677 Lost Nation Rd., Willoughby, OH was sworn in to speak for this appeal.

Ms. Kennedy said her home is 1200 sq. ft. with no basement or attic space and needs the storage space. She said the garage has been demolished and all she currently has for storage is the existing shed.

**City of Willoughby  
Board of Zoning Appeals  
Public Hearing Meeting Minutes  
December 11, 2019**

Chairman Ralston asked if there was anyone else who wished to speak for this appeal and there was no one.

Chairman Ralston asked if there was anyone who wished to speak against this appeal and there was no one.

Mr. Palmer moved to grant a variance to C.O. 1131.11(e) and allow an accessory garage of 720 sq. ft. instead of the required 600 sq. ft., so the variance is 200 sq. ft. over the allowable 600 sq. ft., including the 80 sq. ft. shed; citing C.O. 1109.09(b) for the Kennedy residence, 2677 Lost Nation Rd., Willoughby, OH 44094 and Mr. Merhar seconded.

ROLL CALL:       Yeas:   Mr. Merhar; Mr. Palmer; Chairman Ralston  
                      Nays:   None  
                      Absent: Mr. Ross

**Motion Carried:    Approved**

**Charles Kortovich**  
4422 Wood St.

**Addition to rear of home  
3'-3" from side yard lot line**

Chairman Ralston stated the applicant cited practical difficulty numbers 1, 3 and 8 on the application for appeal and noted all items that were in the packet.

Chairman Ralston asked if there was anyone who wished to speak for this appeal. Mr. Kortovich, 4422 Wood St., Willoughby, OH 44094 was sworn in to speak for this appeal.

Mr. Kortovich presented a rendering to the board (in record 12-11-19, Exhibit "A"). Since the purchase of his home 20 years ago his family has grown and they need more space and would like to remain in Willoughby. Mr. Kortovich said he did all the plans and will be the builder on the project. He would like the addition to look as though it's always been part of the existing home. He said his children shared a bedroom upstairs and if he kept within the setback he'd have to move both sides in, which would decrease the room size. They currently have only two bedrooms and one bathroom. He said the first floor would consist of bathroom, a new mudroom and a first floor laundry room.

Chairman Ralston said he spoke with the Building Department because he had a concern in regard to how close the house would be to the existing garage. He said they will review the fire code, and most likely will need a one-hour rated wall against the garage and around the corner. Mr. Kortovich agreed and knew this issue might need to be addressed.

Chairman Ralston asked if there was anyone else who wished to speak for this appeal and there was no one.

Chairman Ralston asked if there was anyone who wished to speak against this appeal and there was no one.

**City of Willoughby  
Board of Zoning Appeals  
Public Hearing Meeting Minutes  
December 11, 2019**

Mr. Palmer moved to grant a variance to C.O. 1131.06 and allow a side yard setback of 3'3" instead of the required 5'; citing C.O. 1109.09(b) for the Kortovich residence, 4422 Wood St., Willoughby, OH 44094 and Mr. Merhar seconded.

ROLL CALL:       Yeas:   Mr. Palmer; Mr. Merhar; Chairman Ralston  
                      Nays:   None  
                      Absent: Mr. Ross

**Motion Carried:    Approved**

Mr. Palmer moved to grant a variance to C.O. 1167.02 Nonconforming Building and Structures, and allow an additional nonconforming encroachment instead of the non-allowable use and thereby permit the requested alteration; citing C.O. 1109.09(b) for the Kortovich residence, 4422 Wood St., Willoughby, OH 44094 and Mr. Merhar seconded.

ROLL CALL:       Yeas:   Mr. Merhar; Mr. Palmer; Chairman Ralston  
                      Nays:   None  
                      Absent: Mr. Ross

**Motion Carried:    Approved**

**Vine Street Willoughby LLC**  
36933 Vine St.  
(Rep.-Mike Marous, Owner)

**Multi-tenant building in front yard  
setback, Parking and Outdoor Activity  
Area Setback Requirements**

Chairman Ralston stated the applicant cited practical difficulty numbers 3, 4, 7, 8 and 9 on the application for appeal and noted all items that were in the packet.

Chairman Ralston asked if there was anyone who wished to speak for this appeal. Mr. Mike Marous, 38025 Second St., Willoughby, OH 44094 was sworn in to speak for this appeal.

Mr. Marous said they acquired the vacant Krihwan property last year and recently also acquired the former Firenza Stone property and came up with a master plan. He said they spoke with the city and came up with a zoning plan for both properties. The Krihwan property was zoned GB (General Business) and the Firenza property was zoned CM (Commercial Manufacturing). Working with the Building Department, they decided to keep the frontage along Vine Street as GB and the rear of the property CM along Code Ave. These zoning changes are what changed the setbacks etc., which then required variances.

