

CITY OF TWINSBURG
BOARD OF ZONING APPEALS MINUTES
JUNE 14, 2017

**CITY OF TWINSBURG
BOARD OF BUILDING AND ZONING CODE APPEALS
JUNE 14, 2017**

Mr. Kancler called the meeting to order at 6:32 p.m.

Present: Messrs: Wilner, Kancler, Griffith, Zeitz

Absent: Mr. Brown

Also Present: Mr. Russ Rodic, Building Commissioner

The Board recited the Pledge of Allegiance.

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WORK SESSION
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Mr. Kancler explained that having one member absent allows the possibility of a tied vote, which would result in a denial of the variance application. He suggested that the applicants take that into consideration.

MOTION: I MAKE A MOTION THAT WE MOVE FROM THE
WORK SESSION INTO THE REGULAR MEETING.

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

**CITY OF TWINSBURG
BOARD OF BUILDING AND ZONING CODE APPEALS
MEETING MINUTES
JUNE 14, 2017**

PUBLIC PARTICIPATION – NONE

1. Appeal # 07-2017
Variance 1143.09

A public hearing will be conducted at 6:30 pm on June 14, 2017; for the purpose of hearing an appeal for a variance from section 1143.09 of the Twinsburg Zoning and Development Regulations which requires a 50 foot rear yard depth in an R-4 district. The applicant is proposing 26' x 18' addition to be constructed within the rear yard setback. This appeal is made by Gerstenfield of 1281 Sharonbrook Drive.

- Specifically, a 9 foot rear yard setback variance is requested.

Mr. Rodic administered the Oath to Mr. Mark Sutkowski with Skyline Builders.

Mr. Sutkowski presented the application to the Board.

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- The home is owned by two sisters whose mother recently passed away and they would like to move their father in with them.
 - One sister is a nurse and the other works from home so he would have 24 hour care with them.
- They are requesting an 8 foot variance.
- The land behind their property is not buildable; it is wooded and is a steep slope away from the property.

Mr. Kancler agreed, he viewed the property and the drop off runs the length of the street.

Mr. Rodic clarified that they are requesting a 9 foot variance, not an 8 foot.

MOTION: I MAKE A MOTION THAT WE APPROVE APPEAL #07-2017

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

Mr. Kancler added that all adjacent property owners were notified of the variance request and none of them have appeared to express an opinion, either for or against.

2. Appeal # 08-2017
Variance 1173.05(C)

A public hearing will be conducted at 6:30 pm on June 14, 2017; for the purpose of hearing an appeal for a variance from section 1173.05(C) of the Twinsburg Zoning and Development Regulations which states one identification sign shall be on-premises permitted at the entrance. The applicant is proposing multi-identification sign off-premises. This appeal is made by Mark Weinberger on behalf of Maplewood at Twinsburg Senior Living of 2463 Sussex Blvd.

- Specifically, an identification sign off-premises location variance is requested.

Mr. Rodic administered the Oath to Mr. David Mitchell and Ms. Heather Freemont, representatives for Maplewood Senior Living.

Mr. Kancler noted that all adjacent property owners have been notified of the variance request and none of them are present at the meeting to speak either for or against the variance.

Mr. Mitchell presented the application to the Board.

- They would like to place a sign off premises to advertise the facility's location.
- The facility is located on a private drive at the end of E. Enterprise Pkwy.
 - It is on a 50 acre lot and part of the Twinsburg Seniors Park, which plans to add an assisted living as well as an independent living facility in addition to the existing Maplewood building.
 - The sign was presented to the Architectural Review Board on June 1, 2017 and was tabled pending the Board of Zoning Appeals decision.
- The facility is located on a 7 ½ acre parcel in the Twinsburg Seniors Park.
- There is an existing sign on the private drive advertising the Maplewood facility.
 - There is no visibility of the facility itself from any public roadway.
 - The point of the requested sign is to allow visibility from Darrow Rd.
- The sign will not technically be on premises; however, there are easement rights for the sign location.
- The sign meets all requirements of Zoning Regulations Section 1173.13.

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- The easement allows the other facilities proposed for Twinsburg Senior Park to share the signage. Therefore, there are two proposals, one allows Maplewood to use the entire sign area until another facility is built, the other shows Maplewood using one third of the sign area.
 - o They prefer to have full usage of the sign until another facility is built.

