

MEETING DATE: 11-10-16

BOARD OF ZONING APPEALS

Z16-27

1049 Lawrence



CITY of MEDINA

Board of Zoning Appeals

November 10, 2016 Meeting

Case No: Z16-27

Address: 1049 Lawrence Street

Applicant: Steven Hill

Subject: Variance request from Section 1145.06(a) of the Planning and Zoning Code to allow a 372 sqft of additional driveway parking area which is in excess of the allowable 200 sqft.

Zoning: R-1 Low Density Urban Residential

Submitted by: Justin Benko, Associate Planner

JB

Site Location:

The property is located on the northeast corner of the Lawrence Street and Sturbridge Drive intersection.

Project Introduction:

The applicant recently widened the driveway to a code compliant 20 ft and added a compliant 182 sqft parking pad to allow access to a newly paved area on the side of the garage for RV parking. The applicant is seeking a variance to pave an additional 190 square feet of parking area to allow for improved access to the parking area on the side of the garage.

Please find attached to this report:

1. Site plan.
2. 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 variance to exceed allowable square footage for a driveway 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 applicant is still able to park the RV on site; however, the ability to maneuver on the site may be hindered.

B. *Whether the variance is substantial;*

The variance may be substantial as the additional parking area/ driveway is 96% larger than code requirements.

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. The applicant owns the vacant parcel to the north and has proposed to landscape the perimeter of the driveway expansion.

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. It is not known if the applicant 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 be feasibly obviated without a variance. The proposed triangular concrete parking area is to provide access to the parking area on the side of the garage intended for the RV. Without the variance, the applicant would likely need to drive through the grass to store the RV for the winter.

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 prevent excessive front yard paving.

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 1145.06(a).

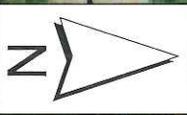


Subject Site

LAWRENCE ST

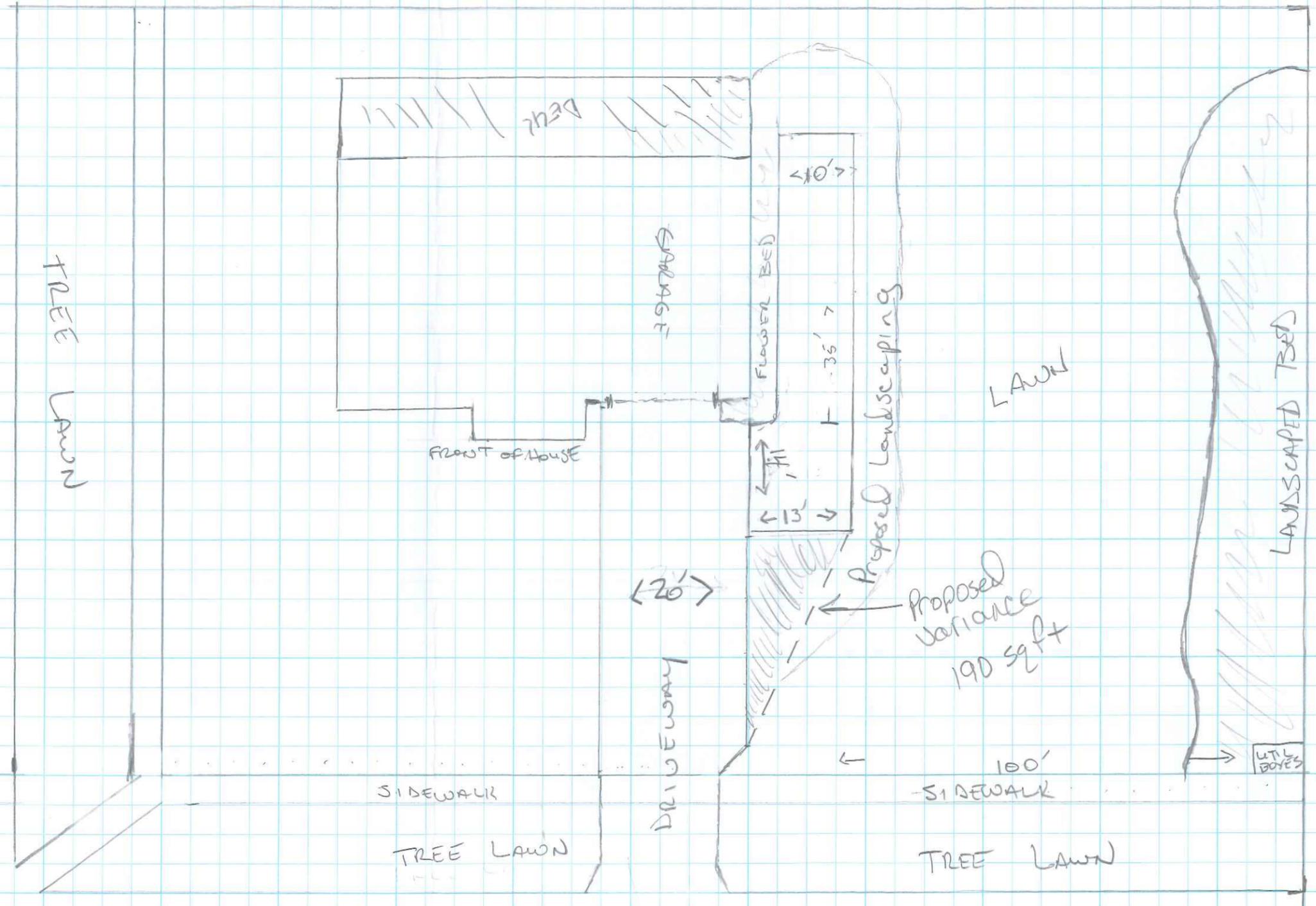
W STURBRIDGE DR

Z16-27
1049 Lawrence St.
Driveway Area Variance
November 10, 2016



1 inch = 50 feet

RECEIVED
OCT 20 2016
BY:



TREE LAWN

110'

TREE LAWN

FRONT OF HOUSE

STAIRS

FLOWER BED

10'

36'

20'

DRIVEWAY

SIDEWALK

TREE LAWN

LAWN

Proposed Variance
190 sq ft

100'
SIDEWALK

TREE LAWN

LANDSCAPED TREES

LITTLE BOXES

220'