

MEETING DATE: 10-13-16

BOARD OF ZONING APPEALS

Z16-20

119 N Elmwood Ave.



CITY of MEDINA
Board of Zoning Appeals
October 13, 2016 Meeting

Case No: Z16-20

Address: 119 N. Elmwood Avenue

Applicant: Rentz Insurance – Patrick Rentz

Subject: A variance from Section 1129.07(a) of the Planning and Zoning Code to permit to construct two parking spaces in the front yard which is prohibited in the M-U District

Zoning: M-U Multi-Use

Submitted by: Justin Benko, Associate Planner

B

Site Location:

The property is located on the west side of N. Elmwood Avenue north of W. Liberty Street and south of W. Friendship Street.

Project Introduction:

The applicant is proposing the addition of two parking spaces in the front yard for Rentz Insurance. The property is located in the M-U zoning district which prohibits parking in the front yard of the building. Due to the size of the parcel, there is not room for parking in the rear of the building; therefore, the applicant is seeking a variance to allow for the construction of two paved parking spaces in the front yard. The parking spaces would be for customers..

Please find attached to this report:

1. Letter from Applicant.
2. Site plan.
3. Aerial photograph of the property.

Considerations:

§1107.08(b) of the Medina Administrative Code describes the responsibilities of the Board of Zoning Appeals as such: Where there are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of the provisions of this chapter, the

Board shall have the power, in a specific case, to interpret any such provision in harmony with its general purpose and intent so that the public health, safety, and general welfare may be secured and substantial justice done.

The request is subject to determination of a practical difficulty as a parking space variance is requested. There are seven factors that the BZA should consider when evaluating whether or not a practical difficulty exists. These factors are outlined below, along with a discussion of how these factors apply to the application in question.

The applicant shall show by a preponderance of the evidence that the variance is justified, as determined by the Board. The Board shall weigh the following factors to determine whether an area variance should be granted:

- 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;*

The existing site can still be used as an insurance agency without the granting of a variance.

- B. *Whether the variance is substantial;*

The variance may be substantial as it is a 100% variance from the code.

- 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;*

The essential character of the neighborhood may not be substantially altered. This section of the M-U zoning district is all commercial and government uses. Similarly the property to the south, although fronting W. Liberty Street, has similar paving to the applicant's proposal along N. Elmwood. Additionally, the applicant proposes a landscaping buffer between the sidewalks and proposed parking spaces to soften the edge.

- D. *Whether the variance would adversely affect the delivery of governmental services (e.g., water, sewer, garbage);*

The variance would not adversely affect the delivery of governmental services.

- E. *Whether the property owner purchased the property with knowledge of the zoning restrictions;*

The code requirements have been in effect for a significant time period and the owner had knowledge of the code requirements.

F. Whether the property owner's predicament feasibly can be obviated through some method other than a variance; and/or

The owner's predicament could not feasibly be obviated without a variance. The subject's site is small and there is not sufficient space for compliant parking in the rear of the property.

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

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 encourage uniformity in the M-U district and maintain a more residential site character.

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 1129.07(a).



Auto ♦ Home ♦ Life ♦ Business

Renz Insurance Agency Inc.

Lacquement Insurance

Thomas P. Meehan Insurance &

Buckeye State Insurance Agency

807 East Washington Street • Suite 220 • Medina, Ohio 44256

Phone: 330-722-2800 Fax: 330-952-1852

Date: 9/6/16

To: Board of Zoning Appeals

From: Patrick C. Renz (Renz Properties, LLC.)

Re: Variance Acceptance for 119 N. Elmwood Ave., Medina Ohio 44256

To Whom It May Concern,

I would like to request a variance for property address:

Renz Properties, LLC

119 N. Elmwood Ave

Medina, Ohio 44256

The requested variance is for 2 paved parking spots located in part of the front yard. The reason for this is that the lot is very small. We will be moving the Renz Insurance Agency, Inc. into the property. Currently the property has no area for parking in the rear of the property. The 2 parking spots would enable a customer to enter and exit safely. The properties adjacent to this location are commercial businesses. One of the business is completely paved in the front yard. The other has parking in the rear of their building.

We would put in 2 spots using the left side of the property connected to the driveway. We are asking to pave the left side of the property and not the entirety so that we can maintain a front yard for the historic district look and feel. We will also landscape and separate the parking spot and sidewalk with some attractive box hedges. We will also be landscaping the rest of the front yard and continue to have a nice manicured property.

We respectfully request your approval for our request for this variance. I have attached an architects rendering of our proposed parking plan. See attached.

Sincerely,

Patrick C. Renz

Renz Properties, LLC

Renz Insurance Agency, Inc.

