

**BOARD OF ZONING APPEALS
CITY OF WILLOUGHBY
JANUARY 27, 2021
PUBLIC HEARING MEETING
MINUTES**

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

ABSENT: Mike Maniche

OTHERS: Mike 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 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) 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

January 13, 2021

Mr. Ralston moved to accept the Board of Zoning Appeals Public Hearing meeting minutes of January 13, 2021 as submitted and Mr. Ross seconded.

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

Motion Carried: Approved

OLD BUSINESS

None

NEW BUSINESS

Marc's
34881 Euclid Ave.
(Rep.- Dan Bertke, Archer Sign Corp.)

Sign on rear bldg. elevation

**City of Willoughby
Board of Zoning Appeals
Public Hearing Meeting Minutes
January 27, 2021**

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

Chairman Palmer asked Mr. Bertke if he wished to proceed with four members and Mr. Bertke said yes.

Chairman Palmer asked if anyone wished to speak for this appeal. Mr. Dan Bertke of Archer Sign Corp., 1917 Henry Ave. SW, Canton, OH 44706, agent for Marc's, was sworn in to speak for the appeal.

Mr. Bertke said Marc's has relocated their store and would like to add a 2' x 11' sign on the rear of the building, facing Rt. 91, to alert drivers that the store is now in its new location. It would also help drivers to be able to maneuver into the correct turning lane to enter the shopping center. He said, as stated on the appeal application, Marc's feels it would help the elderly and disabled who are driving be able to get over in time to make that decision to turn left to gain access to the shopping center.

Chairman Palmer said the Board does not want to set a precedent along Rt. 91 and other areas with this variance request.

Mr. Davis asked why was this sign not part of the original presentation. Mr. Bertke said Marc's originally felt the signage on the front of the building was enough, but when they began construction and were driving to the site they felt it would be beneficial to their customers.

Mr. Ralston agreed with Chairman Palmer's previous comment in regard to precedent. He also said these variances should be related to a hardship and he does see the hardship. He said they moved to Willoughby based on market and demographics, not on signage. He does not believe this will impact their business in either direction.

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

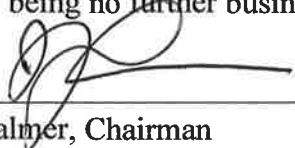
Chairman Palmer asked if there was anyone who wished to speak against this appeal (x3) and there was no one.

Mr. Davis moved to grant a variance to C.O. 1163.06(d) (1) and (2) to allow the proposed signage instead of the limited signage of frontage facing any street or customer entrance; citing C.O. 1109.09(b) for Marc's, 34881 Euclid Ave., Willoughby, OH 44094 and Mr. Ross seconded.

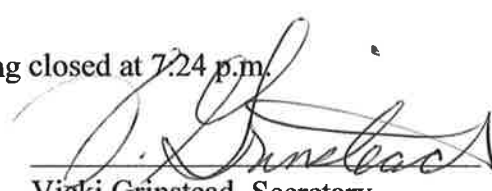
ROLL CALL: Yeas: Mr. Davis
 Nays: Mr. Ralston; Mr. Ross; Chairman Palmer
 Absent: Mr. Maniche

Motion Carried: Denied

There being no further business the regular meeting closed at 7:24 p.m.



Joe Palmer, Chairman



Vicki Grinstead, Secretary