

CITY OF TWINSBURG
BOARD OF ZONING APPEALS MINUTES
APRIL 12, 2017

**CITY OF TWINSBURG
BOARD OF BUILDING AND ZONING CODE APPEALS
APRIL 12, 2017**

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

Present: Messrs: Brown, Wilner, Kancler, Griffith and Zeitz

Absent: NONE

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

The Board recited the Pledge of Allegiance.

Election of Board Chairman:

MOTION: TO ELECT MR. KANCLER AS CHAIRMAN.

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

Election of Board Vice Chairman:

MOTION: TO ELECT MR. BROWN AS VICE CHAIRMAN.

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

**CITY OF TWINSBURG
BOARD OF BUILDING AND ZONING CODE APPEALS
WORK SESSION
APRIL 12, 2017**

MOTION: TO ELIMINATE THE WORK SESSION AND MOVE
DIRECTLY TO THE REGULAR MEETING.

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

1. Appeal # 03-2017
Variance 1149.08

A public hearing will be conducted at 6:30 pm on April 12, 2017 for the purpose of hearing an appeal for a variance from Section 1149.08 of the Twinsburg Zoning and Development Regulations. Section 1149.08 requires parking and drives in an I-2 Limited Industrial District to be located a minimum of 10 feet from property lines when abutting a non-residential use. The applicant, Circulo, LLC, is proposing a driveway expansion to be located into the required setback at the north side property line at 2182 East Aurora Road.

- Specifically, a 10 foot setback variance is requested to allow for a driveway expansion at PP# 64-01225.

CITY OF TWINSBURG
BOARD OF ZONING APPEALS MINUTES
APRIL 12, 2017

2. Appeal # 04-2017
Variance 1153.04(b)

A public hearing will be conducted at 6:30 pm on April 12, 2017; for the purpose of hearing an appeal for a variance from section 1153.03(b), of the Twinsburg Zoning and Development Regulations which states total floor area of accessory structure shall not exceed 140 square feet. The applicant is proposing an accessory (shed) structure (12'x18'). This appeal is made by Mark Blumenthal of 2483 Ashdale Dive.

- Specifically, a 76 square foot floor area variance is requested.

CITY OF TWINSBURG BOARD OF BUILDING AND ZONING CODE APPEALS MEETING MINUTES APRIL 12, 2017
--

PUBLIC PARTICIPATION – NONE

1. Appeal # 03-2017
Variance 1149.08

A public hearing will be conducted at 6:30 pm on April 12, 2017 for the purpose of hearing an appeal for a variance from Section 1149.08 of the Twinsburg Zoning and Development Regulations. Section 1149.08 requires parking and drives in an I-2 Limited Industrial District to be located a minimum of 10 feet from property lines when abutting a non-residential use. The applicant, Circulo, LLC, is proposing a driveway expansion to be located into the required setback at the north side property line at 2182 East Aurora Road.

- Specifically, a 10 foot setback variance is requested to allow for a driveway expansion at PP# 64-01225.

Mr. Rodic administered the Oath to Mr. Rick Raymond.

Mr. Raymond with United States Fittings, a fabrication company which employs 16 people explained the application for variance.

- The driveway sits close to the property line and, when snow is plowed, the snow pile encroaches on the parking area which becomes very narrow for semi-trucks to access.
- The plan is to re-pave the parking area and driveway and he would like to extend the pavement closer to the property line, stopping 6 to 8 inches from the line.

Mr. Kancler noted that the neighbor on the variance side has not filed an objection with the Board of Zoning Appeals.

Mr. Kancler commented that the restricted pavement would make it difficult for semi-trucks to turn around.

Mr. Raymond replied that the trucks sometimes have to back out onto the street.

Mr. Griffith asked about the variance request of 10 feet.

Mr. Raymond explained that he is already inside of that measurement; the 10 foot variance would allow him to add the pavement beyond the existing line.

CITY OF TWINSBURG
BOARD OF ZONING APPEALS MINUTES
APRIL 12, 2017

Mr. Kancler stated that, given the nature of the light industrial area as well as the variations of length and weight of truck trailers, along with no objection from the adjacent property owner, the Board is ready to vote on this application.

MOTION: I MAKE A MOTION THAT WE APPROVE APPEAL 03-2017.

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

Mr. Rodic explained that there is a 30 day waiting period for granted variances. Mr. Scaffide, the City Council Representative, will make a request On April 25 that Council waive the waiting period. At that time, the Building Department will be free to approve permits.

2. Appeal # 04-2017
Variance 1153.04(b)

A public hearing will be conducted at 6:30 pm on April 12, 2017; for the purpose of hearing an appeal for a variance from section 1153.03(b), of the Twinsburg Zoning and Development Regulations which states total floor area of accessory structure shall not exceed 140 square feet. The applicant is proposing an accessory (shed) structure (12'x18'). This appeal is made by Mark Blumenthal of 2483 Ashdale Dive.

