

CITY OF TWINSBURG  
BOARD OF ZONING APPEALS MINUTES  
NOVEMBER 19, 2014

**CITY OF TWINSBURG  
BOARD OF BUILDING AND ZONING CODE APPEALS  
NOVEMBER 19, 2014**

Present: Messrs: Gary Wilner, Brian Davis, Thomas Brown and Neil Rubin

Absent: Mr. Ed Kancler

Also Present: Mr. Russ Rodic, Building Commissioner  
Mr. Sam Scaffide, Council Representative

**CITY OF TWINSBURG  
BOARD OF BUILDING AND ZONING CODE APPEALS  
WORK SESSION  
NOVEMBER 19, 2014**

*The Board of Building and Zoning Code Appeals met in a Public Work Session on Wednesday, November 19, 2014. The Chairman, Mr. Rubin called the meeting to order at 6:30 p.m.*

A public hearing will be conducted at 6:30 pm on November 19, 2014, for the purpose of hearing an appeal for a variance from section 1153.03(b) of the Twinsburg Zoning and Development Regulations which states that a private detached garage shall be behind the sideyard setback (15') and not less than (20') from the dwelling. The applicant is proposing to construct a detached private garage of 400 square feet. This appeal is made by Theresa Ross of 3219 Cannon Road.

- Specifically, a 7 foot variance to the sideyard setback and a 6 foot variance to the required distance from a dwelling.

1. Appeal 22-2014

Variance 1153.03(b)

3219 Cannon Rd., Theresa Ross - garage location variances.

Mr. Rubin explained that with only four Board Members in attendance, should the vote on the appeal be 2-2, the appeal would not be granted and City Council would then consider the application.

The work session was bypassed.

**CITY OF TWINSBURG  
BOARD OF BUILDING AND ZONING CODE APPEALS  
MEETING MINUTES  
NOVEMBER 19, 2014**

*The Board of Building and Zoning Code Appeals met on Wednesday, November 19, 2014. The Chairman, Mr. Rubin, called the meeting to order at 6:32p.m.*

Mr. Rodic administered the Oath to Theresa Ross, Karen Ross and Joe Nyeste

1. Appeal # 22-2014

Variance 1153.03(b)

3219 Cannon Rd., Theresa Ross - garage location variances.

Mr. Wilner stated that he looked at the property and does not see a problem with adding a garage in the proposed location.

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Mr. Brown noted that he understands the safety concern for the resident and the need for the garage.

Mr. Rubin asked if the variance were not granted, what unnecessary hardship would be created.

Ms. Karen Ross explained that her mother requires frequent Dr. appointments. As it is difficult and unsafe to help Mrs. Ross into the car during bad weather, these appointments would have to be cancelled or rescheduled.

- Mrs. Ross would be house-bound for much of the winter.
- She would not receive necessary medical care.

MOTION: TO APPROVE THE VARIANCE AS REQUESTED.

MR. BROWN MOVED. MR. WILNER SECONDED  
UPON ROLL CALL, MOTION PASSED UNANIMOUSLY.

Mr. Rubin amended the motion to show that there is an exceptional circumstance in that there is a drain in the way which cannot be moved, there will not be a detriment to the public and, in fact, the property value will be increased because of the garage and, finally, pursuant to 1199.09(2)(a), there will be an unnecessary hardship because if we do not grant this variance there will be a safety issue which Mrs. Ross could not go to her Doctor appointments and could be detrimental to her health.

Mr. Rodic explained that the Charter allows City Council 30 days pending the outcome of BZA. Council will be back in session December 2, 2014 and Mr. Scaffide can make a motion to waive the waiting period at that time.

Mr. Rubin noted that the applicant does not have to be present at the Council meeting.

PUBLIC PARTICIPATION - NONE

APPROVAL OF MINUTES- Dated September 24, 2014

MOTION: MOTION TO APPROVE MINUTES OF SEPTEMBER 24, 2014.

MR. WILNER MOVED, MR. BROWN SECONDED  
UPON ROLL CALL MOTION PASSED UNANIMOUSLY.

COMMUNICATIONS- NONE

EXCUSE ABSENT MEMBERS-

MOTION: MOTION TO EXCUSE MR. KANCLER FROM TONIGHT'S MEETING.

MR. WILNER MOVED, MR. DAVIS SECONDED  
UPON ROLL CALL, MOTION PASSED UNANIMOUSLY.

ADJOURNMENT-

The meeting adjourned at 6:43p.m.

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Neil Rubin, Chairman

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Russ Rodic, Building Commissioner