



**BOARD OF BUILDING APPEALS
MINUTES OF THE PROCEEDINGS OF THE PUBLIC HEARING
MARCH 5, 2020**

The hearing was called to order at 5:45 P.M.

PRESENT: Board Members Marie Albano, Craig Catanzarite, Michael Lamb, Tim Coyne, (there is a vacant seat on the board)
ALSO PRESENT: Clerk of Commissions Nicolette Sackman and Law Director Michael Maloney

ELECTION OF OFFICERS

Motion: Mr. Coyne moved, seconded by Dr. Albano to elect Michael Lamb Chairman, Marie Albano Vice Chairman, and Craig Catanzarite Secretary.

ROLL CALL:

Yeas: Albano, Lamb, Coyne, Catanzarite
Nays: None, motion carried

SELECTED CORRESPONDENCE

2/6/20 memo from Director of Inspections, Don Grayem.

Docket 2020-01

Applicant: Welcome House

Premises: 26082 Hilliard Blvd., PP#213-19-033, Ward 1

Applicant appeals decision of the Director of Inspections regarding: Westlake Codified Ordinance §1303.06 which prohibits the use of type 5 construction. Although the existing structure is currently considered a residence, the current use of the structure is R-3 and the proposal is to add a sixth resident which would make this use an R-4. This is considered a change of use, which is permitted by the state code, but not permitted by the City of Westlake's local ordinances without a variance. WCO §1303.06 prohibits the use of type 5 construction for any commercial use other than newly constructed single story office building. **A variance to allow type 5 construction for a change of use from an R-3 to an R-4 use group.**

Mr. Fogel, architect, and Mr. Thomas, Executive Director of Welcome House, were sworn in by Mr. Maloney. They explained the proposal to construct an addition that is 360 sf and remodel the interior of the house to add a sixth resident. The kitchen and great room will be remodeled and reconfigured to change the interior layout for better use of the space. Part of the remodel is to add a bedroom for a sixth resident. Other revisions will be for the exterior ADA entrance ramps. They have been located in this house since 2011. Mr. Fogel explained that the Ohio Building Code permits the use of Type 5 wood construction but the city's building code does not, so a variance is necessary. The addition of a sixth resident turns the use into an R-4 use group. He explained the fire alarms and sprinkler system are being upgraded due to the use change and he explained the systems fire rating. The use and activities within the household will remain the same and they wish to be able to add a sixth resident. There will

be a maximum of six residents. *Note: “Welcome House, Inc. is dedicated to helping individuals with developmental disabilities live full and rewarding lives by providing a variety of residential services in an atmosphere of a caring community.”*

Members of the board questioned and discussed with the applicant the operations, ages of the residents, and proposed improvements to the house. The addition will match the existing architecture and is at the rear of the house, so it will not be visible from the street. There are no other building or zoning variances needed. The existing patio will be extended since the addition will be located in the location of the existing patio. There will be no increase to the safety forces and the fire department conducts annual inspections of the fire prevention system.

Director of Inspections, Don Grayem, sworn in by Mr. Maloney, explained the Ohio Building Code permits this type of construction material for this use. The city has exceptions to a few of the Ohio Building Codes, which are stricter. He explained with five residents the use falls under a residential use. A sixth resident changes the use that is technically a commercial use, even though the use is for residential purposes. Per the Westlake Building Code, commercial uses cannot have Type 5 wood construction so existing houses that were converted into business, would not be permitted to happen under current code. This building material and the increase of one resident is why a variance is necessary as it changes the technical type of use. Mr. Grayem was not opposed to the proposal.

Members of the board adjourned to deliberate at 6:07 pm and returned at 6:17 pm.

Motion: Mr. Lamb moved, seconded by Dr. Albano to approve a variance to allow type 5 construction for a change of use from an R-3 to an R-4 use group.

ROLL CALL:

Yeas: Albano, Lamb, Coyne, Catanzarite

Nays: None, motion carried

MISCELLANEOUS – None

APPROVAL OF MINUTES

Motion: Mr. Lamb moved, seconded by Dr. Albano to approved the September 11, 2017

ROLL CALL:

Yeas: Albano, Lamb, Coyne, Catanzarite

Nays: None, motion carried

ADJOURNMENT

Chairman Lamb adjourned the meeting at 6:20 P.M.

Michael Lamb, Chairman

Nicolette Sackman MMC, Clerk of Commissions

Approved: _____