

**BOARD OF ZONING APPEALS
CITY OF WILLOUGHBY
JANUARY 25, 2023
PUBLIC HEARING MEETING
MINUTES**

PRESENT: Mike Maniche; Mike Yutzy; Joe Palmer Chairman
ABSENT: Phil Davis; Mike Ross
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 not 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 appellant were noted into the record.

Chairman Palmer asked Mr. Vacey if he would like to proceed with only four members present and he said yes.

MINUTES

**December 28, 2022
January 11, 2023**

Chairman Palmer noted the minutes for December 28, 2022 and January 11, 2023 have not yet been prepared.

OLD BUSINESS

None

NEW BUSINESS

Dukes N' Boots
4027 Erie Street
(Bruce Vargas, Owner and James Vacey, Signature Sign Co.)

**Sign projection from building and
projection over the right-of-way**

Chairman Palmer stated the applicant cited practical difficulty numbers 3 and 4 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
January 25, 2023**

Chairman Palmer asked if there was anyone who wished to speak for this appeal. Mr. Vacey of Signature Sign Co., 1776 East 43rd St., Cleveland, OH 44103, agent for Dukes and Boots was sworn in to speak for this appeal.

Mr. Vacey said they are before the board tonight seeking approval for their projecting sign for their new establishment. He said himself, the owners of the building and their architect feel the sign fits the aesthetics of the building. He said they are over the allowable 5' limit by 10". He said the city allows 2' from the building in the right-of-way. He said the building sticks out and does not leave much room for a sign.

Chairman Palmers concern is if the business does not thrive and possibly closes who will take down the boot. He said it would be the responsibly of the owners to take it down and would possibly be read into the motion.

Mr. Yutzy said this sign does not stick out any further then the DavEd Jewelers sign. The right-of-way issue is because they lose a lot of the frontage due to the turning lane.

Chairman Palmer asked if there was anyone else who wished to speak for this appeal. Mr. Vargas, Owner of Signature Sign Co., 1776 East 43rd St., Cleveland, OH 44103, agent for Dukes and Boots was sworn in to speak for this appeal.

Mr. Vargas wanted to point out the size of the sign is within the code and it is modest overall for the building. He said the boot tip is the issue.

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. Yutzy moved to grant a variance to C.O.1163.06(c) to allow a sign with a 5'10" projection exceeding the allowable by 10" and exceeding the allowable right-of-way by 3'10" instead of the allowable 5' projection from the face of the building and no more than 2' over the right-of-way; citing C.O. 1109.09(b) for Dukes N' Boots, 4027 Erie St., Willoughby, OH 44094 and Mr. Maniche seconded.

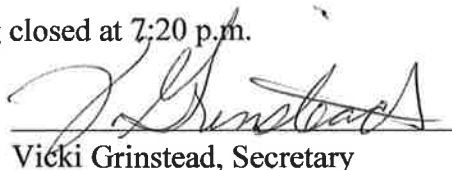
ROLL CALL: Yeas: Mr. Maniche; Mr. Yutzy; J. Palmer, Chairman
 Nays: None
 Absent: Mr. Davis; Mike Ross

Motion Carried: Approved

There being no further business the regular meeting closed at 7:20 p.m.



Joe Palmer, Chairman



Vicki Grinstead, Secretary