

MEETING DATE: 9-12-19

BOARD OF ZONING APPEALS

Z19-16

930 W Liberty



CITY of MEDINA

Board of Zoning Appeals

September 12, 2019 Meeting

Case No: Z19-16

Address: 930 W. Liberty Street

Applicant: Sean Richards

Subject: Variance request from Section 1137.05 of the Planning and Zoning Code to permit an addition setback 8 feet from the rear (south) property line instead of the minimum required 30 feet.

Zoning: C-3, General Commercial

Submitted by: Jonathan Mendel, Community Development Director 

Site Location:

The subject site is located on the southerly side of the 900 block of W. Liberty Street.

Project Details:

The applicant proposes a 2,400 sqft addition to the existing building. This addition is proposed with an 8 foot rear setback from the south property line instead of the minimum required 30 feet.

This development proposal will be reviewed by the Planning Commission for Site Plan compliance at the September 12, 2019 meeting in regards to the exterior building materials.

Please find attached to this report:

1. Project narrative and proposed plans received August 7, 2019
2. Aerial photograph

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 principal building and accessory structure height variances are 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;

An addition is possible on the site that meets the minimum rear setback.

B. Whether the variance is substantial;

The proposed 8 foot rear setback is a 73% reduction to the minimum required 30 foot setback.

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 proposed addition is fully to the rear (south) of the existing building and adjacent to existing buildings on the property immediately to the south. The existing buildings on the neighboring property appear to be about 5 to 0 feet from the shared property line.

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

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

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

It is not known whether the owner knew the restrictions when he purchased the property in July 2019.

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 be obviated as there is area on the property to build a similar addition and accommodate the desired additional square footage.

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 building scale and size to the character of the commercial areas of the City.

The BZA must weigh the above seven factors for the requested variance and determine if a practical difficulty exists that would merit variance from Section 1137.05.

I. INTRODUCTION

Sean Richards (the applicant) seek (1) zoning variance of 8-feet to the 30-foot average setback requirements of **(Sec. 1137.05)** to construct an accessory structure. The applicant owns 930 W Liberty St, Medina, OH 44256 (The "Property"). The site is identified as parcel number 029-19A-15-013. The building is located within the Opportunity Zone of Medina County.

II. SUMMARY OF REQUEST

Request to construct an accessory structure that runs off the back of the existing building but does not meet the minimum 30 foot rear yard setback **(Sec. 1137.05)** of the C-3 zoning district. The accessory structure would be 40 foot wide x 56 foot long and have 16 foot sidewalls with a 4/12 roof pitch. The building will have two insulated overhead doors measuring 12 foot W x 14 foot H with one steel access door measuring 36"x 80". The structure will have 4-5" poured concrete floors. The completed addition would add 2240 SF to the property. The entire new structure was originally planned to have steel siding but due to building code specifically, Sec. 1109.04(c)(10) of the design guidelines explicitly discourages metal pole style buildings and metal siding, I would be willing instead to sheet the structure with 7/16 OSB then cover the structure with D4 or D5 vinyl siding (Color TBD).

Possible Building Code Request:

- The proposed building would likely require at least a **1 hour fire rated** exterior wall along the south side due to its proximity to the rear property line and the adjacent building on the neighboring property immediately south of my property.

Solution: Cover south wall of new accessory structure with **(2 hour) LP® Flameblock® ½"x4'x8' FIRE RATED OSB sheathing**. Will use in place of normal OSB sheathing then will cover with D4 vinyl siding to finish appearance.

