

ORDINANCE NO. 2016 – 08 (AMENDED)
INTRODUCED BY: ADMINISTRATION

**AN ORDINANCE AMENDING SECTION 1154.02 OF THE
PLANNING AND ZONING CODE OF THE CITY TITLED
“ORGANIZATION”**

WHEREAS, an amendment to the City’s Planning and Zoning Code with regard to Organization of the City’s Board of Zoning Appeals has been referred to the Planning Commission for review; and

WHEREAS, the Planning Commission reviewed the proposed amendment on February 25, 2016, and unanimously approved this amendment to the City’s Planning and Zoning Code; and

WHEREAS, the same has been submitted to this Council for consideration, and for adoption upon the recommendation of the Lyndhurst Planning Commission; and

WHEREAS, all public hearings have been conducted, and all necessary public notices have been made and copies provided for public review. Now, therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LYNDHURST,
CUYAHOGA COUNTY, STATE OF OHIO, THAT:**

SECTION 1. Section 1154.02 of the Planning and Zoning Code of the City entitled “Organization,” and referring to the City’s Board of Zoning Appeals, is hereby amended to read as follows (new material appears like THIS; deleted material appears like ~~this~~):

1154.02 ORGANIZATION.

(a) The Board shall consist of five citizens of the City appointed by the Mayor and confirmed by Council. At least three members of the Board shall be duly registered architects or engineers, registered by the State. Appointments shall be made for a period of three years commencing with the expiration of existing terms.

Members of the Board of Zoning Appeals who are architects may serve as members of the Architectural Board of Review provided for in Section 175.01 of the Administration Code. However, members of such Board of Zoning Appeals shall not serve in any other position or office of the City.

(b) The Board shall elect its own Chairperson, Vice-Chairperson and Secretary.

(c) The Mayor may remove any member for cause and shall appoint a new member to fill the unexpired term of a member whose place has become vacant.

(D) IF THE MAYOR BECOMES AWARE THAT A MEMBER OR MEMBERS OF THE BOARD MAY NOT BE PRESENT FOR A MEETING, THE MAYOR MAY APPOINT A MEMBER OR MEMBERS OF THE CITY’S ARCHITECTURAL BOARD OF REVIEW TO SERVE AS AN ALTERNATE MEMBER IN THE ABSENT MEMBER’S STEAD FOR THAT MEETING ONLY. SAID APPOINTMENT SHALL BE IN WRITING. SUCH ALTERNATE MEMBER SHALL MEET THE SAME APPOINTMENT CRITERIA AS A REGULAR MEMBER. WHEN ATTENDING A MEETING ON BEHALF OF AN ABSENT MEMBER, THE ALTERNATE MEMBER MAY VOTE ON ANY MATTER IN WHICH THE ABSENT MEMBER IS AUTHORIZED TO VOTE. AN ALTERNATE MEMBER WILL NOT PARTICIPATE UNLESS A SPECIFIC NOTICE IS ANNOUNCED AT THE BEGINNING OF THE MEETING.

SECTION 2. All other provisions of Sections 1154.02 of the Zoning Code of the City not specifically amended or repealed herein shall remain in full force and effect.

SECTION 3. The Council finds and determines that all formal actions of this Council relating to the adoption of this Ordinance have been taken at open meetings of this Council; and that deliberations of this Council and of its committees, resulting in such formal action, took place in meetings open to the public, in compliance with all statutory requirements including the requirements of Section 121.22 of the Ohio Revised Code.

SECTION 4. This Ordinance shall take effect at the earliest time allowed by law.

PASSED: April 4, 2016

MAYOR

VICE-MAYOR

ATTEST: _____
Clerk of Council

I, the undersigned Clerk of Council of the City of Lyndhurst, hereby certify that there is no newspaper published or having an office of publication in said City, and that I published the foregoing Resolution by advertising the same by title on one day in each of two consecutive weeks in a newspaper of general circulation in said City, on April 14, 2016 and April 21, 2016.

Clerk of Council

First Reading: February 1, 2016

Second Reading: February 15, 2016

Third Reading: March 7, 2016