

CITY OF TWINSBURG
BOARD OF ZONING APPEALS MINUTES
APRIL 27, 2016

**CITY OF TWINSBURG
BOARD OF BUILDING AND ZONING CODE APPEALS
APRIL 27, 2016**

Present: Messrs: Tom Brown, Gary Wilner, Ed Kancler, Chris Griffith and Joe Zeitz

Absent: None

Also Present: Mr. Russ Rodic, Building Commissioner
Maureen Stauffer, City Council Representative

The Board cited the Pledge of Allegiance.

Oath of Office

City Council Member Maureen Stauffer administered the Oath of Office to Mr. Thomas Brown, Mr. Chris Griffith and Mr. Joe Zeitz for terms running 2/1/16 through 1/31/19.

**CITY OF TWINSBURG
BOARD OF BUILDING AND ZONING CODE APPEALS
WORK SESSION
APRIL 27, 2016**

The Board of Building and Zoning Code Appeals met in a Public Work Session on Wednesday, April 27, 2016. The Chairman, Mr. Kancler called the meeting to order at 6:40 p.m.

1. Appeal # 05-2016
Variance 1143.09

A public hearing will be conducted at 6:30 pm on April 27, 2016; for the purpose of hearing an appeal for a variance from section 1143.09 of the Twinsburg Zoning and Development Regulations which requires a side yard depth for a dwelling that shall not be less than ten (10') feet. The applicant is proposing an (8'x22') addition on to the left elevation. This appeal is made by Hillary Taylor of 1558 Landsdale Circle.

- Specifically, a 1 foot side setback variance is requested.

Ms. Hillary Taylor, 1558 Landsdale Circle presented her application for side yard setback variance.

- They would like to add a storage room to the side of the garage.
- The design must be functional as a storage room as well as architecturally sound and match the appearance of the house and neighborhood.
- They are requesting a one foot variance for the front corner of the addition as the lot is trapezoid and allows the setback to be met further back on the lot.
- The front corner is as planned in order to allow a functional addition that best fits into the existing home and neighborhood.

Mr. Kancler asked how deep into the yard the variance is required.

Ms. Taylor replied more than one and less than three feet.

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Mr. Kancler clarified that it is due to the shape of the property.

2. Appeal # 06-2016
Variance 1143.09

A public hearing will be conducted at 6:30 pm on April 27, 2016; for the purpose of hearing an appeal for a variance from section 1143.09 of the Twinsburg Zoning and Development Regulations which requires a rear yard depth for a dwelling that shall not be less than fifty (50') feet. The applicant is proposing a (35'x 35') addition on to the rear elevation. This appeal is made by Cory Allen of 2016 Parkview Drive.

- Specifically, a 22 foot rear setback variance is requested.

Mr. Cory Allen, 2016 Parkview Dr. presented his application for rear setback variance.

- They plan to build an addition for Mrs. Allen's parents; her father was diagnosed with Parkinson 's disease and will require daily care in the future.
- The proposed addition will be 35' by 35' and will attach to the home 10' into the garage with an entrance into the main home.
- They are requesting a 22' variance to the rear setback.

Mr. Kancler asked the applicant if he is aware that there is opposition from the neighbors.

Mr. Allen replied that he was told that a letter was sent to the Board.

Mr. Kancler asked if they had considered alternatives to the depth of the proposed addition.

Mr. Allen answered that he is open to changing it but they want to create a suitable place for the family members. They are planning a living area, one bedroom, one bath and a small kitchen as well as a single car garage.

- The garage is for safety, so the family members are able to access a car without the difficulty of winter weather.

Mr. Rodic clarified that the 35' x 35' plan includes a one car garage.

Mr. Allen agreed.

- The garage will be 14' wide and set at the very end of the existing driveway.
- There will be a door from the garage leading to the main home laundry area and as well as one to outside.

Mr. Zeitz asked if the sole intent for the addition is family use.

Mr. Allen explained that the family member will eventually require a wheelchair and need to live on a single level.

Mr. Griffith asked when they purchased this home.

Mr. Allen stated that they purchased the home in December; they were looking for a home with an existing in-law suite but were not able to purchase one.

Mr. Kancler noted his concern with the size of the addition and the amount of intrusion into the setback area.

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Mr. Brown asked if it would be possible to change the plan to a more rectangle design as opposed to the square.

Mr. Allen explained that they were trying to not pass the end of the driveway but they are willing to make changes if necessary.

Mr. Kancler stated that he has concerns with the size, site lines and large variance required to proceed with this plan.

Mr. Brown reiterated that running the addition along the back of the existing home may be a better option.

Mr. Allen explained that they are working around existing utilities located behind the house as well.

Mr. Griffith noted that the applicant was not able to place the addition onto their previous home in Twinsburg but the same regulations apply to the new home.

Mr. Allen stated that they checked with the Chestnut Trail Homeowners Association as well as the Twinsburg Building Department prior to purchasing the home.

- They are open to changing the plan; they would like to provide an apartment size suite for the family members.

Mr. Kancler explained that he would like to table the appeal to allow Mr. Allen to consider what kind of addition he would like to propose that would minimize the depth and size of the structure and also to look into the cost of relocating the utilities.

- As proposed, this is a very substantial intrusion into the setback.

Mr. Rodic inquired whether the addition will be designed to be ADA compliant.

Mr. Allen replied that it will.

