

TWINSBURG TOWNSHIP BOARD OF ZONING APPEALS

COUNTY OF SUMMIT

STATE OF OHIO

RESOLUTION NO. 02-20

A RESOLUTION TO **APPROVE** AN AREA VARIANCE FROM SECTION 10.5(B) OF THE TWINSBURG TOWNSHIP ZONING RESOLUTION, SPECIFICALLY A VARIANCE OF 150 F TO PERMIT MINIMUM LOT FRONTAGE OF 0 F, WHERE A MINIMUM LOT FRONTAGE OF 150 F IS REQUIRED, TO PERMIT RECONSTRUCTION OF A FORMER HOUSE DESTROYED BY FIRE, IN AN R-4 (SINGLE FAMILY LOW DENSITY RESIDENTIAL) DISTRICT, AT 3575 ANTHONY LANE (PARCEL NOS. 6200015 AND 6200016; UNPLATTED), ON THE NORTH SIDE OF ANTHONY LANE, EAST OF CANNON ROAD

WHEREAS, an application for an area variance from Section 10.5(b) of the Twinsburg Township Zoning Resolution, specifically a variance of 150 F to permit minimum lot frontage of 0 F, where a minimum lot frontage of 150 F is required, to permit reconstruction of a former house destroyed by fire, in an R-4 (Single Family Low Density Residential) District, at 3575 Anthony Lane (Parcel Nos. 6200015 and 6200016; unplatted), on the north side of Anthony Lane, east of Cannon Road (the "Property") was duly submitted by Dale Freeland and Jametta Taylor, 3575 Anthony Lane, Twinsburg, OH 44087 (the "Applicant and Owner"); and

WHEREAS, a public hearing on said application was held at Twinsburg Township Hall, 1790 Enterprise Parkway, Twinsburg, Ohio 44087, on Tuesday, May 26, 2020, at 6:00 PM; and

WHEREAS, notice of such hearing was given in writing to the parties in interest at least ten days before the date of such hearing, and was published in one or more newspapers of general circulation in the County at least ten days before the date of such hearing;

NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals of the Township of Twinsburg, County of Summit, State of Ohio:

SECTION 1. Findings and Conclusions. Based on evidence presented by the Applicant, staff, and the public at the above hearing, this Board hereby weighed the following factors and finds and concludes as follows (“practical difficulty” standard for area variances):

- a. That the property in question WILL NOT yield a reasonable return, and that there CAN NOT be any beneficial use of the property without the variance;
- b. That the variance IS substantial;
- c. That the essential character of the neighborhood WOULD NOT be substantially altered, and that adjoining properties WOULD NOT suffer substantial detriment as a result of the variance;
- d. That the variance WOULD NOT adversely affect the delivery of governmental services (e.g., water, sewer, garbage);
- e. That the property owner DID purchase the property with knowledge of the zoning restrictions;
- f. That the property owner’s predicament feasibly CAN NOT be obviated through some method other than a variance; and
- g. That the spirit and intent behind the zoning requirement WOULD be observed and substantial justice WOULD be done by granting a variance.

SECTION 2. Decision and Conditions. For all of the above reasons, this Board hereby APPROVES an area variance from Section 10.5(b) of the Twinsburg Township Zoning Resolution, specifically a variance of 150 F to permit minimum lot frontage of 0 F, where a minimum lot frontage of 150 F is required, to permit reconstruction of a former house destroyed by fire, in an R-4 (Single Family Low Density Residential) District, on the Property, subject to the following condition:

- a. The applicant shall, within one year of the date of this Board’s decision, consolidate Parcel Nos. 6200015 and 6200016.

SECTION 3. Meetings. This Board finds and determines that all formal actions of this Board concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Board and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including but not limited to Section 121.22 of the Revised Code.

SECTION 4. Effective Date. This Resolution shall be effective and final upon the expiration of five working days from the date of approval, or at the earliest date allowed by law.

This Resolution is hereby declared to have been adopted by the Board of Zoning Appeals of the Township of Twinsburg, County of Summit, State of Ohio, at a meeting, called and held on the 26th day of May, 2020.

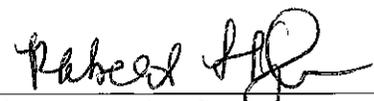
YEAS: Frangos, Geller, Ross, Wahl
NEAS: none
ABSTAIN: none

BOARD OF ZONING APPEALS


Tom Rummel, Chair

CERTIFICATION

I, the undersigned, do hereby certify that the foregoing is a true and correct copy of the resolution adopted by the Board of Zoning Appeals of the Township of Twinsburg, County of Summit, State of Ohio, at a meeting, called and held on the 26th day of May, 2020, and that I am duly authorized to execute this certification.


Robert S. Kagler, Secretary