

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

August 8, 2017

CALL TO ORDER: 8:06 pm

PRESENT: Chairman Frank Cihula, Vice Chairman John Klements, Robert Bartolotta,
Mark Kotoch and James Michalski

ALSO PRESENT: Clerk, Katherine Lloyd

DISPOSITION OF MINUTES of June 13, 2017

MOTION: Mark Kotoch moved to approve the Minutes of June 13, 2017 as submitted.
Seconded by Bob Bartolotta.
Roll call: Ayes Unanimous.
Motion passes 5/0.

Chairman Cihula declared that the Board of Building and Zoning Appeals Meeting Minutes of June 13, 2017 have been approved as submitted.

CORRESPONDENCE

Notification dated 7/25/17 sent to News-Herald re: August 8, 2017 BZA meeting.

Case No. 2017-1: Jessica & James Mormino, 36902 Beech Hills Dr., requests a variance to construct a Kitchen, Garage, Family Room & Master Suit Addition with a 5' left side setback to the garage. Section 1133.04(a)(7), Schedule 1133.04(a)(7)(b) of the Codified Ordinances requires 15' minimum side setback (each side).

Notice is mailed to property owners within 500 feet of said property.

Drawings are available for review in the lobby of the City Hall and on the front table of Council Chambers.

We have a distinguished guest in the audience, Britt Raeburn, 8-year BZA member.

PRESENT: Ann Dunning (Ann Dunning, Architect) and Jessica & Jim Mormino

Stated reason for variance request:

The architect has final construction drawings with all the details for the PCABR. The footprint is the same as the zoning drawings that the Board received. They do have a contractor. The garage is under discussion tonight. The rest of the building is within the legal footprint.

There was a mistake on the appeal application that was given to the clerk. The one that showed the architect as the 'appellant' is not accurate. Copies of the application showing the owner as 'appellant' which Mr. Cihula received when he wrote the appeal have been distributed to the Board to replace those in the packets

Letter from neighbors who could not attend was submitted. The neighbors are Sarah Jablonski at 36926 Beech Hills and John and Eddy Ishmael 36852 Beech Hills. They are on either side of the property. The letter was read into the record. “They are preparing to add an addition to their house. They will come close to the boundary lines of our properties. It is Case 2017-1 being heard on August 8, 2017 on the variance for the 5’ left side set back to the garage. We have reviewed the plans and support the addition to their home.” This letter was prepared by the appellants and signed by both neighbors.

The applicants have lived in the house for 10 years and have made many improvements. They want to stay but need an addition on the house, the garage and a side entrance from the garage. If the garage was pushed back from the house it would be right across from the neighbors. Now, because the houses are so far forward and there is a tree, the neighbors look into their back yard. The shed that was there was approximately 6 ½ feet away. A 5-foot side yard would work because it is at an angle. The tightest point is a 5-foot side yard. Putting the garage on the other side of the house is not practical.

There was a paper submitted with the application dated June 25, 2017 entitled “Application for Appeal to the Board of Building and Zoning Appeals”. It was not signed. Ms. Dunning and the applicants worked with the City Engineer to prepare that submission. This record validates that it was their submission.

The property to the right is owned by Sharon Scott. Her mother, Sarah Jablonski is living there now. Sharon Scott is in agreement but was not present to sign the letter.

On the drawing submitted, the address is missing a ‘2’ at the end. The full address needs to be on the drawing.

They request a 10’ variance to allow a 5’ set back. 15’ is required. The side yard on the other side is adequate. The original septic system is to the right of the pool with the leach fields behind the pool. There is no duplication system. 5’6” is measured to the foundation. There is a 2 inch rake board overhang. They are requesting 5’.

Board’s Discussion:

House was built in 1952. The layout of the addition and entry way will bring the house up to date.

Public Portion for Case 2017-01 opened at 8:40 p.m.

Jenna Bing, 36951 Beech Hills Drive

Her house is catty-corner from the applicants. She is pleased about the proposed addition. The modernization is a real improvement to the street. She has no issues with the variance.

Louis Zagmeister, 36952 Beech Hills Drive

He is neighbor to Jablonski whose house is between his and the applicants. He is all for what they want to do.

Public Portion for Case 2017-01 closed at 8:49 p.m.

MOTION: Mark Kotoch moved that the Board approve Case 2017-01 as amended and grant a variance for the property located at 36902 Beech Hills Drive for a 5 ft. left side setback due to the fact that this is replacing an existing shed with the same side setback.
Seconded by John Klements
Roll call: Ayes unanimous.
Motion passes 5/0.

Chairman Cihula declared that the request is granted. Applicant will contact the Building Commissioner for the Building Permit. The decision of the BZA is good for one year.

“Decisions of the Board of Building and Zoning Appeals shall be final within the Municipality, except that an appeal therefrom may be taken to any court of record in accordance with laws of the State of Ohio, by any proper and interested party including the Municipality.

UNFINISHED BUSINESS

None

NEW BUSINESS

None

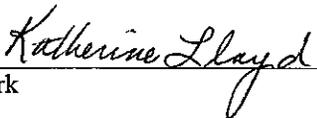
CHAIRMAN'S COMMENTS

Diana McCann, Clerk for Building and Service Departments, is leaving. She will return from vacation next week to train the new full-time Clerk, Denise Edwards who was the Recreation Coordinator at the Community Building.

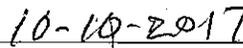
MOTION: Mark Kotoch moved to adjourn.
Seconded by James Michalski.
Voice vote: Ayes unanimous.
Motion passes 5/0

Chairman Cihula declared the Meeting adjourned at 8:49 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.


Clerk


Chairman


Date approved: