

Lyndhurst, Ohio
November 13, 2017

The Board of Zoning Appeals of the City of Lyndhurst met in Regular Session on Monday, November 13, 2017 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

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

It was moved by Mr. Warren, seconded by Mr. Novak that the minutes of the Regular Meeting held October 9, 2017, 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. 2017-07

Request of McNulty Roofing on the behalf of Phyllis Valore of 1377 Brainard Road, for a variance from Section 1160.05 of the Planning and Zoning Code. The variance request is for a proposed new five (5) foot wide concrete patio to be installed and encroach three (3) feet into the front setback, as well as a proposed roof which will extend the depth of the patio. The minimum front yard setback for that parcel is fifty (50) feet, which is noted on the zoning map of the City.

Grounds for appeal and Section 1160.05 was 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.

The following witness signed the register and was sworn in by Mr. Schmidlin:

Justin Ulrich, 5551 Wilson Mills Road, Highland Heights

In answer to Ms. Gordon's question regarding photos of the location of the proposed project, Mr. Maichle stated the photos submitted did not show an explicit view of the location

nor the neighbor's existing patio in the front of the house. He further stated that the photo does show an overhang on the neighboring house, similar to Mr. Ulrich's request. He then stated that if this variance request is approved, it would be on the Architectural Review Board's agenda for consideration.

Justin Ulrich, representative of McNulty Roofing, testified that the homeowners are elderly, and would like a place in the front of the house to sit and watch the goings on in the neighborhood. He further testified that the existing tree lawn is nineteen (19) feet wide, and that the rooflines along that street go the length of the house, and this proposal would be in keeping with the existing rooflines. He also testified that the neighbor's house has a very similar roof line to what is being proposed tonight.

In answer to Ms. Gordon's question, Mr. Maichle stated that the setback line is measured from the inside of the sidewalk, closest to the house. Mr. Bader also responded by saying that the house is set back fifty-two (52) feet from the sidewalk, which is the reason they are asking for a three (3) foot variance.

In answer to Ms. Gordon's question regarding steps, Mr. Ulrich testified there would be no steps, but be at the same grade as the walk up.

In answer to Mr. Warren's question, Mr. Maichle stated that the neighbor does have an existing slab on grade patio in the front of their house.

Mr. Bader stated that the reason he believes that this is being referred to as a porch is possibly due to the proposed roof. He then stated that the proposed patio will have an aluminum railing; a photo of the proposed railing was presented.

Ms. Gordon stated that due to the large tree lawn and the sidewalk, it gives the house the appearance of being set back further than fifty (50) feet, and doesn't feel it is a significant variance request.

In answer to Ms. Gordon's question, Mr. Ulrich testified there will be an opening in the railing to access the front door area.

In answer to Mr. Bader's question, Mr. Ulrich testified that the proposed roof will match the existing roof pitch.

FINDINGS

The Board finds that:

1. There were no objections from abutting property owners;
2. The variance request is a minimal request;
3. The proposed roof will be reviewed by the Architectural Review Board;
4. The existing tree lawn is nineteen (19) feet wide, which gives the house the appearance of further depth;

5. The requested variance if granted, will not be detrimental to the neighboring homes.

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

Motion carried.

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

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

Motion carried, meeting
adjourned at 7:50 p.m.

Lesley Gordon, Chair

Approved: _____

Attest: _____