

**BOARD OF ZONING APPEALS
CITY OF WILLOUGHBY
APRIL 23, 2025
PUBLIC HEARING MEETING
MINUTES**

PRESENT: Mike Yutzy; Mike Maniche; Phil Davis; Joe Palmer, Chairman

ABSENT: 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 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.

Chairman Palmer informed the applicants that there are only four of the five members present this evening and both applicants wished to proceed.

MINUTES

April 9, 2025

Mr. Maniche moved to approve the Board of Zoning Appeals public hearing meeting minutes as amended for April 9, 2025 and Mr. Davis seconded.

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

Motion Carried: Approved

OLD BUSINESS

None

NEW BUSINESS

Jason Palmer
38205 Poplar Dr.

**Accessory parking in front
yard**

Chairman Palmer stated the applicant cited practical difficulty numbers 1, 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. Palmer, 38205 Poplar Dr., Willoughby, OH 44094 was sworn in to speak for this appeal.

Mr. Palmer said he has additional vehicles he cannot park in the street because the street itself is very narrow and does not want to create additional traffic issues. He has no room in the rear of the property because of the location of the garage.

Chairman Palmer said his driveway looks to be approximately 10' in width and he wants to add 8' for a total of 18' in width and Mr. Palmer said yes. Chairman Palmer said it looks like he is proposing to widen the apron as well. Mr. Palmer said he would prefer to, but is only as a second option.

Chairman Palmer noted the neighbor next door has a similar driveway. Mr. Palmer said there are several homes in his neighborhood that have widened their driveways. He said his will be concrete so it looks aesthetically pleasing.

Mr. Davis said he would be opposed to the apron alteration but endorses the widening of the driveway. There were no comments from the other board members. Chairman Palmer said the solid lines of the rendering will be allowed but the dotted lines will not for apron.

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 parking in the front yard not to exceed 18' in width instead of the allowable accessory off-street parking permitted in the rear yard only; citing C.O. 1109.09(b) for the Palmer residence, 38205 Poplar Dr., Willoughby, OH 44094 and Mr. Maniche seconded.

ROLL CALL: Yeas: Mr. Davis; Mr. Yutzy; J. Palmer, Chairman
 Nays: Mr. Maniche
 Absent: Mike Ross

Motion Carried: APPROVED

**City of Willoughby
Board of Zoning Appeals
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Jozef & Beata Polek

956 Hayes Ave.

(Rep.- Michael Jelenic, Lowe Construction)

New home/front yard setback

Chairman Palmer stated the applicant cited practical difficulty numbers 3, 4, 7 & 9 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. Jelenic of Lowe Construction, 7803 Little Mountain Rd., Mentor, OH 44060 was sworn in to speak for this appeal. Mr. Polek was present but Chairman Palmer noted Mr. Polek's letter to the board to allow Mr. Jelenic to speak on his behalf.

Mr. Jelenic said he and his engineer took into consideration the averages of the setbacks on the street and gave a few examples. He said the setbacks are in a consistent line on this street and some of the neighboring streets as well and they wish to be in line with the neighborhood.

Chairman Palmer agrees with Mr. Jelenic's reasoning and understands he is trying to maintain the continuity of the neighborhood.

Mr. Davis asked for history of the site and why construction has started. Mr. Jelenic said he had been working with the city approximately two months ago because it was a fire damaged home and needed to first be demolished, then rebuilt. He did not realize they would need a variance so he had gravel poured in the hole for the basement to keep the walls from caving in but the foundation contractor took it upon himself to pour the footers. He said he stopped his contractor immediately once he found out they needed a variance. He let Chief Keller know about the footers and he came out to the site to take pictures and they can still be inspected. They are putting the new home on the existing footprint but the basement and rest of the home will all be new.

Chairman Palmer said he and his contractor need to make sure they post their permits in the future and Mr. Jelenic said it will not happen again. He explained that he usually does not do demolition but only new home builds and his basement guy is there the same day and pours everything.

There were no other comments from the board members. Mr. Polek did not wish to speak.

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.

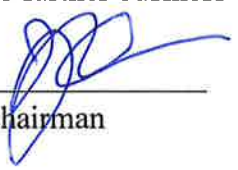
Mr. Yutzy moved to grant a variance to C.O. 1131.06(a) to allow a front yard setback of 17' creating an encroachment of 23' instead of the allowable 40' minimum front yard setback; citing C.O. 1109.09(b) for the Polek residence, 956 Hayes Ave., Willoughby, OH 44094 and Mr. Maniche seconded.

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

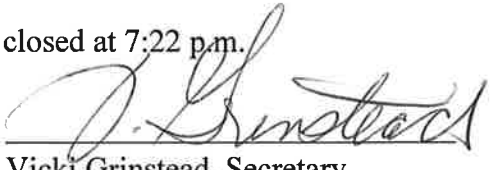
Motion Carried: APPROVED

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There being no further business the regular meeting closed at 7:22 p.m.



Joe Palmer, Chairman



Vicki Grinstead, Secretary