

**CITY OF TWINSBURG
BOARD OF BUILDING AND ZONING CODE APPEALS
APRIL 10, 2019**

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

Present: Messrs: Wilner, Brown, Kancler, Griffith and Rodin
Absent: None

Also Present: Mr. Russ Rodic, Building Commissioner
Ms. Jo-Ann McFearin, City Council Representative

The Board recited the Pledge of Allegiance

**CITY OF TWINSBURG
BOARD OF BUILDING AND ZONING CODE APPEALS
WORK SESSION
APRIL 10, 2019**

Swearing in of new and returning Board Members:

Councilwoman McFearin administered the Oath of Office to Tom Brown, Chris Griffith and Seth Rodin.

Election of Chairman and Vice Chairman:

Mr. Brown nominated Ed Kancler as Chairman, Mr. Griffith seconded upon roll call nomination passed unanimously.

Mr. Griffith nominated Tom Brown as Vice Chairman, Mr. Wilner seconded upon roll call nomination passed unanimously.

**MOTION: TO MOVE FROM THE WORK SESSION TO THE
REGULAR MEETING.**

**MR. BROWN MOVED MR. RODIN SECONDED.
UPON ROLL CALL MOTION PASSED
UNANIMOUSLY.**

1. Appeal # 02-2019
Variance 1143.09

A public hearing will be conducted at 6:30 pm on April 10, 2019; for the purpose of hearing an appeal for a variance from section 1143.09 for R-3 district of the Twinsburg Zoning and Development Regulations which requires a minimum rear yard depth of 50 feet. A proposed single family-dwelling which will be constructed 20 feet from the rear property line. This appeal is made by Joseph R. Kerrigan of 3283 Cannon Road.

- Specifically, a 30 foot rear setback variance is requested.

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MEETING MINUTES
APRIL 10, 2019**

PUBLIC PARTICIPATION –

Mr. Kancler asked if there were any members of the public present who wished to speak for or against the requested variance.

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There were none.

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Mr. Rodic administered the Oath to Mr. Joe Kerrigan.

Mr. Kerrigan explained that he is seeking a 22 foot variance for the rear left corner of the house he plans to build.

Mr. Kancler clarified that this request is because the house plan does not meet the 50 foot rear setback requirement under the R-3 zoning code.

- The applicant has presented a plot plan and a surveyor's map as part of the submission.
- The plot plan shows a 16 foot side yard, 61 foot setback to the front porch and the surveyors report shows that the back portion of the lot as proposed has a large triangular area that goes beyond the 50 foot setback. If you take the square footage of that area that goes to the northeasterly point of the lot and add that to the square footage as shown on the request, Mr. Kancler's calculation came out to approximately 4,140 square feet in the setback zone in the rear versus what would have been 4,050 square feet. So in total, the square footage area of the shown area even with the variance granted would exceed what would otherwise be required by about 100 square feet.

Mr. Kerrigan explained that the first surveyor measured from the center line, which allowed much more room. When they learned that it should have been measured from the right of way, they were already committed to the building process; having a builder, plans and a loan.

Mr. Kancler asked if there was another way to locate the house on the property and meet the setback requirements without turning the house sideways.

Mr. Kerrigan replied that, even sideways, the house would not meet all setback requirements.

Mr. Kancler noted that there is a practical difficulty in that there is no other way to place the house other than what is shown in seeking the variance.

- There is a financial hardship if the variance is not granted and a practical difficulty in placement of the house on this lot.

Mr. Kerrigan agreed both are true.

Mr. Kancler asked the Board if they had any questions for the applicant.

There were none.

MOTION: TO APPROVE APPEAL #02-2019 AS REQUESTED.

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

Mr. Rodic explained that City Council has a 30 day period to consider taking action on granted variances. Ms. McFearin will ask at the next Council meeting for the 30 day period to be waived.

COMMUNICATIONS-

Mr. Rodic announced that he will be retiring from the City of Twinsburg on June 20, 2019.

Mr. Brown stated that he hopes that his hard work and helpfulness is recognized.

Mr. Kancler agreed, noting that Mr. Rodic has made the Building Department an example to other communities and he hopes that his successor can continue in that direction.

APPROVAL OF MINUTES – Dated February 13, 2019.

**MOTION: TO APPROVE THE MINUTES DATED FEBRUARY 13,
2019.**

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

EXCUSE ABSENT – NONE

ADJOURNMENT- The meeting was adjourned at 6:44.

Ed Kancler, Chairman

Russ Rodic, Building Commissioner