

**BOARD OF ZONING APPEALS
CITY OF WILLOUGHBY
OCTOBER 14, 2020
PUBLIC HEARING MEETING
MINUTES**

PRESENT: Phil Davis; Mike Maniche; James Ralston; Mike Ross; Joe Palmer, Chairman

ABSENT: None

OTHERS: Michael Lucas, Law Director; Vicki Grinstead, Secretary

Chairman Palmer called the regular meeting to order at 7:05 p.m.

Chairman Palmer 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 Palmer advised the participants that the board has five members of which a majority of the board is needed to grant an appeal. Chairman Palmer stated all five members of the board are present this evening and the applicants need a majority or three votes to pass their appeals. If an appeal is denied the applicant(s) have thirty days to file an appeal with the Lake County Court of Common Pleas. 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

September 23, 2020

Mr. Maniche moved to accept the Board of Zoning Appeals Public Hearing meeting minutes of September 23, 2020 as submitted and Mr. Davis seconded.

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

Motion Carried: Approved

OLD BUSINESS

None

NEW BUSINESS

Michelle Jeckel
2999 Nantucket Dr.

Solid fence

**City of Willoughby
Board of Zoning Appeals
Public Hearing Meeting Minutes
October 14, 2020**

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

Mrs. Jeckel, 2999 Nantucket Dr., Willoughby, OH 44094 was sworn in to speak for this appeal.

Mrs. Jeckel said she included renderings of the fence they were approved for at a prior meeting in 2018. She explained to the Board how the yard is currently fenced. She also stated it was expensive and could only do a portion of it and now would like to finish the side yard to match the existing. She said they want the solid fence because the neighbor has an abundance of weeds that creep onto her property. She said she would also like it for privacy because they are on a corner lot and if you are on the sidewalk you can see straight in to her backyard. She said she did not know this four-foot fence would not be within the code requirements; she was under the impression it was only because of the height of the six-foot fence they had to obtain a variance in 2018.

Chairman Palmer stated the 43' of new vinyl fence will be only 4' in height. He said she was previously approved for a 6' vinyl fence to the west. He said she had reduced the fence from 6' to 4' in some areas and wants to continue this fence on the northern property line.

There was some discussion on what a solid fence is vs. a privacy fence and what type of fence is allowed with lattice.

Mr. Davis said part of the justification for this appeal are the weeds in the adjacent yard. Chairman Palmer agreed and said they also have a pool and would like privacy being on a corner lot. He explained that if she had a 4' fence with a lattice top she would be in compliance but she is requesting a 4' solid fence that provides no opening and does require a variance.

Mr. Joseph Jeckel, 2999 Nantucket Dr., Willoughby, OH 44094 was sworn in to speak for this appeal.

Mr. Jeckel said the reason for the 4' variance they received in 2018 was due to the fact that they have a large green electric/cable box and they were concerned a child could jump up on the box and scale a 3' fence and gain access to the pool.

Chairman Palmer asked if there was anyone else who wished to speak for this appeal (x3) and there was no one.

Chairman Palmer asked if there was anyone who wished to speak against this appeal (x3) and there was no one.

There was a letter read into record (dated 10-7-20) from former Chairman Harry Siskind.

Mr. Ralston moved to grant a variance to C.O. 1131.10(i)(3) C to allow a solid 4' vinyl fence instead of the required solid fence with a 15% open lattice, spindle or predominantly open component as part of the overall height; citing C.O. 1109.09(b) for the Jeckel residence, 2999 Nantucket Dr., Willoughby, OH 44094 and Mr. Davis seconded.

**City of Willoughby
Board of Zoning Appeals
Public Hearing Meeting Minutes
October 14, 2020**

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

Motion Carried: Approved

Pine Ridge Apartments

(2) Freestanding ground signs

34200 Ridge Rd.

(Rep.- Bob Kunzen, Brilliant Electric Sign Co., Ltd.)

Chairman Palmer stated the applicant cited practical difficulty numbers 4 and 8 on the application for appeal and noted all items that were in the packet.

Mr. Kunzen of Brilliant Electric Sign Co., Ltd., 4811 Van Epps Rd., Cleveland, OH 44131, agent for Pine Ridge Apartments, was sworn in to speak for this appeal.

Mr. Kunzen said there are two 8' high, 25' long curved concrete walls that will be removed. They will be replaced with updated, internally illuminated, tasteful signs as presented in the renderings. He said the new sign will be 8' high and 18' long, so they are reducing the length of the signs. He said the sign will not be overwhelming for the size of the entrance, as well as the size of the complex itself. He said the sign would not look proportional lowering the height to 6'.

Mr. Davis asked if the signs will be 8' maximum from grade since they are on sloped land. Mr. Kunzen said yes, 8' from grade on either end, whichever works out.

Chairman Palmer asked if there was anyone else who wished to speak for this appeal. Mr. Derek Clager of Goldberg Companies, Owner of Pine Ridge Apartments, 504 Walker Lane, Painesville, OH 44077 was sworn in to speak for this appeal.

Mr. Clager said he echoes what Mr. Kunzen said, the size they are proposing to replace the existing block walls with are the exact same height and will much more aesthetically pleasing for passerby's.

Chairman Palmer asked if there was anyone else who wished to speak for this appeal (x3) and there was no one.

Chairman Palmer asked if there was anyone who wished to speak against this appeal (x3) and there was no one.

Mr. Maniche said he familiar with this property and does not see a need for an 8' sign vs. a 6' sign. He said city emergency services may see it better, but the internal illumination should also be an advantage in finding their location.

**City of Willoughby
Board of Zoning Appeals
Public Hearing Meeting Minutes
October 14, 2020**

Mr. Kunzen said, speaking in terms of design, a 25% reduction is a lot and would make the sign look elongated and minimalistic. The current 8' wall has not impeded anyone in all the years it has been there. Mr. Maniche said he still does not see the relevance as to why it needs to be so large.

Mr. Clager said they looked at the 8' and 6' options, and as went through the design options it did effect the overall design. He said this sign will be much more visible with the internal illumination. Mr. Maniche said that is his point, then why do they need the additional height.


Mr. Ralston asked how to address the motion as far as height from grade. Mr. Lucas quoted C.O. 1163.04(b) on how the height is commutated; Determining Sign Height. The height of a sign shall be measured from the base of the sign or supportive structure at its point of attachment to the ground to the top most element.

Mr. Ralston moved to grant a variance to C.O.1163.05(c)(3) to allow an 8' high freestanding sign, measured from the base of the sign to its top most element, instead of the allowable height of 6'; citing C.O. 1109.09(b) for Pine Ridge Apartments, 34200 Ridge Rd., Willoughby, OH 44094 and Mr. Ross seconded.

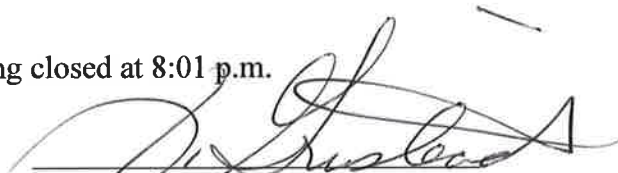
ROLL CALL: Yeas: Mr. Davis; Mr. Ralston; Mr. Maniche; Mr. Ross; Chairman Palmer
 Nays: None
 Absent: None

Motion Carried: Approved

There being no further business the regular meeting closed at 8:01 p.m.



Joe Palmer, Chairman



Vicki Grinstead, Secretary