

**MINUTES**  
**Board of Building & Zoning Appeals**  
**City of Willoughby Hills, Ohio**

January 9, 2018

**CALL TO ORDER: 8:00 pm**

**Welcome to the new BZA member, Rick Thompson. He started December 1, 2017. He is completing Robert Bartolotta's term which ends in 2019.**

**John Klements has been reappointed to another 5-year term that ends in 2022. He celebrates 20 years on this Board.**

**ROLL CALL**

**PRESENT:** Chairman Frank Cihula, Vice Chairman John Klements, Mark Kotoch, James Michalski and Rick Thompson

**ALSO PRESENT:** Clerk Katherine Lloyd

**2018 ORGANIZATION**

**Nominations opened for Chairman of the Board**

James Michalski nominated Frank Cihula for Chairman of the Board of Building and Zoning Appeals for the year 2018. Frank Cihula accepted.

Chairman Cihula asked three times for additional nominations.

Nominations were closed.

Roll call: 5 Ayes

**BZA Chairman for 2018: Frank Cihula**

**Nominations opened for Vice-Chairman of the Board**

Mark Kotoch nominated John Klements for Vice-Chairman of the Board of Building and Zoning Appeals for the year 2018. John Klements accepted.

Chairman Cihula asked three times for additional nominations.

Nominations were closed.

Roll call: 5 Ayes.

**BZA Vice-Chairman for 2018: John Klements**

**Appointment of BZA Clerk**

John Klements moved to appoint Katherine Lloyd as BZA Clerk for the year 2018.

Seconded by Mark Kotoch

Roll call: Ayes unanimous.

**Motion passes 5/0.**

**BZA Clerk for 2018: Katherine Lloyd**

**Appointment of BZA Representative to Planning Commission and Architectural Board of Review**

Mark Kotoch moved that Frank Cihula be the BZA representative to the Planning Commission and Architectural Board of Review.

Seconded by John Klements

Roll call: Ayes Unanimous.

**Motion passes 5/0**

**2018 BZA representative to the Planning Commission & Architectural Board of Review: Frank Cihula**

### **DISPOSITION OF MINUTES of November 14, 2017**

**MOTION:** Mark Kotoch moved that the Board approve the Minutes of November 14, 2017 as submitted.  
Seconded by John Klements.  
Roll call: 4 Ayes and 1 Abstention (Thompson).  
**Motion passes 4/0.**

Chairman Cihula declared that the Minutes of the Board of Building and Zoning Appeals Meeting of November 14, 2017 have been approved as submitted.

### **CORRESPONDENCE**

- Email dated 12/20/17 from Gloria Majeski re Oath- John Klements-BZA
- Notification dated 12/22/17 sent to News-Herald re: January 9, 2018 BZA meeting.
- Email dated 12/22/17 from Gloria Majeski re Oath- Rick Thompson-BZA
- Decision Letter 11/25/17 from the BZA to Mr. Vincent Marcellino RE: Case 2017-4 at 2965 Rockefeller Rd. The registered letter was returned to the BZA today, 1/9/18.

### **No Pending Business**

### **UNFINISHED BUSINESS**

Case 2017-4 at 2965 Rockefeller Rd: The Registered Decision Letter 11/25/17 from the BZA to Mr. Vincent Marcellino RE: Case 2017-4 at 2965 Rockefeller Rd. was returned to the BZA today, 1/9/18. Decision Letter was also sent by Regular Mail. Both were sent to the job address. A registered letter will be sent out again to Mr. Marcellino's home address.

2017 Index of Appeals: Mr. Cihula is compiling the Index of appeals heard in year 2017.

### **NEW BUSINESS**

Mr. Kotoch again requested clarification of the protocol for completion of stipulations granted as part of a variance by the BZA. Per discussion, variances are good for one year. If the applicant cannot complete within that time frame, the applicant can request an extension in writing from the Building Administrator. Usually the extension is granted. If they do not request it, the variance goes away after the year or any extension.

The fact that there are stipulations with the variance is stated on the BZA appeal application which is signed by the BZA Chairman at the BZA meeting. The stipulations are listed in the meeting minutes. The completed application is ready for the Zoning Administrator when he comes in the next morning.

Reviews, inspections, and administration were done by the former Building Administrator. Currently, the City Engineer is doing the Zoning Reviews and Administration. Zoning Inspections are now being done by the Road Superintendent in addition to his regular duties. Lake County does the building inspections but not zoning inspections.

The Board expressed concern that stipulations are not being fulfilled by the applicant as stipulated and that rulings of the Board are being ignored. The Board asked about the follow up inspections. They asked who is responsible for follow up inspections and who enforces the ruling if the applicant does not comply. Examples of noncompliance were cited. They asked about whether people are cited during inspections, especially at final inspection. They asked whether the bond is returned and whether final permits are given if the stipulations unfulfilled.

The Board stated that someone should be doing regular follow up inspections and observing if stipulations are not being met before the permit is closed and the bond is returned. The need for follow up needs to be communicated. Follow up should be systematic, tracked and completion verified.

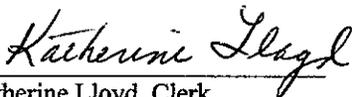
**CHAIRMAN'S COMMENTS**

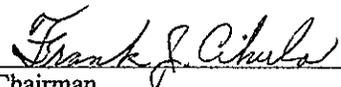
The BZA back-up clerk, Marianne Sinkko resigned from the Recreation Commission last week. Until a replacement clerk is hired, the Mayor's secretary Gloria Majeski will be the back up clerk for the BZA.

**MOTION:** Mark Kotoch moved to adjourn.  
Seconded by John Klements.  
Voice vote: Ayes unanimous.  
**Motion passes 5/0.**

Chairman Cihula declared the meeting adjourned at 7:40 PM.

Note that it is the policy of the Board to make site visits to guide them in making their decisions.  
Note that BZA meetings are recorded and recordings are considered a public record.

  
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Katherine Lloyd, Clerk

  
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Chairman

7-10-2018  
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Date approved: