

**BOARD OF ZONING APPEALS
CITY OF WILLOUGHBY
DECEMBER 10, 2025
PUBLIC HEARING MEETING
MINUTES**

PRESENT: Mike Yutzy; Phil Davis; Mike Maniche; 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 applicants need a majority or three votes to pass their appeals. 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.

MINUTES

November 12, 2025

Mr. Ross moved to approve the Board of Zoning Appeals public hearing meeting minutes for November 12, 2025 as submitted and Mr. Maniche seconded.

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

Motion Carried: APPROVED

May 14, 2025

Mr. Maniche moved to approve an amendment to the Board of Zoning Appeals public hearing meeting minutes for May 14, 2025 (paragraph 6- Mr. Yutzy changed to Mr. Maniche) and Mr. Ross seconded.

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

Motion Carried: APPROVED

OLD BUSINESS

Joan P. Roth
38257 Roselawn Ave.

Accessory off-street parking

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Mr. Maniche moved to untable a variance to C.O.1131.10(a) to allow instead of the allowable; citing C.O. 1109.09(b) for the Roth residence, 38257 Roselawn Ave., Willoughby, OH 44094 and Mr. Ross seconded.

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

Motion Carried: UNTABLED

Chairman Palmer stated the applicant cited practical difficulty numbers 1, 3 & 8 on the application for appeal and noted all items that were in the packet. He read into record three letters in favor of this appeal; Ann Schultz, 38258 Roselawn Ave., Jerry & Sharon Ziburis (no address) and April Sabol, 38259 Roselawn.

Chairman Palmer asked if there was anyone who wished to speak for this appeal. Ms. Roth, 38257 Roselawn Ave., Willoughby, OH 44094 was sworn in to speak for this appeal.

Chairman Palmer asked Ms. Roth if this matter had previously come before the board. Ms. Roth confirmed, explaining that the office staff advised her to reapply as a driveway extension. Chairman Palmer noted the board's concern is the structure functioning as a carport, which was originally permitted as a front patio. Ms. Roth stated she intended it as a parking space from the outset, assuming it would be acceptable based on similar extensions in the area. To improve its appearance, she installed a Bright Cover awning, added a parking surface, and landscaped the area to minimize visibility from the street. She further explained that rear-yard parking is not feasible due to limited side clearances and the garage's angle to the driveway.

Chairman Palmer inquired whether any renderings in the packet depicted her neighborhood. Ms. Roth stated that a neighbor two doors down has a driveway cutout. She explained that she invested approximately \$17,000 in the project, believing parking would not be an issue, and would not have proceeded had she known otherwise. Chairman Palmer noted that the board cannot consider financial investments.

Ms. Roth stated that, due to her age and disability, inclement weather makes it difficult for her to access the driveway, and she is unable to use the garage for parking.

Mr. Davis inquired whether any of the example renderings included covered accessory parking areas. Upon confirmation that none did, he noted this should be considered.

Mr. Maniche noted that the October 9, 2024 permit for the awning specified it was for a front patio intended for sitting, with no parking allowed, which contradicts the applicant's statement. The applicant explained that a call regarding trailer parking was answered by her son, who may have misunderstood the situation. Mr. Maniche emphasized that the permit would not have been approved for parking use and that the violation remains. Chairman Palmer clarified that the issue is the awning, which functions as a carport. He stated the structure is permanent and was misrepresented on the permit. When asked if she would remove the awning, the applicant declined, citing its cost. Chairman Palmer reiterated that financial considerations cannot influence the board's decision.

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Chairman Palmer asked if there was anyone else who wished to speak for this appeal. Ms. Ann Schultz, 38258 Roselawn Ave., Willoughby, OH 44094 was sworn in to speak for this appeal.

Ms. Schultz, a long-time resident living directly across from the Roth property, stated that the Roths lack rear yard access. She noted that the front parking area is well-designed with stonework and landscaping, making the vehicle minimally visible from the street. In her opinion, the improvement was done tastefully and enhances property values.

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.

Chairman Palmer asked if the applicant had any additional comments. Ms. Roth stated that the awning was installed under a valid permit and that she would not have proceeded had she known parking would be an issue. Chairman Palmer acknowledged the structure's quality but noted it is not approved for its current use.

Mr. Maniche noted that, according to the May 14, 2025 minutes, the applicant's son testified under oath that the area was intended for parking and had been excavated for that purpose, despite the permit indicating it was for a sitting area.

Mr. Ross noted that the covered parking area with landscaping differs from traditional accessory parking.

Mr. Yutzy suggested widening the driveway, as many neighboring properties have done. He noted that he spoke to the Building Department directly and they confirmed they would not have issued the permit had they known it was intended for parking.

