

CITY OF TWINSBURG
BOARD OF ZONING APPEALS MINUTES
JUNE 13, 2018

**CITY OF TWINSBURG
BOARD OF BUILDING AND ZONING CODE APPEALS
JUNE 13, 2018**

Mr. Kancler called the meeting to order at 6:28 pm.

Present: Messrs: Brown, Wilner, Kancler, Griffith
Absent: Joe Zeitz

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
JUNE 13, 2018**

Mr. Kancler asked if there are any members of the public present to comment on the variance requests.

- There were none

Mr. Kancler asked for a motion to move past the work session and straight to the regular meeting.

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

**1. Appeal # 07-2018
Variance 1148.13**

A public hearing will be conducted at 6:30 pm on June 13, 2018 for the purpose of hearing an appeal for a variance from Sections 1148.13 of the Twinsburg Zoning and Development Regulations. This appeal is made by TRIP, LLC for a restaurant located at East Aurora Road and I-480, Permanent Parcel #64-08386, located in a C-3 Interchange Business District.

- Section 1148.13 requires a minimum front parking lot setback of 25'. Specifically, a 9' variance is requested.

**2. Appeal # 08-2018
Variance 1149.08**

A public hearing will be conducted at 6:30 pm on June 13, 2018 for the purpose of hearing an appeal for a variance from Sections 1149.08 of the Twinsburg Zoning and Development Regulations. This appeal is made by ZOOM EXPRESS INVESTMENT CO. for a car wash at 8581 Darrow Rd. #64-01451, located in an I-3 Heavy Industrial District.

- Section 1149.08 requires a minimum side yard driveway setback of 10 feet. Specifically, an 8' variance is requested.

**3. Appeal #09-2018
Variance 1143.09**

A public hearing will be conducted at 6:30 pm on June 13, 2018; for the purpose of hearing an appeal for a variance from section 1143.09 of the Twinsburg Zoning and Development Regulations which requires a driveway or similar structure shall be located not less than five feet from any lot line in a residential-4

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district. The applicant is proposing a driveway expansion of 8 feet in width off the existing. This appeal is made by Charles Kish of 1182 Waldo Way.

- Specifically, a 3 foot setback variance is requested.

<p style="text-align: center;">CITY OF TWINSBURG BOARD OF BUILDING AND ZONING CODE APPEALS MEETING MINUTES JUNE 13, 2018</p>

PUBLIC PARTICIPATION – NONE

**1. Appeal # 07-2018
Variance 1148.13**

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- Section 1148.13 requires a minimum front parking lot setback of 25'. Specifically, a 9' variance is requested.

Mr. Rodic administered the Oath to Mr. Bill Cieslak.

Mr. Bill Cieslak with Fillmore Property Group / Trip LLC. 5777 E. Pleasant Valley Rd. Independence, Ohio presented the application for variance to front parking setback.

- They are seeking a variance to the requirement that parking be set a minimum of 25 feet from the roadway.
 - They are asking for a 9 foot variance.
 - This would line their parking and building evenly with the neighboring property's parking and building.
 - If the variance is not permitted, the building would sit closer to the portion of the property where the elevation drops off; they are trying to use the land in the most reasonable way.

Mr. Kancler asked if there is any reasonable way to locate the parking without the variance.

Mr. Cieslak replied that, according to their engineers, this is the most feasible way to plan the project.

Mr. Kancler commented that therefore, it is a practical difficulty and hardship.

Mr. Brown stated that he visited the lot and he agrees that this is the only way that the project will fit.

MOTION:

I MOVE TO APPROVE ITEM #07-2018 AND GRANT A NINE FOOT VARIANCE AS REQUESTED.

Mr. Kancler asked that the record show that the reasons for the variance, as explained by the applicant, are the difficulty in placing a parking lot on this property under the existing code because of the shape of the property and the fact that it would be extremely difficult and burdensome.

