

CITY OF TWINSBURG
BOARD OF ZONING APPEALS MINUTES
SEPTEMBER 30, 2015

**CITY OF TWINSBURG
BOARD OF BUILDING AND ZONING CODE APPEALS
SEPTEMBER 30, 2015**

Present: Messrs: Gary Wilner, Thomas Brown, Brian Davis and Ed Kancler

Absent: Neil Rubin

Also Present: Mr. Russ Rodic, Building Commissioner

The Board cited the Pledge of Allegiance.

**CITY OF TWINSBURG
BOARD OF BUILDING AND ZONING CODE APPEALS
WORK SESSION
SEPTEMBER 30, 2015**

The Board of Building and Zoning Code Appeals met in a Public Work Session on Wednesday, September 30, 2015. The Vice Chairman, Mr. Brown called the meeting to order at 6:43 p.m.

Appeal # 08-2015
Variance 1161.15(c)

A public hearing will be conducted at 6:30 pm on September 30, 2015; for the purpose of hearing an appeal for a variance from section 1161.15(c) PUD district of the Twinsburg Zoning and Development Regulations which states minimum rear yard depth shall not be less than fifty (50') feet. The applicant is proposing an attached deck (15'x24') to the rear elevation. This appeal is made by NEO Fence & Deck representing William Mathews of 2839 Myrick Lane.

- Specifically, an 8 foot rear setback variance is requested.

Mr. Brown explained to the applicant that having one Board Member absent allows the possibility for a tied vote, which would result in the appeal failing to pass.

The applicant indicated that he would like to continue.

The Board decided to not hold a work session and moved into the regular meeting.

**CITY OF TWINSBURG
BOARD OF BUILDING AND ZONING CODE APPEALS
MEETING MINUTES
SEPTEMBER 30, 2015**

The Board of Building and Zoning Code Appeals met on Wednesday, September 30, 2015. The Vice Chairman, Mr. Brown, called the meeting to order at 6:45p.m.

1. Appeal # 08-2015
Variance 1161.15 (c)

- Specifically, an 8 foot rear setback variance is requested.

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Mr. Kancler pointed out that, as the Board has addressed previously, the application involves a corner lot which requires a 50' front as well as a 50' side setback, this diminishes the size of the rear yard.

- If this house had been placed parallel to the neighboring home, there would not be a need for a variance.
- In future subdivisions, there should be consideration given to corner lots to allow full use of the yard including decks and fences without need for a variance,

Mr. Wilner advised that the BZA recently approved a variance on Myrick Ln. for a deck.

Mr. Rodic administered the Oath to Mr. Hank Portzer.

Mr. Portzer explained that the deck size has been reduced to 15'x16' now only requiring a 2' variance.

- The initial submission was for a 15'x24' deck.

Mr. Rodic indicated that the variance will still be for 8 feet as that is what was advertised.

MOTION: I MOVE TO APPROVE THE VARIANCE AS SUBMITTED WHICH WOULD LEAVE THE APPLICANT LEEWAY TO DO LESS THAN AS APPLIED FOR ON THE BASIS THAT A PRACTICAL DIFFICULTY EXISTS, FRANKLY, DUE TO GOVERNMENT ACTION IN ALLOWING A HOUSE TO BE PLACED IN A WAY THAT IT COULD NOT MAXIMIZE THE USE OF ITS BACK YARD AND ALSO A DIFFICULTY THAT NO OTHER NON-CORNER LOT IN THAT SUBDIVISION WOULD FACE.

MR. KANCLER MOVED, MR.DAVIS SECONDED

Mr. Brown tabled the motion to allow comments from the public.

No members of the public wished to speak.

Mr. Kancler renewed the motion.

UPON ROLL CALL, MOTION PASSED UNANIMOUSLY.

Mr. Rodic explained that the Council Representative, Maureen Stauffer will make a motion to waive the 30 day waiting period so that a permit may be processed.

- City Council will meet on October 13, Mrs. Stauffer will make the motion at that meeting.

APPROVAL OF MINUTES – Dated June 17, 2015

MOTION: I MOVE TO APPROVE THE MINUTES OF THE JUNE 17 MEETING.

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

COMMUNICATIONS-

Mr. Rodic indicated that there is a pending variance request for a rear setback located at 9900 Nantucket Cove, which is a legal non-conforming lot in an R-4 district.

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Mr. Rodic explained that in the Fox Hollow subdivision, Ms. Muter asked the developer to consider allowing space on the corner lot so there could be a deck built without requiring a variance. The developer was not interested in doing that.

Mr. Wilner mentioned that the Missionary Baptist Church has begun to build the pillars for their electronic sign.

Mr. Rodic stated that the Building Inspectors have already done an electrical inspection on that project and there will be a final inspection when it is complete.

EXCUSE ABSENT MEMBERS- Mr. Rubin

MOTION: I WILL MAKE THE MOTION TO EXCUSE MR. RUBIN .

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

Mr. Kancler asked for the record to reflect that, since Mr. Rubin was elected Chairman, he no longer passes out Neil S. Rubin ball point pens.

Mr. Rodic stated that it shall reflect in the record.

ADJOURNMENT-

The meeting adjourned at 6:50p.m.

Neil Rubin, Chairman

Russ Rodic, Building Commissioner