

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

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

**ABSENT:** None

**OTHERS:** Abigail Bell, Asst. 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**

**September 22, 2021**

Mr. Maniche moved to accept the Board of Zoning Appeals Public Hearing meeting minutes of September 22, 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**

*Chairman Palmer changed the order of the agenda to allow Mr. McAuley time to attend the meeting.*

**Robert Hollingworth**  
4337 River St.

**Second-story addition to  
detached garage**

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

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. Mr. Hollingsworth, 4337 River St., Willoughby, OH 44094 was sworn in to speak for the appeal.

Mr. Hollingsworth said the building was always one and a half or two stories high. He gave a brief history of the property that was to be used as a duplex for rental purposes. He said the home and barn are approximately 120 years old. He said many years ago he obtained a permit to put a two-story addition onto the existing barn.

Mr. Hollingsworth said what he would like is to have a space for his tenants to be able to store their belongings indoors rather than on the porches and in the yard. He would also like this addition, so the tenants do not have to enter through his workshop, especially for safety purposes.

Chairman Palmer said the height of the structure is what is before the board. The addition is a bit higher than the original second-story addition. Mr. Hollingsworth said when you do an addition and you join the exact same height, it creates a hump, so he wants to make this addition a bit taller to avoid that and make it look nice. He said this addition will be approximately 5½” -6” higher.

Chairman Palmer asked if he obtained a permit for this addition. Mr. Hollingsworth said he had not because of illness and the possibility of future material costs. Mr. Hollingsworth clarified that this new addition is not 6” higher than the original building but is 6” higher than the addition that he constructed on the side of the original building. Chairman Palmer wanted Mr. Hollingsworth to understand they do not measure to the peak of the new addition; they measure to the “mean height”.

Mr. Davis asked when the tenants live, and Mr. Hollingsworth said in the house. Mr. Ralston asked what the size of the fascia board is, and Mr. Hollingsworth replied 2 x6’s.

Chairman Palmer asked if anyone else wished to speak for this appeal. Mr. Hunter Hayek, 667 Birchwood Dr., Willoughby, OH 44094 was sworn in to speak for the appeal.

Mr. Hayek said he wants the board to let Mr. Hollingsworth have the addition to the garage because it is equal to the existing building.

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. 1131.09(a) to allow an addition to an accessory building of 18’ in height instead of the allowable 15’ height; citing C.O. 1109.09(b) for the Hollingsworth residence, 4337 River St., Willoughby, OH 44094 and Mr. Ross seconded.

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

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

**Motion Carried: Approved**

**Tom McAuley**  
1153 Westwood Dr.

**Fence**

Chairman Palmer stated the applicant cited practical difficulty numbers 1, 3 and 7 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. Mr. McAuley, 1153 Westwood Dr., Willoughby, OH 44094 was sworn in to speak for the appeal.

Mr. McAuley said he has large dogs, and they can jump the 3' fence and would like a 4' fence to keep his dogs in his yard.

Chairman Palmer explained the reason for the 3' fence ordinance is for visibility; however, this fence is a chain-link which you can see through. He said in this case the fence should be 36" and asked if 44" would be acceptable. Mr. McAuley said he is butting up to two 4' fences on either side of him, but if that is what the board is proposing he will accept that to move forward.

Mr. McAuley asked to amend his variance to build his fence at a height of 44" instead of the requested 48".

Chairman Palmer asked if anyone else wished to speak for this appeal. Mr. Timmy Costello, 2741 Graylock Dr., Willoughby, OH 44094 was sworn in to speak for the appeal.

Mr. Costello said he has had large dogs and they can be a liability and asked that the board grant Mr. McAuley's amended 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. Maniche moved to grant a variance to C.O. 1131.10(i)(1) to allow a fence height of 44" instead of the allowable 36"; citing C.O. 1109.09(b) for the McAuley residence, 1153 Westwood Dr., Willoughby, OH 44094 and Mr. Ross seconded.

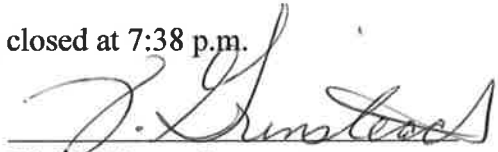
ROLL CALL: Yeas: Mr. Ralston; Mr. Maniche; Mr. Ross; Mr. Palmer, Chairman  
Nays: Mr. Davis  
Absent: None

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

**Motion Carried:     Approved**

There being no further business the regular meeting closed at 7:38 p.m.

  
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Joe Palmer, Chairman

  
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Vicki Grinstead, Secretary