

CITY OF TWINSBURG
BOARD OF ZONING APPEALS MINUTES
DECEMBER 9, 2015

**CITY OF TWINSBURG
BOARD OF BUILDING AND ZONING CODE APPEALS
DECEMBER 9, 2015**

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

Absent: Mr. Brian Davis

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

The Board cited the Pledge of Allegiance.

**CITY OF TWINSBURG
BOARD OF BUILDING AND ZONING CODE APPEALS
WORK SESSION
DECEMBER 9, 2015**

The Board of Building and Zoning Code Appeals met in a Public Work Session on Wednesday, December 9, 2015. The Chairman, Mr. Rubin called the meeting to order at 6:50 p.m.

1. Appeal # 10-2015
Variance 1143.09

A public hearing will be conducted at 6:30 pm on December 9, 2015; for the purpose of hearing an appeal for a variance from section 1143.09 of the Twinsburg Zoning and Development Regulations which states that concrete shall not be less than five (5') feet from any lot line. The applicant is proposing an extension (9' wide) to the side of the driveway. This appeal is made by Paul Bell of 9620 Putnam Ct.

- Specifically, a 4 foot side setback variance is requested.

Mr. Paul Bell, 9620 Putnam Ct. presented his application for side setback variance.

Mr. Kancler asked what the square footage of the proposed variance will be.

Mr. Rodic explained that the proposed driveway extension will sit four feet into the required setback.

Mr. Bell explained that he plans to park two long vehicles on the driveway extension.

- His plan places the extension between two existing landscape beds.

Mr. Kancler noted that if the corner of the extension were rounded, it would meet the setback requirements and not require a variance.

Mr. Rubin explained that, in order to be granted a variance to the City Zoning Code, the applicant must show that there is an unnecessary hardship which establishes the need for a variance.

Mr. Kancler stated that the applicant may be better served by moving the extension closer to the garage, which would not require a variance.

Mr. Wilner asked how far the extension would have to be adjusted in order to meet the required setback.

Mr. Rodic replied that it would have to be ten feet shorter.

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Mr. Rubin asked what calculation was used to determine the size of the extension.

Mr. Bell replied that he used the dimensions of his family's two largest vehicles.

Mr. Rubin asked if it would be possible to park the larger vehicles in the garage and the two smaller Honda CRV vehicles on the driveway extension.

Mr. Bell replied that the truck that he plans to purchase will not fit in the garage.

Mr. Rubin clarified that, with no clear hardship, there may be a reconfigured plan which would fit the needs of the family as well as the required setback.

Mr. Tony Seday, 9629 Putnam Ct. explained that there is a concern within the neighborhood that there will appear to be a parking lot on the street.

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- Mr. Bell owns a 30 foot camper and the proposed parking pad is 37 feet long.
 - o The neighbors are concerned that the true reason for the parking extension is to allow the camper to be parked on the property.
- The Bells have two children in college; therefore, Mr. Seday does not understand the need to move cars around often when there are only two drivers living at the home most of the year.

Mr. Kancler explained that the Board is not able to regulate the type or number of cars in a driveway; they are suggesting that the applicant use available space to allow the parking extension without a variance.

Mr. Seday agreed that there are other configurations which would fit the vehicles described.

Mr. Rubin noted that, no matter what configuration is used, the neighbors may still feel that there is a "parking lot" look to the area, even though it is an allowable alteration.

Mr. Seday mentioned that a different configuration will not allow the trailer to be parked on the property, which is a large concern.

Mr. Brown pointed out that the neighborhood Homeowner's Association may have regulations on the type of vehicles allowed to be parked on lots.

Mrs. Mary Ann Sickle explained that she is the immediate neighbor who will be directly impacted by the parking extension if the variance is allowed.

- She and her husband have concerns with health, environmental impacts and water runoff.
- The HOA bylaws have regulations regarding recreational vehicles.
- According to the HOA representative, Mr. Bell has not received approval from the Association.

Mr. Kancler explained that the Board is only able to consider whether the applicant meets the requirements for a variance.

- Even without a variance, the applicant can legally place the parking pad on his property in a different configuration, allowing for the same concerns.
- Regardless of this Board granting a variance, the HOA regulations must still be followed.

Mr. Rubin explained that the applicant will be required to have the plan reviewed by the Building Department and some of her concerns may be considered at that time.

Mrs. Sickle asked if the plan was prepared by a registered engineer and, if so, if she may have a copy so that she can have her own engineers review it.

Mr. Rodic stated that he does not know of the plan being prepared by a registered engineer; the homeowner is able to design it himself.

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Mr. Rubin explained that if Mr. Bell conforms to all regulations and Building Code, he is able to create additional parking on his property.

Mr. Rubin asked Mr. Bell if he has contacted the neighborhood Homeowner's Association.

Mr. Bell replied that he did contact the Administrative Assistant and Property Manager at the management company for the HOA in regards to the project.

Mrs. Sickie reiterated that her letter from the HOA states that there was no request made by Mr. Bell.

Mr. Rubin recommended that Mr. Bell reconsider the project, get HOA approval in writing and reappear before the Board of Zoning Appeals if a variance is still desired.

Mr. Kancler clarified that there would be no additional fee if the application is reconsidered and that the neighbors would be notified of the new hearing.

Ms. Carolyn McGuire, 9612 Putnam Ct. explained that her concern is that Mr. Bell will park his camper long term on the additional parking pad.

- She presented pictures showing that he has previously been able to fit the camper in his driveway along with the large vehicles.

Mrs. Sickie stated that the cul de sac has always been friendly and supportive of each other.

Mr. Rubin indicated that he hopes that the good relationships will remain in spite of tonight's meeting.

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1. Appeal # 10-2015
Variance 1143.09

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- Specifically, a 4 foot side setback variance is requested.

MOTION: I MOVE TO TABLE THIS MATTER UNTIL FURTHER NOTICE, PROVIDED THAT, IF THERE IS A FURTHER HEARING ON A VARIANCE REQUEST FOR THIS PROPERTY, THE BELL PROPERTY, THAT PROPER NOTICE IS GIVEN TO ALL RESIDENTS AS REQUIRED BY THE CODE AS WELL AS TO MR. AND MRS. BELL.

MR. KANCLER MOVED, MR. RUBIN SECONDED

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UPON ROLL CALL, MOTION PASSED UNANIMOUSLY.

APPROVAL OF MINUTES – Dated October 28, 2015

MOTION: I MOVE TO APPROVE THE MINUTES OF THE OCTOBER 28 MEETING.

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

COMMUNICATIONS-

Mr. Rodic mentioned that G.E. Reuter Stokes is planning a very large solar panel field at the front of their property. This will be an Accessory Use and will likely require variances for the location.

EXCUSE ABSENT MEMBERS- Mr. Davis

MOTION: I MOVE TO EXCUSE BRIAN DAVIS FROM ATTENDANCE.

MR. KANCLER MOVED, MR. RUBIN SECONDED
UPON ROLL CALL, MOTION PASSED UNANIMOUSLY.

ADJOURNMENT-

The meeting adjourned at 7:40p.m.

Neil Rubin, Chairman

Russ Rodic, Building Commissioner