

CITY OF TWINSBURG
BOARD OF ZONING APPEALS MINUTES
OCTOBER 28, 2015

**CITY OF TWINSBURG
BOARD OF BUILDING AND ZONING CODE APPEALS
OCTOBER 28, 2015**

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

Absent: NONE

Also Present: Mr. Russ Rodic, Building Commissioner
Mr. Sam Scaffide, Council Representative
Mr. Scott Frey, 2088 Van Oaks Dr. Twinsburg, Ohio 44087 (Representing Mr. Robbins)
Mr. Jim Robbins, 9900 Nantucket Cove Twinsburg, Ohio 44087

The Board cited the Pledge of Allegiance.

**CITY OF TWINSBURG
BOARD OF BUILDING AND ZONING CODE APPEALS
WORK SESSION
OCTOBER 28, 2015**

The Board of Building and Zoning Code Appeals met in a Public Work Session on Wednesday, October 28, 2015. The Chairman, Mr. Rubin called the meeting to order at 6:40 p.m.

1. Appeal # 09-2015
Variance 1143.09

A public hearing will be conducted at 6:30 pm on October 28, 2015; for the purpose of hearing an appeal for a variance from section 1143.09 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 addition (18'x20') to the rear elevation. This appeal is made by Property Renewals Construction, Inc. representing James Robbins of 9900 Nantucket Cove.

- Specifically, a 33 foot rear setback variance is requested.

THERE WAS A MOTION MADE TO MOVE RIGHT INTO THE REGULAR MEETING.

MR. RUBIN MOVED MR. BROWN SECONDED.
UPON ROLL CALL MOTION PASSED UNANIMOUSLY.

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MEETING MINUTES
OCTOBER 28, 2015**

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Recording equipment malfunctioned; the following minutes are hand written notes taken during the meeting.

- Explanation of the hardship is expanding room for the growing family, 2 older daughters need more space and the existing house has no basement-slab only.
- Mr. Kancler observed that the current dwelling is within the 50 foot rear setback, side setback would not require a variance.
- Mr. Wilner asked if the neighbor to the right is aware of the proposed addition.
 - o The neighbor was notified by mail of the variance request, no response was received.
- Mr. Brown observed that the lot to the rear of the property is city owned park land.
- Mr. Rubin observed that the cul-de-sac lot and existing dwelling is less than 50 from the rear property line.
- Mr. Rubin referred to section 1199.09(c)2
 - o C – no conflict
 - o B – cul-de-sac & park property to the rear
 - o A – hardship moving to new location, great need for the addition, if not no addition would be built

MOTION: MOVE TO APPROVE VARIANCE DUE TO THE FACT THAT A PRACTICAL DIFFICULTY WAS CREATED BECAUSE THE WAY THE LOT WAS PLATTED BY GOVERNMENT, DIFFICULTY WAS CREATED AND THUS THE EXISTING RESIDENCE IS A NONCONFORMING USE, THERE IS A VAST AMOUNT OF VACANT PARKLAND BEHIND THE LOT AND THE LARGE SIDEYARDS WILL NOT CREATE AN INTERFERENCE WITH THE NEIGHBORING LOTS SO THAT PROPERTY VALUES WILL BE PROTECTED AND THE PUBLIC INTEREST WILL BE SERVED.

MR. KANCLER MOVED, MR.DAVIS SECONDED

UPON ROLL CALL, MOTION PASSED UNANIMOUSLY.

APPROVAL OF MINUTES – Dated September 30, 2015

Let the record reflect that Mr. Rubin vehemently disputes Mr. Kancler's assertion in the minutes of the prior month's meeting that Mr. Rubin, since being elected to Chair of the BZA, no longer gives out pens.

MOTION: I MOVE TO APPROVE THE MINUTES OF THE SEPTEMBER 30 MEETING.

MR. BROWN MOVED, MR. KANCLER SECONDED

UPON ROLL CALL, MOTION PASSED 4-0 WITH MR. RUBIN ABSTAINING.

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COMMUNICATIONS- NONE

EXCUSE ABSENT MEMBERS- NONE

ADJOURNMENT-

The meeting adjourned at 7:00p.m.

Neil Rubin, Chairman

Russ Rodic, Building Commissioner