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

September 10, 2019

CALL TO ORDER: 8:02 pm

ROLL CALL
PRESENT: Chairman Frank Cihula, Vice Chairman John Klements, Mark Kotoch, James Michalski and Jenna Bing.

ALSO PRESENT: Law Director James O'Leary and Clerk Katherine Lloyd

Welcome to our new Board member, Jenna Bing.

DISPOSITION OF MINUTES: Meeting of March 12, 2019
Meeting of July 9, 2019
Meeting of August 13. 2019

MOTION: John Klements moved that Disposition of Minutes be moved to after Case 2019-3 and before the Unfinished Business on the Agenda.
Seconded by Mark Kotoch.
Roll call: Ayes Unanimous.
Motion passes 5/0.

CORRESPONDENCE
- Notification dated 9/4/19 sent to News-Herald re: September 10, 2019 BZA Meeting.
- Notification dated 9/4/19 sent to Communications re: September 10, 2019 BZA Meeting.
- Email dated 8/27 from Assistant City Engineer Trepal re Case 37870 Rogers Rd. BZA Revised garage plans with double hip roof email 1 of 2
- Email dated 8/27 from Building Department re Case 37870 Rogers Rd. BZA Revised garage plans with double hip roof email 2 of 2 with attachments.
- Email dated 8/6/19 from Councilmen David Fiebig re: Case 2019-3 for 37870 Rogers Rd.

Jenna Bing recused herself from the hearing today.

CASE 2019-3
Mr. Scott Ryan, 11857 Raintree Dr. Chardon, for property owner, Earl W. Aurelius, 37870 Rogers Rd. requests a variance to construct an accessory structure (garage) with a structure height of 16.13'. The existing accessory structure (garage) will be removed. The principal building (house) on the property is 11.46' high. Section 1133.07(b) of the Codified Ordinances limits the height of accessory structures to 18' or the height of the principal dwelling (house), whichever is less.
By order of the Board of Building and Zoning Appeals of the City of Willoughby Hills, Ohio, Notices have been mailed to property owners within 500 ft. of said property. Drawings were available for review in the lobby of City Hall. The appeal was advertised in the News-Herald on August 3, 2019. It was postponed at the meeting August 13, 2019 for new plans to the September 10, 2019 meeting.

PRESENT: Scott Ryan, 11857 Raintree Dr., Chardon
Mr. Earl W. Aurelius, 37870 Rogers Rd. (property owner)

Chairman Cihula contacted Mr. Ryan and asked him to put up a post at the front of the proposed garage to show its intended height so it could be seen in a photograph.

Stated reason for variance request:
Mr. Ryan showed photographs and updated drawings. The post is 10 feet back from where the garage is because that is where the ridge will be with the hip roof Mr. Ryan put a flag at the top to show where the peak would be. From the road, you will see about a foot of the garage roof triangle. The roof will be the same shingles as the house so it will blend.

Board's Discussion:
The applicant amended his request for an accessory structure height of 18 ft. 9 ¼ inches. Measured by Code, it is 14 ft. 4 ¼ inches.

Public Portion for Case 2019-3 opened at 8:23 p.m.

No public input.

Public Portion for Case 2019-3 closed at 8:23 p.m.

MOTION: Mark Kotoch moved that the Board approve Case 2019-3 as amended for the property located at 37870 Rogers Rd. to grant a variance in height for an accessory structure not to exceed 14 feet 4 1/4 inches as defined by the Section 1133.07(b) of the Zoning Code utilizing the drawing A3-01 as amended and dated August 19, 2019.
Seconded by John Klements
Roll call: 4 Ayes.
Motion passes 4/0.

Chairman Cihula declared that the appeal for Case 2019-3 was approved as amended. The applicant will need to get Zoning Approval from the Building Department. He will take that to Lake County for the Building Permit.

It is up to the Planning Commission whether this amended plan is a significant change from its approval issued contingent on the BZA.

DISPOSITION OF MINUTES, *continued from above.*

Jenna Bing is still recused.

DISPOSITION OF MINUTES of March 12, 2019

The Board discussed the draft of the March 12, 2019 minutes and made edits.

MOTION: John Klements moved that the Board approve the Minutes of March 12, 2019 as amended tonight.
Seconded by James Michalski.
Roll call: 3 Ayes and 1 Abstention (Kotoch).
Motion passed 3/0.

Chairman Cihula declared that the Minutes of the Board of Building and Zoning Appeals Meeting of March 12, 2019 have been approved.

DISPOSITION OF MINUTES of July 9, 2019

The Board discussed the draft of the July 9, 2019 minutes and made edits.

MOTION: Mark Kotoch moved that the Board approve the Minutes of July 9, 2019 as amended this evening.
Seconded by John Klements.
Roll call: Ayes Unanimous
Motion passed 4/0.

Chairman Cihula declared that the Minutes of the Board of Building and Zoning Appeals Meeting of July 9, 2019 have been approved as amended.

DISPOSITION OF MINUTES of August 13, 2019

MOTION: Mark Kotoch moved that the Board postpone consideration of the Minutes of August 13, 2019 until the next meeting.
Seconded by John Klements.
Roll call: Ayes Unanimous.
Motion passed 4/0.

Chairman Cihula declared that the Minutes of the Board of Building and Zoning Appeals Meeting of August 13, 2019 have been postponed to the next meeting.

UNFINISHED BUSINESS
None.

NEW BUSINESS
None.

CHAIRMAN'S COMMENTS
None.

ADJOURNMENT

MOTION: Mark Kotoch moved to adjourn the meeting.
Seconded by Jenna Bing
Voice vote: Ayes unanimous.
Motion passes 5/0.

Chairman Cihula declared the meeting adjourned at 9:30 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.

Katherine Lloyd
Katherine Lloyd, Clerk

Frank J. Cihula
Chairman

12-10-2019
Date approved:

9/16/19 kdl
Revised 9/18/19 kdl
Edit 10/22/19 kdl
Amended 12/10/19 BZA