

**BOARD OF ZONING APPEALS
CITY OF WILLOUGHBY
MAY 26, 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 7:02 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 appellant were noted into the record.

MINUTES

May 12, 2021

Mr. Ralston moved to accept the Board of Zoning Appeals Public Hearing meeting minutes of May 12, 2021 as submitted and Mr. Davis seconded.

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

Motion Carried: Approved

OLD BUSINESS

Chairman Palmer said they had previously read the letter of Noncompliance and noted everything that was submitted for this appeal at the previous meeting. He said at the previous meeting Mr. Fleming asked to be tabled and has since revised his renderings and site plan.

Mr. Ralston moved to untable Old Business for the Fleming residence, 4909 Waldamere Ave., Willoughby, OH 44094 and Mr. Ross seconded.

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

Motion Carried: Untabled

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Thomas & Linda Fleming
4909 Waldamere Ave.

Detached garage

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.

Chairman Palmer said Mr. Fleming revised his appeal from 1008 sq. ft. to 768 sq. ft. for his detached garage. Chairman Palmer asked if the Board has any comments or questions for Mr. Fleming and there were none.

Mr. Fleming said he did look at other garages in the neighborhood that were a bit larger than what he is requesting this evening and hopes to obtain his appeal 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. Davis moved to approve a variance to C.O. 1131.10(d) to allow a 768 sq. ft. garage instead of the instead of the allowable 600 sq. ft. garage; citing C.O. 1109.09(b) for the Fleming residence, 4909 Waldamere Ave., Willoughby, OH 44094 and Mr. Ralston seconded.

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

Motion Carried: Approved

NEW BUSINESS

Christopher Roxas & Randy Jasinski
38960 Arcadia Circle
(Rep.- Charley Thiel-3rd Generation Home Improvements)

Garage addition

Chairman Palmer stated the applicant cited practical difficulty numbers 1 and 3 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. Ms. Charley Thiel of 3rd Generation Home Improvements, 11029 Sherman Rd., Chardon, OH 44024, agent for the Roxas & Jasinski residence, 38960 Arcadia Circle, Willoughby, OH 44094 was sworn in to speak for the appeal.

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Ms. Thiel said their request is to build a one-car garage so they can park more vehicles indoors. They feel the addition would blend in with the existing home and neighborhood. She said the addition will encroach but will leave 18+ ft. before Firestone Way.

Mr. Ralston said he has a concern in reference to the site plan. The original approved As Built shows 19.36 ft. from the "extreme" front corner of the house to the right-of-way. He said her revision to the site plan calls for 18'7" to what appears to be roughly the middle of the proposed addition. He asked what the dimension is on the front right corner of the proposed addition and believes it will considerably less. Mr. Ross said he believes it to be a sanitary sewer line not to the actual right-of-way. Chairman Palmer said what is before the Board is 18.58 ft. from the edge of the pavement. Mr. Davis agreed and said not the right-of-way. Mr. Ralston said his question is, is the dimension correct? Ms. Thiel said she will go out and field measure. She said this was done in AUTO CAD. She asked what the distance from the house to the road is on the current rendering. Mr. Ross said from current drawing, the extreme front right corner to the sanitary line is 19.36 and is the only dimension shown on that side of the house.

Chairman Palmer said it appears the sewer easement is 4 or 5 ft. from the edge of the pavement. He said it is important to have the correct information on what the closest point is on what they are approving.

Mr. Davis said if they are asking for additional information the Board should also consider the amount of driveway from the proposed garage to the sidewalk and the concern for pedestrian safety. He believes the reduced setback impacts if a car can safely back out of the garage. Ms. Thiel said the new driveway would be no less than the current driveway and actually has more drive space than what is currently there.

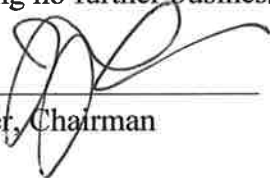
Ms. Thiel asked to have her appeal tabled for her to field measure to obtain accurate information for the Board and resubmit revised renderings.

Mr. Ralston moved to table the variance request for the Roxas & Jasinski residence, 38960 Arcadia Circle, Willoughby, OH 44094 per the applicant's request Mr. Ross seconded.

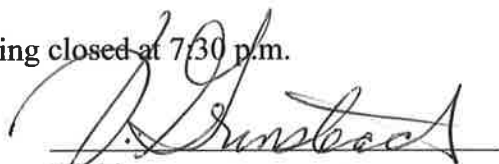
ROLL CALL: Yeas: Mr. Ralston; Mr. Maniche; Mr. Ross; Mr. Davis; Mr. Palmer, Chairman
 Nays: None
 Absent: None

Motion Carried: Tabled

There being no further business the regular meeting closed at 7:30 p.m.



Joe Palmer, Chairman



Vicki Grinstead, Secretary