

March 14, 2016

Lyndhurst, Ohio
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The Board of Zoning Appeals of the City of Lyndhurst met in Regular Session on Monday, March 14 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: Ray Schmidlin, Assistant Director of Law
John Maichle, Building Commissioner
Clarice J. White, Acting Secretary

It was moved by Ms. Colich seconded by Mr. Novak that the reading of the minutes of the Regular Meeting held November 9, 2015, copies of which were distributed to all members, be dispensed with and said minutes stand approved as circulated.

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

Motion carried.

Mr. Schmidlin gave an overview of proceedings.

Case No. 2016-01

Request of Eli Mahler, Architect, representing Thomas Sluiter of 1567 Clubside Road, for a variance from the provisions of Chapter 1160.04 (1) A of the Planning and Zoning Code, to allow more than one attached garage on a single lot.

Grounds for appeal and Chapter 1160.04 (1) A were read by Mr. Bader.

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

Mr. Maichle stated no letters were received in answer to the notification sent.

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

Eli Mahler, Architect, 3947 W. Ash Ln, Orange
Tom & Rene Sluiter, 1567 Clubside Rd
Jim Lawless, 6270 Maypine Farm, Highland Hts
Roger Mastroianni, 4884 Middledale Rd
Jim Lawless, 4908 Middledale Rd

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Mr. Bader stated that the existing garage is approximately five hundred fifty (550) square feet; the code allows for one garage on the property and to be no larger than seven hundred seventy-five (775) square feet. He further stated that the total square footage of both garages, the existing and the proposed, exceed the seven hundred seventy-five (775) square feet.

Rene Sluiter, Appellant, 1567 Clubside Road, testified that the property in question is on a corner lot and larger than normal. She further testified that the address is on Clubside Road however, the driveway is on Middledale Road, and that the existing garage is not visible driving from the west; the proposed addition can be seen driving east. She also stated that the proposed addition (garage) materials would match the existing structure. She then explained that her parents just sold their home on Middledale Road and her mother is in need of care. She further explained that she is her mother's primary caregiver, and wants her mother close for the needed care. She also testified that the proposed addition would not have any steps and is wheelchair accessible, as her mother uses a walker and may soon be in a wheelchair.

In answer to Mr. Bader's question, Ms. Sluiter testified that the existing and proposed garage doors would face each other, and be identical.

Mr. Eli Mahler, Architect, 3947 West Ash Lane, Orange Village, testified that he was asked to design the space. He then testified that all materials and aesthetics will match existing.

In answer to Mr. Bader's questions, Mr. Mahler testified that the proposed addition is single story, and will have no cooking facilities.

In answer to Ms. Gordon's question, Mr. Mahler testified that there will be no new curb cuts; the existing driveway will be used; some additional concrete will be added in front of the proposed garage. He also testified that there will be direct access from the proposed garage to the proposed new addition.

Mr. Tom Sluiter, Appellant, 1567 Clubside Road, testified that he has an existing garage which is relatively small; it is a one and a half (1 ½) car garage, and there is no shed in his yard.

In answer to Mr. Schmidlin's questions, Mr. Sluiter testified that as of now, two (2) people live in the home in question, and there are two (2) cars.

Mr. Bader stated that this lot is a one acre lot, probably a bit more.

FINDINGS

The Board finds that:

1. Motorists would only see one garage when travelling in each direction.
2. A special condition does exist, which is the inability to enter the dwelling unit from the same level as the existing garage.
3. There were no objections from abutting property owners.

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4. The appellants are not requesting additional curb cuts or a larger apron to access the proposal; the existing driveway will be used.
5. All other side yard and setback requirements are being met.
6. All new building materials will match existing.
7. This lot is irregularly shaped, on a corner and is over an acre.

It was moved by Mr. Novak, seconded by Mr. Bader that recommendation be made to Council to confirm the decision of the Board to grant requested variance based on the above findings.

Roll Call: Yeas: Gordon, Bader, Colich, Novak, Warren
Nays: None.

Motion carried.

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

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

Motion carried, meeting
adjourned at 8:02 PM

Lesley Gordon, Chair

Approved: _____

Attest: _____