- Specifically, a 76 square foot floor area variance is requested.

Mr. Rodic administered the Oath to Mr. Blumenthal.

Mr. Kancler noted that the Zoning Code allows a maximum 140 square foot shed and the applicant is requesting a variance of 76 additional square feet.

- He requested that, if the variance is granted, the application letter be made part of the record.
 - o Attached and noted as exhibit A.
- He noted that the property backs to the library parking lot and there is a row of trees which blocks the view of the library and, except for one property on the street, all of the others appear to have sheds.
- This is not a self created hardship.

MOTION: I MOVE THAT WE GRANT A 76 SQUARE FOOT FLOOR AREA
VARIANCE UNDER APPEAL 04-2017.

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

APPROVAL OF MINUTES – Dated March 8, 2017.

MOTION: TO APPROVE THE MINUTES DATED MARCH 8, 2017.

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

COMMUNICATIONS-

Mr. Scaffide apologized for being late to the meeting.

****Mr. Scaffide administered the Oath of Office to Mr. Kancler and Mr. Wilner.**

CITY OF TWINSBURG
BOARD OF ZONING APPEALS MINUTES
APRIL 12, 2017

Mr. Rodic informed the Board that a homeowner on Hunter's Ridge in the Boulder Brook development has proposed a front porch and a pergola which would require a front setback variance. This was discussed in the ARB work session on 4/6/2017, they stated that they would encourage the BZA to support variances to allow front porches.

Mr. Kancler stated that, in his opinion, the communication failure in this country is because homes have largely not been built with front porches since World War II. This inhibits communication with neighbors as people stay indoors much more.

Mr. Wilner asked about a specific sign proposal.

Mr. Rodic clarified that the Sussex Memory Care facility on Enterprise Pkwy. proposed to place a sign on Darrow Rd. in order to direct people to their entrance on Independence Pkwy.

- It was determined by the City Law Director that because they own the land on Darrow Rd. they are able to place the sign there and will not require a variance.

Mr. Zeitz asked if there was any new communication with the Marriott developers.

Mr. Kancler replied that he spoke with Ms. Muter, City Planner and she stated that the developers had a meeting with the City a few weeks ago and are proposing a new, smaller hotel which will not require variances.

Mr. Rodic noted that the proposed hotel has approximately 89 rooms.

EXCUSE ABSENT – NONE

ADJOURNMENT- The meeting adjourned at 6:52pm.

Ed Kancler, Chairman

Russ Rodic, Building Commissioner

CITY OF TWINSBURG
BOARD OF ZONING APPEALS MINUTES
APRIL 12, 2017

EXHIBIT A

Date: _____

RECEIVED
MAR 28 2017

To:
City of Twinsburg - Board of Building and Zoning Code Appeals
10075 Ravenna Rd
Twinsburg, Ohio 44087

Variance Request

Reason For Variance:

My name is Mark Blumenthal. I live at 2483 Ashdale Drive in Twinsburg. I am asking for a variance on the size of a shed I hope to build for reasons which I believe are extraordinary circumstances.

In 2010, my ex-wife Lisa Blumenthal was diagnosed with cancer and got to the point where not only could she no longer afford the condo she had been renting, she needed constant care. In order to keep some sort of normal assemblage of our family, we moved her out of her condo on Orchard Hill Lane in Twinsburg to my house at 2483 Ashdale Drive. At the time, our oldest son Max had just turned 19 and our youngest son Grant was 15 and in the 10th grade at Twinsburg High School. We had also been the caregivers of Nathan Tarach who was also 19. Although Nate was away at college, all of his assets were with us.

Combining households was stressful since in addition to the obvious, there wasn't enough room in my house for the assets of 2 combined households. In a nutshell, after making many trips to Goodwill, and even more trips to the tree lawn on garbage day I still had a garage loaded to the brim with hundreds of different items.

Lisa passed away in August, 2014

The issue I am faced with is what to do with everything Lisa passed down to our sons, which include: a dining room table and chairs, a dinette set, many antique pieces of furniture including chairs, tables, ottomans, rugs, dressers, vintage lamps, chests, a stove, artwork, etc. Many of these items are in my garage since I cannot fit them in my house. I haven't been able to get a car in my garage since before she moved in.

My boys still live with me. Max, who's 26, and affected the most by his mom's passing, dropped out of college to take care of her. Since then he has taken classes here and there but won't be on his own any time soon. If he does move out, it will most likely be to a small apartment with limited space with at least one roommate.

Grant graduated from undergrad last year and is in his 1st year of a 2 year MBA program at Kent State. Looking into the future as to when he can actually take possession of these items is impossible.

Bringing up the possibility of selling or somehow disposing of some of the items Lisa passed down to them has been a very sensitive subject which I hope to never have to re-visit.

I am therefore asking for a variance on the size of shed I am permitted to build. A 12' X 18' X 14' high shed would solve the predicament I am in. A standard allowable 10' X 14' shed is not enough space.

If Variance Is Granted: