

Lyndhurst, Ohio  
June 10, 2019

The Board of Zoning Appeals of The City of Lyndhurst met in Regular Session on Monday, June 11, 2019 at 7:00 p.m., in the Council Chamber of the Lyndhurst Municipal Center, 5301 Mayfield Road.

Members Present: Lesley Gordon, Chair  
David Bader, Jeff Henfling,  
David Kaplan, Russell Warren

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

It was moved by Mr. Kaplan, seconded by Mr. Henfling that the reading of the minutes of the Regular Meeting held May 13, 2019, 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. 2019-02**

**Request of Mr. Gary Tanner of 1843 Brainard Road for an area variance from the provisions of Chapter 1160.04 of the Planning and Zoning Code, to erect a second garage on a residential parcel. Chapter 1160.04 prohibits more than one garage on any one lot, whether attached or detached.**

Grounds for appeal and Chapter 1160.04 was read by Mr. Kaplan, secretary.

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 responses were received in answer to the notification sent.

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

Gary Tanner, 1843 Brainard Road  
Duane Schreiner, Contractor, 1635 Wood Road, Cleveland Heights  
Leonard Miller, 1848 Bremerton Road  
David Nulick, 1892 Bremerton Road

Mr. Gary Tanner, appellant, 1843 Brainard Road, testified that he purchased the home in 2012, and the driveway is narrow and long, and turns left into the garage. He further testified that a previous owner had put protruding steps in the garage which takes up a lot of space. He then testified that he has three (3) vehicles plus yard tools/equipment to store, which the existing two (2) car garage is too small to store everything.

Mr. Duane Schreiner, Contractor, 1635 Wood Road, testified that he had submitted dimensions of the proposed new garage.

In answer to Mr. Bader's question regarding the drawing which shows an eave line of seven (7) feet, which should be larger, Mr. Schreiner testified that the eave line should be eight (8) feet; the proposed garage will have an eighteen (18) feet wide by seven (7) foot high garage door.

In answer to Mr. Henfling's question, Mr. Schreiner testified that the existing garage is approximately twenty-one (21) feet deep, and the garage door is approximately sixteen (16) feet.

Mr. Bader stated that this particular property is approximately one third of an acre, thirteen thousand five hundred (13,500) square feet, a bit larger than the average property in Lyndhurst. He further stated that with the square footage of the property, a seven hundred seventy-five square foot garage could be built; the square footage of the proposed garage is five hundred ninety-four (594) square feet.

In answer to Mr. Henfling's question, Mr. Tanner testified it is his intent to use the existing garage as well.

Ms. Gordon stated that one of the findings that is prominent in the history of requests for two (2) garages is if two (2) garages can be seen from the road; which in this case, just the proposed garage would be visible from the street.

In answer to Mr. Kaplan's question regarding expanding the existing garage, Mr. Schreiner testified that the cost would be prohibitive and it would be impossible to increase the depth of the existing garage.

Mr. Bader stated that if the existing garage were to be expanded, a full depth foundation would have to be installed due to the fact that it is attached to a habitable building.

Mr. Tanner testified that there is a sewer in front of the existing garage, and the sewer and concrete around it is sinking. He testified that the drain, drain lines, catch basin and concrete will be replaced. Mr. Schreiner testified that the new gutter drains from the proposed garage will also be tied into the drain which will be replaced.

Mr. Tanner stated that the existing house will be painted, and the proposed new garage will match.

Leonard Miller, 1848 Bremerton, testified that he has no objection to the granting of the variance.

David Nulick, 1842 Bremerton, testified that he lives right behind the property in question, and has no objections to the granting of the variance. He then asked to see samples of the colors and materials to be used.

Mr. Schreiner then presented samples of colors and materials to be used.

### FINDINGS

The Board finds that:

1. There were no objections from abutting property owners; in fact two (2) neighbors came to support Mr. Tanner.
2. The proposed structure is in the setback requirements.
3. From the street view, it would appear that there is one garage on this property.
4. The property in question is larger than the average Lyndhurst lot.
5. The proposed color and material samples will match the existing house.

It was moved by Mr. Bader, seconded by Mr. Kaplan 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, Henfling, Kaplan, Warren  
Nays: None.

Motion carried.

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

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

Motion carried, meeting  
adjourned at 7:30 p.m.

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Lesley Gordon

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

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