

**BOARD OF ZONING APPEALS
CITY OF WILLOUGHBY
JULY 9, 2025
PUBLIC HEARING MEETING
MINUTES**

PRESENT: Mike Maniche; Mike Yutzy; Mike Ross; Joe Palmer, Chairman;

ABSENT: Phil Davis

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 the applicants if they wished to proceed and all applicants said yes, except for Bulldog Battery who was not yet present. Chairman Palmer moved Bulldog Battery to the end of the meeting agenda.

MINUTES

May 28, 2025

Mr. Maniche moved to approve the Board of Zoning Appeals public hearing meeting minutes as submitted for May 28, 2025 and Mr. Ross seconded.

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

Motion Carried: APPROVED

OLD BUSINESS

Public Hearing Minutes

May 14, 2025

Mr. Maniche moved to untable the BZA minutes of May 14, 2025 and Mr. Ross seconded.

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

Motion Carried: UNTABLED

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Mr. Ross moved to approve the Board of Zoning Appeals public hearing minutes for May 14, 2025 and Mr. Maniche seconded.

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

Motion Carried: APPROVED

NEW BUSINESS

Ben Schuplin & Jackie Schaefer
5289 Karen Isle Drive

Fence

Chairman Palmer stated the applicant cited no practical difficulty numbers 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. Schuplin, 5289 Karen Isle Drive, Willoughby, OH 44094 was sworn in to speak for this appeal.

Mr. Schuplin said they just purchased this home and have two young children and would like to install a pool and garden. He said the hashed line is demarcating the 25' right-of-way variance and north of that is the fence they are requesting to be higher than allowed. It is a four foot fence with two feet of lattice on top for a total of 6' in height.

Chairman Palmer asked if they could move the fence off the sidewalk and if there is a are reason it has to be past the garage. Mr. Schuplin said they would like to have a garden and would like the extra space. They would also like to install a walkway from the house to the garage. Chairman Palmer proposed a compromise for the fence between the house and the garage moving the fence back off the sidewalk 20' from the right-of-way instead of 4'. He said he does not have an issue with the fence between the garage and the property line but between the house and the garage he would like to see it moved further back for sight line purposes.

Mr. Ross said he agrees with Chairman Palmer in regard to pushing the fence back in that location because he has seen children fly down that sidewalk and would be concerned for their safety. Mr. Schuplin said they put "wings" on the fence to allow for better sight distance. Chairman Palmer said he can ask the board to vote on the appeal as stated or he can amend his request to the 20' suggested setback just for the fence from the house to the garage, not the fence in the back of the yard. He said the angles (or wings) help with the visibility. Mr. Schuplin said he would like to compromise to a 10' setback instead of 20'. Chairman Palmer asked him to amend his request to reflect this change.

Mr. Schuplin said he would like to amend his request from a 4' right-of-way setback to a 10' right-of-way setback off the private side of the sidewalk but appreciates keeping the back fence where it is. He said they would still keep the angles/wings.

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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. 1131.10(i)(2)A to allow a fence of 6' in height within 10' of the public right-of-way and contain less than 40% openness instead of the allowable 3' in height within 25' of the public right-of-way and provide a minimum of 40% openness; citing C.O. 1109.09(b) for the Schuplin & Schaefer residence, 5289 Karen Isle Drive, Willoughby, OH 44094 and Mr. Ross seconded.

Chairman Palmer said to clarify this is a motion with a 15' variance request on the fence location and a 7% openness request.

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

Motion Carried: APPROVED

Daniel Tomas
39120 Gardenside Dr.

**Accessory parking in
front setback**

Chairman Palmer stated the applicant cited practical difficulty number 4 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. Tomas, 39120 Gardenside Dr., Willoughby, OH 44094 was sworn in to speak for this appeal.

Mr. Tomas said his driveway is in disrepair. He said he has three vehicles and would like to propose an 8' extension to the left side of the driveway. He said the current driveway is 10' wide so it would add 8' from the garage door down approximately 40' with a curve into the main driveway. He said there are many examples of the same type of extensions in his neighborhood.

Mr. Maniche said he drove down the street and counted at least ten homes that had extensions on their driveways.

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 setback instead of the allowable off-street parking is permitted only in a rear yard; citing C.O. 1109.09(b) for the Tomas residence, 39120 Gardenside Dr., Willoughby, OH 44094 and Mr. Maniche seconded.

