

## **Newbury Township Board of Zoning Appeals**

### **Minutes 3/19/2019**

#### **Keith Lynce (Northwoods Cabins) CU 19-005**

The Newbury Township Board of Zoning Appeals public hearing was called order by Mr. Lou Tomsic, Chairman, at 7:30 p.m. On March 19, 2019 with board members, Mary Lee Brezina, Karen Endres, Chris Yaecker and Ed Myers. All in attendance who wished to speak at this hearing were duly sworn and asked when testifying to the state their name and confirm being sworn in. Mr. Tomsic said the BZA procedures would be followed and that the hearing was being recorded. He verified that notices were advertised and mailed. He read the applicants Area Variance request.

This is a hearing for an area variance for operating Northwood Cabin at Newbury Industrial Park, PPN Nos. 23-192700; 23-385301; 23-385273 which is a vacant parking lot with no current use.

Mr. Joyce shows on Geauga GIS the parking lot and all parcels involved, and that they are all in the Class M1 Industrial District.

Mrs. Endres inquired about a building on one of the parcels. Chuck White explained that there is not a building, but there used to be transformers. But they are no longer there.

Mr. Tomsic states that we are considering 4 Variances.

1. 100' setback off of Route 87.
2. Lot line crossing
3. Lot coverage
4. Minimum building size

Mr. Tomsic asks Mr. White if he owns both properties. Mr. White stated yes. He inquires if Mr. White has a problem consolidating them. Mr. White stated that he does not want to consolidate as it gets very expensive and takes a long time. He is not interested in consolidating at this time. Mr. Tomsic then stated that we could do an Affidavit of Facts. Mr. White stated that would be acceptable. Mr. Joyce stated that an Affidavit of Facts would make it 1 lot.

Mr. Tomsic then asked Mr. Lynce to explain his plan.

Mr. Lynce stated that he owns Northwoods Cabin Co. which manufactures and sells pre-manufactured log cabins. We would set up our model, which is 14' x 40'. That is the largest. The rest are smaller. It is built on skids and then set on a foundation at its permanent location. They are marketing them to camp grounds, State Parks and individuals. They will be set at this property in a real life situation with landscaping, mulch, fire pit, it will be set up as if you were walking into a campground. Planning on 2 of the larger units to start off and 2 or 3 of the smaller cabins. They will also offer other outdoor structures, such as sheds, gazebos, pavilions, and outdoor furniture, everything to go along with outdoor living situation. All branded Northwoods, made locally, sourced through Amish manufactures. Our eventually using some of our buildings to help smaller businesses within their structures, but will be involved with their type of business. Large cabins have bathrooms and kitchens. They will be the first company in Ohio to offer a Certified through the State of Ohio manufactured cabin. Currently, cabins are built on customer's site, as they are still waiting on certification. They like this location, because it allows them to move the cabins and change the landscaping around. It takes 6 to 8 hours to set the cabin up on a site. The Cabins would not be sold on site, they are for demonstration. They plan on working with the community. Planning cook outs, sell Christmas Trees, pumpkins, anything to bring people into our destination location. Cabins will be nationwide sells, mostly regional. Bringing people

from the outside into Newbury. They like this location for the access to main highways and freeways from this location. As for the setbacks, the 100' off the road, he would be the only one anywhere near that. Everyone else is 20' off road. It would push him too far back, half of the property would be unusable.

Mr. Joyce inquired about the larger cabin having a restroom and kitchen, but will not be functioning. No running water in the building. Mr. Lynce stated that he would have to use a different restrooms or a port-a-pottie in a separate building. Mr. White stated that they have public restroom right there for his employees. Mr. Tomsic inquired about heat, and Mr. Lynce stated that they are heated. Probably base board heating.

Mrs. Endres inquired how many structures there would be on the property. Mr. Lynce said 3 large structures, a couple of the smaller cabins and approximately 10 to 12 different shed buildings. All upscale. They want to bring in sheds to help create revenue as they are developing the company. Mr. Myers asked for pictures of the cabins. Pictures were passed around. The larger units will retail for around \$50,000. Smaller from \$12,500 and continue up. There will be electric at main cabins, and low voltage lighting running through the rest of the landscape and lots. Mrs. Endres verified that there would be approximately 5 cabins.

Mr. Myers inquired about State Certification. Mr. Lynce stated the certification, you must have a certified plant, and they approve every plan that you build. Each cabin that they build would be inspected, just like a house is inspected.

Mr. Tomsic asked if he is currently in business. Mr. Lynce said yes, but not doing this. He is a general contractor and wants to switch to this. He has built several cabins on site for many years.

Mrs. Endres confirmed that the cabins would be classified under the Ohio Revised Code as Manufactured homes.

Mr. Yaecker inquired where they are made. Mr. Lynce stated in a factory in Mesopotamia.

