

**BOARD OF ZONING APPEALS
CITY OF WILLOUGHBY
SEPTEMBER 22, 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 applicant needs a majority or three votes to pass their appeal. If an appeal is denied the applicant(s) 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 appellants were noted into the record.

MINUTES

September 8, 2021

Mr. Ross moved to accept the Board of Zoning Appeals Public Hearing meeting minutes of September 8, 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

Ashley Collins
2024 Canterbury Dr.

Fence

Chairman Palmer stated the applicant cited practical difficulty number 1 and 2 on the application for appeal and noted all items that were in the packet.

**City of Willoughby
Board of Zoning Appeals
Public Hearing Meeting Minutes
September 22, 2021**

Chairman Palmer asked if anyone wished to speak for this appeal. Ms. Collins, 2024 Canterbury Dr., Willoughby, OH 44094 was sworn in to speak for the appeal.

Ms. Collins said the renderings she presented of the split rail fence and grassy area was originally wetlands which was a barrier when they purchased their home. She said the developer has since sold off a small sliver of this land behind the split rail fence to the airport after she had moved in. The airport cut down the wetlands area. Ms. Collins called the airport manager Patty who told her they have master plan in place for a reroute of Hodgson Rd. which would run behind her property.

Chairman Palmer asked if Ms. Collins if she understood the two fence options available to her and she said yes. Chairman Palmer said they offer a 5 ft. solid fence with a lattice top and asked if that appealed to her, and she said no. She said the road will be higher than her property and would like privacy and to block the noise etc.

Mr. Maniche asked if she considered shrubbery. She said originally the developer and Ryan Homes were supposed to do landscaping behind the fence but since they sold the property that is no longer an option. She said within 3 ft. of her property is now an easement and nothing is allowed there. She preferred a fence to shrubbery for privacy. She said her H.O.A. only allows white vinyl fencing. There was more discussion on the easement. Law Director Lucas said it may be an easement of necessity for the flight path.

Mr. Davis suggested Ms. Collins install a fence before the road goes in because of the right-of-way restrictions.

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

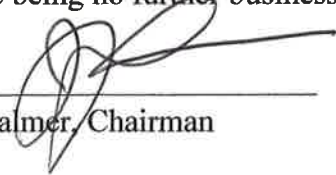
Chairman Palmer asked if there was anyone who wished to speak against this appeal (x3) and there was no one.

Mr. Davis moved to grant a variance to C.O. 1131.10(i)(3)C to allow a solid fence instead of the allowable ¼" opening between pickets fence; citing C.O. 1109.09(b) for the Collins residence, 2024 Canterbury Dr., Willoughby, OH 44094 and Mr. Ralston seconded.

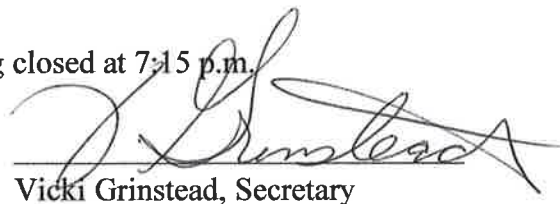
ROLL CALL: Yeas: None
 Nays: Mr. Ross; Mr. Davis; Mr. Ralston; Mr. Maniche; Mr. Palmer, Chairman
 Absent: None

Motion Carried: Denied

There being no further business the regular meeting closed at 7:15 p.m.



Joe Palmer, Chairman



Vicki Grinstead, Secretary