

April 11, 2016

Lyndhurst, Ohio  
April 11, 2016

The Board of Zoning Appeals of the City of Lyndhurst met in Regular Session on Monday, April 11, 2016 at 7:30 p.m., in the Council Chamber of the Lyndhurst Municipal Center, 5301 Mayfield Road.

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

Member Absent: Kimberly Colich

Others Present: Ray Schmidlin, Assistant Law Director  
John Maichle, Building Commissioner  
Clarice J. White, Acting Secretary

It was moved by Mr. Novak, seconded by Mr. Warren that the reading of the minutes of the Regular Meeting held March 14, 2016, 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 unanimously.

Motion carried.

Mr. Schmidlin gave an overview of proceedings.

**Case No. 2016-02**

**Request of Michael Gale of 1074 Roland Road, for a variance from the provisions of Section 1160.05 of the Planning and Zoning Code. The proposed sun room addition would encroach approximately eleven (11) feet into the forty (40) foot minimum rear yard required setback for a single family home in the ten thousand (10,000) square foot zoning district.**

Grounds for appeal and Chapter 1160.05 were read by Mr. Bader.

Letters of invitation were mailed 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 witness signed the register and was sworn in by Mr. Schmidlin:

Michael Rosenlieb, Better Living Sun Rooms (no address given).

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Mr. Rosenlieb, Builder for Mr. Gale, testified that the lot in question is wider than it is deep, which hinders use of the rear yard.

It was explained that originally, this property was one lot and fronted on Ridgebury Boulevard. The lot was split into two parcels for purposes of building two single family homes facing Roland Road.

In answer to Mr. Warren's question, Mr. Rosenlieb testified that the proposed addition is a three (3) season room, and will not be heated.

Mr. Bader stated that due to the existing six (6) foot high fence along the western property line of the neighboring house, the proposed addition would not be visible to the neighboring property.

In answer to Ms. Gordon's questions, Mr. Rosenlieb testified that all materials to be used on the proposed addition will match existing. He then testified that there will be a concrete landing pad at the base of the steps from the proposed addition.

Mr. Bader explained that this proposal was before the Architectural Board of Review last week. The comments made at that meeting were communicated back to the owner. He then stated that if the variance is granted this evening, and Council confirms, the plans will then have to be re-reviewed by the Architectural Board of Review for approval.

## **FINDINGS**

The Board finds that:

1. There were no objections from abutting property owners.
2. The original lot was on Ridgebury Boulevard and subdivided to create two legal lots facing Roland Road. The reconfiguration of these lots has limited the rear yard size, which creates a hardship.
3. The granting of the variance would not hinder any access for water, utilities or safety.
4. The neighbors in the rear of the property have an existing six (6) foot high stockade fence.
5. There is no additional hard surfaces being requested; only the concrete pad at the base of the steps leading down from the proposed addition (sun room).

It was moved by Mr. Bader, seconded by Mr. Warren that recommendation be made to Council to confirm the decision of the Board to grant requested variance, bases on the above findings and following condition:

1. That the final plans for the proposed sun room be reviewed and approved by the Architectural Board of Review.

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

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Motion carried.

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

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

Motion carried, meeting  
adjourned at 8:00 p.m.

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Lesley Gordon, Chair

Approved: \_\_\_\_\_

Attest: \_\_\_\_\_