

**BOARD OF ZONING APPEALS
CITY OF WILLOUGHBY
MAY 12, 2021
PUBLIC HEARING MEETING
MINUTES**

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

ABSENT: None

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

Chairman Palmer called the regular meeting to order at 7:01 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 participant 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 applicant needs a majority or three votes to pass their appeal. 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 appellants were noted into the record.

MINUTES

April 28, 2021

Mr. Ralston moved to accept the Board of Zoning Appeals Public Hearing meeting minutes of April 28, 2021 as submitted and Mr. Ross seconded.

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

Motion Carried: Approved

OLD BUSINESS

None

NEW BUSINESS

Thomas & Linda Fleming
4909 Waldamere Ave.

Detached garage

Chairman Palmer stated the applicant cited no practical difficulty numbers on the application for appeal and noted all items that were in the packet.

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Chairman Palmer asked if anyone wished to speak for this appeal. Mr. Fleming, 4909 Waldamere Ave., Willoughby, OH 44094 was sworn in to speak for the appeal.

There was a brief discussion as to why the applicant did not cite any practical difficulty numbers on his application. The applicant felt none of these factors applied to his situation.

Mr. Fleming said the current garage is in disrepair and needs to be replaced. He would like a larger garage to accommodate his vehicles, utility vehicle, toys, equipment etc. Chairman Palmer asked Mr. Fleming to explain why he needs a 60% variance request. Mr. Fleming said he does not like to leave his things outdoors. He does not like to park them in the yard or on the street and does not want them to be an eye sore to the neighborhood. He believes the new structure will increase his property value as well.

Chairman Palmer said the Board tries to maintain a 20% limit to variances and on a 600 sq. ft. garage, that is approximately 120 additional feet, for a total of 720 sq. ft. This garage would be a precedent setting variance, so he would like Mr. Fleming to look at other larger garages in the area that have been granted variances. He said there is a particular garage on Center Street that is 790 sq. ft. he could view. He recommended that Mr. Fleming table his current request and look at other options and possibly amend his design. Mr. Fleming said he would be willing to look at other options.

Mr. Davis said he would like to offer a different perspective. He said what the Board approved years prior may not necessarily be endorsed by the future or current Board members. He said he would be reluctant to approve something beyond 720 sq. ft. He does not want the appellant to assume everyone is “on board” with the 790 sq. ft. that was approved for a previous applicant. Chairman Palmer agreed and said he wants to try to be consistent and fair with the citizens of Willoughby.

Mr. Fleming asked if the Board received any negative responses from any of the surrounding neighbors. Chairman Palmer said once they are done discussing this with him, the public will have a chance to weigh in, against or in favor for the proposal. Mrs. Grinstead said she received no letters for or against this appeal.

Mr. Maniche said if Mr. Fleming amended his proposal tonight to the 720 sq. ft. there is a good chance it would be approved, but he does not know if the 790 sq. ft. the Chairman proposed may or may not be approved.

Mr. Fleming said he understands a precedent has been set but asked if there is consideration for each application submitted. Chairman Palmer said yes. Mr. Fleming said he is trying to fit this in aesthetically and look proper and feels this should be a major consideration.

Mr. Fleming said he wishes to table his appeal.

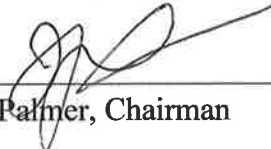
Mr. Ralston moved to table the variance request for the Fleming residence, 4909 Waldamere Ave., Willoughby, OH 44094 per the request of Mr. Fleming and Mr. Maniche seconded.

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

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Motion Carried: Tabled

There being no further business the regular meeting closed at 7:39 p.m.



Joe Palmer, Chairman



Vicki Grinstead, Secretary