

February 25, 2016

Lyndhurst, Ohio
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The Planning Commission of the City of Lyndhurst met in Regular Session on Thursday, February 25, 2016 at 7:30 p.m., in the Conference Room of the Lyndhurst Municipal Center, 5301 Mayfield Road. Mayor Patrick A. Ward presiding.

Members Present: Commissioners: V F DeCrane, S A Jones,
D J Sirk, D A Frey, P A Ward

Others Present: P Murphy, Director of Law
L Puskas, Building Inspector
C J White, Secretary

It was moved by Councilman Frey, seconded by Mr. DeCrane that the reading of the minutes of the Regular Meeting held January 28, 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.

Review Proposed Ordinance No. 2016-07:

An ordinance amending Section 1110.02 of the Planning and Zoning Code of the City titled "Membership."

Mr. Murphy gave an overview of the proposed ordinance stating that the passage of this ordinance legitimizes the practice of having a way to appoint alternates to attend the Planning Commission meeting if the chairman (mayor) or council representative will be absent. He explained that the vice mayor would act in the chairman's (mayor's) stead, if the chairman cannot attend; if the council representative to the commission cannot attend, then the vice mayor would appoint another council person to attend for that meeting. He further explained that no alternates can be chosen for the citizen membership should any one of them be absent.

Review Proposed Ordinance No. 2016-08

An ordinance amending Section 1154.02 of the Planning and Zoning Code of the City titled "Organization."

Mr. Murphy explained that this proposed ordinance refers to The Board of Zoning Appeals, which allows the mayor to appoint a member from the Architectural Board of Review to act as an alternate to The Board of Zoning Appeals, if a regular member should be absent.

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Councilman Frey stated that this particular proposed ordinance, referring to Proposed Ordinance No. 2016-08, may set a precedence for a lack of consistency on the Board of Zoning Appeals.

Mr. Murphy stated that is always a possibility whenever you have more than one elected or appointed board made up of officials.

Mayor Ward explained that if two or more members are out for an extended period of time, this ordinance helps alleviate the problem of residents having to wait for a full board or a quorum, which may cause undue hardship to the homeowner.

Mr. Jones asked if members not showing up regularly to fulfill their duties on the boards or commissions, and if that is the case, asked about the provisions for removing that member.

Mayor Ward explained that the members of the board and commissions serve at the mayor's pleasure, with Council's approval for the Planning Commission; the mayor has the authority to hire and dismiss.

Mr. Murphy also stated that there are no ongoing attendance problems with members of any board or commission. The legislation presented tonight is just for a guarantee of a full board or commission if it is needed.

It was moved by Mr. Sirk, seconded by Councilman Frey that recommendation be made to Council to approve Ordinance Nos. 2016-07 and 2016-08 as written.

Roll Call: Yeas: DeCrane, Jones, Sirk, Ward, Frey
Nays: None

Motion carried.

Continue review of Chapter 1329, Fences: 1329.03 Side Yard Fences and 1329.011 Types of Permitted Fences, of the Building Code.

Mr. Sirk stated he spoke with many of his neighbors regarding fences, and the results were interesting. He explained that about half the homeowners he spoke with said they wanted their yards enclosed with a stockade type fence, and about half said they liked the openness of the neighborhood without fences.

Mayor Ward again explained that language was changed in the code to allow six (6) foot high fences, and that it is interpreted so that a fence in the side yard, which is between two structures, is fifty (50) percent open, but that on the side lot line, in the rear portion of the yard, the fence could be solid.

In answer to Mr. Sirk's question, Mayor Ward explained that the code was changed due to the amount of homeowners requesting six (6) foot high fences at the Board of Zoning Appeals. He further explained that other wording became muddled, and that is the reason this

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issue is before the Planning Commission. He stated that solid fences were only permitted on corner lots. He then stated he would like to see, and felt that this was Council's intent, board on board style (fifty percent open) in the side yard line and the side lot line.

It was moved by Mr. DeCrane, seconded by Mr. Jones that recommendation be made to Council to modify Chapter 1329.03, Fences, to allow only board on board type fences (fifty percent open) in the side yard to the side lot line to the rear yard of residential properties.

Roll Call: Yeas: DeCrane, Jones, Sirk, Ward, Frey
 Nays: None.

Motion carried.

It was moved by Mr. Sirk, seconded by Mr. Jones that the meeting be adjourned.

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

Motion carried, meeting
adjourned at 8:05 p.m.

Chairman

Approved: _____

Attest: _____