RECEIVED
SEP 06 2016

BY:

OFFICES FOR:
THE RENZ INSURANCE AGENCY, INC.

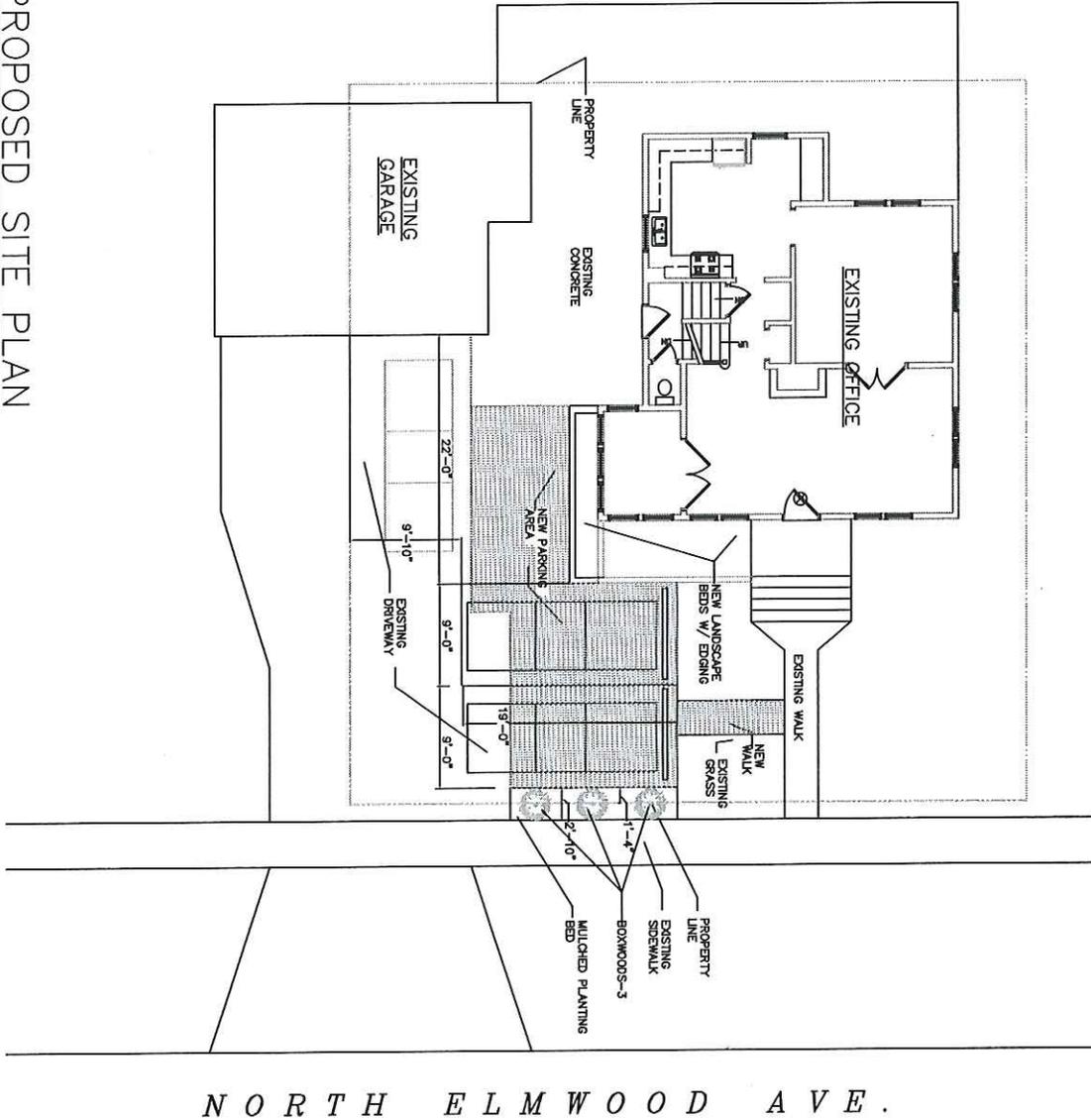
XXXXX * MEDINA * OHIO * 44256 *

David Sabol Architect LLC

10065 Echo Hill Drive * Brecksville * Ohio * 44141 * (440) 821-7303 *
Sabol.arch@gmail.com



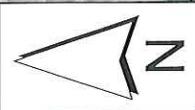
PROPOSED SITE PLAN
1/16" = 1'-0"



SK-1
REVIEW 7/20/16
REVISED 9-1-16

RECEIVED
SEP 06 2016

P.V.



1 inch = 50 feet

N ELMWOOD AVE

W LIBERTY ST

Subject Site

Z16-20
119 N Elmwood
Parking location variance
October 13, 2016