

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

February 11, 2014

**CALL TO ORDER:** 8:08 p.m.  
**PRESENT:** Chairman Frank Cihula, Vice Chairman John Klements  
Robert Bartolotta, Mark Kotoch  
Clerk, Katie Lloyd  
**ABSENT:** Ron Caporossi

Today we buried one of the greatest mayors that Willoughby Hills has ever seen. A moment of silence was observed in honor of Mort O’Ryan who passed away on the 5<sup>th</sup> of February.

We have a new clerk. Joan Motuza retired after many years as clerk of the BZA. Katie Lloyd has agreed to be our clerk.

**MOTION:** John Klements moved to appoint Katie Lloyd as BZA Clerk.  
Seconded by Mark Kotoch  
Roll call: Ayes unanimous.  
**Motion passes 4/0.**

**BZA Clerk for the Year 2014: Katie Lloyd**

**MOTION:** John Klements moved to excuse the absence of Ron Caporossi.  
Seconded by Mark Kotoch  
Voice Vote: Ayes unanimous.  
**Motion passes 4/0.**

**CORRESPONDENCE**

None

**DISPOSITION OF MINUTES OF JANUARY 14, 2014**

**MOTION:** Mark Kotoch moved that the Board approve the minutes of January 14, 2014 as submitted.  
Seconded by Robert Bartolotta  
Roll call: Ayes unanimous.  
**Motion passes 4/0**

**CASE 2014-1**

**David Vaccariello**

**34940 Eddy Road**

Requests a variance to construct a 2 story, 740 sq. ft. addition to an existing house with a west side setback of 6' 10", the same as an existing detached garage which will be demolished. The addition will maintain the existing east side setback of 5'5". Section 1133.04(a)(7), Schedule 1133.04(a)(7)(b) of the Codified Ordinances requires 15' minimum side setback (each side).

Notice was mailed to property owners within 500 feet of said property. Drawings were available for review in the lobby of City Hall. Legal notice was advertised in The News-Herald on 1-4-14. Drawings were available for review in the lobby of City Hall.

The Case was heard on 1-14-14 and postponed until this evening to allow the applicant to have the property surveyed since the sidelines appeared to be quite tight.

Drawing reference: New drawings with the surveyor's information were stamped received in the Willoughby Hills Building Department 1-31-14. The architect put the building drawings on the surveyor's drawings. Because of computer discrepancy, smaller copies were provided in the packet. They were stamped received on 2-7-14. Larger drawings were received for this meeting. The text is quite small. The drawing was also available on the architect's laptop computer.

PRESENT: David Vaccariello; Harvey Ofer, Architect

Stated reason for variance request:

The home was built in 1940. He would like to update and add space to the house with an addition. Attached to this addition would be a new garage. The addition will have a basement – the current structure does not. There currently is a detached garage in the rear with a wooden floor which he uses as a storage shed. The property is angular, 67' wide. The house is parallel to the road.

At the first meeting on January 14, 2014, there was discussion regarding the septic system which is located in the rear, especially how he expects to maintain the system. The Board suggested the possibility of installing overhead doors both in front and rear of garage.

The architect submitted a survey and an architect's drawing with the buildings superimposed. During review, it was noted the smaller drawings are easier to read than the larger drawings. The existing buildings are outlined. Buildings to be built are shown in bold. The outer dash is the property line. The inner dash is the existing setback.

Distance on the west property line of the new attached garage to the property line is 6 feet based on the depicted layout. Distance of the existing garage is 4.5 feet. 6'10" was originally requested and was advertised. Moving garage further to the rear was suggested. The applicant will conform to the original request of 6'10".

On the east side, the applicant will conform to the existing 5.5' setback. The back corner is 7' foot. The numbers are illegible on the drawing. Stairs have a post footer onto slab-on-grade landing.

Per discussion, the numerical original request will not be changed. There will be a 5.5' set back on the east side and 6'10" on the west side, as advertised. Moving the garage back will get to 6'10".

The applicant will need to provide an updated, very accurate site plan with the side lines as advertised and full set of building plans for presentation to the Architectural Board.

At the last meeting, there was concern about getting equipment to the rear of the property to maintain the septic system. The applicant had two comments about this concern: First, there is the divergence of the property line. Therefore, they would have more space than originally thought. Second, the retaining wall discussed last meeting is really just a pile of blocks on the applicant's property which can stay or be moved.

At the last meeting, installation of an overhead door in the back of the garage was discussed. Benefits of installing an 8-9 foot wide overhead door in the back of the garage were discussed. It will allow for passage of small construction equipment to the back yard for regular maintenance and anything needed for the septic system. It will also help resale in the future. Adding the door later will cost more.

**Public Portion**

No public input.

**Public portion closed.**

Applicant decided to continue with the requested 6'10" west sideline request and the existing 5'5" and to add a 9-foot overhead door to the rear of the garage. The record will show that the drawings have been changed. The sideline on the existing building is less than originally thought. Mr. Vaccariello was advised that once a stipulation is put on an approval, we must abide by them.

**MOTION:** Mark Kotoch moved that the Board approve Case 2014-1as requested and grant a variance to the property located at 34940 Eddy Road to construct a 2 story, 740 sq. ft. addition to an existing house with a west side setback of 6' 10" for the proposed addition and an east side setback of 5'5" to the addition due to the existing sidelines which are closer than we thought. There is an additional stipulation that an overhead door, at least 8-feet wide, will be added to the rear of the proposed garage and that the existing detached garage will be demolished.

Seconded by John Klements

Roll call: Ayes unanimous

**Motion passes 4/0.**

The variance request has been granted. Decisions of the BZA are good for one year. Applicant was directed to file for an architectural approval with the Building Commissioner. New drawings will be needed.

The applicant extended sympathy for the loss of former Mayor Mort O'Ryan.

**UNFINISHED BUSINESS**

None

**NEW BUSINESS**

None

**CHAIRMAN'S COMMENTS**

I am not aware of any pending appeals that could potentially come before the Board.

**MOTION:** Mark Kotoch moved to adjourn; seconded by John Klements.

Voice vote: Ayes unanimous.

**Motion passes 4/0.**

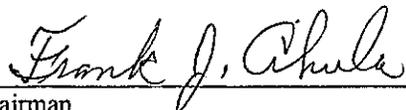
Meeting adjourned at 8:43 pm.

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.

All decisions of the Board of Building and Zoning Appeals are final within the City of Willoughby Hills. Any interested party may appeal the Board's decision to the Court of Common Pleas of Lake County, as provided for by Ohio Law.

  
Clerk

  
Chairman

Date Approved: 5-13-2014