

TWINSBURG TOWNSHIP BOARD OF ZONING APPEALS

COUNTY OF SUMMIT

STATE OF OHIO

RESOLUTION NO. 05-20

A RESOLUTION TO **APPROVE** AN AREA VARIANCE FROM SECTION 8.7 OF THE TWINSBURG TOWNSHIP ZONING RESOLUTION, PREVIOUSLY MODIFIED BY VARIANCE, SPECIFICALLY A VARIANCE OF 19.3 F TO PERMIT A BUILDING SETBACK LINE OF 30.7 F, WHERE A BUILDING SETBACK LINE OF 50 F IS REQUIRED; IN AN R-2 (SINGLE AND TWO-FAMILY MEDIUM DENSITY RESIDENTIAL) DISTRICT, AT 1530 MCCAUSLAND DRIVE (PARCEL NO. 6205171; BRADFORD OAKS SUBDIVISION PHASE 1 SUBLOT 36), ON THE NORTH SIDE OF MCCAUSLAND DRIVE, NORTH OF WAYNESBORO DRIVE

WHEREAS, an application for an area variance from Section 8.7 of the Twinsburg Township Zoning Resolution, previously modified by variance, specifically a variance of 19.3 F to permit a building setback line of 30.7 F, where a building setback line of 50 F is required; in an R-2 (Single and Two-Family Medium Density Residential) District, at 1530 McCausland Drive (Parcel No. 6205171; Bradford Oaks Subdivision Phase 1 Sublot 36), on the north side of McCausland Drive, north of Waynesboro Drive (the "Property") was duly submitted by Caleb N. Soetanto and Utami Soetanto, 1530 McCausland Drive, 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, August 11, 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 variance;
- b. That the variance IS NOT 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 application for an area variance from Section 8.7 of the Twinsburg Township Zoning Resolution, previously modified by variance, specifically a variance of 19.3 F to permit a building setback line of 30.7 F, where a building setback line of 50 F is required; in an R-2 (Single and Two-Family Medium Density Residential) District, on the Property.

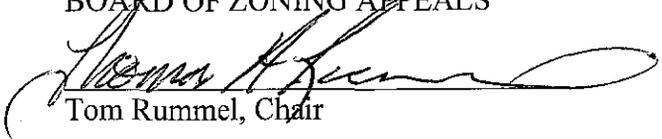
SECTION 3. Meetings. This Board finds and determines that all formal actions of this Board concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Board and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance 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 11th day of August, 2020.

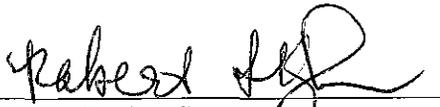
YEAS: Frangos, Geller, Ross, Wahl
NEAS: none
ABSTAIN: none

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 11th day of August, 2020, and that I am duly authorized to execute this certification.


Robert S. Kagler, Secretary