

**BOARD OF ZONING APPEALS
CITY OF WILLOUGHBY
FEBRUARY 12, 2025
PUBLIC HEARING MEETING
MINUTES**

PRESENT: Mike Yutzy; Mike Ross; Joe Palmer, Chairman
ABSENT: Phil Davis; 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 asked both applicants if they would like to proceed with only three of the five members present and both wished to proceed.

MINUTES

January 22, 2025

Mr. Ross moved to approve the Board of Zoning Appeals public hearing meeting minutes for January 22, 2025 as submitted and Mr. Yutzy seconded.

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

Motion Carried: Approved

OLD BUSINESS

None

NEW BUSINESS

This item remains tabled per the applicant's request

David L. Kenny
1062 Mohegan Trail

Accessory parking/driveway

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This item remains tabled.

Board of Zoning Appeals

**Election – 2025
Chairman
Vice Chairman
Secretary**

Stephen Daniels

New home

Poplar Dr./PPN#27-B-050-E-01-005-0

Mr. Ross moved to table the appeal for the Daniels residence, Poplar Dr./PPN#27-B-050-E-01-005-0, Willoughby, OH 44094 per the applicant's request and Mr. Yutzy seconded.

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

Motion Carried: TABLED

David & Erika Loucka

Addition to rear of home

38258 Union St.

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.

Chairman Palmer asked if there was anyone who wished to speak for this appeal. Mr. & Mrs. Loucka, 38258 Union St., Willoughby, OH 44094 were sworn in to speak for this appeal.

Mr. Loucka said their family has grown and they need more space and would like to remain in their neighborhood. Mr. Loucka said he prepared the plans and will be constructing the addition. His goal is to match the addition to the home, which they have already restored. The corner of the home is already at a 1.1' setback from the property line and they are proposing a 2' setback from the property line for the addition. He said without the variance the addition would be too small and not worth the investment. In the GIS snapshot he provided it shows the homes in the neighborhood that have similar structures close to the property line.

Chairman Palmer said there are quite a few homes over the years have been remodeled and the board has taken into consideration the continuity of the construction type and location in the historic district. He does not feel that what he is asking for is outside of the what the board has previously approved and he is making a concession with the one additional foot of setback. There were no questions from the other board members.

Mrs. Loucka said she is in favor of their appeal.

Chairman Palmer read into record a letter in favor of this appeal from David Zimmerman, 38271 Union St., Willoughby, OH 44094 dated 2-11-25 (Exhibit "A").

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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. 1167.02(b) pursuant to C.O. 1131.06(b)(1) and allow a 2' side yard setback, creating a deficit of 3' instead of the allowable 5' minimum side yard setback; citing C.O. 1109.09(b) for the Loucka residence, 38258 Union St., Willoughby, OH 44094 and Mr. Ross seconded.

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

Motion Carried: APPROVED

JP Morgan Chase Bank

36212 Euclid Ave.

(Rep.- Julia Chen, The Mannik Smith Group)

New bank bldg.

Chairman Palmer stated the applicant cited practical difficulty numbers 1, 2, 3, 4, 5, 6 and 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. Ms. Chen of The Mannik Smith Group agent for JP Morgan Chase Bank, 36212 Euclid Ave., Willoughby, OH 44094 was sworn in to speak for this appeal.

Ms. Chen said this will be a new Chase Bank building that will be replacing the former Rite Aid structure. She said the landscaping variances for 5% and the 10' are relevant to each other. They are asking for a 1.4% variance from the required 20% open space for parking lot landscaping and the parking setback, specifically on the west side, which moves it from 0' to 4' which creates a 1' deficit. They are asking for five waiting spaces in lieu of the ten required because this is actually for a drive up ATM and the code may have been written with a restaurant or drive up teller window in mind. The normal wait times for an ATM are less than a minute and a half and they generally expect two or three vehicles at a time, even at the busiest time, so they feel five waiting spaces will be sufficient.

Ms. Chen said one of the biggest challenges on this site will be that they will have fifteen staff members and three tellers. Chase's parking needs are one employee per parking space and one customer per employee, so they will need all thirty-six spots they are providing. Chase is moving a lot of offices out of larger cities and closer to more rural areas, so one of those challenges is they now will require more parking spaces for more employees and customers in these city buildings. They will also be closing down the small Chase Bank within this same parking lot area and those employees will be moved to the new facility. The challenges of these variances are all dependent on the need for the parking spaces but still making good use of the spaces while being able to access the site from any direction. She said the west drive isle will be a right in, right out from Euclid Ave. They will make this change on their site plan based on the City Engineers comments. Along this same drive isle there is a small 6-9" curb that is between the former Rite-Aid and the next door neighbor and they will be adding a small

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island with landscaping or not, depending on what the city prefers because they do not want to create line of site issues.