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

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**2. Appeal # 08-2018
Variance 1149.08**

A public hearing will be conducted at 6:30 pm on June 13, 2018 for the purpose of hearing an appeal for a variance from Sections 1149.08 of the Twinsburg Zoning and Development Regulations. This appeal is made by ZOOM EXPRESS INVESTMENT CO. for a car wash at 8581 Darrow Rd. #64-01451, located in an I-3 Heavy Industrial District.

- Section 1149.08 requires a minimum side yard driveway setback of 10 feet. Specifically, an 8' variance is requested.

Mr. Rodic administered the Oath to Mr. Walter.

Mr. Trent Walter, representing Zoom Investments, 1266 Middle Rowsburg Rd. Ashland, Ohio 44805 presented the application for side yard driveway setback.

- This is a nonconforming lot at approximately 133 feet wide.
- They have submitted 3 different plans to Planning Commission with the first one requiring variance on both sides; they have condensed the plan as much as possible while still maintaining safe egress into and out of the property.
 - The north side now meets the 10 foot setback requirement and the south side is requiring an 8 foot setback variance for pavement.
 - The south side is adjacent to a utility easement.

Mr. Wilner commented that he feels the applicant has worked the plan to fit on the property as well as possible.

Mr. Kancler noted that there is no encroachment on the high power line easement; there should not be a problem.

MOTION: I MAKE A MOTION THAT WE APPROVE APPEAL #08-2018 FOR THE VARIANCE.

Mr. Kancler asked that the record show that there has been no opposition to this application, the variance does go along a high voltage easement and that a practical difficulty exists with putting this project on board without the variance being granted.

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

**3. Appeal #09-2018
Variance 1143.09**

A public hearing will be conducted at 6:30 pm on June 13, 2018; for the purpose of hearing an appeal for a variance from section 1143.09 of the Twinsburg Zoning and Development Regulations which requires a driveway or similar structure shall be located not less than five feet from any lot line in a residential-4 district. The applicant is proposing a driveway expansion of 8 feet in width off the existing. This appeal is made by Charles Kish of 1182 Waldo Way.

- Specifically, a 3 foot setback variance is requested.

Mr. Kancler commented that homes used to be built with a one car attached garage and then, a little more recently, a two car attached garage. Even more recently there have been wider driveways created because of more cars per family.

Mr. Rodic administered the Oath to Charles and Therese Kish.

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Mr. Charles Kish, 1182 Waldo Way presented the application for variance.

- Their son moved home after being in the military, adding a car to the driveway.
- They are concerned with improving the safety of themselves as well as pedestrians on the sidewalk.
- The house sits on a lower elevation than the neighboring homes.
- The increased apron width will increase the aesthetic value of the home as well as the safety of his family and other residents.
 - Twice he has had cars slide down the driveway and into the street, even while set in their parking gear.
 - The additional apron will allow a turnaround point to allow them to approach the street in a forward position.
 - The neighbor has submitted a letter showing support of the variance.

Mr. Kancler noted that he observed at least three properties on Waldo Way that have widened and extended their driveways and at least eleven homes on Sharonbrook Drive have widened driveways.

MOTION: I MAKE A MOTION TO APPROVE APPEAL #09-2018.
Mr. Kancler asked that the record show that for all the reasons that have been stated in both testimony and documentation, there is a practical difficulty involved given the times that we live in now versus when this house was constructed, 30 years ago.

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

Mr. Rodic noted that the City Council Representative, Mr. Scaffide, will ask Council to waive the 30 day consideration period. That meeting will be on June 26, 2018 and after that the permit application will be reviewed.

APPROVAL OF MINUTES – Dated May 23, 2018.

MOTION: TO APPROVE THE MINUTES DATED MAY 23, 2018.

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

COMMUNICATIONS –

Mr. Rodic noted that there will be a meeting on June 27 regarding a variance to the spacing requirement for fencing.

EXCUSE ABSENT – Mr. Zeitz

MOTION: I MAKE A MOTION TO EXCUSE JOE ZEITZ FROM THE MEETING.

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

ADJOURNMENT- The meeting was adjourned at 6:49.