

MEETING DATE: 1-11-18

BOARD OF ZONING APPEALS

Z18-01

283 Broken Fence Drive



CITY of MEDINA

Board of Zoning Appeals

January 11, 2018 Meeting


Case No: Z18-01

Address: 283 Broken Fence

Applicant: Patio Enclosures representing Cary Knox (Owner)

Subject: Variance request to Section 1121.05 of the Planning and Zoning Code to allow an addition 45 feet from the rear property line instead of the minimum 50 feet.

Zoning: R-1, Low Density Urban Residential

Submitted by: Jonathan Mendel, Community Development Director 

Project Introduction:

The applicant proposes a one story addition to the rear of the existing house. The addition is 12 feet deep and the existing house is setback 57 feet rear property line. The addition would encroach 5 feet into the minimum required 50 foot rear setback. Therefore, the applicant is seeking a variance from section 1121.05 of the Planning and Zoning Code to allow the addition 45 feet from the rear property line instead of the minimum required 50 foot side yard setback.

Please find attached to this report:

1. Applicant's project narrative
2. Building and site plans received December 18, 2017
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 rear yard setback 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 a single family residential dwelling without granting a variance.

- B. *Whether the variance is substantial;*

The variance may not be substantial. The proposed setback is 45 feet, which is 10% less than the minimum required 50 feet.

- 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 applicant's rear yard adjoins a large undeveloped parcel in unincorporated Montville Township. The nearest house directly to the rear of the applicant's yard is approximately 355 feet to the east on Crown Pointe Drive in unincorporated Montville Township.

- 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 rear yard setback minimum was in effect when the applicant's house was built.

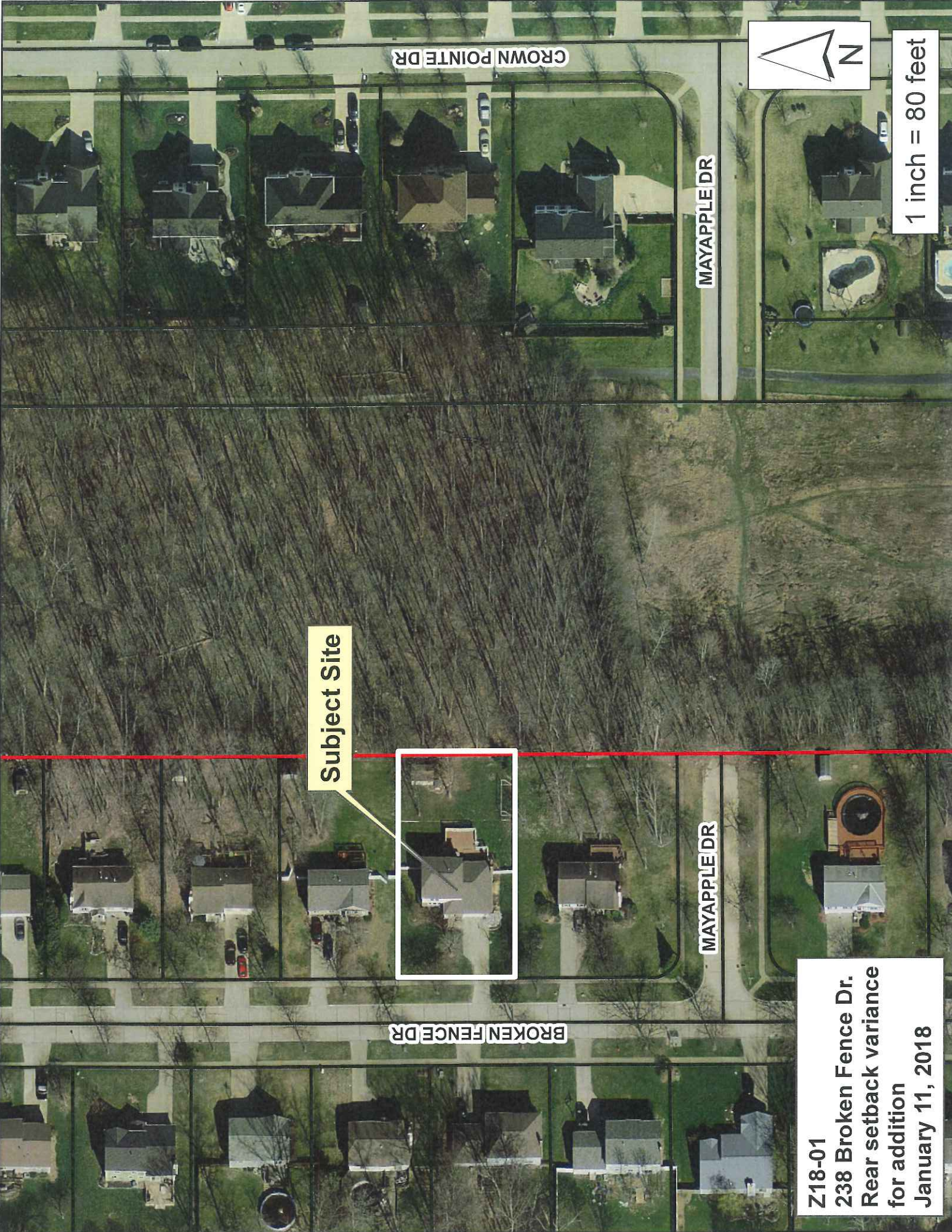
- F. *Whether the property owner's predicament feasibly can be obviated through some method other than a variance; and/or*

The owner's predicament could not feasibly be obviated without a variance. The addition could be reduced to 7 feet deep, but may create an awkward interior floorplan and not be as functionally efficient given the building's existing interior layout/function.

