

**BOARD OF ZONING APPEALS
CITY OF WILLOUGHBY
SEPTEMBER 24, 2025
PUBLIC HEARING MEETING
MINUTES**

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

ABSENT: Mike Maniche

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 asked if they wished to proceed and they all said yes.

MINUTES

September 10, 2025

Mr. Ross moved to approve the Board of Zoning Appeals public hearing meeting minutes for September 10, 2025 as submitted and Mr. Yutzy seconded.

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

Motion Carried: APPROVED

OLD BUSINESS

Chase Bank

36212 Euclid Ave.

(Rep.- Jessica Ruff, Ruff Neon Sign & Lighting)

Wall signs, east, west & south sides

Mr. Ross moved to untable the appeal for Chase Bank, 36212 Euclid Ave., Willoughby, OH 44094 and Mr. Yutzy seconded.

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

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Absent: Mr. Maniche

Motion Carried: UNTABLED

Ms. Ruff of Ruff Neon Sign & Lighting is representing the wall signs for Chase Bank and is under oath from the previous meeting.

Chairman Palmer noted that Ms. Ruff removed the signage on the south elevation. Ms. Ruff confirmed that they did remove the sign off the south elevation of the building. They also reduced the size of the signs on the east and west elevations to 20 inches each. She did some research and did find two comparable locations that have similar signs in that area; Bank of America and Huntington Bank. Chairman Palmer asked what was the total square footage of her amended request and it was approximately 90 sq. ft.

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 approve the appeal for C.O. 1163.06(b) and allow wall signs on two additional elevations (east and west) instead of the allowable elevation on the principal building frontage only; citing C.O. 1109.09(b) Chase Bank, 36212 Euclid Ave., Willoughby, OH 44094 and Mr. Ross seconded.

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

Motion Carried: APPROVED

NEW BUSINESS

Maurice Saluan
4175 Amelia Ave.

Generator, side yard setback

Chairman Palmer stated the applicant cited practical difficulty numbers 8 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. Saluan, 4175 Amelia Ave., Willoughby, OH 44094 was sworn in to speak for this appeal.

Mr. Saluan said Mr. & Mrs. DePaul are his immediate neighbors, who would be directly impacted by the setback variance, and he spoke with them and they do not have an issue with the placement of the generator.

Mr. Davis wanted to confirm that the generator would be oriented correctly and not as pictured. Mr. Saluan said he showed it that way in the renderings but that is not the way it would be placed. It would be placed long ways

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against the house. Mr. Davis asked why they could not fence the generator in the back of the yard. Mr. Saluan said it would take up to much of their small backyard.

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(b) to allow a side yard setback of 3'5" creating a deficit of 1'7" instead of the allowable 5' minimum side yard setback; citing C.O. 1109.09(b) for the Saluan residence, 4175 Amelia Ave., Willoughby, OH 44094 and Mr. Ross seconded.

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

Motion Carried: APPROVED

Matthew & Ann Muller
38822 Courtland Dr.
(Rep.- Samuel Marcum, RA)

**Front Porch addition & carport,
front & side yard setbacks**

Chairman Palmer stated the applicant cited practical difficulty numbers 3, 4, 6,7 & 8 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. Marcum, 3255 Hyde Park Ave., Cleveland, OH 44118 was sworn in to speak for this appeal.

Mr. Marcum gave some history on his clients. He said last year they purchased a new 12-passenger van (9'2" tall) to accommodate their growing family, only to find out it would not fit into the existing garage, so they would like to construct a covered carport. This would keep the van out of the inclement weather. This carport would be 3' from the neighbors property line and the allowable is 7'. This addition would beautify the neighborhood and keep the family out of the winter weather.

Mr. Marcum said in addition to the carport the Muller's would like to extend their property to the east to increase the living area in the dining room, living room and bedrooms on the ground and second floor. He said on the north side there is a bump out to improve the use of the front porch. The current front porch is small and cannot accommodate a table, which they would like to have, to seat more people. This addition brings the front setback approximately 3'4" closer to the road and encroaches the 50' front setback. This is a tasteful addition and believes it will be a nice addition to the neighborhood.

Chairman Palmer said he does not see an issue with the front setback for the bump out, however; the carport addition is dangerously close to setting a precedent for this board for a permanent structure so close to a property line. He asked if they need it 13' wide? Mr. Marcum said he made it as narrow as possible but still keeping it so the homeowners can open their van doors and explained the details of the plan. Chairman Palmer asked if they

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could reduce it by 1' and make it 12' instead of 13'. He explained the board historically tries to stick to a 20% variance and this would be over a 50% variance.

Chairman Palmer asked if there was anyone else who wished to speak for this appeal. Mr. Muller, 38822 Courtland Dr., Willoughby, OH 44094 was sworn in to speak for this appeal.

