

**ORDINANCE NO. 2022-77
INTRODUCED BY: ADMINISTRATION**

**AN ORDINANCE AMENDING SECTION 1150.09 OF THE
ZONING CODE OF THE CITY TITLED “DEFINITIONS”**

WHEREAS an amendment to the City’s Planning and Zoning Code with regard to Definitions has been referred to the Planning Commission for review; and

WHEREAS the Planning Commission has reviewed and 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 1150.09 of the Codified Ordinances of the City titled “DEFINITIONS” is hereby amended to read as follows: (new material appears like THIS; deleted material appears like ~~this~~)

1150.09 DEFINITIONS.

(b) (140) "Structure" means anything constructed or erected, the use of which requires location on the ground or attachment to something having location on the ground. Structures include, but are not limited to, buildings, PORCHES, PATIOS, OPEN DECKS, BALCONIES, PLATFORMS, CARPORTS, COVERED PATIOS AND SIMILAR ARCHITECTURAL PROJECTIONS, INCLUDING walls, fences, billboards, and other signs. ~~Open decks are excluded as structures, provided, however, that a permit is obtained for the construction of a deck and the Building Official finds that the proposed deck is not contrary to the provisions of Section 1351.01 of the Building and Housing Code.~~

SECTION 2. Any and all provisions of Section 1150.09 inconsistent herewith are hereby repealed, and all other provisions of Chapter 1150 of the Code of the City shall remain in full force and effect.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 be in full force and effect from and after the earliest time allowed by law.

PASSED: November 21, 2022

MAYOR

VICE MAYOR

ATTEST: _____
Clerk of Council

First Reading: October 17, 2022

Second Reading: November 7, 2022

Third Reading: November 21, 2022