Description of product:

LP® FlameBlock® Fire-Rated OSB Sheathing offers you the best of both worlds: impressive structural strength and remarkable burn-through fire resistance. Created by applying a patented, noncombustible Pyrotite® coating to LP® OSB panels, LP® FlameBlock® Sheathing is an ICC certified (ESR-1365), structural fire-rated sheathing with a Class A Flame Spread Rating. Lighter and stronger than gypsum wallboard

- Structural Fire-Rated Sheathing
- Class A Flame Spread Rating
- 3 Times Longer Burn-Through Resistance Than Standard Wood Sheathing
- Non-Combustible, Fiberglass-Reinforced Magnesium Oxide Coating Over LP® OSB
- Two Quarts Of Water Locked Into Each 32 Square Feet Of Coating (4' x 8')
- Allows For Faster, More Cost-Effective Compliance With Fire Codes, Even In Seismic Zones
- Durable, Easy To Handle On Job Site
- No Hazardous Chemicals

III. SPECIFIC REFERENCE TO SECTION OF CODE WHICH VARIANCE IS SOUGHT.

A variance to (Sec. 1137.05) for a rear setback from the required 30 feet to 8 feet for an accessory structure.



IV. EXCEPTIONAL CONDITIONS

Established trees and existing black top parking lot control and prevent expansion of existing structure to limited locations. Allowing the rear property setback to be reduced from 30 feet to 8 feet will allow for more adequate parking and maneuverability around the existing lot also creating practical access to the new structure. This would allow me to keep the property clean and help me to store most of my property within the structure. The requested variance would allow us to keep the mature existing landscaping, plant fresh landscaping around the structure and create a new green lawn across the entire front or property.

V. ADDITIONAL DETAILS

WALL FRAMING

6x6 column/post 8ft on center sitting on concrete footer pads. (2) Rows of 2x8 T&G Treated skit board. (2) 2x12 yellow pine truss carriers per side. 2x4-Wall girders 24in ON CENTER. Sheet 3 of 4 exterior walls with standard 7/16 OSB sheathing and sheet the 4th exterior or "South" wall with FlameBlock® Fire-Rated OSB Sheathing. Side entire structure with D4 or D5 vinyl siding (Color TBD)

ROOF FRAMING

40 foot. 4/12 pitch roof trusses 4ft on center with a 12in overhang on sides. OVERHANGS ARE BOXED WITH SOFFIT AND FACIA. 2x4 ROOF PERLINS 24in on center. VAPOR BARRIER ROOF UNDERLAYMENT. 40 Year PAINTED METAL EXTERIOR ROOF. (Color TBD)

EXTERIOR DOORS

(2) 12 foot x 14 foot INSULATED GARAGE DOORS. (1) 36in STEEL CLAD ENTRY DOOR.

VI. CLOSING

Approval of the variance overall will improve the general appearance of the tired area, help increase traffic on the west side of Medina and increase property values for surrounding areas. I've lived in Medina almost my entire life, growing up on 609 Oak Street to where I live now at 1099 Continental drive. I see the direction the county is moving towards and look forward to improving the property to meet those expectations.

Thank you for your time on this matter.