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

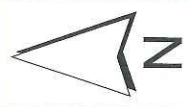
The likely intent of the requirements is to provide a standard and predictable amount of development and site disturbance for a given parcel; to prevent excessive encroachment into rear yards; and to provide minimum separation between buildings.

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 1121.05.



CROWN POINTE DR

MAYAPPLE DR



1 inch = 80 feet

Subject Site

BROKEN FENCE DR

MAYAPPLE DR

Z18-01
238 Broken Fence Dr.
Rear setback variance
for addition
January 11, 2018



CITY of MEDINA

Community Development

Ph(330) 722-0397 Fax (330) 722-9023

www.medinaoh.org

Board of Zoning Appeals Use (unnecessary hardships) worksheet

Case No.

Address:

283 BROKEN FENCE

Applicant:

Patio Enclosures / Caray Knox

A. The variance requested stems from a condition which is (unique) [unique/not unique] to the property at issue and (not ordinarily) [not ordinarily/ordinarily] found in the same zone or district;

rear wooded utility easement (not developed) for residential use.

B. The hardship condition [is/is not] created by actions of the applicant;

C. The granting of the variance [will/will not] adversely affect the rights of adjacent owners because

rear wooded easement cannot be (not currently) developed for residential

D. The granting of the variance [will/will not] adversely affect the public health, safety or general welfare because

sunroom is only being installed on 1/3 of existing deck space with no homeowners behind property affected.

E. The variance (will) [will/will not] be consistent with the general spirit and intent of this Ordinance because

The residence is landlocked on dead end street with utility easement at rear of lot.

F. The variance sought (is) [is/is not] the minimum which will afford relief to the applicant because

Constructing a sunroom 7ft vs 12ft from house is not reasonably large to meet resident needs.

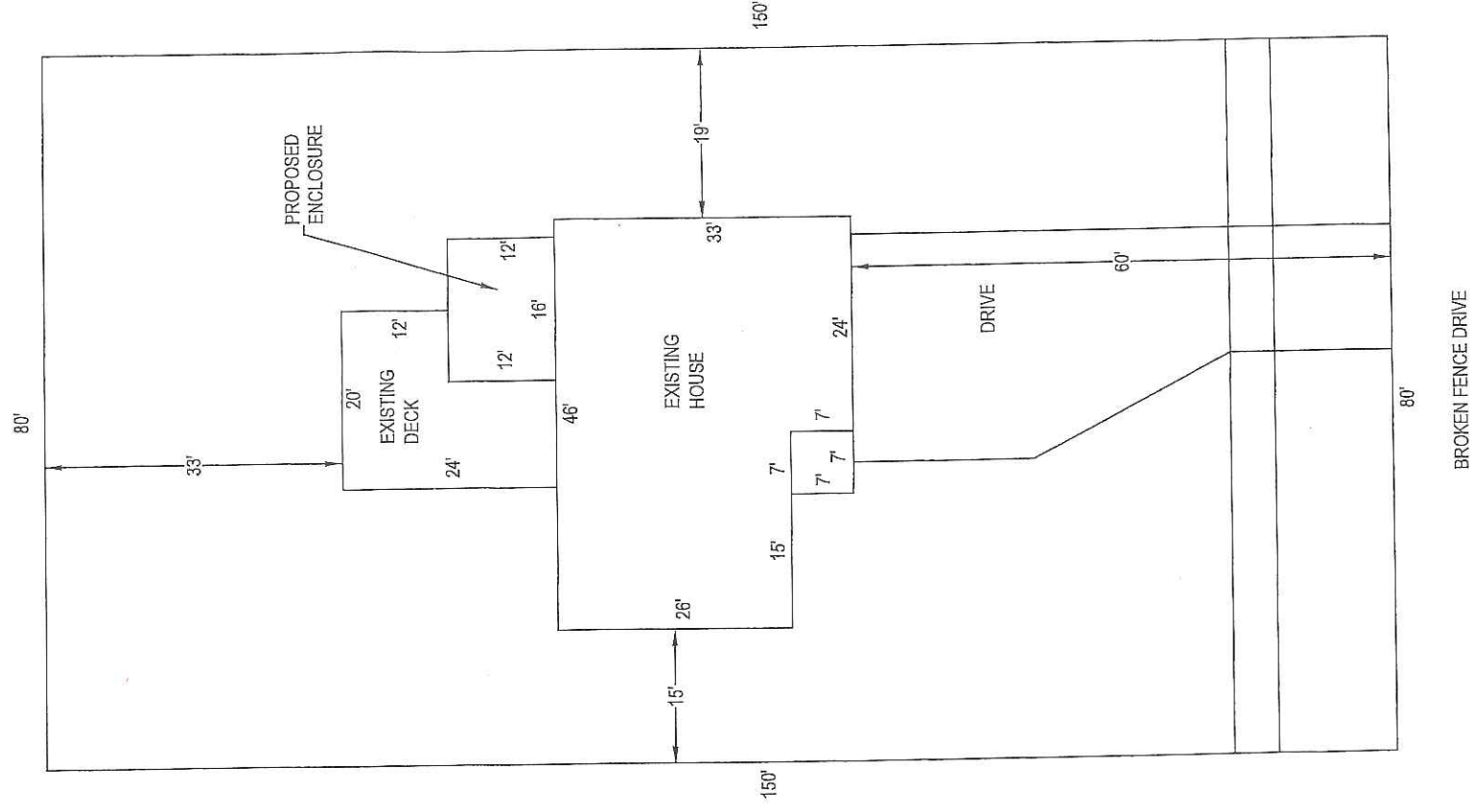
G. There (is) [is/is no] other economically viable use which is permitted in the zoning district because

land locked residential area with a wooded utility (natural gas) easement at rear of property.