Ms. Chen said they will be reusing all the catch basin and taps so they should not have any additional utility or stormwater concerns.

Chairman Palmer said with telebanking they may not have a lot of customers visit the actual site. Ms. Chen said they may be busy with mortgages and have customers in the waiting area. Chairman Palmer said the ask for a couple of the variances are minimal. He said in regard to the waiting spaces he assumes the code was referring to restaurant and coffee type drive up facilities and not drive up ATMs. Ms. Chen said there is a twenty-four hour ATM in the indoor vestibule for customers that do not wish to wait in the drive up ATM line. Chairman Palmer said the concern would be with the western drive isle which has high directional traffic and they do not want the isle way blocked for traffic exiting the parking lots. Ms. Chen agreed to install signage stating do not block the drive isle.

Chairman Palmer said in regard to the parking lot landscaping and screening, the one that stands out is they do not meet the ten foot horizontal dimension for the landscape islands. She said they tried to get as close as possible but they wanted to make sure they could get the A.D.A. path from the public sidewalk as straight as possible to the front doors. The ten and a half they show is from bottom of curb to bottom of curb and the requirement is from top of curb to top of curb. Chairman Palmer said if it is only a couple inches he does not see an issue with it. The challenge of two of the other islands would be they would lose a parking space and they want to make sure the flow of traffic goes around the building as smoothly as possible. Their goal is for pedestrian and auto access to flow smoothly on the site.

Mr. Yutzy said he feels this is a good site plan and has no questions. The landscaping presented will soften the site from the former Rite-Aid site. He also agrees that the ATM lines will not be that long and will not block the drive isle. Ms. Chen said they have a reduction of 11.6% in impervious surface based on the landscaping and islands as shown. Mr. Ross mirrors Mr. Yutzy's comments. He banks at the other Chase and has never seen more than two cars at a time waiting at the drive up ATM. Ms. Chen said this new building is smaller than the existing building with more of a drive area. Chairman Palmer reiterated they want signage either vertically or on the pavement to not block the southwestern drive isle. Ms. Chen said she would agree to do both.

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. 1141.04(c) and allow landscaped open space of 18.6%, creating a deficit of 1.4% instead of the allowable 20% minimum landscaped open space of the lot area; citing C.O. 1109.09(b) for JP Morgan Chase Bank, 36212 Euclid Ave., Willoughby, OH 44094 and Mr. Ross seconded.

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

Motion Carried: APPROVED

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Mr. Yutzy moved to grant a variance to C.O. 1161.12 and allow three islands that are non-conforming instead of the allowable 5% of the parking area which must be landscaped; citing C.O. 1109.09(b) for JP Morgan Chase Bank, 36212 Euclid Ave., Willoughby, OH 44094 and Mr. Ross seconded.

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

Motion Carried: APPROVED

Mr. Yutzy moved to grant a variance to C.O. 1141.06(b) and allow a 4' west side yard setback for parking creating a deficit of 1' instead of the allowable 5' minimum side yard setback; citing C.O. 1109.09(b) for JP Morgan Chase Bank, 36212 Euclid Ave., Willoughby, OH 44094 and Mr. Ross seconded.

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


Motion Carried: APPROVED

Mr. Yutzy moved to grant a variance to C.O. 1161.08 (a) and C.O. 1161.08 (f) and allow five delineated waiting spaces creating a deficit of five waiting spaces with the stipulation that suitable signage and/or pavement markings are provided to prevent the west end drive isle exit from being blocked instead of the allowable ten waiting spaces that are clearly delineated; citing C.O. 1109.09(b) for JP Morgan Chase Bank, 36212 Euclid Ave., Willoughby, OH 44094 and Mr. Ross seconded.

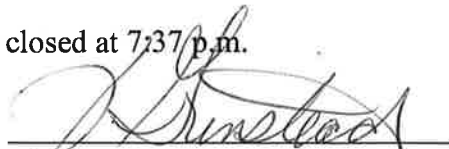
ROLL CALL: Yeas: Mike Ross; Mr. Yutzy; J. Palmer, Chairman
 Nays: None
 Absent: Mr. Maniche; Mr. Davis

Motion Carried: APPROVED

There being no further business the regular meeting closed at 7:37 p.m.



Joe Palmer, Chairman



Vicki Grinstead, Secretary