

**BOARD OF ZONING APPEALS
CITY OF WILLOUGHBY
OCTOBER 9, 2024
PUBLIC HEARING MEETING
MINUTES**

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

ABSENT: None

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) have 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.

MINUTES

September 26, 2024

Mr. Ross moved to approve the Board of Zoning Appeals public hearing meeting minutes for September 26, 2024 as submitted and Mr. Maniche seconded.

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

Motion Carried: Approved

OLD BUSINESS

None

NEW BUSINESS

David Burns
38562 N. Beachview Rd.

Shed

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

City of Willoughby
Board of Zoning Appeals
Minutes
October 9, 2024

Chairman Palmer asked if there was anyone who wished to speak for this appeal. Mr. Burns, 38562 N. Beachview Rd., Willoughby, OH 44094 was sworn in to speak for this appeal.

Mr. Burns said his home is located next to Osborne Park on the corner of Eaglewood and Beachview. He said the only neighbor this would affect (Mr. Furlong) received the legal notice and he does not have an issue with this appeal. He said the other neighbor would be Osborne Park. The shed will not go over the property line, but right to the line. The siding for the shed will match the color of the garage. There are two fences in the rear of the property; one is a white fence which blocks the yard from view and the other is a chain-link fence and behind that is a wooded area.

Chairman Palmer asked if this is a prefabricated shed. He said yes but not like the sheds they sell at Lowe's. They are able to build it on the lot because it comes in sections. There was a brief discussion of how the shed would be delivered and installed in the backyard.

Chairman Palmer said the 10' width would be up against Mr. Furlong's property and the 20' would come toward the framed garage and the other 10' over to the city's property and Mr. Burns said that is correct.

Mr. Burns said part of the reason he would like to construct this shed is because he will need somewhere to store his father's woodworking tools because he is downsizing. The main reason is for storage because his home does not have a very large basement. The doors on the shed would open onto his property opposite Mr. Furlong's property.

Mr. Davis said the permit says the shed will cost approximately \$6,000.00. He said the gabled roof looks like it would drain toward the garage and Mr. Burns said that is correct. Mr. Burns said he will install gutters to capture any additional water. Mr. Davis asked why he chose to put the shed behind the garage when he could have chosen an alternate location to the side of the garage which would not require a variance. Mr. Burns said there is a pizza oven and a large tree there. Mr. Davis said the shed could still be constructed on the side of the garage to stay clear of the tree. He said is this is not a viable solution then why couldn't the shed be constructed near the brick patio? Mr. Burns said he and his wife have future plans for raised beds because it is sunny there and they would also like to purchase a dog and would like room for the dog and child to play. Mr. Davis said this board is guided to take into consideration if there are other locations for this shed that would not require a variance.

Mr. Maniche asked if he would consider a smaller shed that could be in keeping within the 3' lot lines. Mr. Burns said he needs the space for his fathers tools. Mr. Yutzy said Mr. Burns has a nice size lot and he does not need to tread on the setbacks.

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) and allow a shed to be located on both side and rear lot lines, creating an encroachment of 3' of both lot lines instead of the allowable 3' minimum; citing C.O. 1109.09(b) for the Burns residence, 38562 N. Beachview Rd., Willoughby, OH 44094 and Mr. Maniche seconded.

**City of Willoughby
Board of Zoning Appeals
Minutes
October 9, 2024**

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

Motion Carried: DENIED

William Eppich
4835 Glenwood Ave.

Addition to rear of home

Chairman Palmer stated the applicant cited practical difficulty numbers 2, 3 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. Andrea Tavano, 4860 Glenwood Ave., Willoughby, OH 44094 and Mr. Eppich, 4835 Glenwood Ave., Willoughby, OH 44094 were sworn in to speak for this appeal.

Ms. Tavano said they are asking for consideration because the property is already not in compliance with the current zoning ordinance, so the addition would not be either. The way the addition is drawn on the site plan you will not be able to see it behind the existing home. It is set in ten inches from the home and that side of the property is in line with a city park which is not utilized. The proposal is minimal and is in line with similar variances granted in the area. It will not negatively impact adjacent properties or the overall neighborhood. Their neighbors have shown support for their addition. They kept the addition within the characteristics of the neighborhood and the integrity of the community.

Mr. Ross said he does not consider this a corner lot because it does not abut two streets and is a unique situation and believes it will be a welcome addition to the neighborhood.

Chairman Palmer asked Mr. Eppich if he would like to speak and he said he had nothing else to add.

Chairman Palmer said he agrees with Mr. Ross's statement and the corner lot is Falconwood Park. He said they are the last house closest to the intersection, and in his opinion, does not make them a corner lot. He does not have an issue with this request and appreciates the investment they are making in the community.

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. Maniche moved to grant a variance to C.O. 1131.06(a) and allow a 7.24' side yard setback instead of the allowable 27' side yard setback; citing C.O. 1109.09(b) for the Eppich residence, 4835 Glenwood Ave., Willoughby, OH 44094 and Mr. Ross seconded.

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

**City of Willoughby
Board of Zoning Appeals
Minutes
October 9, 2024**

Motion Carried: APPROVED

Board of Zoning Appeals

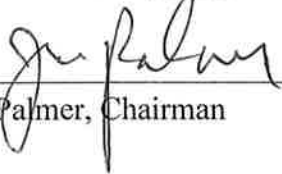
**Cancel November 27, 2024
meeting due to holiday**

Mr. Ross moved to cancel the November 27, 2024 BZA meeting due to the holiday and Mr. Maniche seconded.

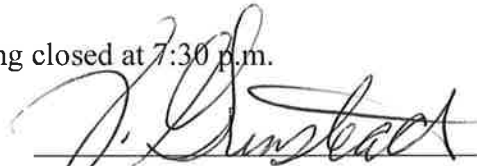
ROLL CALL: Yeas: Mr. Yutzy; Mr. Maniche; Mike Ross; Mr. Davis; J. Palmer, Chairman
 Nays: None
 Absent: None

Motion Carried: APPROVED

There being no further business the regular meeting closed at 7:30 p.m.



Joe Palmer, Chairman



Vicki Grinstead, Secretary