For all of the above reasons, I move the board (approve) [approve/disapprove] the request with the following conditions:

sunroom not exceed additional 5ft extension requested to current 7ft setback (TOTAL PROJECTION) = 12 LF from house

DRAWING TO SCALE IF THIS DIMENSION MEASURES 3"



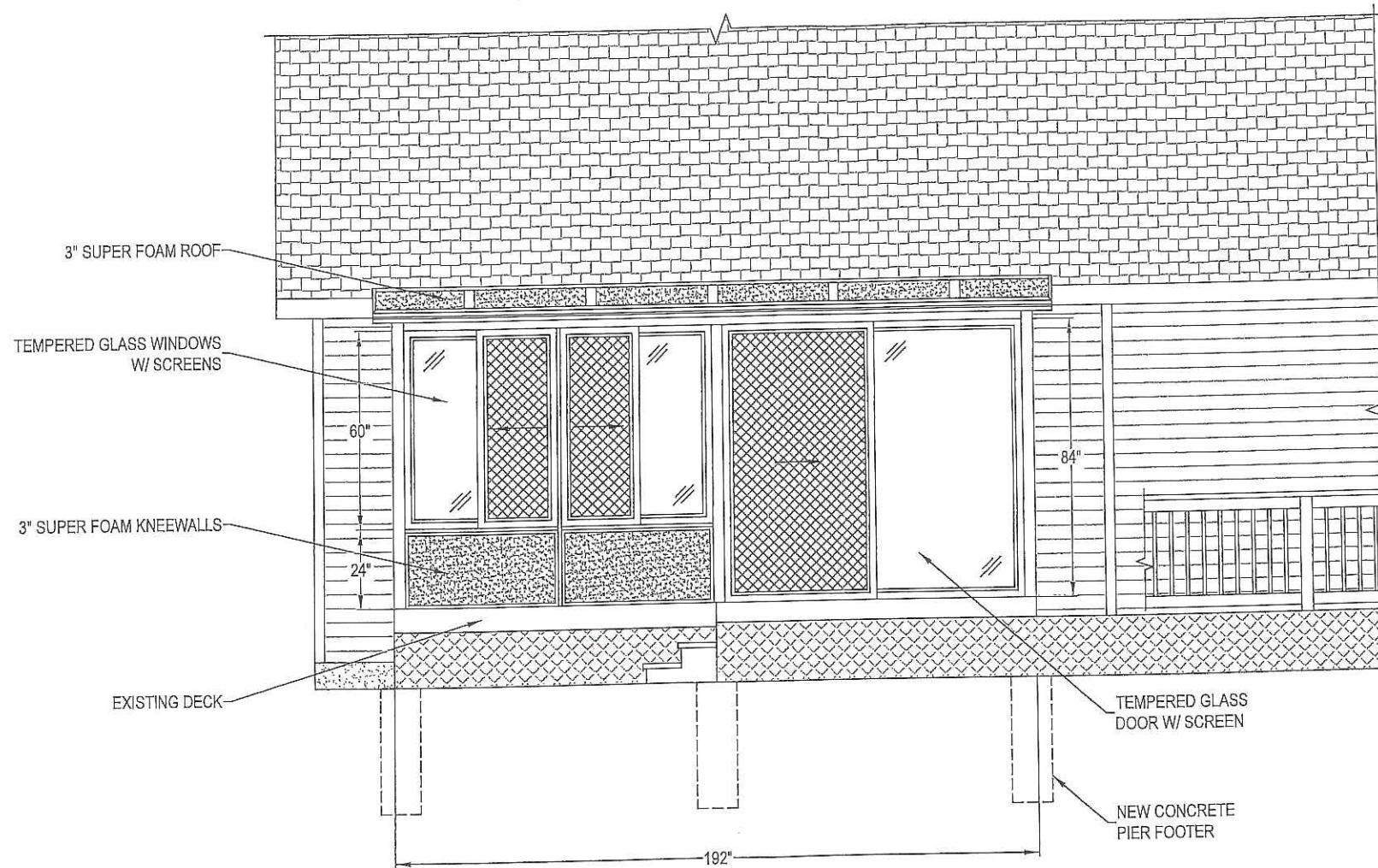
SITE PLAN
SCALE: 1" = 20'-0"

RECEIVED
DEC 18 2017

BY:

CAREY KNOX
283 BROKEN FENCE DRIVE
MEDINA, OH 44256

DRAWING TO SCALE IF THIS DIMENSION MEASURES 3"



ELEVATION - "B" WALL

NOTES:

1. ALLVIEW (AAS) ROOM; WHITE IN COLOR
2. CONSTRUCT ENCLOSURE ON EXISTING DECK
3. NO HEAT BY GDI, ELECTRICAL BY GDI
4. ALL CONCRETE TO BE 3000 PSI MINIMUM
5. ALL LUMBER TO BE SPF #2 OR BETTER, PRESSURE TREATED WHERE REQUIRED
6. WHERE REQUIRED, METALS IN CONTACT WITH PRESSURE TREATED LUMBER MUST BE ADEQUATELY PROTECTED.
7. ROOM CONSIDERED AS NON-CONDITIONED SPACE, EXEMPT FROM ENERGY EFFICIENCY REQUIREMENTS (PER CHAPTER 11 OF IRC)