Property Owner

Sean Richards

11/22/2019

Post Frame

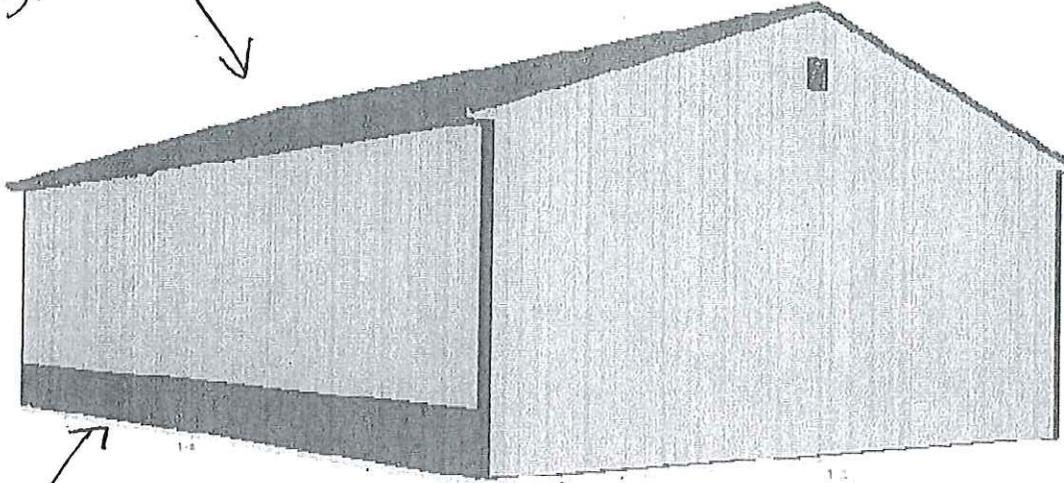
Design #: 335859653585
Store: CLEVELAND



Post Frame Building Estimate
Date: Jul 22, 2019 12:07:11 PM

Elevation Views

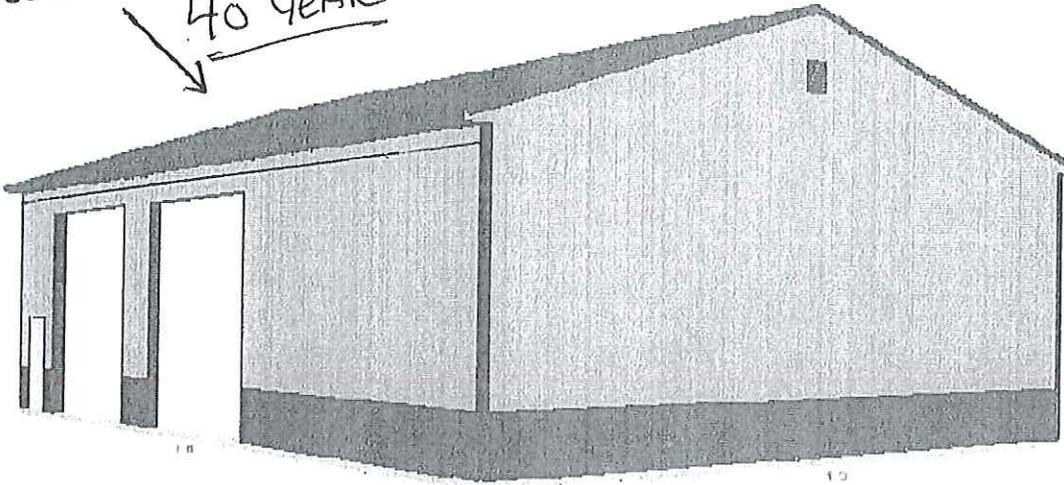
STEEL ROOF
↓



← VINYL

VINYL
↗

STEEL ROOF
↓ 40 YEAR



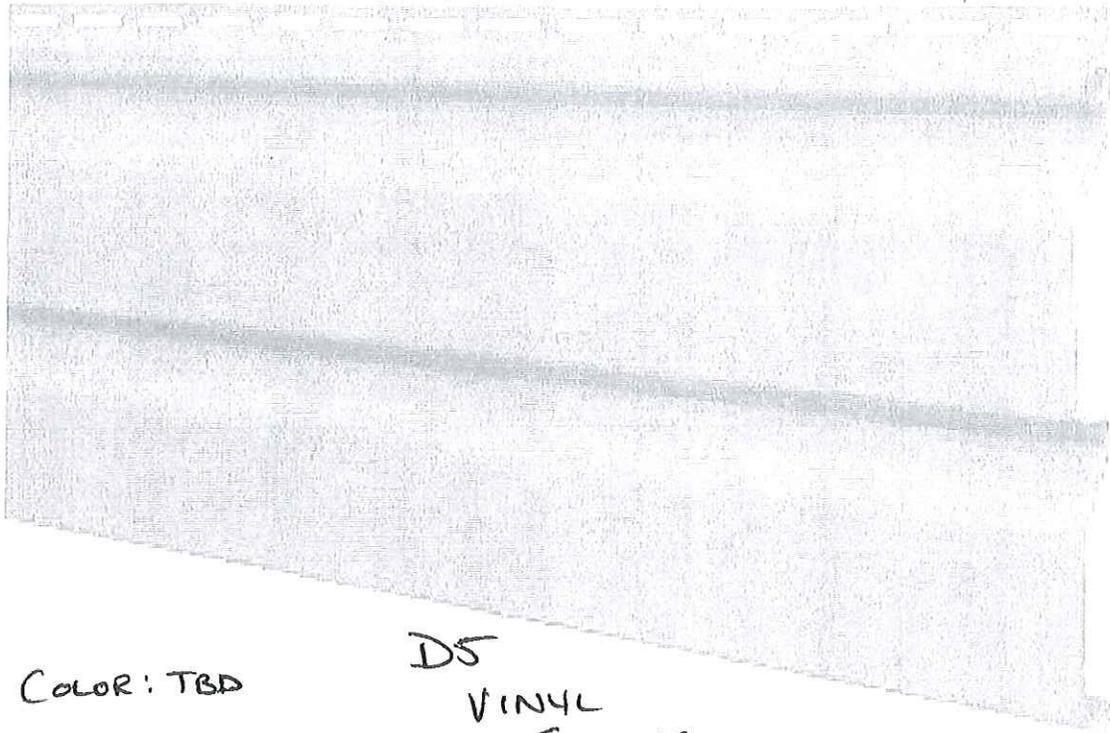
← VINYL

↖

VINYL
↖

ALL SIDING WILL BE VINYL AND