Mr. Mitchell addressed Zoning Regulations Section 1103.07(c).

A. The intent of the Code is to improve and protect the public health, safety and welfare of the residents for purposes of maintaining and enhancing the quality of life within the City and for the purposes of preserving and enhancing environmental quality

- o The mission of Maplewood Senior Living is serving the growing population of elderly residents in need of memory care and, as such, protecting their health, safety and welfare and enhancing their quality of life.

B. There are no similar uses in the zoning district and there is an easement for this purpose.

C. As there are no neighbors in attendance to speak against the variance and the voters approved the zoning change to allow this facility, he sees no detriment to the public.

Ms. Freemont, Regional Director of Operations for Maplewood in Ohio, explained that they track all leads that come into the facility so that they can continue to do that type of marketing in the community in order to be successful.

- Their other two Ohio communities each had over 100 leads in the past year due to their building signs alone.
 - o Neither community is located on a main road but are still visible enough to create a significant amount of leads with signage.
 - o The Twinsburg community has generated one building sign lead since they opened in September, 2016.
 - o This is a significant hardship; there is no casual traffic on E. Enterprise, only business traffic.
 - o The residents and families have expressed high satisfaction with the facility and it would be a benefit to Twinsburg to increase awareness of it.

Mr. Mitchell clarified that there would eventually be three facilities advertising on the sign, each a part of the Twinsburg Senior Park.

Mr. Griffith asked if the facility is at capacity.

Ms. Freemont explained that they are at 50% and are doing significant advertising; she feels that the sign on Darrow Rd. would largely help promote the facility.

- They have capacity for 72 residents and currently have 41 living there.

Mr. Kancler commented that he is impressed with the facility and it is a nice addition to the community.

MOTION:

I MAKE A MOTION TO GRANT THE VARIANCE ON THE BASIS OF PRACTICAL DIFFICULTIES IN THAT THE FACILITY INVOLVED IS NOT EASILY LOCATABLE DUE TO THE FACT THAT SUSSEX DR. IS NOT IDENTIFIED AT THE INTERSECTION OF SOM CENTER ROAD AND ENTERPRISE. LIKEWISE, THERE IS NO HARM TO NEARBY PROPERTIES AND PUBLIC SAFETY IS A CONCERN AS TO TRAFFIC BEING CONFUSED AS TO THE LOCATION OF THE FACILITY BUT, PURSUANT TO SECTION 1199.09(e) I MOVE THAT WE IMPOSE THE FOLLOWING CONDITIONS ON THE SIGN REQUEST FOR VARIANCE:

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1. THE SIGN SHALL COMPLY WITH SIZE REQUIREMENTS AND SUCH CONDITIONS AS THE ARCHITECTURAL REVIEW BOARD MAY REQUIRE.
2. THE SIGN WILL BE AN IDENTIFICATION SIGN ONLY WITH DIRECTIONAL INDICATORS AS PRESENTED IN THE PLANS THAT WE HAVE IN FRONT OF US TONIGHT.
3. NO ADVERTISING OF ANY KIND SUCH AS FOR SALE, FOR RENT, MODELS AVAILABLE AND THE LIKE SHALL BE PERMITTED.
4. ANY CHANGE REQUESTED TO ALTER OR REPLACE THE SIGN DUE TO THE CHANGE OF THE FACILITY NAME, CHANGE OF OWNERSHIP OR OTHER USERS WILL REQUIRE NOTIFICATION TO THE BUILDING DEPARTMENT AND COMPLIANCE WITH THESE CONDITIONS.

ALL OF THE FOREGOING CONDITIONS ARE NECESSARY TO PROTECT THE PUBLIC HEALTH, SAFETY AND WELFARE AND ARE IN FURTHERANCE OF THE PURPOSES AND INTENT OF THE TWINSBURG ZONING CODE.

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

APPROVAL OF MINUTES – Dated May 24, 2017.

MOTION: TO APPROVE THE MINUTES DATED MAY 24, 2017.

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

COMMUNICATIONS- NONE

EXCUSE ABSENT – MOTION: TO EXCUSE MR. BROWN FROM TONIGHT'S MEETING.

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

ADJOURNMENT- The meeting adjourned at 6:55pm.

Ed Kancler, Chairman

Russ Rodic, Building Commissioner