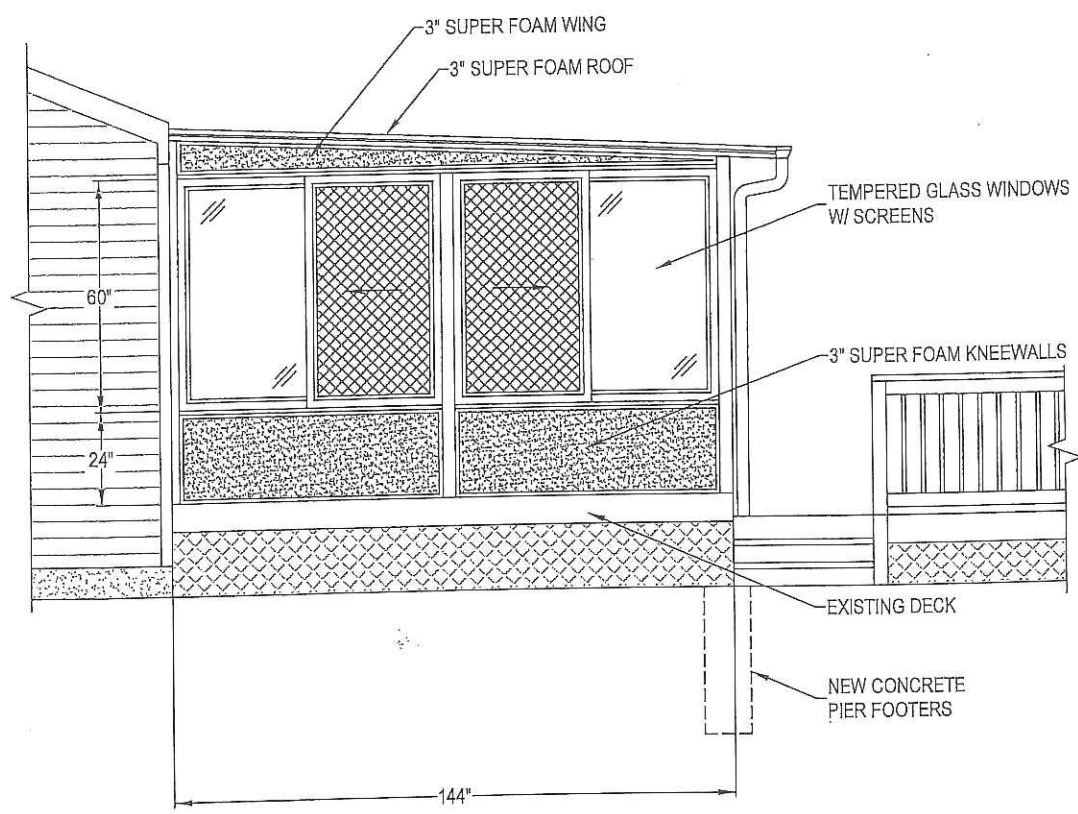
LOCATION
 GDI - CLEVELAND
 700 E. HIGHLAND ROAD
 MACEDONIA, OH 44056
 330-467-4267

CAREY KNOX
 283 BROKEN FENCE DRIVE
 MENINA, OH 44256
 JOB #40316

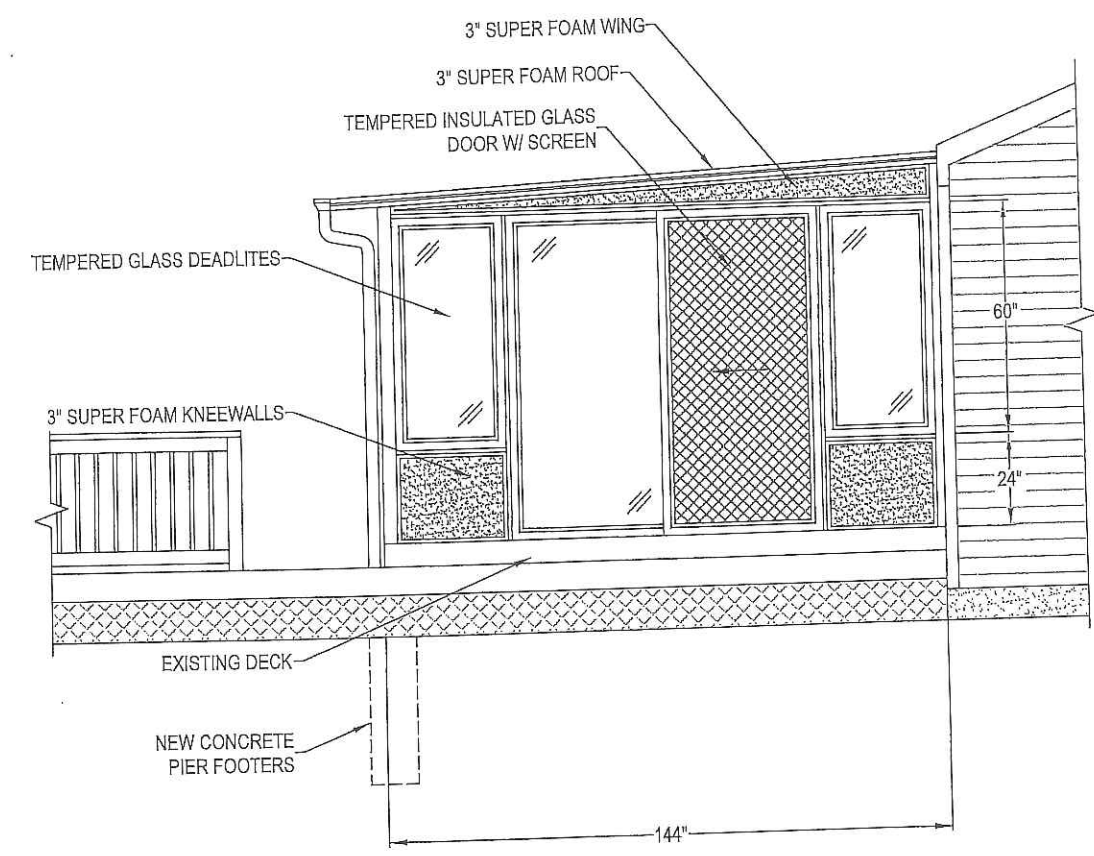
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DRAWN	RDN
SCALE	1/4" = 1'-0"
SHEET	1 OF 6

