

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

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

ABSENT: None

OTHERS: Mike 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 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

July 14, 2021

Mr. Ross moved to accept the Board of Zoning Appeals Public Hearing meeting minutes of July 14, 2021 as submitted and Mr. Ralston 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

William and Wendy Morris
1556 Westover Dr.

Fence

Chairman Palmer stated the applicant cited practical difficulty number 1 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. Mrs. Wendy Morris, 1556 Westover Dr., Willoughby, OH 44094 was sworn in to speak for the appeal.

Mrs. Morris explained she has streets on both sides of her yard. The purpose of the fence is for their dog who can jump a 3' high fence and has been in the busy street several times. She said 25' from the street (right-of-way) is halfway into their yard because the yard is small.

Chairman Palmer said the reason for the ordinance is visibility issues. He said her plan shows the fence is in the rear yard, there are no driveways on either side and the closest road is 20' away. Mrs. Morris said the fence would encroach on their sprinkler system if it was 25'.

There were no questions from the other board members.

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 moved to grant a variance to C.O. 1131.10(i)(3) to allow a 3.5 ft. high fence instead of the allowable 3 ft. high fence; citing C.O. 1109.09(b) for the Morris residence, 1556 Westover Dr., Willoughby, OH 44094 and Mr. Ralston seconded.

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

Motion Carried: Approved

Dr. Glinatsis
37713 Vine St.
(Rep.-Lou Belknap, Agile Sign & Lighting)

Ground sign

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

Chairman Palmer asked if anyone wished to speak for this appeal. Lou Belknap of Agile Sign & Lighting, 38250 Lakeland Blvd, Eastlake, OH 44095, agent for Dr. Glinatsis was sworn in to speak for the appeal.

Mr. Belknap said the sign the current sign is not supposed to be there, and he has no idea how it was installed there. He said the issue is the setback from the sidewalk to the sign. He said the problem is the house is not setback and the lot is narrow. He said they do not have 100', they only have 50'. He said there are several businesses in this area that have a similar situation with narrow lots and no front lawn. The property does not yield to today's standards to make the sign legal and that is why they are asking for a variance. The sign will be

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in almost the exact location as the current sign. The new sign is a full body, rather than a post and panel and is non-illuminated with an aluminum frame with vinyl copy. The new sign is slightly larger to be more visible.

Mr. Maniche asked why his client wants to change the sign. Mr. Belknap said he wants to update the sign to look a bit more modern. His client has done some interior renovations and would like the sign to reflect these changes. He is also updating his business cards and brochures and wanted them to match the blue background of the new sign. He is basically rebranding his business. Mr. Maniche asked what the hardship was. Mr. Belknap said his hardship is the fact the property does not yield itself to be conforming. The property is narrow, and the house is not set back far enough.

Mr. Davis said he thinks it is easier to read the proposed sign, then the existing sign. He believes it will enhance his business as far as marketing purposes.

There was a brief discussion regarding the aesthetics of the sign. Mr. Lucas said he is replacing a non-conforming sign. He said when you do that the replacement sign has to be in conformity with the ordinances, which it is not. Mr. Ross said the overall aesthetics are not in question at this time.

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. Lucas gave a brief explanation of C.O. 1163.06(e)(3). He said they did not need to make a motion on this ordinance. Mr. Lucas said the only ordinance they will be voting on is C.O. 1163.14(b)(4). He said C.O. 1163.14 subsection (b)(2) does not apply in this case.

Mr. Ralston moved to grant a variance to C.O. 1163.14(b)(4) to permit the removal and replacement of a non-conforming sign instead of the allowable sign; citing C.O. 1109.09(b) for the Dr. Glinatsis, 37713 Vine St., Willoughby, OH 44094 and Mr. Ross seconded.

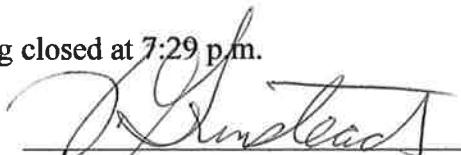
ROLL CALL: Yeas: Mr. Davis; Mr. Ralston; Mr. Ross; Mr. Palmer, Chairman
 Nays: Mr. Maniche
 Absent: None

Motion Carried: Approved

There being no further business the regular meeting closed at 7:29 p.m.



Joe Palmer, Chairman



Vicki Grinstead, Secretary