

May 13, 2019

Lyndhurst, Ohio  
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The Board of Zoning Appeals of The City of Lyndhurst met in Regular Session on Monday, May 13, 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. Bader, seconded by Mr. Kaplan that the reading of the minutes of the Regular Meeting held December 10, 2018, 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 with Ms. Gordon and Mr. Henfling abstaining.

Motion carried.

It was moved by Mr. Bader, seconded by Mr. Warren to elect Ms. Gordon as Chair for the year 2019.

Roll Call: Yeas: Gordon, Bader, Henfling, Kaplan, Warren  
Nays: None.

Motion carried.

It was moved by Mr. Bader, seconded by Ms. Gordon to elect Mr. Warren as Vice Chair for the year 2019.

Roll Call: Yeas: Gordon, Bader, Henfling, Kaplan, Warren  
Nays: None.

Motion carried.

It was moved by Mr. Bader, seconded by Mr. Henfling to elect Mr. Kaplan as Secretary for the year 2019.

Roll Call: Yeas: Gordon, Bader, Henfling, Kaplan, Warren  
Nays: None.

Motion carried.

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Mr. Schmidlin gave an overview of proceedings.

**Case No. 2019-01**

**Request of Rebecca Arhar of 5164 Bridgewater Road for an area variance from the provisions of Chapter 1160.05 of the Planning and Zoning Code. The request is to build a front porch which will encroach fourteen (14) feet into the minimum required forty (40) foot front yard setback.**

Grounds for appeal and Chapter 1160.05 were 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 witness signed the register and was sworn in by Mr. Schmidlin:

Rebecca Arhar, Appellant, 5164 Bridgewater Road.

Ms. Arhar, property owner and appellant, previously presented to the Board photographs of similar existing porches in her area which she is proposing. Ms. Arhar testified that her front steps have cracked and due to the amount of damage, they have to be replaced. She then asked the Board if they would like to see pictures of the damaged front steps which are on her phone. She further testified that due to the cracked front steps, she has no access to her front door, and is proposing to build the front porch with the steps leading to the driveway, so as not to further encroach into the front yard setback. She also testified that the proposed porch would be more aesthetically pleasing than front steps alone.

Mr. Bader stated that he remembered a similar case on Bridgewater, and that most of those homes on that street do not have a forty (40) foot front setback due to the placement of the houses. He then stated that the original stoop at the property in question, 5164 Bridgewater Road, encroached further into the required setback than the proposed porch would. He then recommended landscaping along the proposed porch.

**FINDINGS**

The Board finds that:

1. All homes in the area are existing, non-conforming in regards the forty (40) foot setback.
2. Based on the time the house was built, the house and its porch would have conformed to the prior setback requirement.

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3. Replacing the front steps to their previous integrity would not require a variance; however, the encroachment of the proposed porch into the front setback will be less than building a new front stoop due to the placement of the steps.
4. The proposed porch will extend four (4) feet from the front door.
5. The proposed porch will extend from the front door to the driveway, not the entire length of the house.
6. The proposed porch will improve the aesthetics of the house, which also provides more space for landscaping.

It was moved by Mr. Bader, seconded by Mr. Henfling that recommendation be made to Council to confirm the decision of the Board in Case No. 2019-01 to grant the requested variance based on the above findings.

Roll Call: Yeas: Gordon, Bader, Henfling, Kaplan, Warren  
Nays: None.

Motion carried.

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

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

Motion carried, meeting  
adjourned at 7:26 p.m.

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Lesley Gordon, Chair

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

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