

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

November 11, 2008

**CALL TO ORDER:** 8:15 pm  
**PRESENT:** Chairman, Frank Cihula; Vice Chairman, John Klements, Mark Kotoch  
Clerk/Secretary, Joan Motuza  
**ABSENT:** Peter Kamis, Joe Zawatski

**MOTION:** John Klements moved that the Board excuse the absence of Peter Kamis and Joe Zawatski.  
Seconded by Mark Kotoch  
Voice Vote: Ayes unanimous  
**Motion passes 3/0.**

**DISPOSITION OF MINUTES OF SEPTEMBER 9, 2008**

**MOTION:** Mark Kotoch moved that the Board approve the minutes as submitted.  
Seconded by John Klements  
Roll call: Ayes unanimous  
**Motion passes 3/0.**

**CORRESPONDENCE**

10/8/08 No meeting notice advising that appellant had requested postponement of Case 2008-5 until November 11, 2008 and that no other appeals were received.

**Case 2008-3 (Emerald Lake Center)**

9/29/08 From Richard Rosner – Requesting a copy of Resolution 2008-1 terminating the deed restrictions and copies of 7/8/08 minutes.

10/8/08 To Richard Rosner – fulfilling above request.

**Case 2008-5**

10/8/08 From Mike Khalil – requesting postponement of Case 2008-05 until November 11, 2008.

**CASE 2008-5**

**Mike Khalil**

**2902 SOM Center Road**

Requests a variance to construct an accessory building with a floor area of 1088 sq. ft. on a 1.0 acre lot. Section 1133.10(g) (1) of the Codified Ordinances limits accessory buildings to 600 sq. ft. floor area on lots 1.0 acre or less.

Notice was mailed to property owners within 500 feet of said property. Legal notice was published in The News-Herald on August 30, 2008. Drawings were available for review in the lobby of City Hall.

This case was heard on September 9, 2008 and postponed per Mr. Khalil's request until October and again until November 11, 2008.

PRESENT: Mike Khalil

Stated reason for variance request: See September 9, 2008 BZA minutes.

Drawing Reference: Mr. Khalil presented the Board with 3 pages of drawings Revision B dated 11/07/2008.

Appellant **amended his request** to 624 sq. ft. and stated that he would remove two existing storage sheds.

Public Portion:

No public input.

**Public portion closed.**

**MOTION:** Mark Kotoch moved that the Board approve Case 2008-5 as amended and grant a variance to the property located at 2902 SOM Center Road for a building not to exceed 624 sq. ft. with the stipulation that two existing sheds (10' x 10' and 5' x 4') be removed.  
Seconded by John Klements  
Roll call: Ayes unanimous  
**Motion passes 3/0.**

Appellant was advised to contact the Building Department.

**UNFINISHED BUSINESS**

Chairman Cihula advised that the recommendation for a proposed Code amendment sent to the Planning Commission by the BZA to change the definition of lot size to cover the legal description was not adopted by the Planning Commission.

**NEW BUSINESS**

Chairman Cihula stated that he considered drafting an amendment putting into the Code the Building Department rule of 7' clearance in 2<sup>nd</sup> floor accessory buildings but has not come up with appropriate wording.

**MOTION:** Mark Kotoch moved to adjourn; seconded by John Klements.  
Voice vote: Ayes unanimous  
**Motion passes 3/0.**

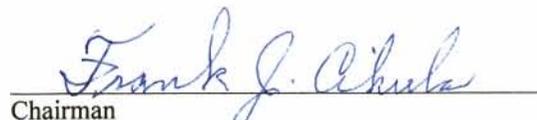
Meeting adjourned at 8:32 pm.

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 on audio tape and tapes 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: 