

**ZONING BOARD OF APPEALS
CITY OF WILLOUGHBY
PUBLIC HEARING
AGENDA
OCTOBER 25, 2023**

*If you wish to listen or watch only, download the Zoom App on your Smart Phone or Computer, and enter the meeting ID number or go to <https://zoom.us/join> and enter the meeting ID number 856 3984 8388. To listen only, please dial 1-312-626-6799 or 1-929-205-6099 and enter meeting ID number 856 3984 8388. Anyone wishing to send correspondence to the Board of Zoning Appeals to be read into record, please email to the secretary, Vicki Grinstead at vgrinstead@willoughbyohio.com. **The cut-off date for letters to the Board is the day before each meeting by 4:30 p.m.***

MINUTES

October 11, 2023

OLD BUSINESS

None

NW BUSINESS

Amanda Kaye
38356 Lakeshore Blvd.

Fence

NOTICE OF NONCOMPLIANCE of **C.O. 1131.10(i)(2)** requires fences to comply with **C.O. 1131.10(i)(1)** states in part fences located in a front yard shall not exceed four feet in height above the natural grade, except that within twenty-five feet of a public right-of-way shall not exceed three feet in height. At least 40% of the vertical surface of a fence shall be open. The fence permit application indicates that the proposed fence, located in the corner side yard and less than 25' from the right-of-way is 4' in height, exceeding the maximum height by 1' and provides less than 40% openness. The property is currently zoned R-50 district.

Michael Eppich
38032 Barber Ave.

Short-term rental

NOTICE OF NONCOMPLIANCE of **C.O. 1131.03 Schedule of Permitted Uses**, short term rental properties are not regulated and therefore not permitted. The property is currently zoned Residential R-60 zone district.

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Richard & Therese Hazen
4799 Maple St.

Accessory Building

NOTICE OF NONCOMPLIANCE of C.O. 1131.10(d) Number and Area of Accessory Buildings (1) states in part dwellings shall be permitted to have a rear yard maximum of two detached accessory buildings provided there shall not be more than one garage either detached or attached to dwelling (2) states in part, The total area of the two accessory buildings shall not exceed 600 sq. ft... The plans submitted indicate the existing garage is 594 sq. ft. and the proposed accessory building is 148.5 sq. ft. exceeding the allowable area by 142.5 sq. ft. The property is currently zoned Residential R-60 district.

Raising Cane's
5010 SOM Center Rd.
(Rep.- Jamie Wells, OLIO Development Group)

**Outdoor dining seating,
Minimum parking setback,
Required off-street parking spaces**

NOTICE OF NONCOMPLIANCE of C.O. 1155.04 (hh) Outdoor dining, (3) states the number of seat permitted outdoor shall be no greater than 30% of the number of seats inside restaurant. The plans indicated the number of seats inside is 45, thereby permitting not more than 14 outdoor seats, and the proposed outdoor are 32 exceeding the allowable seats by 18 and **C.O. 1141.06** Minimum Parking Setback Requirements permit parking and loading areas (including access aisles and driveways) in side yards, however no closer than 5' from a side lot line. The plans indicate the side yard setback along the north side lot line is as close as 2.4' from the side lot line and **C.O. 1161.04** Required Off-Street Parking Spaces (c)(7) requires 20 spaces, or 1 space per 50 sq. ft. of floor area, whichever is greater, plus one space for each delivery vehicle. The plans indicate the total number of parking spaces required is 67 + 1 for each delivery vehicle and the proposed number of parking spaces is 44 creating a deficit of 23 plus any additions required for delivery vehicles. The property is currently zoned General Business zone district.