

CITY OF TWINSBURG
BOARD OF ZONING APPEALS MINUTES
SEPTEMBER 12, 2018

**CITY OF TWINSBURG
BOARD OF BUILDING AND ZONING CODE APPEALS
SEPTEMBER 12, 2018**

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

Present: Messrs: Tom Brown, Gary Wilner, Ed Kancler
Absent: Mr. Chris Griffith and Mr. Joe Zeitz

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

The Board recited the Pledge of Allegiance.

**CITY OF TWINSBURG
BOARD OF BUILDING AND ZONING CODE APPEALS
WORK SESSION
SEPTEMBER 12, 2018**

1. Appeal #12-2018
Variance 1161.15(c)(6)

A public hearing will be conducted at 6:30 pm on September 12, 2018; for the purpose of hearing an appeal for a variance from section 1161.15(c)(6) of the Twinsburg Zoning and Development Regulations which requires a minimum rear yard depth for a dwelling is 50 feet in a PUD district. The applicant is proposing 31'D x 25'W garage/living addition. This request is made by William McIlroy of 2949 Tucker Ct.

- Specifically, a variance of 14 foot is being requested.

Mr. Kancler explained the variance request and asked if there were any residents present to speak against the requested variance.

There were none.

Mr. Kancler asked for a motion to move Appeal #12-2018 from the work session directly to the regular meeting.

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

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Mr. Kancler commented that this is a small cul de sac with seven substantial homes set on it, there is no way that anybody should have permitted so many lots on this small cul de sac.

- All cul de sac lots should be pie shaped, not oddly shaped.
- Mr. Kancler observed through the applicant's open garage door that the builder encroached into the garage space with an interior room and that is inexplicable and renders the third bay of the garage useless to park a car in.
- The City Code is outdated and does not recognize today's larger homes with multiple car attached garages.
 - Families today have more activities and children living at home longer, which may require more cars.
 - The planning must consider these things in order to allow the safety of parking inside as opposed to leaving multiple cars outside and accessible to burglars.

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- He hopes City Council will look at the zoning and instruct Planning Commission to consider cul de sac streets and how many lots should be allowed on them; in addition to being aware of how many vehicles are necessary in a family with several children and two parents.

Mr. Rodic administered the Oath to Mr. William McIlroy and Mr. Graham Lynch.

PUBLIC PARTICIPATION – NONE

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- Specifically, a variance of 14 foot is being requested.

Mr. Kancler noted the submitted written justification for the variance in addition to the site plan showing the location of the lot; he asked Mr. McIlroy if he were testifying under oath at this time, would he state that everything in his application is true as well as the layout of the lot.

Mr. McIlroy replied that he would.

Mr. Brown reiterated that the Board of Building and Zoning Code Appeals frequently sees variance requests due to oddly shaped lots or too many large houses on smaller lots.

- He understands the need for the variance and is in favor of it.

Mr. Wilner agreed.

Mr. Lynch, the neighbor living next door on the side where the proposed addition will sit, commented that both homes have garages facing each other and, as such, he will not be able to see the addition from inside his home.

- They estimate that there will still be 40 feet between houses after the addition is built and there is a tree line there as well.
- Mr. Lynch is comfortable with the addition as long as the additional storm water runoff is handled appropriately.

MOTION: I MOVE THAT WE APPROVE APPEAL #12-2018, FOR THE VARIANCE OF FOURTEEN FEET IN ACCORDANCE WITH THE CODE.

MR. BROWN MOVED, MR. WILNER SECONDED

Mr. Kancler stated for the record that this variance request meets all requirements of an area variance; there is not damage to adjoining property values, there is plenty of landscaping, it is impractical to put a garage together under the circumstances of the way this garage is situated.

UPON ROLL CALL, MOTION PASSED UNANIMOUSLY.

Mr. Rodic explained that City Council has the right to a 30 day consideration period of all variances granted by this Board; at the next Council meeting the City Council Representative, Mr. Scaffide, will request that the 30 day consideration period be waived for this appeal.

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APPROVAL OF MINUTES – Dated August 8, 2018.

MOTION: TO APPROVE THE MINUTES DATED AUGUST 8, 2018.

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

EXCUSE ABSENT - **MOTION:** I MAKE A MOTION TO EXCUSE MR. ZEITZ AND MR.
GRIFFITH.

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

COMMUNICATIONS- NONE

ADJOURNMENT- The meeting was adjourned at 6:39.

Ed Kancler, Chairman

Russ Rodic, Building Commissioner