

**BOARD OF ZONING APPEALS  
CITY OF WILLOUGHBY  
MAY 8, 2024  
PUBLIC HEARING MEETING  
MINUTES**

**PRESENT:** Mike Ross; Mike Maniche; Phil Davis; Mike Yutzy; 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 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 appellants were noted into the record.

**MINUTES**

**April 24, 2024**

Mr. Ross moved to approve the Board of Zoning Appeals public hearing meeting minutes for April 24, 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**

**Celina Columbo**  
4050 Erie St.

**Projecting sign**

Chairman Palmer stated the applicant cited practical difficulty numbers 1-9 on the application for appeal and noted all items that were in the packet. He read part of the letter included in the BZA packets from the applicant.

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Chairman Palmer asked if there was anyone who wished to speak for this appeal. Ms. Columbo, 38674 Courtland Dr., Willoughby, OH 44094 owner of Colombo Law, 4050 Erie St., Willoughby, OH 44094 was sworn in to speak for this appeal.

Ms. Colombo said she is requesting 20” in addition to what is allowed. Her sign is a round projecting sign similar to Sage but will look more like the barbershop sign that was recently installed. She decided on the design of the sign based on other businesses in the area and noticed some of the other signs were over the right-of-way. She said the awnings extend approximately 36-40” over the right-of-way and her sign will only extend a couple inches past that. She is also on the second floor and wants it to be visible for clients to be able to locate her offices. Her name is long and she needs a bit larger sign than what is allowed. She believes it is cohesive with the other signs and is clear and easy to read.

Chairman Palmer said her offices are above Kleinfeld’s and she said yes, she has five offices. He said, per the rendering, it shows her sign is only extending half of what Kleinfeld’s does and she said yes.

Mr. Davis asked Ms. Colombo to elaborate on what she stated in her paragraph in regard to the fact that she was encouraged to order her sign prior to approval. Ms. Colombo said this was hear say because a staff member of hers dropped off the application and someone mentioned that it would most likely be approved because it was similar to the other signs in that area and in order to expedite the process she could order it.

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. 1163.06(c) and allow a projecting sign to extend 3.725’ over the right-of-way instead of the allowable 2’ extension over the right-of-way for Columbo Law, 4050 Erie St. Willoughby, OH 44094; citing C.O. 1109.09(b) and Mr. Ross seconded.

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

**Motion Carried:     APPROVED**

**API-Trucast**

4531 Hamann Pkwy.

(Rep.- Brian Deming, Deming Enterprises, Inc.)

**Entry renovations/addition of vestibule**

Chairman Palmer asked the board if they wished to reconsider the former denial of this appeal on March 27, 2024 for API-Trucast to C.O. 1145.05(a) and allow a setback of 54.6 feet instead of the required 60 foot setback and asked for a motion to do so. Mr. Maniche said according to C.O. 1109.09(e), it states the board should not consider a denial within six months unless there is a substantial change. Chairman Palmer asked Mr. Lucas, Esq. to elaborate on this. Mr. Lucas said 1109.09(e) says it does not say you should not, it says you need not. “If a variance has been denied by the Board, the-Board need not reconsider the same request...”

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Mr. Ross moved to reconsider the denial of an appeal made on March 27, 2024 for API-Trucast, 4531 Hamann Pkwy., Willoughby, OH 44094 to C.O. 1145.05(a) and Mr. Yutzy seconded.

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

**Motion Carried:     APPROVED**

Chairman Palmer stated the applicant cited practical difficulty number 4 on the application for appeal and noted all items that were in the packet. He read into record a letter from the applicant that was included in the BZA packets.

Chairman Palmer asked if there was anyone who wished to speak for this appeal. Mr. Deming of Deming Enterprises, 3767 Lane Rd., Perry, OH 44081, agent for API-Trucast was sworn in to speak for this appeal.

Mr. Deming said the roof over build for this project is to dress up the front of the building. They also want to get away from the flat roof that requires quite a bit of maintenance and changing to a shingled roof would help with taking water off the roof. The new vestibule, which is what is causing the setback issue, is replacing the awkward outdated roof overhang. They also have a front door that walks directly into their office and there is no where for employees or clients to wait, which is a security issue since they work for the government. They do not want their employees or clients waiting outdoors and would prefer to have a heated and cooled vestibule for them to wait in.

Mr. Davis said he recalls Mr. Deming testifying at the last hearing that his client has several properties in that area and Mr. Deming said yes, they have four. Mr. Davis said would it be safe to assume that if this variance was granted that his client would feel justified in saying they would like to expand into the setback for their other buildings. Mr. Deming said he has been to two of the other three buildings and they do not have this issue where their front door walks directly into an office area. Mr. Deming said another client of his down the street was granted a variance to expand into the rear setback by this board two years ago, so it has already happened.

Mr. Davis asked him to explain why he chose practical difficulty number four on his application. He would suggest one variance leads to another, which changes the character of the neighborhood. Mr. Deming believes this would improve the look of this outdated building and this company has changed it's branding to be under one company name, and with that, they are investing money into improving the look of their buildings. Mr. Davis said his client wants cosmetic and functional improvements and Mr. Deming said yes.

Mr. Maniche asked if they have consulted an architect to try to accomplish this without a variance. Mr. Deming said the plans were given to him and he did not do the design. He said the variance is only for 5'4" and he does not see anywhere else on the street where they have this awkward front entrance. He believes this is a one time ask and they are trying to achieve a more secure location that is also comfortable for clients and employees.

Chairman Palmer said he drove down the street and there are four or five buildings that have the same entrance encroaching and feels this is consistent. Mr. Ross said he is basically enclosing the overhang and Mr. Deming said yes.

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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.

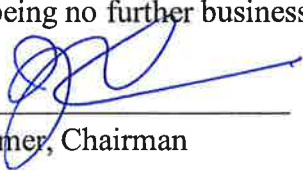
Chairman Palmer asked if there was anyone who wished to speak against this appeal (x3) and there was no one.

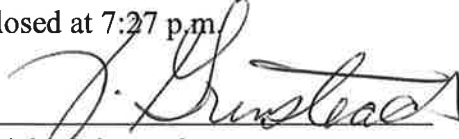
Mr. Maniche moved to grant a variance to C.O. 1145.05(a) and allow a 54.6' front setback instead of the allowable 60' front setback for API-Trucast, 4531 Hamann Pkwy., Willoughby, OH 44094; citing C.O. 1109.09(b) and Mr. Ross seconded.

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

**Motion Carried:    APPROVED**

There being no further business the regular meeting closed at 7:27 p.m.

  
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Joe Palmer, Chairman

  
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Vicki Grinstead, Secretary