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DRAWING TO SCALE IF THIS DIMENSION MEASURES 3"



ELEVATION - "A" WALL



ELEVATION - "C" WALL



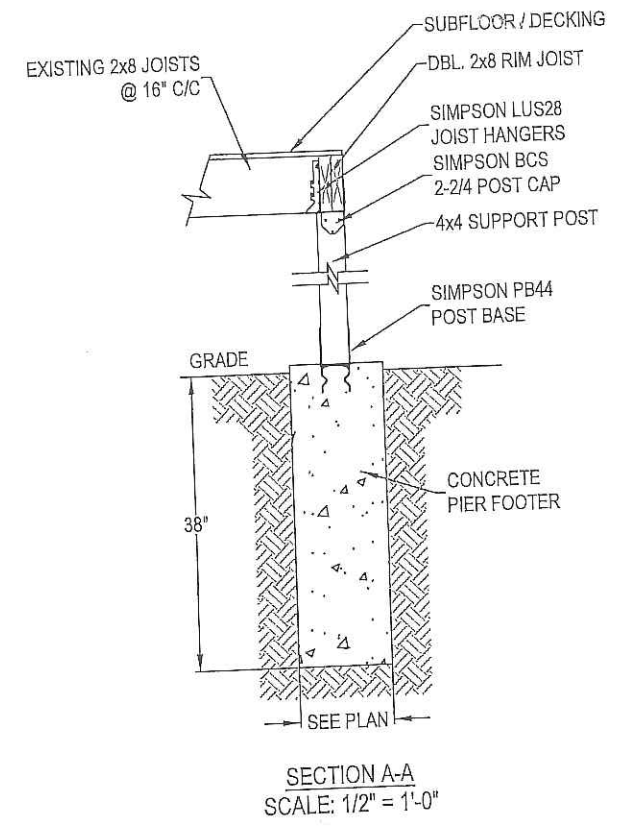
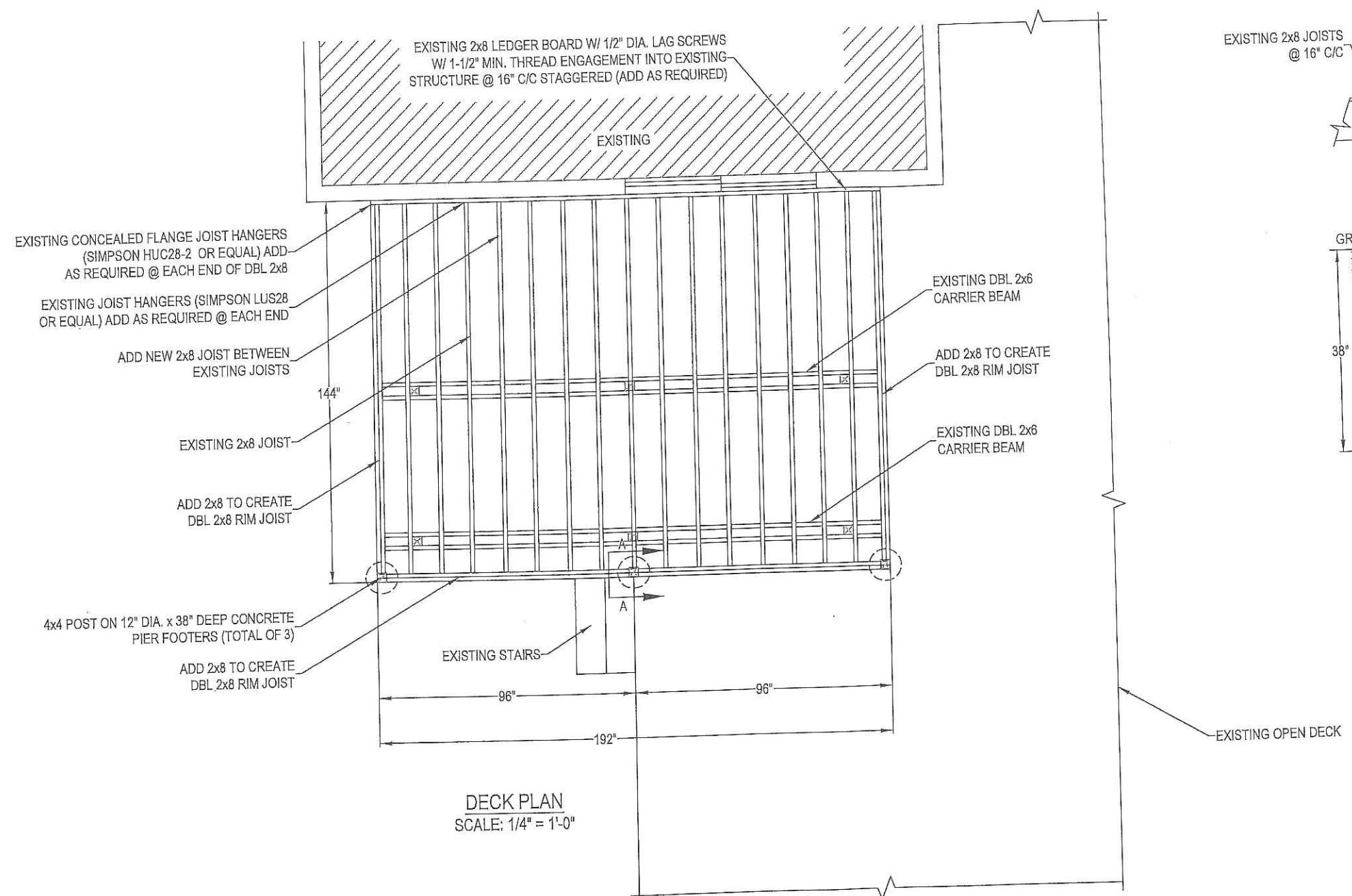
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DRAWN	RDN
SCALE	1/4" = 1'-0"
SHEET	2 OF 6

