

**BOARD OF ZONING APPEALS
CITY OF WILLOUGHBY
AUGUST 13, 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 7:02 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 applicant that there are only four of the five members present this evening and asked Mr. Merhar if he wished to proceed and he said yes.

MINUTES

July 23, 2025

Mr. Maniche moved to approve the Board of Zoning Appeals public hearing meeting minutes for July 23, 2025 as submitted and Mr. Yutzy seconded.

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

Motion Carried: APPROVED

OLD BUSINESS

None

NEW BUSINESS

Mike Merhar
38020 Brown Ave.

Fence

Chairman Palmer stated the applicant cited practical difficulty numbers 1, 3, 4 & 8 on the application for appeal and noted all items that were in the packet.

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Chairman Palmer asked if there was anyone who wished to speak for this appeal. Mr. Merhar, 38020 Brown Ave., Willoughby, OH 44094 was sworn in to speak for this appeal.

Mr. Merhar said he is on a corner lot and would like a 4' high fence so they can contain their dog in the yard because he may be able to jump over a 3' high fence. They are also looking to install a pool in the near future and that does require the yard to be fenced. He feels this would keep his property safer as well. He said because he is a corner lot, and with the city's requirements, if he were to install it according to the ordinance he would lose quite a bit of his backyard, making it basically unusable. He is moving it out approximately 8' from the home toward the Glenwood sidewalk. He will still be at least 50-60' from the stop sign at the closest point. He chose the open picket style black aluminum fence for the Glenwood side so he would not have any issues with the openness requirement.

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) and allow a fence of 4' in height within twenty-five feet (19.7'), of the public right-of-way which is 1' above the permitted height, instead of the allowable 3' in height within twenty-five feet of the public right-of-way; citing C.O. 1109.09(b) for the Merhar residence, 38020 Brown Ave., Willoughby, OH 44094 and Mr. Ross seconded.

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

Motion Carried: APPROVED

Joan Roth
38257 Roselawn

Conclusion of facts and findings

Mr. Lucas, Esq. explained that this document is based on the record and the Law Department has to submit this under the state statute because it being appealed at the Lake County Court of Common Pleas. It will be voted on and then signed by the members of the board that were present at that meeting.

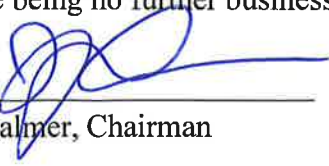
Mr. Ross moved to approve the Conclusion of Facts and Findings presented by Mr. Lucas, Esq. of the Willoughby Law Department for Joan Roth, 38257 Roselawn, Willoughby, OH 44094 as submitted and Mr. Yutzy seconded.

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

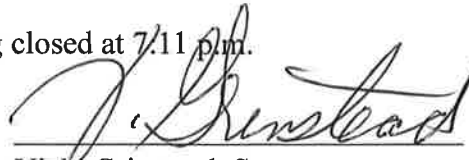
Motion Carried: APPROVED

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There being no further business the regular meeting closed at 7:11 p.m.



Joe Palmer, Chairman



Vicki Grinstead, Secretary