



CITY of MEDINA

Board of Zoning Appeals

Organizational Meeting

Board of Zoning Appeals

Meeting Date: March 10, 2016

Meeting Time: 6:00 pm

Present: Bert Humpal, Kris Klink, Mark Williams, Brandilynn Maibach, Rob Henwood, Jonathan Mendel, (Community Development Director), Justin Benko (Associate Planner), Sandy Davis (Administrative Assistant)

Absent: Mark Pinskey

Minutes: Mr. Williams made a motion to approve the minutes from the February 11, 2016 meeting as submitted. Mr. Henwood seconded the motion.

Vote:

Humpal	<u>Y</u>
Klink	<u>abstain</u>
Williams	<u>Y</u>
Maibach	<u>abstain</u>
Henwood	<u>Y</u>
Approved	3-2

Old Business: None

New Business:

1. Z16-05 1186 Waterbury Ingrid A. Schaller VAR
Mr. Benko gave a brief overview of the case. Mr. Benko stated this is a variance request from Section 1121.05 of the Planning and Zoning Code to allow an addition 7 feet from the side property line instead of the minimum 10 feet.

Mr. Benko stated the existing 2 car garage is located 18 feet off the side lot line. Mr. Benko stated the applicant has proposed the addition of an attached 1 car garage to the existing 2 car garage. Mr. Benko stated the addition would create a side lot line of 7 feet. Mr. Benko stated the applicant is seeking a variance from section 1121.05 of the Planning and Zoning Code to allow the addition 7 feet from the side property line when a 10 foot side yard setback is required.

Mr. Benko stated the variance may be substantial. Mr. Benko stated the setback is 3 feet or 30% shorter than code requirements.

Mr. Benko stated there is currently 28 feet of spacing between the applicant's house and the neighboring house. Mr. Benko stated the average spacing between houses on this section of Waterbury is 22.5 feet. Mr. Benko stated the applicant has proposed 17 feet of spacing between their house and the neighbor.

Mr. Benko stated the owner's predicament could not feasibly be obviated without a variance. Mr. Benko stated per the applicant, constructing a code compliant detached garage in the rear of the property would incur considerable expense for the construction of a concrete driveway and require the removal of trees at the site.

Mr. Benko stated the likely intent of the requirements is to provide a standard and predictable amount of development and site disturbance for a given parcel; to prevent excessive encroachment into side yards; and to provide minimum separation between buildings.

Present for the case was property owner Joe Schaller and his wife Ingrid Schaller. Mr. Schaller stated they have a need for additional garage space. Mr. Schaller stated there is a small area inside the existing garage which is adjacent to their utility room. Mr. Schaller stated it is only 7 foot wide. Mr. Schaller stated they would need to widen that section of the garage anyway so in order to put an eight foot wide garage door on, their builder recommends that there be approximately 11 feet to do that. Mr. Schaller stated the house is centered on the property giving 18 ft. on each side of the house. Mr. Schaller stated the builder suggested going with the 11 foot proposal which translates to 3 feet into the side yard. Mr. Schaller stated the yard has a lot of trees and they are the original owners. Mr. Schaller stated directly behind them is the detention basin for the proposed Acme Store.

Mr. Humpal asked if the adjoining property owners were notified. Mr. Benko stated they were notified and the city has had no response. Mr. Schaller stated he spoke with the neighbor on the side where the variance would be granted. Mr. Schaller stated the neighbor expressed no concerns with the proposal.

Mr. Klink asked if the space above the garage is living space or attic space. Mr. Schaller stated it is storage space. Mr. Klink asked if there was a way to elevate the storage as a solution. Mr. Schaller stated the peak may move on the roof of the garage. Mr. Schaller stated they will probably use trusses that open up within the garage so all the space is within the garage as a big open ceiling.

Mr. Benko stated the driveway will meet the 200 sq. ft. maximum allowable.

Mr. Klink made a motion to approve a variance to Section 1121.05 of the Planning and Zoning Code to allow an addition 7 feet from the side property line instead of the minimum 10 feet at 1186 Waterbury Drive, Medina, Ohio. The approval is based on the finding that the property owner's predicament could not feasibly be obviated through other methods.

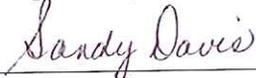
The motion was seconded by Mr. Henwood.

Vote:

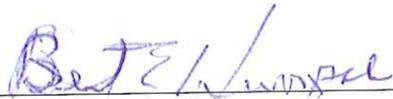
Humpal	<u>Y</u>
Klink	<u>Y</u>
Fry(Maibach)	<u>Y</u>
Henwood	<u>Y</u>
Williams	<u>Y</u>
Approved	5-0

Having no further business, the meeting was adjourned.

Respectfully submitted,



Sandy Davis



Bert Humpal, Chairman