

CITY OF TWINSBURG
BOARD OF ZONING APPEALS MINUTES
MARCH 8, 2017

**CITY OF TWINSBURG
BOARD OF BUILDING AND ZONING CODE APPEALS
MARCH 8, 2017**

Mr. Kancler called the meeting to order at 6:31 p.m.

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

Absent: NONE

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

The Board recited the Pledge of Allegiance.

**CITY OF TWINSBURG
BOARD OF BUILDING AND ZONING CODE APPEALS
WORK SESSION
MARCH 8, 2017**

1. Appeal # 02-2017
Variance 1187.05 (h)

A public hearing will be conducted at 6:30 pm on March 8, 2017 for the purpose of hearing an appeal for variances from Section 1187.05(h) of the Twinsburg Zoning and Development Regulations. This appeal is made by the Heritage Development Company for an extension of Merryvale Drive to Permanent Parcel #64-08625, located in an R-5 Single Family Cluster District and to be known as Whispering Woods Phase III.

- Section 1187.05(h) permits a maximum cul-de-sac length of 1,200 LF serving a maximum of 28 lots. Specifically, this appeal is a request for a 10 lot and 125 LF variance.

Mr. Kancler noted for the record that he attended the Planning Commission meeting on Monday, March 6, 2017 and is aware that the applicant received preliminary approval.

Mr. Rob Benjamin with Heritage Development, representing Whispering Woods, LLC presented the application for variance.

- They were the initial developers of the Whispering Woods subdivision on Chamberlin Rd.
- This parcel was recently rezoned from commercial to residential R-5.
- They plan to build 30 residences with Ryan Homes as the builder.
- The plans are to build homes between 2,500 and 3,600 square feet, with the average price being \$350,000.00.
- This cul-de-sac requires a 125 linear foot length variance as well as variance for 10 additional lots.

Mr. Brown noted that if the wetlands permit is not issued, it would take the plan from 30 homes to 27.

Mr. Benjamin explained that they would likely be able to move things around and retain one of the lots.

Mr. Kancler asked what will happen with the existing cul-de-sac on Merryvale Dr.

Mr. Benjamin replied that they will not change the roadway; the existing parking spaces will be removed and replaced with landscaping, the community mailboxes will be placed in the area as well as 4 new parking spaces.

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- They plan an access driveway for construction vehicles in order to reduce impact to the current residents.

Mr. Kancler commented that the lots on Oakbrook Circle do not go to the property line of the subdivision, there is quite a bit of space behind the lots.

- The proposed lots also do not go to the boundary line so there is space between the two phases.

Mr. Benjamin answered that the original development was determined by court settlement and there are no similar developments in Twinsburg.

- The proposed phase is a more typical lot layout with a buffer for green space.
 - o There will be maintenance required for that area.

Mr. Kancler noted that the City does not recommend an exit onto E. Aurora Rd., there are two entrances to the subdivision on Chamberlin Rd.

Mr. Wilner asked if the retention basin on the S.R. 82 side will only accommodate the new development.

Mr. Benjamin explained that it will retain the runoff from those lots and houses, the development will drain in that direction.

- They plan to have a recreation area with possibly a deck overlooking the retention basin.

Mr. Kancler commented that the Board of Zoning and Code Appeals has limited jurisdiction. Planning Commission considers subdivision layout as well as traffic issues.

- This Board has jurisdiction to determine whether it is reasonable to grant this variance as opposed to any other alternative that might exist.

Mr. Zeitz noted that if the cul-de-sac was planned at 1200 feet with 28 homes, the variance would not be required; an alternative is to plan a 1200 foot street with 28 homes.

Mr. Benjamin replied that in other subdivisions there are much larger variances requested; this is relatively minimal.

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PUBLIC PARTICIPATION – NONE

Mr. Kancler noted for the record that twenty notices were mailed to adjacent land owners and the board of Zoning Code Appeals has received letters from two of those neighbors objecting to the variance request.

- These letters will be made part of the record.

Mr. Rodic administered the Oath to Mr. Benjamin.

Mr. Kancler asked if Mr. Benjamin stands behind his previous statements as if given under oath.

Mr. Benjamin responded affirmatively.

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MOTION: I MOVE THAT WE APPROVE APPEAL #02-2017 GRANTING A 125 LINEAR FOOT VARIANCE AND A REQUEST FOR 10 LOTS.

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

APPROVAL OF MINUTES – Dated January 25, 2017.

MOTION: TO APPROVE THE MINUTES DATED JANUARY 25, 2017.

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

COMMUNICATIONS- NONE

EXCUSE ABSENT – NONE

ADJOURNMENT- The meeting adjourned at 7:47pm

Ed Kancler, Chairman

Russ Rodic, Building Commissioner