Chairman Palmer inquired why the garage was not extended; Ms. Roth replied that she had not considered it. He reiterated that the board is voting solely on front accessory parking.

Mr. Yutzy moved to grant a variance to C.O. 1131.10(a) to allow accessory off-street parking in the front yard instead of the allowable accessory off-street parking permitted in a rear yard only; citing C.O. 1109.09(b) for the Roth residence, 38257 Roselawn Ave., Willoughby, OH 44094 and Mr. Maniche seconded.

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

Motion Carried: DENIED

NEW BUSINESS

Daniel Ross
38278 Roselawn Ave.

Accessory parking

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Chairman Palmer stated the applicant cited practical difficulty numbers 1, 2, 3 & 6 on the application for appeal and noted all items that were in the packet.

Chairman Palmer asked if there was anyone who wished to speak for this appeal. Mr. Ross, 38278 Roselawn Ave., Willoughby, OH 44094 was sworn in to speak for this appeal.

Mr. D. Ross stated that he is appealing C.O. 1131.10 to enlarge his driveway. He explained that the existing driveway accommodates two vehicles, but the garage is undersized, and he also requires space for a work van used daily. With a new baby and frequent overnight guests, additional parking is necessary. Chairman Palmer suggested contacting the police non-emergency line for temporary street parking.

When asked if he wished to proceed after hearing the prior appeal, Mr. D. Ross confirmed, citing upcoming inclement weather. He noted that relocating the garage is not feasible due to trees and structural constraints, which would require partial demolition of the home. As a contractor, he has the resources to complete the driveway extension at a significantly lower cost than rebuilding/extending the garage.

Mr. M. Ross inquired about a vehicle shown to the left of the garage in an old MLS photo. Mr. D. Ross explained it belonged to a neighbor and noted uncertainty regarding his property line. Mr. M. Ross recommended reviewing the boundary survey included with his mortgage.

Chairman Palmer noted the proposed extension measured 37' by 12' and confirmed it would accommodate Mr. D. Ross's work van and his in-laws' truck. He then asked if Mr. D. Ross would consider reducing the width from 12' to 8 feet; Mr. Ross agreed and asked to amend his variance request to 8' by 30' instead of 12'x37'.

Chairman Palmer asked if there was anyone else who wished to speak for this appeal. Ms. Lauren Schneider, 38278 Roselawn Ave., Willoughby, OH 44094 was sworn in to speak for this appeal.

Ms. Schneider residing at the same address as Mr. D. Ross reaffirms everything he said. She emphasized that the request is primarily to accommodate their vehicles and visiting family, keeping them off the street due to high traffic activity.

Mr. Ross said, in his opinion, this is different from the other request in terms of shielding from the street etc.

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. 1131.10(a) to allow accessory off-street parking in a front yard on an 8'x30' extension instead of the allowable accessory off-street parking permitted in a rear yard only and in accordance with the modification expressly made to amend the variance by the applicant; citing C.O. 1109.09(b) for the Ross residence, 38278 Roselawn Ave., Willoughby, OH 44094 and Mr. Maniche seconded.

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

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Motion Carried: APPROVED

Dale & Denise Fross
5341 Harmony Lane

Roofed deck

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

Chairman Palmer asked if there was anyone who wished to speak for this appeal. Mr. Fross, 5341 Harmony Lane, Willoughby, OH 44094 was sworn in to speak for this appeal.

Mr. Fross stated they plan to renovate the front stoop with a reverse gable design. He noted a light pole in the front yard was omitted from the original drawing and explained they do not intend to extend beyond the existing porch due to the location of the light pole.

Chairman Palmer asked if there was anyone else who wished to speak for this appeal. Mrs. Fross, 5341 Harmony Lane, Willoughby, OH 44094 was sworn in to speak for this appeal.

Mrs. Fross stated they need a new roof and chose to enhance the home's curb appeal by adding a covered front porch. The addition's roof exceeded the permitted limits, prompting their request for a variance.

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

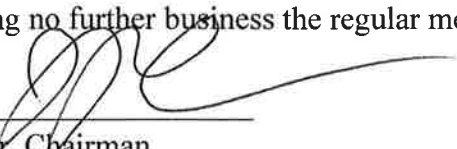
Chairman Palmer asked if there was anyone who wished to speak against this appeal (x3) and there was no one.

Mr. Yutzy moved to grant a variance to C.O. 1131.06(a)(2) to allow a front yard setback of 36', creating a deficit of 4' instead of the allowable 40' front yard setback; citing C.O. 1109.09(b) for the Fross residence, 5341 Harmony Lane, Willoughby, OH 44094 and Mr. Maniche seconded.

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

Motion Carried: APPROVED

There being no further business the regular meeting closed at 7:57 p.m.



Joe Palmer, Chairman



Vicki Grinstead, Secretary