Chairman Palmer asked the homeowner if he could reduce this variance request by 12". Mr. Muller said he was unsure because of the pitch of the low slope roof. He said they would like to have the large van off the driveway so the kids can play their sports in that area. The van is large and nearly impossible to brush off in the winter months because of the height. Mr. Marcum said with reducing it by 12" may be very difficult to do and explained the technical details to the board. Mr. Muller would like to stay with the current appeal request.

Mr. Davis said the board received letters from some of the neighbors which look like a few of them have been composed by the same person. He is concerned about the neighbor to the west and wonders if the neighbor understands that one of the aspects of this design includes a deck on the second story which overlooks their yard and would impede their privacy and the privacy of future homeowners. He said this is an undesirable arrangement and this setback request is what facilitates the loss of privacy. Mr. Muller said they do not plan on hanging out up there because their main concern is that the van is under cover so they can load up their children. He said they would be losing a window also so they would like to have some fresh air. Mr. Marcum said the deck was his idea and it would give the adults a private space off their bedroom. This would also be a good egress point in case of an emergency because the existing window is not up to code for egress. He said they have shown the existing owner to the west of this property the renderings and have discussed it with them. Chairman Palmer said the size of the existing windows and doors are not before this board, just the setbacks.

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

Chairman Palmer noted four letters from neighbors in favor of this appeal: Kenneth & Naomi Doyle, 38837 Courtland Drive, Rick Jablonski, 38823 Margaret Walsh Court, Kevin Van Horn, 38815 Courtland Drive and Glenn Irby, 38810 Courtland Drive, Willoughby, OH 44094.

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

Chairman Palmer asked if the applicants would like the board to vote on the appeal as is or would they like to make any changes. Mr. Marcum said his clients would like to maintain their 3' appeal.

Mr. Yutzy moved to grant a variance to C.O. 1131.06(a) Minimum Required Yards, (a)(2) Minimum Front Yard Depth, and allow a front yard setback with 45.8' creating a deficit of 4.2' instead of the allowable 50' minimum front yard setback; citing C.O. 1109.09(b) for the Muller residence 38822 Courtland Dr., Willoughby, OH 44094 and Mr. Ross seconded.

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

Motion Carried: APPROVED

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Mr. Yutzy moved to grant a variance to C.O. 1131.06(a) Minimum Required Yards (b)(1) Minimum Side Yard and allow a side yard setback of 3' creating a deficit of 4' instead of the allowable 7' minimum side yard setback; citing C.O. 1109.09(b) for the Muller residence 38822 Courtland Dr., Willoughby, OH 44094 and Mr. Ross seconded.

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

Motion Carried: DENIED

Mike Lamenta
4308 Grove Ave.

Accessory structure (shed)

Chairman Palmer stated the applicant cited practical difficulty numbers 4, 5 & 8 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. Lamenta, 4308 Grove Ave., Willoughby, OH 44094 was sworn in to speak for this appeal.

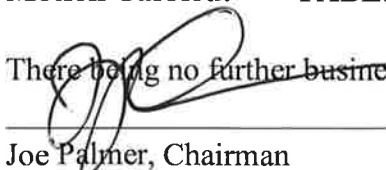
Mr. Lamenta said they knew the city increased the square footage from 600 sq. ft. to 800 sq. ft. but did not know it was only for a total of two detached structures, not three. He and his wife have a lot of holiday items they need to store and would like this extra shed for that purpose. He said both sheds are hidden from the street view and are behind the existing garage and close to each other (approximately 48"). Chairman Palmer said he could attach the existing shed to his garage. The shed has already been built and delivered and they were made aware of the violation when the shed was being delivered. There was more discussion on attaching the shed(s) to the garage or each other. Chairman Palmer suggested he table his appeal and speak with the Building Dept. about attaching his new shed or they can vote on the existing variance as it has been presented. Mr. Davis said it is feasible to attach the existing structure to the garage. Mr. Lamenta asked to table his appeal to explore other options.

Mr. Yutzy moved to table a variance to C.O.1131.10(d) for the Lamenta residence, 4309 Grove Ave., Willoughby, OH 44094 and Mr. seconded.

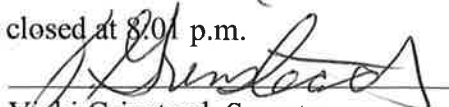
ROLL CALL: Yeas: Mike Ross; Mr. Davis; Mr. Yutzy; J. Palmer, Chairman
 Nays: None
 Absent: Mr. Maniche

Motion Carried: TABLED

There being no further business the regular meeting closed at 8:01 p.m.



Joe Palmer, Chairman



Vicki Grinstead, Secretary