

**BOARD OF ZONING APPEALS  
CITY OF WILLOUGHBY  
JUNE 24, 2020  
PUBLIC HEARING MEETING  
MINUTES**

**PRESENT:** Mike Maniche; Phil Davis; 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 7:00 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 applicant needs 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.

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**

**June 10, 2020**

Mr. Ross moved to accept the Board of Zoning Appeals Public Hearing meeting minutes of June 10, 2020 as submitted and Mr. Ralston seconded.

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

**Motion Carried: Approved**

**OLD BUSINESS**

None

**NEW BUSINESS**

**Shari Clark-Cook**  
510 Chestnut Blvd.

**Patio in front yard**

**City of Willoughby  
Board of Zoning Appeals  
Public Hearing Meeting Minutes  
June 24, 2020**

Chairman Palmer stated the applicant cited practical difficulty numbers 1, 2, 3, 7 and 8 on the application for appeal and noted all items that were in the packet.

Chairman Palmer asked if there was anyone who wished to speak for this appeal. Mrs. Cook, 610 Chestnut Blvd., Willoughby, OH 44094 was sworn in to speak for this appeal.

Mrs. Cook said they would like to have an outdoor patio for a table and chairs. She said it will not be used for a hot tub or any other purpose except seating and eating. She said her husband is large man and utilizing the front yard without having a concrete patio is not feasible and can be dangerous. She said where the patio will be located does not infringe on any neighbors and does not block the view of the roadway. They will also not be installing any type of fencing.

Mrs. Cook said there is a storm drain at the corner of Orchard and Chestnut to handle any additional run off that may occur from the installation of the patio.

Chairman Palmer asked what was across the street from their property. Mrs. Cook said there are two homes, owned by the same person, that have been vacant since they moved in six years ago. She said next to these two homes is the private Lake Forest Park Association park. On the other side of those two homes is the Osborne Park property.

Mr. Ralston asked how serious they were to have a 23' patio. Mrs. Cook said they would be willing to reduce it down to as low as 19' if that would help her approval process. She said their ideal size is the 23' so they would be able to have a view of the lake.

Mr. Palmer read into record two letters in favor of this appeal, one from Rita Pasbrig, 603 Birchwood Dr., Willoughby, OH 44094 (Exhibit "A") and one from the Councilman of Ward 1, Chris Woodin, 940 Eaglewood Dr., Willoughby, OH 44094 (Exhibit "B").

Chairman Palmer asked if there was anyone else who wished to speak for this appeal. Roy Franks, 635 Orchard Rd., Willoughby, OH 44094.

Mr. Franks said he lives on the opposite side of the street from Mr. and Mrs. Cook and is in favor of this appeal. He said they do an excellent job of maintaining their property and are caring neighbors.

Chairman Palmer asked if there was anyone else who wished to speak for this appeal. Chris Woodin, 940 Eaglewood Dr., Willoughby, OH 44094.

Mr. Woodin thanked Chairman Palmer for reading his letter into record. He said he appreciates everything the Cooks are doing to improve their property. He had a resident with him, that did not have access to the meeting, that would also like to speak in favor of this appeal.

Chairman Palmer asked if there was anyone else who wished to speak for this appeal. Richard Kuhn, 619 Birchwood Dr., Willoughby, OH 44094.

**City of Willoughby  
Board of Zoning Appeals  
Public Hearing Meeting Minutes  
June 24, 2020**

Mr. Kuhn said he is directly across from the Cooks on the east side. He said he it is nice to see the Cooks improving their property and is excited about all the good things going on in the city. He is in favor of the patio.

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

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

Mr. Ralston moved to grant a variance to C.O. 1131.10(a)(5) Minimum Yard Requirements, subsection (b) to allow a patio a total of 23' into the front yard that exceeds the permitted depth by 15 ft.; citing C.O. 1109.09(b) for the Cook residence, 610 Chestnut Blvd., Willoughby, OH 44094 and Mr. Ross seconded.

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

**Motion Carried:    Approved**

There being no further business the regular meeting closed at 7:25 p.m.

  
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Joe Palmer, Chairman

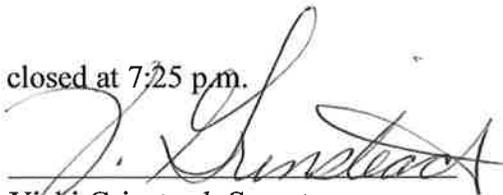
  
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Vicki Grinstead, Secretary

Exhibit "A"



**Grinstead, Vicki**

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**From:** Rita Pasbrig <rita.pasbrig@gmail.com>  
**Sent:** Wednesday, June 24, 2020 11:47 AM  
**To:** Grinstead, Vicki  
**Cc:** timritapasbrig@sbcglobal.net  
**Subject:** Appeal of Shari Clark Cook, 610 Chestnut Drive, Willoughby OH 44094

Ms. Grinstead,  
REF: Codified Ordinance 1131.10(a)(5), subsection (b)

Please consider this note from both Mr. & Mrs. Timothy Pasbrig in regard to the above mentioned subject.

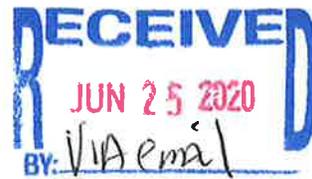
We two are not opposed to the Cook's request for consideration of their proposal to extend their front patio 23 feet into their front yard, and do support their request.

Please count us two as *for* the Cook's request.

Thank you for your assistance in this matter.

Regards,  
Rita Pasbrig  
603 Birchwood Drive  
Willoughby, OH 44094  
(216) 246-8757  
[Rita.Pasbrig@gmail.com](mailto:Rita.Pasbrig@gmail.com)

Exhibit "B"



Chairman Palmer and Members of the Board:

My name is Chris Woodin, I reside at 940 Eaglewood Drive, Willoughby, and I am the Councilman of Ward 1

I would like to speak in Favor of the proposal. I viewed the area in which the Cooks would like to add a Stamped Patio and I believe this would be a great enhancement to the property, and add functionality, which is needed due to the irregular lot Shape.

Chestnut and Orchard both have a ROW of 40' and thus only allowing the area to the North of their property (Orchard) for outdoor area as not to be constructed in the ROW in which encompasses the East side of their property (Chestnut). There is a basin at the corner of Orchard and Chestnut which could handle the minimal water runoff that may occur from the creation of hard surface. I sincerely appreciate the residents proposed investment in the area as well as your consideration in this proposal.

Sincerely,

Chris Woodin