

June 8, 2015

Lyndhurst, Ohio
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The Board of Zoning Appeals of the City of Lyndhurst met in Regular Session on Monday, June 8, 2015 at 7:30 p.m., in the Council Chamber of the Lyndhurst Municipal Center, 5301 Mayfield Road.

Members Present: Lesley Gordon, Chair
David Bader, Kimberly Colich,
Frank Novak, Russell Warren

Others Present: Ray Schmidlin, Assistant Law Director
Larry Puskas, Building Inspector
Clarice J White, Secretary

It was moved Ms. Colich, seconded by Mr. Novak that the reading of the minutes of the Regular Meeting held May 11, 2015, copies of which were mailed to all members, be dispensed with and said minutes stand approved as circulated.

The question was put to a voice vote and passed with Mr. Warren abstaining.

Motion carried.

Mr. Schmidlin, Assistant Law Director gave an overview of procedures.

Case No. 2015-02

Request of Perrino Builders, representing Stephen and Laura Imbornoni of 330 Eagle Point Drive, for a variance from the provisions of Chapter 1323.03 of the Building Code. The applicants request up to and not to exceed eleven (11) additional feet of driveway width variance. The widening will be more than the allowed forty (40) percent of the average width of the front yard area (allowed twenty (20) feet).

Grounds for appeal and Chapter 1323.03 were read by Mr. Bader, Secretary

Letters of invitation were sent to all pertinent property owners, a copy of which is made part of the permanent file.

Mr. Puskas stated no letters were received in answer to the notification sent, however, a memo from the Chief Building Official, dated June 2, 2015 was read, along with three letters from neighbors stating their support of the granting of the variance. All letters will remain part of the permanent file.

The following witnesses signed the register and were sworn in by Mr. Schmidlin:

Steve Imbornoni, 330 Eagle Point Drive

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Brian Perrino, Perrino Builders, 32329 White Rd
Ellen Weber, 320 Eagle Point Drive
Laura Imbornoni, 330 Eagle Point Drive

Mr. Brian Perrino, of Perrino Builders, testified that proposed plan is revised from the previous presentation to the Board of Zoning Appeals in May.

In answer to Mr. Warren's question, Mr. Perrino testified that the proposed driveway extension will be of the same material as the driveway. Mr. Puskas reiterated that it must be of the same material, according to code.

In answer to Ms. Colich's question, Mr. Perrino testified that two additional cars can fit in the proposed extended driveway.

Mr. Perrino then testified that there is very limited parking in the development, especially in the cul-de-sac area.

In response to Mr. Warren's question regarding the Imborninis conducting a business from their home, Mrs. Imbornoni, appellant, 330 Eagle Point Drive, testified that she plans on teaching yoga to small groups. She further testified that the classes would consist of no more than five (5) people, a couple times a week. She further testified that she sent an email to the residents of the street, informing them of her plans. She then testified that she feels the bigger parking problem arises when she and her husband have get-togethers or study groups at the house, and that there are eight (8) houses on the cul-de-sac, which would make parking difficult if more than one resident on the cul-de-sac would have a get-together.

Ms. Colich stated she feels that the planners of this development may have been short sighted in regards to parking issues. She further stated she feels this Board should not have to alleviate the short sightedness of the development. She further stated that other homeowners in this development will have the same problem, and feels that many homes will have their front yard covered in concrete to add more parking.

Mr. Perrino testified that some lots have a frontage of sixty (60) feet, but there is very limited space for parking on the cul-de-sac. He further testified that he has heard of talk with the developer regarding lack of parking.

Ms. Colich stated she prefers this proposed plan instead of the first proposal due to the angle of the proposed driveway extension.

In answer to Mr. Bader's question regarding the proposed rendering showing a brick walkway, Mr. Perrino testified that this is just an artistic rendering which he was advised to submit differentiating the walkway and the proposed driveway extension.

Mr. Steve Imbornoni, appellant, 330 Eagle Point Drive, testified that they are very involved in various committees and boards and therefore host many meetings in their home, which is the main reason for the requested variance. He then testified that he was not at all

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happy with the first proposed driveway extension plan presented to the board; but would much rather see this proposal be granted.

Ellen Weber, 320 Eagle Point Drive, testified that she lives right next door, and is in support of the granting of the variance. She further testified that she has every confidence that the Imbornonis are concerned about the aesthetics of the proposed driveway extension, and is confident that they will landscape it accordingly.

Mr. Bader recommended that the lower portion of the proposed extension be removed at the five (5) foot easement line, to provide for more green space at the street line. He explained that with the elimination of the lower portion, the lines can be softened, and it would allow for the same amount of parking; two more vehicles to be parked at an angle.

FINDINGS

The Board finds that:

1. The lot in question is a pie shaped lot, narrow in front.
2. Most of the lots in that development are irregular in some way.
3. A letter of approval from the Acacia Homeowners' Association was submitted with the initial application.
4. There were no objections from property owners, in fact, letters were received in support of the variance request.
5. There were no objections from anyone attending the meeting this evening.
6. The length of the existing driveway is creating the hardship.
7. There is only street parking for one car due to the narrowness of the lot.
8. The proposed driveway extension material will be of the same material as the existing driveway.

It was moved by Mr. Novak, seconded by Mr. Bader that recommendation be made to Council to grant requested variance in Case No. 2015-02, based on the above findings and following condition:

1. To start the taper of the proposed driveway addition at the eleven (11) foot widening at the five (5) foot easement (twenty-five (25) feet from face of the existing garage) to facilitate more landscaping between the angled driveway widening and the curb line.

Roll Call:

Yeas: Gordon, Bader, Colich, Novak, Warren

Nays: None.

Motion carried.

It was moved by Ms. Colich, seconded by Ms. Gordon that the meeting be adjourned.

The question was put to a voice vote and passed unanimously.

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Motion carried, meeting
adjourned at 8:15 p.m.

Lesley Gordon, Chair

Approved: _____

Attest: _____