

**BOARD OF ZONING APPEALS
CITY OF WILLOUGHBY
OCTOBER 11, 2023
PUBLIC HEARING MEETING
MINUTES**

PRESENT: Phil Davis; Mike Yutzy; Joe Palmer, Chairman
ABSENT: Mike Maniche; Mike Ross
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 Mr. Kuhar if he would like to proceed with only three members present and Mr. Kuhar said yes.

MINUTES

September 27, 2023

Mr. Yutzy moved to approve the Board of Zoning Appeals public hearing meeting minutes for September 27, 2023 as submitted and Mr. Davis seconded.

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

Motion Carried: Approved

OLD BUSINESS

None

**City of Willoughby
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NEW BUSINESS

Frank Kuhar
4505 Summit St.

Detached garage

Chairman Palmer stated the applicant cited practical difficulty number 2 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. Kuhar Sr., 4505 Summit St., Willoughby, OH 44094 was sworn in to speak for this appeal.

Mr. Kuhar said he would like the extra space for his expensive canoes that cannot remain outside as well as other equipment. He also has a large vehicle that would be hard to get out of without being parked in a garage.

There were no questions from the board members.

Chairman Palmer asked if there was anyone else who wished to speak for this appeal. Mr. Kuhar, Jr., 2613 Wellington Rd., Cleveland Hts., OH was sworn in to speak for this appeal.

Mr. Kuhar, Jr. said accessibility is a strong issue for his father as he ages. He thinks aging in place is really important and would like his father to remain in his home. His mother also has a car and they would need the space to be able to get out of both vehicles.

Chairman Palmer asked if there was anyone else who wished to speak for this appeal. Mr. Mike Kolz, 4514 River St., Willoughby, OH 44094 was sworn in to speak for this appeal.

Mr. Kolz said he is the neighbor directly behind Mr. Kuhar and they have been neighbors for forty-five years and they have a common gate they use to travel between the two yards. He has absolutely no objection to this garage.

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 C.O. 1131.10(d)(2) to allow a detached garage of 572 sq. ft. and an existing shed of 120 sq. ft., exceeding the allowable by 92 sq. ft. instead of the allowable maximum area of 600 sq. ft. for the Kuhar residence, 4505 Summit St., Willoughby, OH 44094; citing C.O. 1109.09(b) and Mr. Davis seconded.

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

Motion Carried: Approved

**City of Willoughby
Board of Zoning Appeals
Public Hearing Meeting Minutes
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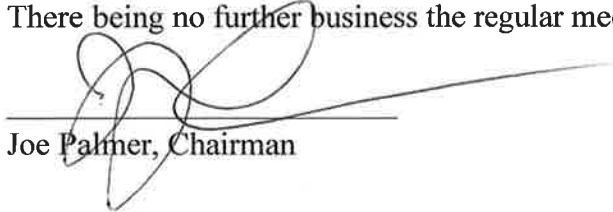
Chairman Palmer asked the board if they would like to vote to cancel two meetings around the holidays and the it was unanimous. The meetings to be canceled will be November 22, 2023 and December 27, 2023.

Mr. Yutzy moved to approve the cancellation of the November 22, 2023 and December 27, 2023 Board of Zoning Appeals meetings and Mr. Davis seconded.

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

Motion Carried: Approved

There being no further business the regular meeting closed at 7:39 p.m.



Joe Palmer, Chairman



Vicki Grinstead, Secretary