Mr. Brown suggested that the applicant work with his architect to create a design that minimizes the intrusion into the setback.

- It may not be very expensive to relocate the utilities and, likely, they will have to be changed to accommodate the increased square footage.
- He agrees that this is a very substantial variance request.

Mr. Brown requested a floor plan and elevation drawings with the revised plan.

**CITY OF TWINSBURG
BOARD OF BUILDING AND ZONING CODE APPEALS
MEETING MINUTES
APRIL 27, 2016**

*The Board of Building and Zoning Code Appeals met on Wednesday, April 27, 2016.
The Chairman, Mr. Kancler called the regular meeting to order at 7:10pm*

1. Appeal # 05-2016
Variance 1143.09

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- Specifically, a 1 foot side setback variance is requested.

Mr. Rodic administered the Oath to Ms. Taylor.

Mr. Kancler asked Ms. Taylor to affirm that everything she said not under oath is true.

Ms. Taylor affirmed that it is true.

MOTION: MOTION TO APPROVE APPEAL #05-2016.

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

Mr. Rodic explained that the appeal will go to City Council for approval, the Council Representative will ask Council to waive the 30 day waiting period.

2. Appeal # 06-2016
Variance 1143.09

A public hearing will be conducted at 6:30 pm on April 27, 2016; for the purpose of hearing an appeal for a variance from section 1143.09 of the Twinsburg Zoning and Development Regulations which requires a rear yard depth for a dwelling that shall not be less than fifty (50') feet. The applicant is proposing a (35'x 35') addition on to the rear elevation. This appeal is made by Cory Allen of 2016 Parkview Drive.

- Specifically, a 22 foot rear setback variance is requested.

Mr. Kancler asked Mr. Allen if he would like to table the appeal at this time.

Mr. Allen replied that he would like to table.

- He noted that the initial plan was designed to lessen the visual impact of the addition as viewed from the street; he feels that the view will be more impacted with the suggested changes.

MOTION: TO TABLE APPEAL #06-2016.

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

Mr. Kancler explained that there was a procedural glitch involving appeals # 01-2016, 02-2016 and 03-2016, which will now be corrected.

- In each case, findings of fact were made as reflected in the February 10, 2016 BZA meeting minutes and variances were granted in each case that reflected the basis for granting the variance.
- He is asking for a motion to ratify each of the findings made in those cases, in particular with favorable votes by all four who attended the February 10, 2016 meeting.

MOTION: MOTION TO RATIFY THE FINDINGS OF APPEALS #01-2016,
02-2016 AND 03-2016.

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

Mr. Kancler asked for a motion to ratify the findings for appeal 04-2016 by the three members who voted for it.

MOTION: MOTION TO RATIFY THE FINDINGS OF APPEAL #04-2016.

MR. BROWN MOVED, MR. WILNER SECONDED
UPON ROLL CALL, MOTION PASSED 3-1 WITH MR. GRIFFITH DISSENTING
AND MR. BROWN ABSTAINING

Mr. Kancler requested a motion to grant the variances for appeals #01-2016, 02-2016 and 03-2016

MOTION: MOTION TO APPROVE APPEALS #01-2016, 02-2016 AND
03-2016

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

MOTION: MOTION TO APPROVE APPEAL #04-2016

MR. WILNER MOVED, MR. KANCLER SECONDED
UPON ROLL CALL, MOTION PASSED 3-1 WITH MR. GRIFFITH DISSENTING
AND MR. BROWN ABSTAINING.

APPROVAL OF MINUTES – Dated December 9, 2015 and February 10, 2016

MOTION: TO APPROVE THE MINUTES DATED DECEMBER 9, 2016

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

MOTION: MOTION TO APPROVE THE MINUTES FROM THE
FEBRUARY 10, 2016 MEETING

MR. ZEITZ MOVED, MR. GRIFITH SECONDED
UPON ROLL CALL, MOTION PASSED UNANIMOUSLY WITH MR. BROWN
ABSTAINING.

COMMUNICATIONS-

Mr. Rodic noted that there was a letter from Mr. Pete Metropulos distributed to the BZA members.

Mr. Metropulos, 9044 Gettysburg Dr. explained the letter.

- He is a City of Twinsburg Planning Commissioner and has done research regarding accessory uses and lot setback requirements.

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- o The letter addresses the possibility of new ways to determine size of accessory buildings as well as building setback requirements.

Mr. Kancler mentioned that there is frequently a difficulty with corner lots having enough room inside the yard setback requirements to allow for sheds and decks.

- There may be changes to the Code which would be more accommodating.

Mr. Metropulos added that there is a minimum house size required, but there is no maximum size stated.

Mr. Wilner indicated a conversation which he had with Mayor Yates regarding the round table meetings of the past, where the various Boards and Commissions would meet to discuss different concerns.

- Mayor Yates was going to look into this with the Council members.

Mr. Kancler indicated that the Comprehensive Plan, which was approved in 2016, is a bigger picture of the City, not a detailed look at the Code.

Mr. Wilner agreed that the Boards are not aware of each other's challenges. If they were, they would be more able to work together for the better of the City.

Mr. Rodic indicated that there is a proposed revision to the sign code, which will be presented to Planning Commission for consideration.

EXCUSE ABSENT MEMBERS - NONE

ADJOURNMENT-

The meeting adjourned at 7:45pm

Ed Kancler, Chairman
Russ Rodic, Building Commissioner