Mr. White stated that they mill their own lumber, and it is kiln-dried. Mr. Lynce stated that it is eastern white pine.

Mr. Yaecker stated short term/long term goal. The cabins will be displayed and sold here.

Mr. Lynce stated he would be comfortable with a 50' setback with the buildings.

Mr. Endres had Mr. Joyce show setbacks from surrounding business.

Lengthy discussion regarding setback lines.

Mr. Myers inquired diameter of logs. Mr. Lynce replied 4'x6', flat on inside, V shaped. Drilled down with 10' ledge locks, pinned every 30" Standard log home procedure. Tongue and groove with gadget in-between each log, and chinked on outside.

Mr. Yaecker inquired about the water tower. Mr. Lynce replied that it is decorative, just designed to grab attention.

Mrs. Endres inquired about getting building permits, as they would be used a commercial buildings. Mr. Lynce said that if they were built on site he would need them. Mr. Yaecker asked if he had talked with the building department. Mr. Lynce said he had not. Mr. Joyce said he would contact the building department.

Mr. Tomsic asked if Mr. Lynce had calculated his lot coverage. If we did an affidavit of facts then it would take care of lot coverage for both lots.

Mrs. Endres asked about Green Space. Mr. Lynce replied approximately 25' x 400', plus the yard space up by the road. Mr. Joyce said it would not be reduced by his proposal. Mr. Lynce said the parking lot would be smaller.

Mrs. Endres stated that all units will be on concrete, and Mr. Lynce confirmed.

Mr. Yaecker inquired about the Affidavit of Facts, and how that would impact Mr. White's property. Mr. Joyce stated that the Affidavit stated that you cannot sell one lot without the other. In order to separate, he would have to come to the BZA and to the court to change the Affidavit.

Lengthy discussion about whether you can extinguish a variance. You cannot extinguish a variance once it is granted.

Mrs. Endres clarified the parcel numbers as PPN: 23-19700 & 23-385301, and stated that instead of consolidating the lots, the BZA would require an Affidavit of Fact to allow us to evaluate this application as if it were 1 lot rather than 2.

Mr. Tomsic confirmed that the lot coverage will not change and that they are building on top of asphalt. No lot coverage variance needed.

Mrs. Endres stated that there should be a condition that he cannot cover any additional green space.

Mr. Tomsic inquired about building size. The buildings are not fixed.

Mr. Joyce stated that they would be occupied buildings if they go the route of leasing them.

Mr. Lynce said that anything sold would be his products. Mr. Joyce inquired about leasing them to other vendors. Mr. Lynce stated that maybe in the future, but not now.

Mrs. Endres asked Mr. Joyce where he found this in the zoning Manuel that this is a permitted use. Mr. Joyce to find it. Mrs. Endres also requests a site plan that is to scale. Mr. Lynce said he intended to move the building around. He does not have an exact plan where the building are going to go. The office would be the first building in.

Set back line discussion from everyone.

Mr. Myers requests a comprehensive plan. He feels the one presented is piece mealed together.

Discussion regarding signage.

Mr. Yaecker requests some time to think about conditions regarding the setback line. Mrs. Endres agrees and wants a well-crafted approval. Such as not going past the parking lot.

Mr. White stated that this project will bring in revenue and is aesthetically pleasing

Mrs. Endres stated that she is not comfortable with a 50' setback, however she would be with a 75' setback which is 25% Variance verses a 50' Variance.

Mrs. Endres motioned to go into Executive session.

Ed. Myers seconded the motion.

BZA into executive section from 8:56 to 9:30

Roll Call:

Karen Endres	Yes
Chris Yaecker	Yes
Mary Lee Brezina	Yes
Ed Myers	Yes
Lewis Tomsic	Yes

Mr. Tomsic stated that there are too many variable. We are not going to make this dissection tonight. We would like to this in 1 week and 1 day with conditions. We can meet here on Wednesday March 27, 2019 at 7:30. We would like to have a site plan to scale showing your plans for landscaping as well as the maximum sizes of the buildings, and the maximum number of buildings. It would be ideal is all the building were drawn 76' off the road.

Mr. Lynce said he would be ok to go 75' back.

Mrs. Endres stated that they are inclined to go 75' however they need to see the site plan showing everything maxed out.

Mr. Tomsic motioned to continue this hearing on March 27<sup>th</sup>, 2019 at 7:30 pm

Mrs. Endres seconded the motion.

Roll Call:

Karen Endres                Yes

Chris Yaecker             Yes

Mary Lee Brezina        Yes

Ed Myers                    Yes

Lewis Tomsic              Yesd

Lou Tomsic adjourned the BZA hearing at 10:00 p.m.

Signatures of the Newbury Board of Zoning Appeals:

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Lewis Tomsic, Jr. Chairman

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Chris Yaecker

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Karen Endres

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Mary Lee Brezina

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Mike Fenstermaker

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Sue Wagner, Secretary BZA