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

Motion Carried: APPROVED

William & Nicole Evans
38652 Andrews Ridge Way

**Accessory parking in
front setback**

Chairman Palmer stated the applicant cited practical difficulty numbers 6 & 7 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. Evans, 38652 Andrews Ridge Way, Dr., Willoughby, OH 44094 was sworn in to speak for this appeal.

Mr. Evans said they need to replace the existing driveway, so they are asking to extend the driveway approximately 9'. He said they will also be installing a sidewalk to their back yard. He said they are looking to do something similar to their neighbors three doors down (a letter from Mrs. Brooks in the Building Dept. (dated 6-11-25) states neighbor did not obtain an approval for the extension of their driveway). He said it is a busy development and would like to keep their cars off the street. He said his in-laws will be moving in to help because his wife is pregnant and is on bedrest for a high risk pregnancy and his family is from out of town so they want to keep their cars contained to their property as well.

Mr. Ross said he did a search of the Lake County GIS and found two similar driveway extensions in that neighborhood.

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 setback instead of the allowable off-street parking is permitted only in a rear yard; citing C.O. 1109.09(b) for the Evans residence, 38652 Andrews Ridge Way, Willoughby, OH 44094 and Mr. Maniche seconded.

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

Motion Carried: APPROVED

Jennifer Lonsway
4859 Crestwood Ave.
(Rep.- Mark Smith, Heritage Landscaping & Fencing)

Fence

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Chairman Palmer stated the applicant cited practical difficulty numbers 1, 3, 4, 5, 6 & 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. Smith of Heritage Landscaping & Fencing Co., 10128 Bundysburg Rd., Middlefield, OH 44062 agent for the Lonsway residence, 4859 Crestwood Ave., Willoughby, OH 44094 was sworn in to speak for this appeal.

Mr. Smith said his client has a dog that could jump a 3' fence and this is one of the reason they are asking for a 4' fence. If they moved the fence back to the 25' line it would essentially cut the back yard in half. They are proposing a fence with significantly more visibility than the required 40% but are asking for a variance of an additional 1' in height than what is required. He brought a sample of a panel to show the board. The fence panels would be built on site.

Mr. Maniche said the reason for this ordinance is for safety and visibility. Mr. Ross said this fence will not impede sight lines.

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(i)(2) to allow a fence of 4' in height within 25' of the public right-of-way instead of the allowable 3' in height within 25' of the public right-of-way; citing C.O. 1109.09(b) for the Lonsway residence, 4859 Crestwood Ave., Willoughby, OH 44094 and Mr. Maniche seconded.

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

Motion Carried: APPROVED

Bulldog Battery
37645 Vine Street
(Rep. Richard Price, Jr., Vice President)

Monument sign

Mr. Price apologized for his late arrival and said he went to the wrong building.

Chairman Palmer stated the applicant cited practical difficulty numbers 2, 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. Price Jr. , 1369 Bell Rd., Chagrin Falls, OH 44022 representing Bulldog Battery, 37645 Vine St., Willoughby, OH 44094 was sworn in to speak for this appeal.

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Mr. Price, Jr. said the existing monument sign is twenty years old and is beginning to have issues with the technology which causes problems with updating the sign board reader. The sign is in the same location, is the same size and color but has updated technology.

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 else who wished to speak against this appeal (x3) and there was no one.

Mr. Yutzy moved to grant a variance to C.O. 1163.06(e)(3) to allow a monument sign with a building setback of 21' and a lot width of 92' instead of the allowable minimum building setback of 25' and a minimum lot width of 100'; citing C.O. 1109.09(b) for Bulldog Battery, 37645 Vine St., Willoughby, OH 44094 and Mr. Maniche seconded.

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


Motion Carried: APPROVED

Mr. Yutzy moved to grant a variance to C.O. 1163.06(e) to allow a sign setback of 4' from the right-of-way, creating a deficit of 3', instead of the allowable minimum sign setback of 7' from the right-of-way; citing C.O. 1109.09(b) for Bulldog Battery, 37645 Vine St., Willoughby, OH 44094 and Mr. Maniche seconded.

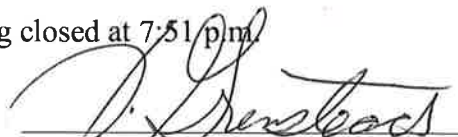
ROLL CALL: Yeas: Mr. Yutzy; Mr. Maniche; Mike Ross; J. Palmer, Chairman
 Nays: None
 Absent: Mr. Davis

Motion Carried: APPROVED

There being no further business the regular meeting closed at 7:51 p.m.



Joe Palmer, Chairman



Vicki Grinstead, Secretary