

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

April 14, 2015

CALL TO ORDER:8:03 pm

Roll Call:

PRESENT: Chairman Frank Cihula, Vice Chairman John Klements, Robert Bartolotta
and Mark Kotoch
ABSENT: Ron Caporossi
ALSO PRESENT: Clerk, Katherine Lloyd

Mr. Caporossi advised the Chairman that he would be out of town this evening.

MOTION: John Klements moved to excuse Ron Caporossi from tonight's meeting.
Seconded by Mark Kotoch
Voice vote: Ayes unanimous.
Motion passes 4/0.

DISPOSITION OF MINUTES OF January 13, 2015

MOTION: Mark Kotoch moved that the Board approve Minutes of January 13, 2015 as submitted.
Seconded by John Klements.
Roll call: Ayes unanimous.
Motion passes 4/0.

CORRESPONDENCE

- Notification to News-Herald on 1/27/15 re: February 10, 2015 cancellation.
- Notification to News-Herald on 2/20/15 re: March 10, 2015 cancellation.
- Notification to News-Herald on 4/1/15 re: April 14, 2014 BZA meeting.
- Packet of Information from the APA Cleveland Workshop on 10/24/15
- RE: Zoning Variances in Ohio.

CASE 2015-01

Charles Booth and Donna K. Lang

37601 Eagle Rd. – additions to nonconforming house

Charles Booth and Donna K. Lang , 37601 Eagle Rd. request a variance to expand a nonconforming house to construct a front porch addition and steps with a front setback of 45'8" and an addition to the east side of the house with a front setback of 54'10". The existing porch and steps will be removed. The existing house was constructed in 1930 and is lawfully nonconforming per section 1121.02(a) of the Codified Ordinances.

Section 1121.04(a) requires that a nonconforming structure shall not be added to or enlarged unless the addition conforms to the requirements of the district, that being 75' front setback.

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 Saturday, April 4, 2015.

PRESENT: Charles Booth

Stated reason for variance request:

The applicants would like to replace the existing Neo-Classical portico with a porch more in keeping with the Farm House Colonial architecture of the house. The original porch was a pediment measuring 24-square feet. The portico steps are 8 ½ inches which are too high for safety. The replacement porch would be more flexible in terms of ingress and egress.

The applicants would also like to replace what had been a porch converted into an all season room and turn it into a proper family room on a solid block foundation. The all season room currently has a brick apron surrounding it. It is open air behind the façade. There is access from the deck because originally it was a porch.

Board's Discussion:

During site inspection, it was noted that the surveyor's drawing has the location of the addition penciled in. The architect's plans do not agree. The architect's drawing should show that existing addition to the house on that side being removed.

The applicant provided a photograph which showed two pylons that represent the depth of the new addition and give some impression of how steep the grade is. The brick shown in photo is really a façade. The applicant verified that the existing addition will be physically removed and that the proposed addition will be a new structure attached in a similar matter with a full 13-course foundation. It will not stick out any further.

Another photo showed the existing portico with lines showing how far out the new porch and steps will extend. The steps will be 22 inches further out. Applicant plans to have complete plans prepared for the Architectural Board of Review reflecting the 45.8' set back and include the above grade steps

Public Portion for Case 2015-01 opened at 8:22 p.m.

Scott Hanna, next door neighbor of the applicants

The applicants showed me the drawings. The portico is not compatible with the farmhouse. The front porch will be an enhancement. It will look good from the river, also.

The applicant showed the original survey which shows the house as it is now. The applicants' house and the Hanna house have been on their foundations since at least 1878.

Public Portion for Case 2015-01 closed at 8:27 p.m.

MOTION: Mark Kotoch moved that the Board approve Case 2015-1 for 37601 Eagle Rd. and grant a variance to expand a legally nonconforming house with a front porch addition with a front setback 45'8" and an addition to the east side of the house with a front setback of 54'10".
Seconded by John Klements
Roll call: Ayes unanimous.
Motion passes 4/0.

The decision of the BZA is good for one year. Applicant will contact the Building Commissioner for the Building Permit

UNFINISHED BUSINESS

None

NEW BUSINESS

None

CHAIRMAN'S COMMENTS

- We have had two non-conforming cases in the past six months. There was a third that did not get to the Board.
- There is a possible rescission of deed restrictions for next month.

MOTION: Mark Kotoch moved to adjourn; seconded by Bob Bartolotta
Voice vote: Ayes unanimous.
Motion passes 4/0

Meeting adjourned at 8:34 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.

Katherine Lloyd
Clerk

Frank J. Cipula
Chairman

7/14/15 kdl

Date Approved: 7-14-2015