



CITY of MEDINA

Board of Zoning Appeals

Board of Zoning Appeals

Meeting Date: May 8, 2014

Meeting Time: 6:00 pm

Present: Bert Humpal, Mark Williams, Kris Klink, Mark Pinskey, Justin Benko (Associate Planner), Sandy Davis (Administrative Assistant)

Absent: Jim Bigam

Minutes: The minutes of the April 10, 2014 meeting were presented for approval. Mr. Klink made a motion to approve the minutes as submitted. Mr. Pinskey seconded the motion.

Vote:

Humpal	<u>Y</u>
Klink	<u>Y</u>
Pinskey	<u>Y</u>
Williams	<u>Y</u>
Approved	4-0

New Business:

1. Z14-08 616 Seeley Dr. James Blair VAR

Justin Benko gave a brief overview of the case. Mr. Benko stated this is a variance request to Section 1145.05 (c) of the Planning and Zoning Code to permit a driveway that is 30 feet wide instead of the maximum allowed 20 feet and with an extension area of 255 sq. ft. instead of the 200 sq. ft. maximum.

Mr. Benko stated the site is located on the south side of Seeley Drive. Mr. Benko stated the property is bounded by Sovereign Lane to the north, W. Sturbridge Drive to the South, Featherstone Drive to the west, and Dover Drive to the east. Mr. Benko stated the property is adjacent to residential on all sides.

Mr. Benko stated the applicant has submitted a variance request to Section 1145.05 (c) to allow for a 255 square foot parking pad in an area where only 200 sq. ft. parking pads are permitted by code. Mr. Benko stated this would create a driveway that is 30 feet wide. Mr. Benko stated the additional driveway space would be used primarily for vehicle

parking and vehicle flow. Mr. Benko stated there are five existing driveways on Seeley Drive that have similar driveway designs.

Mr. Benko stated the request is subject to determination of a practical difficulty as a driveway size variance is requested. Mr. Benko stated there are seven factors that the BZA should consider when evaluating whether or not a practical difficulty exists. Mr. Benko stated the following:

A. Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the variance;

Mr. Benko stated the existing site can still be utilized as a single family residential dwelling without the granting of a variance.

B. Whether the variance is substantial;

Mr. Benko stated the proposed size of the driveway parking pad is 27.5% larger than what is allowable by code. There are five other properties on Seeley Drive that have similar driveway configurations.

C. Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer substantial detriment as a result of the variance;

Mr. Benko stated there are five other properties on Seeley Drive that have similar driveway configurations.

G. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting a variance.

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 and to prevent excessive front yard paving.

Mr. Benko stated the BZA must weigh the above seven factors for the requested variance and determine if a practical difficulty exists that would merit a variance from section 1145.05 (c).

Present for the case was the property owner Jim Blair, 616 Seeley Drive, Medina, Ohio. Mr. Blair stated he would like to add an extra pad in order to park his wife's car on it.

Mr. Klink asked if the cars are commercial or personal cars. Mr. Blair stated they are personal cars. Mr. Blair stated they currently have three cars and his daughter will be licensed next year which will add a fourth car.

Mr. Benko stated three neighbors have sent in letters in support of the variance. Mr. Benko stated 622 Seeley, 621 Seeley, and 615 Seeley Drive wrote letters in support of the

variance. Mr. Humpal asked if the other properties on the street were granted variances. Mr. Benko stated he has not checked to see.

Mr. Williams stated he has noticed on Sturbridge there are issues with cars jockeying cars in the driveway and the street. Mr. Williams stated he would rather see cars in the driveway rather than the street. Mr. Williams stated he is in support of the request.

Mr. Williams made a motion to approve a variance request to Section 1145.05(c) of the Planning and Zoning Code to permit a driveway that is 30 feet wide instead of the maximum allowed 20 feet and with an extension area of 255 sq. ft. instead of the 200 sq. ft. maximum based on the finding the nature and character of the neighborhood will not be significantly altered.

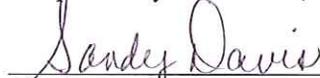
Mr. Pinsky seconded the motion.

Vote:

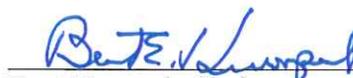
Klink	<u>Y</u>
Pinsky	<u>Y</u>
Humpal	<u>Y</u>
Williams	<u>Y</u>
Approved	4-0

Having no further business, the meeting was adjourned.

Respectfully submitted,



Sandy Davis



Bert Humpal, Chairman