

CITY OF TWINSBURG
BOARD OF ZONING APPEALS MINUTES
NOVEMBER 9, 2016

**CITY OF TWINSBURG
BOARD OF BUILDING AND ZONING CODE APPEALS
NOVEMBER 9, 2016**

Mr. Kancler called the meeting to order at 6:30 p.m.

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

Absent: None

Also Present: Mayor Ted Yates
Mr. Russ Rodic, Building Commissioner
Ms. Maureen Stauffer, Council Representative

The Board cited the Pledge of Allegiance.

**CITY OF TWINSBURG
BOARD OF BUILDING AND ZONING CODE APPEALS
WORK SESSION
NOVEMBER 9, 2016**

Mr. Kancler explained that the work session is the time for applicant and board member discussion; there will be a time during the regular meeting for public participation.

- Members of the public will have an opportunity to fully state their position on the application.

1. Appeal # 11-2016
Variance 1148.11 and 1148.15

A public hearing will be conducted at 6:30 pm on November 9, 2016 for the purpose of hearing an appeal for variances from Sections 1148.11 and 1148.15 of the Twinsburg Zoning and Development Regulations. These appeals are made by PDQ Hospitality, LLC for an extended stay hotel at 8941 Wilcox Drive, Permanent Parcel #64-07944, located in a C-3 Interchange Business District.

- Section 1148.11 requires a minimum lot area of 1,000 sq. ft. per unit (room). Specifically, a 9,454 sq ft. lot area variance is requested to allow for an additional 10 hotel rooms on this parcel.
- Section 1148.15 requires a building exceeding 35' in height be provided an additional two foot front and rear setback for each foot of height over 35'. Specifically, a 65'4" front setback variance and a 10' 4" rear setback variance are requested.

Mr. Daniel Sirk, SA Group, LLC 1322 Old River Rd. Cleveland, Ohio 44113 presented the variance application.

- They have met with Planning Commission twice and were able to revise the plan design to reduce variance requirements to the current request.
 - o The design includes 10 rooms above what is allowed in the zoning code.
 - o These additional rooms have been placed at the front of each wing as opposed to creating additional height to the building.
 - o The building has been designed with a flat roof in order to minimize the height.
 - o The residential area across S.R.480 is screened by a row of large trees.
 - o The proposed site sits lower than the neighboring properties, reducing the visual impact on those properties.
 - o There have been several revisions to the plan regarding number of rooms.

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Mr. Art Borowski, Emerald Hospitality 3257 Potterstone Way Avon, Ohio spoke regarding the variance request.

- The applicant has owned this property for several years.
- The original submission to Planning Commission was a concept or prototype of the product, it included 102 rooms with a sport court and parking located on an adjacent lot.
 - o The sport court has been removed and the current plan has 12 additional parking spaces and 99 guest rooms, all on one lot.
 - o The variances are required because the site is land locked and they are trying to use the land in a way that works for the City as well as the applicant.

Mr. Kancler asked if there is a feasibility study which justifies the need for additional rooms and height.

Mr. Borowski replied that they did market studies.

- Emerald Hospitality owns and manages 23 hotel properties including a Residence Inn; they are very familiar with the hotel industry and the Residence Inn product.
- They chose the Residence Inn product for this location because it serves a different customer than a typical hotel; this is an extended stay customer in a suite style room.
 - o Their evaluation of the area indicated that a Marriott Residence Inn was the best fit.

Mr. Kancler reiterated his question; whether there was a feasibility study in writing for the project.

Mr. Borowski indicated that the research was done internally by their staff; they have not processed a written study for the lender.

Mr. Brown questioned whether they are going forward with a plan that does not have a lender on board.

Mr. Borowski replied that Marriott is interested in the project as well as Emerald Hospitality's investors; they are using market reports as indicators of the area.

Mr. Kancler commented that the applicant has changed the desired room count several times, yet they are not able to present a report indicating the investment return, anticipated occupancy, financing, costs, etc. for any number of rooms.

Mr. Borowski stated that they do have that information and he is able to produce it for the Board.

Mr. Kancler noted that the applicant is requesting a significant variance to the front setback.

Mr. Borowski explained that they would like to have 102 rooms and they have revised the plan several times according to what Planning Commission requested and 99 rooms is the compromise.

Mayor Yates commented that the applicant is trying to develop the land for what will fit from a business standpoint. However, the standard required by this board is to show practical difficulty, undue hardship and exceptional circumstances applying to this property regarding it's intended use that do not apply to other properties in the area. The code also requires the applicant to show that granting the variance will not cause a substantial detriment to the public or to other properties in the district.

- The applicant has not shown proof of any of those requirements.

Mr. Brown noted that this board is just as concerned about the variances as Planning Commission was about the parking requirements.

Mr. Kancler indicated that the Board of Zoning Code Appeals is not interested in the appearance of the building; they address the variances and whether there is a practical difficulty or unnecessary hardship to be considered.

- These things have not been addressed by the applicant.

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Mr. Rodic stated for the record that Mayor Yates was speaking of section 1199 (c) of the Twinsburg Zoning Regulations, which this board uses as a guideline in regard to granting variances.

Mr. Borowski requested that the Board table the application because his attorney was held up and unable to attend this meeting.

Mr. Kancler indicated that they Board agrees and the applicant should return with the ability to address the issues of unnecessary hardship and practical difficulty as these are the things that the Board considers.

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PUBLIC PARTICIPATION - NONE

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MOTION: MOTION TO TABLE THIS MATTER TO THE NEXT MEETING.

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

APPROVAL OF MINUTES – Dated September 14, 2016

MOTION: TO APPROVE THE MINUTES DATED SEPTEMBER 14, 2016.

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

COMMUNICATIONS- NONE

EXCUSE ABSENT - NONE

ADJOURNMENT- The meeting adjourned at 7:30pm

Ed Kancler, Chairman

Russ Rodic, Building Commissioner