

TWINSBURG TOWNSHIP BOARD OF ZONING APPEALS

COUNTY OF SUMMIT

STATE OF OHIO

RESOLUTION NO. 03-20

A RESOLUTION TO **APPROVE** AREA VARIANCES FROM SECTIONS 17.18 (B) AND 17.18(G) OF THE TWINSBURG TOWNSHIP ZONING RESOLUTION, SPECIFICALLY (1) A VARIANCE OF 42 F TO PERMIT A DETACHED ACCESSORY BUILDING TO BE LOCATED IN FRONT OF THE REAR BUILDING LINE OF THE PRINCIPAL BUILDING ON THE LOT, WHERE A DETACHED ACCESSORY BUILDING IS REQUIRED TO BE LOCATED BEHIND THE REAR BUILDING LINE OF THE PRINCIPAL BUILDING ON THE LOT, AND (2) A VARIANCE OF 1,320.5 SF TO PERMIT AN AGGREGATE AREA OF TOTAL DETACHED ACCESSORY BUILDINGS ON THE LOT OF 2,448 SF, WHERE THE MAXIMUM PERMITTED AGGREGATE AREA OF TOTAL DETACHED ACCESSORY BUILDINGS ON THE LOT IS 1,127.5 SF; IN AN R-4 (SINGLE FAMILY LOW DENSITY RESIDENTIAL) DISTRICT, AT 8187 STOW ROAD (PARCEL NO. 6201048; UNPLATTED), ON THE EAST SIDE OF STOW ROAD, SOUTH OF OLD MILL ROAD

WHEREAS, an application for area variances from Sections 17.18 (b) and 17.18(g) of the Twinsburg Township Zoning Resolution, specifically (1) a variance of 42 F to permit a detached accessory building to be located in front of the rear building line of the principal building on the lot, where a detached accessory building is required to be located behind the rear building line of the principal building on the lot, and (2) a variance of 1,320.5 SF to permit an aggregate area of total detached accessory buildings on the lot of 2,448 SF, where the maximum permitted aggregate area of total detached accessory buildings on the lot is 1,127.5 SF; in an R-4 (Single Family Low Density Residential) District, at 8187 Stow Road (Parcel No. 6201048; unplatted), on the east side of Stow Road, south of Old Mill Road (the "Property") was duly submitted by Jeffrey T. Johnson, 8187 Stow Road, Hudson, OH 44236 (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 yield a reasonable return, and that there CAN be any beneficial use of the property without the variances;
- b. That the variances ARE 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 variances;
- d. That the variances 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 be obviated through some method other than variances; and
- g. That the spirit and intent behind the zoning requirement WOULD be observed and substantial justice WOULD be done by granting variances.

SECTION 2. Decision and Conditions. For all of the above reasons, this Board hereby APPROVES area variances from Sections 17.18 (b) and 17.18(g) of the Twinsburg Township Zoning Resolution, specifically (1) a variance of 42 F to permit a detached accessory building to be located in front of the rear building line of the principal building on the lot, where a detached accessory building is required to be located behind the rear building line of the principal building on the lot, and (2) a variance of 1,320.5 SF to permit an aggregate area of total detached accessory buildings on the lot of 2,448 SF, where the maximum permitted aggregate area of total detached accessory buildings on the lot is 1,127.5 SF; in an R-4 (Single Family Low Density Residential) District, on the Property.

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.

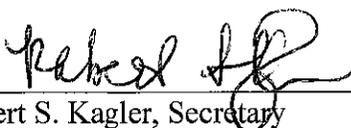
YEAS: Frangos, Geller, Ross, Wahl
NEAS: none
ABSTAIN: none

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