

MINUTES
BOARD OF ZONING APPEALS
October 16, 2017

The meeting of the Board of Zoning Appeals for the City of Mentor-on-the-Lake was called to order on October 16, 2017 by Chairman Al Buescher, at 7:00 p.m. in the Community Room at City Hall, 5860 Andrews Road.

ROLL CALL: Mr. Bittner
Mr. Buescher
Mr. Sweeney
Mr. May
Mr. Baranski

MOTION CARRIED 3/0

Also present –Mayor Eva
Paul Morris, Council Representative

APPROVAL OF THE MINUTES: June 19, 2017

MOTION made by Mr. Bittner and then a second by Buescher to approve the minutes.

ROLL CALL: Mr. Bittner
Mr. Buescher
Mr. Sweeney-abstain
Mr. May
Mr. Baranski-absent

MOTION CARRIED 3/0

OPEN TO THE PUBLIC: Michelle Moore of 7514 Fern Dr. appeared before the board to present a request for a patio overhang. Mrs. Moore was sworn in by Mr. Buescher. Mrs. Moore is asking for approval so that they can put a push roof over a concrete patio. The house is a colonial, and it already has the overhang that is 18-24 inches. To add the 6 foot would take it out beyond what is allowed distance from the house and the road. It would make it a finished roof over the patio. Mr. May asked, how far out does the concrete portion go. Mrs. Moore stated that the front of the house is 8 feet. Two feet is covered by the overhang. Mr. Buescher asked if this was a new colonial. Mrs. Moore stated that it was built in 1963. Mr. Buescher asked if the concrete pad was already in, and she stated that it was, and it is a slab. The originally drawing showed a drawing of 4 x 4 and it has been changed to a 6 x 6. The contractor will Mike's Home Improvement. Mr. Buescher asked if given a Zoning Permit, would this go through the county? Mrs. Moore stated that she did not think so. Mr. Buescher mentioned that if the 6 x 6 posts were on top of the slab, that slab is going to move in the winter. Mrs. Moore stated that they are going to be in front of the slab and concreted in. There was discussion among the commission. Mr. Sweeney asked if there were any other houses on the street that have an overhang. The answer was yes. There is a net of 51 feet from the edge of the road. Mr. Sweeney stated it will definitely make a difference in the appearance.

MOTION made by Mr. Bittner and a second by Mr. Sweeney to approve the variance as submitted.

ROLL CALL: Mr. Bittner
Mr. Buescher
Mr. Sweeney
Mr. May
Mr. Baranski-absent

MOTION CARRIED 4/0

COUNCIL REPRESENTATIVE REPORT: Mr. Bittner stated that there is a lot going on. The tax rate has been passed. The Lake Street project is winding down. The path behind City Hall has been approved. It has been completed funded. No cost to the City. A big ordinance on the agenda is to sell part of Yacht Street (10 feet) to Mr. Brizes. Mr. Buescher asked if it was allowed, and the Mayor stated that according to the Law Director we could sell 10 feet. This is on second reading. The 10 feet would allow him to have the correct grade that he needs rather than to have a retaining wall. Mr. Buescher asked if it was a fair price to the City. The Mayor stated it was a little over ten thousand. Mr. Brizes will have to submit plans to the City Engineer with the grade. Mr. Buescher asked how wide the easement is. The Mayor stated that it was 55. They will use the money that they get from Mr. Brizes to clean up the lot and to possibly get a walking path. Mr. Buescher mentioned that Mr. Gallagher will also want 10 feet. The Mayor mentioned that they will offer it to him as well. Mr. Buescher stated that everyone wins.

Mr. Buescher asked what ordinances is council looking at. Mr. Bittner stated that they are looking at the medical marijuana ordinance and there a few fire ordinances that are being looked at. Mr. Morris stated that they are trying to clean up the Cities fire prevention ordinances. They had three different codes that they could enforce by City ordinance. Mr. Morris shared about other areas in the Fire prevention codes that needed to be looked at as well.

OLD Business: None

NEW BUSINESS: Mr. Buescher asked should we look at 1252.08(f) covering residential with regards to non-conforming adjacent lots. Mr. Buescher mentioned with the previous decision on Iroquois Trail. Mr. Buescher made reference that this board is to overlook the 60 foot width requirement relative to adjacent non-confirming lots, because of the 11th District Court has consistently held it is unconstitutional. It prevents a dilemma for future requests. The Mayor mentioned that Mr. Bittner being present that he should take this to the ordinance committee. Mr. Buescher being familiar with this are, makes himself available to the ordinance committee.

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MOTION by Mr. Buescher to adjourn and a second by Mr. May to adjourn by acclimation.

APPROVED 2/19/18 _____
Date Chairman

ATTEST 1 Bill
Board of Zoning Appeals Clerk