



BOARD OF BUILDING & ZONING APPEALS Meeting Minutes  
August 23, 2023  
6:30PM

**BOARD OF ZONING APPEALS**

Ed Kancler called to order the regularly scheduled meeting of the Board of Zoning Appeals for the City of Twinsburg at 6:30pm.

**ROLL CALL**

Present: Ed Kancler, Chris Griffith, Thomas Brown, Shannan Leonard

Also Present: Keith Foulkes, Building Commissioner, Danielle Waites, Building Department and Jeff Deeds, Council Representative

Absent: Michael Jamison

The Board recited the Pledge of Allegiance.

**SWEARING IN OF NEW AND RETURNING MEMBERS:** All members were sworn in and took the Oath of Office.

**ELECTION OF CHAIRMAN AND VICE CHAIRMAN:**

**Tom Brown nominated Chris Griffith for Board Chairman. Shannon Leonard seconded the nomination.  
Upon roll call, Mr. Griffith was elected BZA Chairman.**

**Tom Brown nominated Shannan Leonard for Board Vice Chairman. Chris Griffith seconded the nomination.  
Upon roll call, Ms. Leonard was elected BZA Vice Chairman.**

**WORK SESSION:**

Appeal # 02-2023

Variance requested at: 9879 Shepard Road PP# 6402160 and 6402161

1. To create modify and split two existing parcels and creating two non-conforming parcels as follows:
  - a. New Parcel A (6402160) – 73.44 Ft. Wide by 465.54 Ft. Deep, which requires a variance of 16.56 Ft. from the required 90 Ft. Wide lot width required by Codified Ordinances of Section 1143.09 Area, Yard and Height Regulations - (Listed below) - to allow lot width of 73.44 Ft. wide.

b. New Parcel B (6402161) – 66.79 Ft. Wide by 465.59 Ft. Deep, which requires a variance of 23.21 Ft. from the required 90 Ft. Wide lot width required by Codified Ordinances of Section 1143.09 Area, Yard and Height Regulations - (Listed below) - to allow lot width of 66.79 Ft. wide.

- Homeowner, Elise Brown, is requesting a variance for parcel modifications.
- Ms. Brown would like to make one lot a little bit narrower and the other lot a little wider in order to have a driveway access to the road.
- Ms. Brown states the current driveway is on the other lot that is empty.
- Ms. Leonard asked Ms. Brown if she or the City knew when parcel number 161, when these parcels were created to be a non-conforming lot. She asked if the parcel with the house on it, is already a non-conforming lot width. Does Ms. Brown or anyone have any information as to when that was created? Ms. Brown stated she did not know but that the home is old and is about 50 to 60 years old at least.
- Ms. Leonard stated she does not think this variance would open a door to other residence to just do lot splits and consolidations. She believes Ms. Brown is presenting an issue where it's an already very non-conforming lot and she's actually asking to make it more conforming to the requirements. These two lots could never be two lots could never be two separate lots and be conforming regardless of how you look at it because there's just not enough lot width as is.
- Ms. Leonard stated that the hardship here is that the existing house doesn't have a driveway and if she were to put a driveway on the southern side she wouldn't meet the setback requirements from the southern parcel line. In her opinion she feels that the variance here is warranted.

**MOTION: Mr. Kancler motioned to adjourn the work session at 6:47pm.  
The Motion was seconded.  
Upon roll call, the Motion passed unanimously.**

## **REGULAR MEETING – 6:48pm**

### **1. PUBLIC PARTICIPATION:**

- Email that was sent in to the Board of Zoning Appeals on Monday August 21, 2023 was noted on record.
- Dan Cegelka, neighbor to 9879 Shepard Road stated he would like to see consistency stay on this street.
- Mr. Cegelka stated the other option is for the two parcels to share a driveway. Then you will still have the non-conforming lot and have a conforming lot with the shared driveway. If the driveway is the issue that is the simple fix and there won't be a need for a variance for just the driveway.
- Ms. Brown stated she does not believe a shared driveway is going to be realistic or work out for the best because no one wants to share a driveway with their neighbor.
- Ms. Brown stated there is a well easement that is outlined on the map that the Board has been provided and that access to the well would only be needed every few years for maintenance.
- Mr. Foulkes stated the Board can approve this variance with a stipulation, if they choose to approve it, with the stipulation that the existing house be connected to the public water system.

- Mr. Brown asked Ms. Brown if her future plan is to sell the larger lot. Ms. Brown stated yes or to build on it.
- Mr. Griffith asked Mr. Foulkes if they were to approve, are able to put the stipulation that the existing home and the empty lot have to tie into public water?
- Mr. Foulkes stated he thinks the code would require on the new house connection to the municipal water system and sewer system, the existing home no unless it was abandoned and proposed to change.

**MOTION: Ms. Leonard motioned to approve Variance 02-2023 with conditions that any new home or structure built on 6402160 be tapped into City water and also have the well easement dedicated.**

**The Motion was seconded.**

**Upon roll call, the Motion passed 3-1. Dissenting vote by Chris Griffith.**

2. **APPROVAL OF MINUTES:** No BZA meeting minutes to approve.

3. **COMMUNICATIONS:** None Presented

4. **EXCUSE ABSENT MEMBERS:**

**MOTION: Motion presented to excuse absent member, Michael Jamison.**

**The Motion was seconded.**

**Upon roll call, the Motion passed unanimously**

5. **ADJOURNMENT:**

There being no further business to come before the Board of Zoning Appeals,

**MOTION: Motion presented to adjourn the meeting.**

**The Motion was seconded.**

**Upon roll call, the Motion passed unanimously.**

**Meeting adjourned at 7:18pm.**

---

Chris Griffith, Chairman

---

Danielle Waites, Secretary