Mr. Marous said the outdoor storage will be surrounded by a ten-foot fence, not a six ft. as originally stated, and everything behind this fence will be lower than ten feet, so this amendment will obviate the variance for C.O. 1145.06(b)(2)(C). He said this fence is keeping in line with existing fencing and building which are also encroaching along Code Ave.

**City of Willoughby  
Board of Zoning Appeals  
Public Hearing Meeting Minutes  
December 11, 2019**

Mr. Marous said the former Firenza building will most likely be a retail use. He said they did calculations for parking and they were in compliance and they also included 20% green space which was required. They will remove part of the front of the former dealership showroom and add a 30,000 sq. ft. two-story addition.

Mr. Palmer asked Mr. Marous what the violation is for the outdoor storage. Mr. Marous said they would store Conix container boxes, which are 7 ½ ft. high which will house job site material. They will also store ladders and scaffolding. Mr. Palmer asked if this would be used to house construction building materials and Mr. Marous said no, that would be inside. Chairman Ralston asked if they would store heavy equipment in the yard and Mr. Marous said no.

Mr. Marous said on the summary sheet there is a miscalculation on Page 1, Item 1. The 30,100sf should be 31,000sf. This originally suggested the yard area is larger than the building footprint, which is untrue. This would mitigate variance for C.O. 1145.06(b)(2)(B).

Chairman Ralston asked if there was anyone else who wished to speak for this appeal and there was no one.

Chairman Ralston asked if there was anyone who wished to speak against this appeal and there was no one.

Mr. Palmer moved to grant a variance to C.O. 1145.05 and allow a 27'9 1/2" setback along the front line instead of the required 60' at the east end and on the west end a 23' setback; citing C.O. 1109.09(b) for Vine Street Willoughby LLC, 36933 Vine St., Willoughby, OH 44094 and Mr. Merhar seconded.

ROLL CALL:           Yeas:   Mr. Merhar; Mr. Palmer; Chairman Ralston  
                              Nays:   None  
                              Absent: Mr. Ross

**Motion Carried:    Approved**

Mr. Palmer moved to grant a variance to C.O. 1145.05 and allow building and parking area structures to be erected in the front yard (Code Ave.) instead of the non-allowable use; citing C.O. 1109.09(b) for Vine Street Willoughby LLC, 36933 Vine St., Willoughby, OH 44094 and Mr. Merhar seconded.

ROLL CALL:           Yeas:   Mr. Palmer; Mr. Merhar; Chairman Ralston  
                              Nays:   None  
                              Absent: Mr. Ross

**Motion Carried:    Approved**

**City of Willoughby  
Board of Zoning Appeals  
Public Hearing Meeting Minutes  
December 11, 2019**

Mr. Palmer moved to grant a variance to C.O. 1145.06(b)(2)(A) and allow outdoor activity in the front yard (Code Ave.) instead of the rear yard only; citing C.O. 1109.09(b) for Vine Street Willoughby LLC, 36933 Vine St., Willoughby, OH 44094 and Mr. Merhar seconded.

ROLL CALL:       Yeas:   Mr. Merhar; Mr. Palmer; Chairman Ralston  
                      Nays:   None  
                      Absent: Mr. Ross

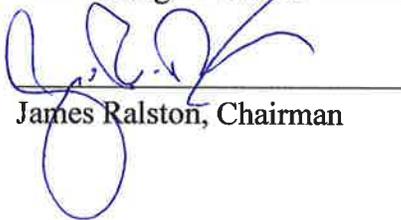
**Motion Carried:    Approved**

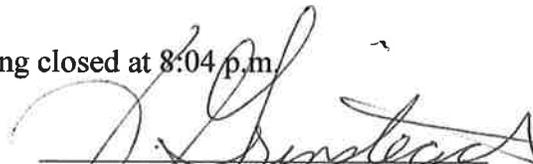
Mr. Palmer moved to grant a variance to C.O. 1145.05 and allow a 23' setback from Code Ave. instead of the required 60' creating an encroachment of 37' instead of the required 60'; citing C.O. 1109.09(b) for Vine Street Willoughby LLC, 36933 Vine St., Willoughby, OH 44094 and Mr. Merhar seconded.

ROLL CALL:       Yeas:   Mr. Palmer; Mr. Merhar; Chairman Ralston  
                      Nays:   None  
                      Absent: Mr. Ross

**Motion Carried:    Approved**

There being no further business the regular meeting closed at 8:04 p.m.

  
James Ralston, Chairman

  
Vicki Grinstead, Secretary