

**BOARD OF ZONING APPEALS
CITY OF WILLOUGHBY
DECEMBER 8, 2021
PUBLIC HEARING MEETING
MINUTES**

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

ABSENT: Mike Ross

OTHERS: Abigail Bell, Asst. Law Director; Vicki Grinstead, Secretary

Chairman Palmer called the regular meeting to order at 6:56 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 not present this evening and the applicants need a majority or three votes to pass their appeals. If an appeal is denied the applicant(s) has 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.

Chairman Palmer asked Mr. Andrews if he wished to proceed with his appeal with only four members present and he said yes.

MINUTES

November 10, 2021

Mr. Maniche moved to accept the Board of Zoning Appeals Public Hearing meeting minutes of November 10, 2021 as submitted and Mr. Davis seconded.

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

Motion Carried: Approved

OLD BUSINESS

New Multi-Tenant Bldg.

36001 Euclid Ave.

(Rep.- Leon Sampat, LS Architects, Inc., and
Chuck Andrews, Owner)

Landscaping/parking

Chairman Palmer said the board received the revised renderings and letter with the requested changes, dated December 1, 2021 which he read into record.

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Chairman Palmer asked if anyone wished to speak for this appeal. Mr. Andrews, 8793 Pheasant Lane, Kirtland, OH 44094, Owner of the new multi-tenant building located at 36001 Euclid Ave., Willoughby, OH 44094 was sworn in to speak for the appeal.

Mr. Andrews said at the last meeting there was discussion as to what percentages they need to present to the board for acceptance of these variances. He said they modified their plans according to the requests of the board and believes they have met these goals.

Chairman Palmer said at the last meeting the board requested the area to be open landscaped be increased to 16% and they have presented 16.2%. He said the other request was to increase the paved area to be landscaped islands to 4% and they have presented to 4.1%.

Mr. Davis wanted confirmation the applicants were not counting landscaped areas attached to the building.

Chairman Palmer asked if anyone wished to speak for this appeal. Mr. Sampat of LS Architects, Inc., 22082 Lorain Rd., Fairview Park, OH 44126, agent for the new multi-tenant building located at 36001 Euclid Ave., Willoughby, OH 44094 was sworn in to speak for the appeal.

Mr. Sampat said no these are not considered islands; they are considered landscaping and are not included in their 4.1%. Mr. Davis said an island is not part of yard and is 10' wide. There was discussion on the newly submitted island in the path of ingress/egress to Euclid Ave. being in the right-of-way and impeding emergency vehicle access. Mr. Sampat said the island is not in the right-of-way. Mr. Davis asked Mr. Sampat to explain how he achieved the required 10' width that is the other part of the variance. Mr. Sampat said they did not, the islands are 3 ½ ft. Mr. Davis said they are appealing the area and the width of these islands. Mr. Davis asked if there will be trees in these two islands and Mr. Sampat said yes there are trees in the islands. Mr. Davis said his understanding at the last meeting they discussed the total area allowed but not the width of the islands. Mr. Ralston agreed with Mr. Davis that they also have the islands that do not meet the 10' width requirement as well as the total area required. He said if they allow a 20% variance it would bring the width of the island to 8' wide instead of the required 10' and right now they are proposing only 3 ½' wide islands. Mr. Sampat said if they increase the width of the islands, they will lose parking spaces.

Chairman Palmer asked what the total number of parking spaces are, and Mr. Sampat said 120 spaces. Mr. Sampat reiterated that their national tenant did not want to lose any parking spaces. Chairman Palmer said at the last meeting they discussed losing two parking spaces to islands but sees he has put islands in other areas instead. Chairman Palmer asked if they could achieve 8' islands. Mr. Sampat said they could combine the two islands into one but may not look aesthetically pleasing. There was more discussion on how to combine and increase the island widths.

The board asked Mr. Sampat to summarize each islands square footage. Mr. Sampat said the total square foot of the islands are approximately 2,216. Mr. Sampat said on the rendering the two islands in the west parking area do not look symmetrical but are both 420 sq. ft. each. Mr. Sampat said the center island proposed in the ingress/egress off Euclid Ave. could be removed and added to each of the side entrance islands. Chairman Palmer said as long as you achieve 2,216 sq. ft. that is what they will read into the record.

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Mr. Davis said if the islands are only 4 ½" ft. wide he will be voting no on the proposal. He said the center entrance islands also do not comply. Mr. Andrews said instead of having two islands on each side of the parking lot they can combine them into one 8' wide island and they would remove the center entrance island and move/combine the same square footage to each of the side islands. He said the two parking lot center islands that are 162 sq. ft. and 4 ½' wide will be combined into one island that will be 9'2" wide. Mr. Andrews asked if the board had a preference as to where the island would be located. Chairman Palmer said he thinks it would look best in the middle of the parking lot for aesthetic purposes but left it up to the applicant.

Chairman Palmer said they will read into record the islands will be a minimum of 8' wide and should have a total combined square footage of 2,216.

Chairman Palmer said the other Codified Ordinance 1141.06 for the front setback of 10' instead of the required 20' was discussed at the last meeting. It was decided to let this remain at the proposed 10', so it is consistent with the property to the east. There were no questions on this variance request.

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. Davis moved to grant a variance to C.O. 1141.04 to allow 13,155 sq. ft. of open landscaped area instead of the required 16,255 sq. ft.; citing C.O. 1109.09(b) for the new multi-tenant building located at 36001 Euclid Ave., Willoughby, OH 44094 and Mr. Ralston seconded.

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

Motion Carried: Approved

Mr. Davis moved to grant a variance to C.O. 1161.12 to allow 2,216 sq. ft. of the paved area to be landscaped islands instead of the required 2,673 sq. ft., and the landscaped islands are to be a minimum of 8' wide instead of the required 10' wide; citing C.O. 1109.09(b) for the new multi-tenant building located at 36001 Euclid Ave., Willoughby, OH 44094 and Mr. Ralston seconded.

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

Motion Carried: Approved

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Mr. Davis moved to grant a variance to C.O. 1141.06 to allow a 10' front setback for parking instead of the required 20' front setback; citing C.O. 1109.09(b) for the new multi-tenant building located at 36001 Euclid Ave., Willoughby, OH 44094 and Mr. Ralston seconded.

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

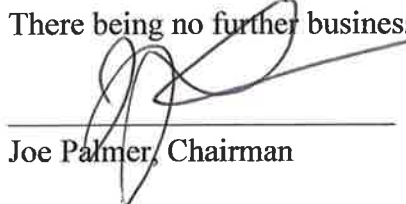
Motion Carried: Approved

Mrs. Grinstead requested revised drawings with the amended dimensions for the record and Mr. Sampat agreed.

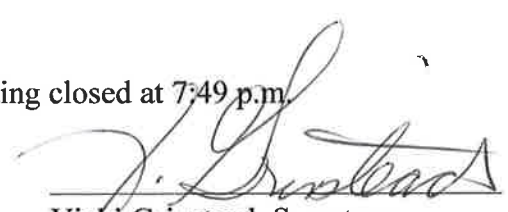
NEW BUSINESS

None

There being no further business the regular meeting closed at 7:49 p.m.



Joe Palmer, Chairman



Vicki Grinstead, Secretary