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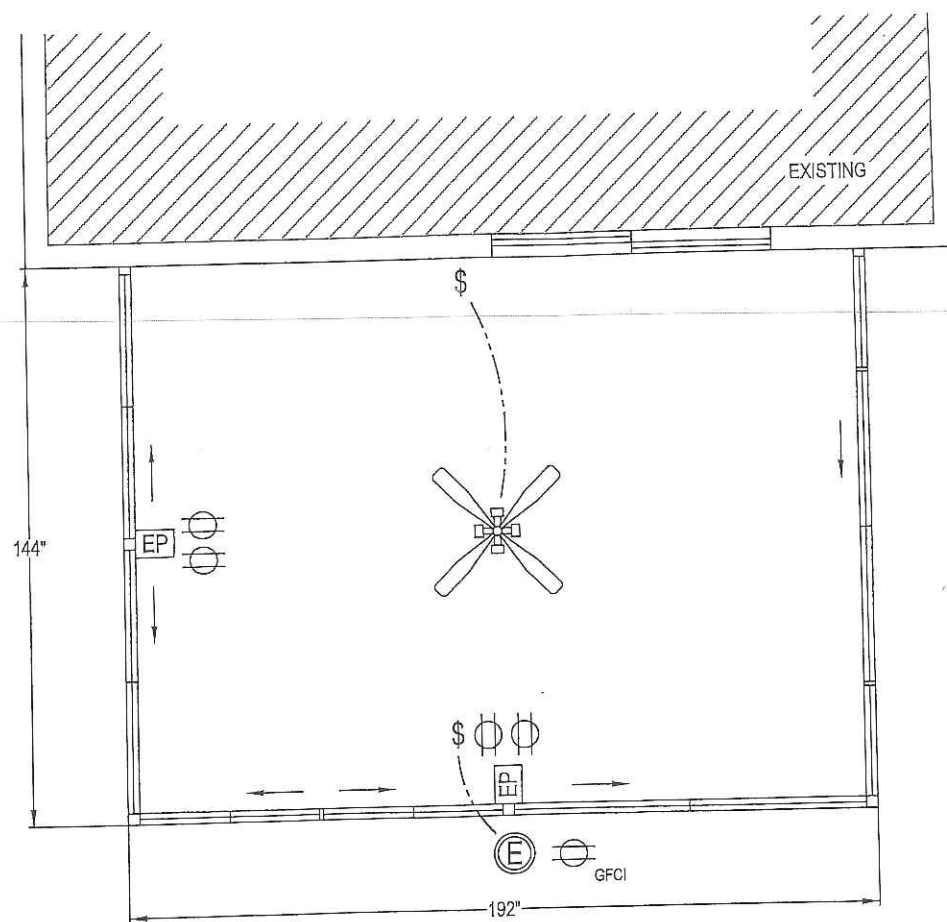
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DATE	11/8/17
DRAWN	RDN
SCALE	AS NOTED
SHEET	3 OF 6






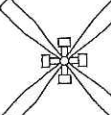

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DRAWING TO SCALE IF THIS DIMENSION MEASURES 3"



ELECTRICAL PLAN

GDI ELECTRICAL SYMBOL LEGEND

-  ELECTRICAL RACEWAY POST
-  DUPLEX RECEPTACLE
-  GFCI DUPLEX RECEPTACLE
-  EXIT LIGHT
-  SWITCH
-  CEILING FAN W/ LIGHT
-  LINE FROM SWITCH TO FIXTURE CONTROLLED



LOCATION

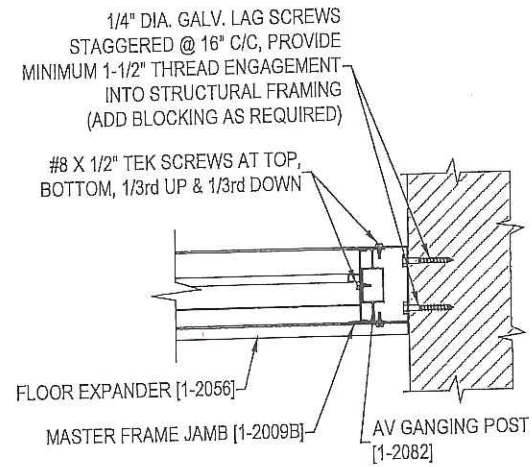
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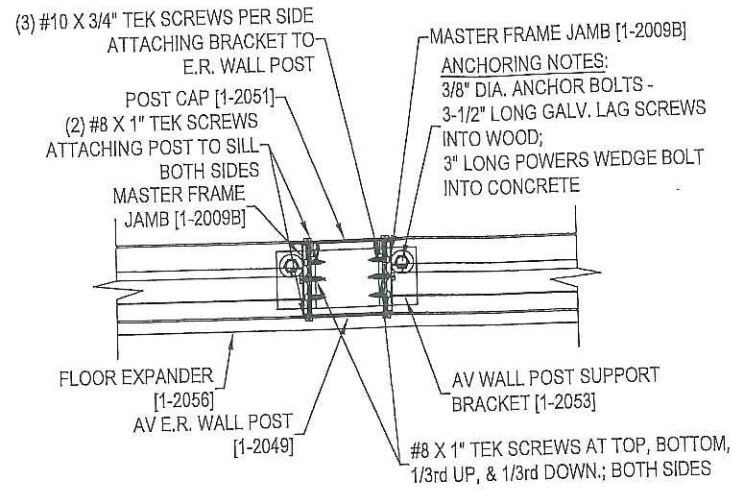
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DRAWN	RDN
SCALE	1/4" = 1'-0"
SHEET	4 OF 6

