

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

November 10, 2009

CALL TO ORDER: 8:03 pm
PRESENT: Chairman, Frank Cihula; Vice Chairman, John Klements
Ron Caporossi, Peter A. Kamis, Mark Kotoch
Clerk/Secretary, Joan Motuza

DISPOSITION OF MINUTES OF SEPTEMBER 8, 2009

MOTION: Mark Kotoch moved that the minutes be approved as corrected. Seconded by John Klements.
Roll Call: Ayes unanimous
Motion passes 5/0.

CORRESPONDENCE

10/5/09 Notice – No meeting October 13, 2009.
11/10/09 Email from Mayor Weger's office advising that Manakiki is a county agency and is exempt from the City's sign ordinances. (See September 2009 meeting correspondence.)
Invitations & Announcements of City events:
Breakfast with Santa – Saturday, December 12, 2009
Invitation to Grand Opening of Willoughby Hills Art Gallery, Wednesday, November 11, 2009.

CASE 2009-2

Bruce Matthews

37700 Milann Drive

Requests a variance to construct a detached garage with an 11.53' left side yard clearance and on the site of a previous garage foundation. Section 1133.10(f), Schedule 1133.10(b) of the Codified Ordinances requires 15' minimum setback from the side lot line. The previous garage was located 5.5' from the side lot line. The entire property is located in the "Area of Special Flood Hazard" and the requirements of Chapter 1169 Flood Hazard Precautions must be met.

The requirements of Chapter 1167 Protected Area Regulations, Section 1167.05(b)(1)A and 1167.05(b)(3) limit the ability to relocate the proposed garage 15' or more from the side lot line.

Notice was mailed to property owners within 500 feet of said property. Legal notice was published in The News-Herald on October 31, 2009. Drawings were available for review in the lobby of City Hall.

PRESENT: Bruce Matthews

Stated reason for variance request: Appellant distributed site plan drawing. In 2008 a tree fell on the garage and he removed structure. He is trying to improve the property and wants to replace the old garage by building a better structure. The previous garage had withstood several floods with no problems.

Drawing reference: Plans stamped received in the Building Department October 22, 2009.
Survey (Shade #6008) stamped received in the Building Department October 14, 2009.
Site Plan, stamped received in the Building Department August 7, 2009. (Babcock & Jones)
Permanent Easement for Storm Sewer Purposes information.
Flood Zone Map Panel #390323 0004 B.
Site Plan, distributed at meeting by appellant.

The entire property is in the "AREA of special flood HAZARD" and is subject to requirements of City of Willoughby Hills Ordinances Chapter 1169 Flood Hazard Precautions and Chapter 1167 Protected Area Regulations. The Board concluded that the only issue before them was a side line variance.

Appellant Matthews amended his request to a 10.5' left sideline clearance to allow for overhang.

Public Portion:

Fred Wyss – Building Commissioner & Flood Plain Administrator, City of Willoughby Hills – supported appellant's request.

Public Portion Closed

MOTION: John Klements moved that the Board approve Case #2009-2 as amended and grant a variance to the property located at 37700 Milann Drive to construct a detached garage 10.5 ft. from the left sideline on the site of a previous garage foundation. The following stipulations apply: That the project meets all the stipulations of Chapter 1167 and Chapter 1169 as determined by the appropriate regulating authorities.

Seconded by Mark Kotoch.

Roll Call: Ayes unanimous

Motion passes 5/0.

Appellant was advised to contact the Building Department and obtain required approvals and permits.

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.

MOTION: John Klements moved to adjourn the meeting. Seconded by Mark Kotoch.

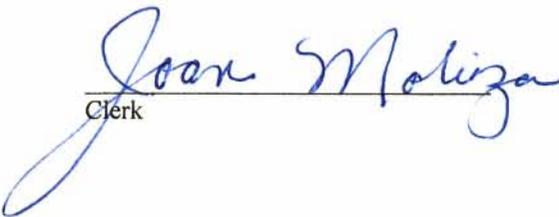
Voice vote: Ayes unanimous.

Meeting adjourned at 9:06 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: 1/12/10