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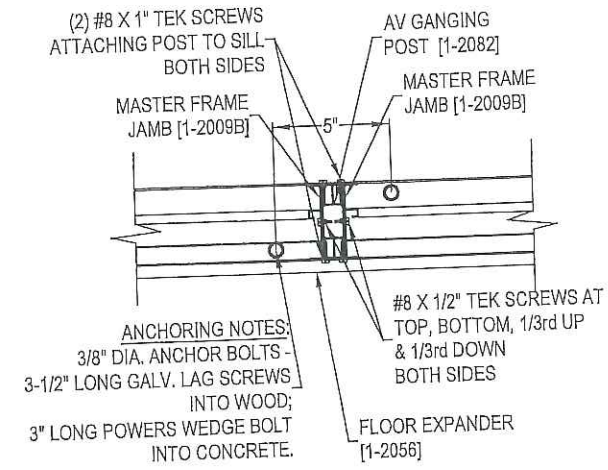
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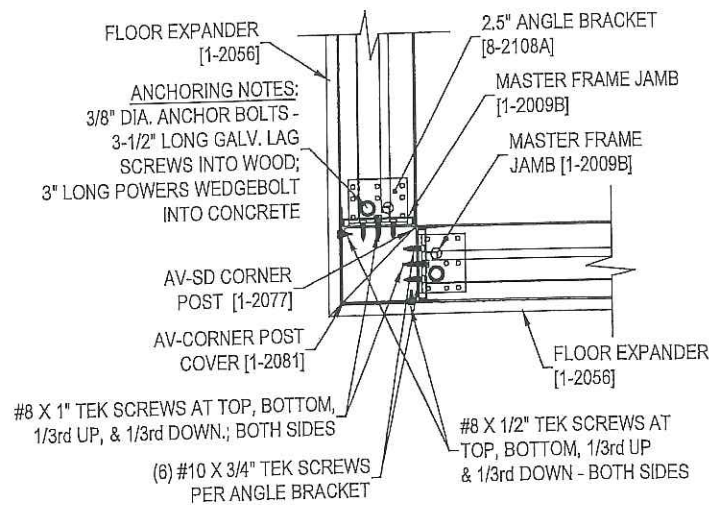
PLAN VIEW OF MASTER FRAME JAMB CONNECTION @ EXISTING WALL



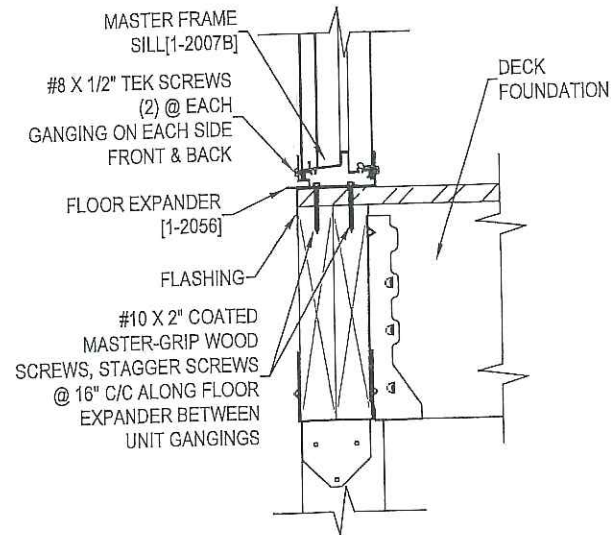
PLAN VIEW OF MASTER FRAME JAMBS CONNECTION @ AV E.R. WALL POST



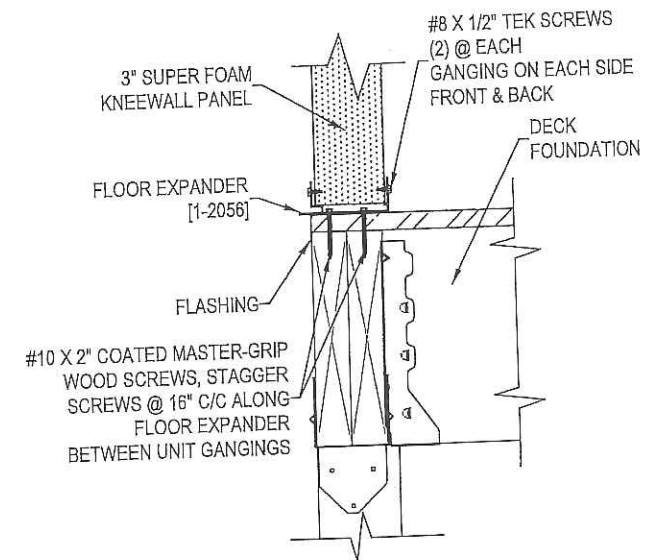
PLAN VIEW OF MASTER FRAME JAMBS CONNECTION @ GANGING POST



PLAN VIEW OF MASTER FRAME JAMBS CONNECTION @ CORNER POST



SECTION THROUGH MASTER FRAME SILL CONNECTION @ DECK FOUNDATION



SECTION THROUGH FOAM KNEEWALL CONNECTION @ DECK FOUNDATION



LOCATION

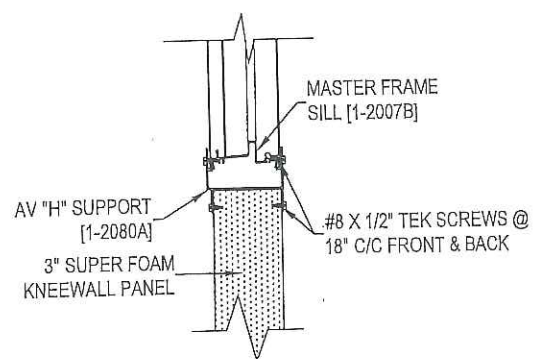
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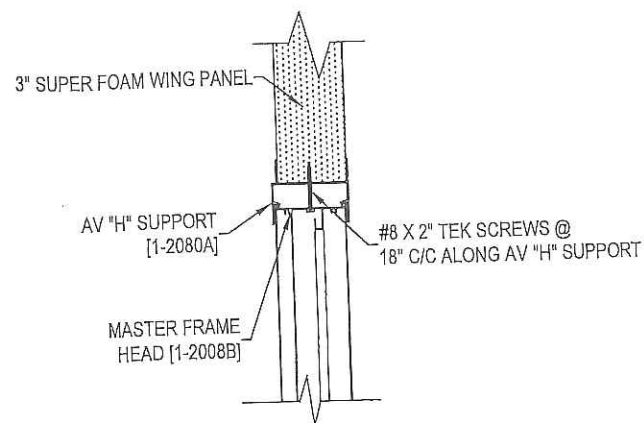
DATE	11/8/17
DRAWN	RDN
SCALE	1 1/2" = 1'-0"
SHEET	5 OF 6

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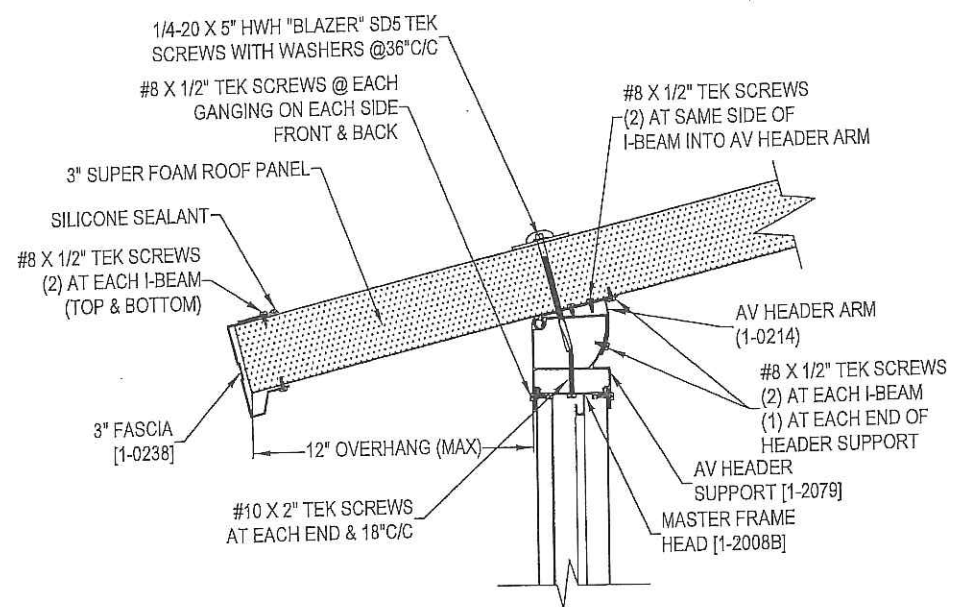
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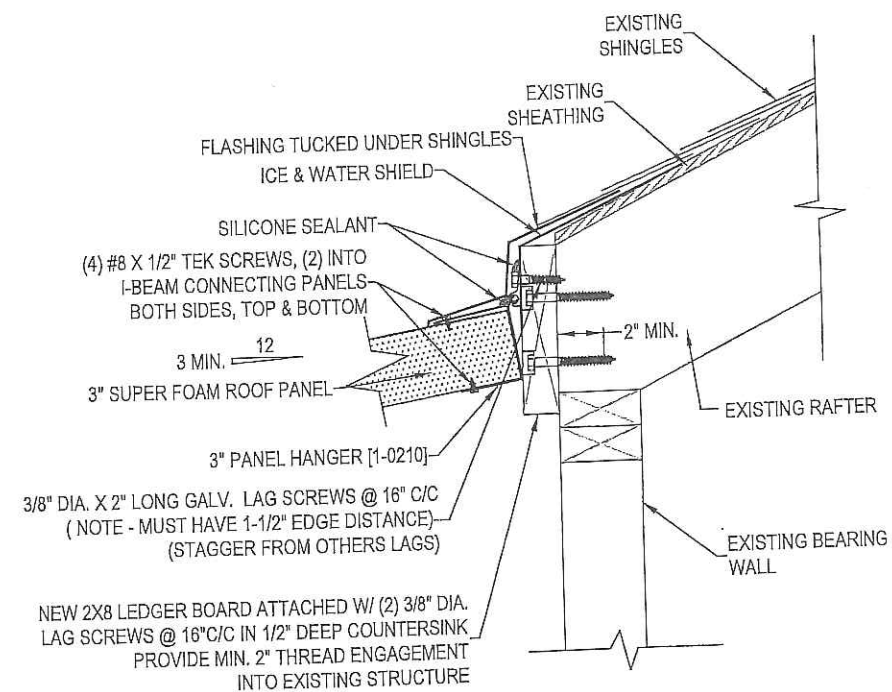
SECTION THROUGH MASTER FRAME SILL
CONNECTION @ FOAM KNEEWALL



SECTION THROUGH MASTER FRAME HEAD
CONNECTION @ FOAM WING



SECTION THROUGH MASTER FRAME & HEADER
CONNECTION @ 3" SUPER FOAM ROOF



SECTION THROUGH 3" SUPER FOAM ROOF & PANEL
HANGER ASSEMBLY CONNECTION @ OVERHANG CUT OFF



BY GREAT DAY IMPROVEMENTS, LLC

LOCATION

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