NOT STEEL.

COULD NOT CHOOSE VINYL SIDING AS OPTION
ON BUILD. JUST WANTED THE BOARD TO SEE
THE STRUCTURE.

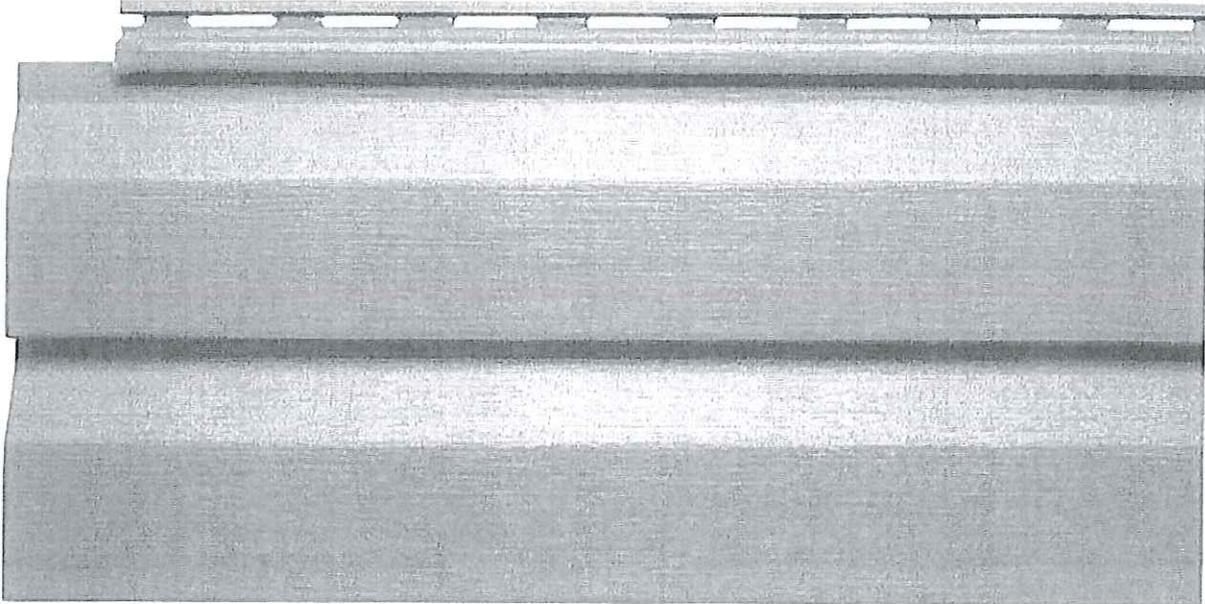


COLOR: TBD

D5
VINYL
SIDING

COLOR: TBD

D4 VINYL SIDING





Date: Jul 22, 2019 1 2:07:11 PM
Store: CLEVELAND
7700 BROOKPARK RD
CLEVELAND, OH 44129
Ph: 216-351-2043



*Today's estimated price, future pricing may go up or down. Tax, labor, and delivery not included.

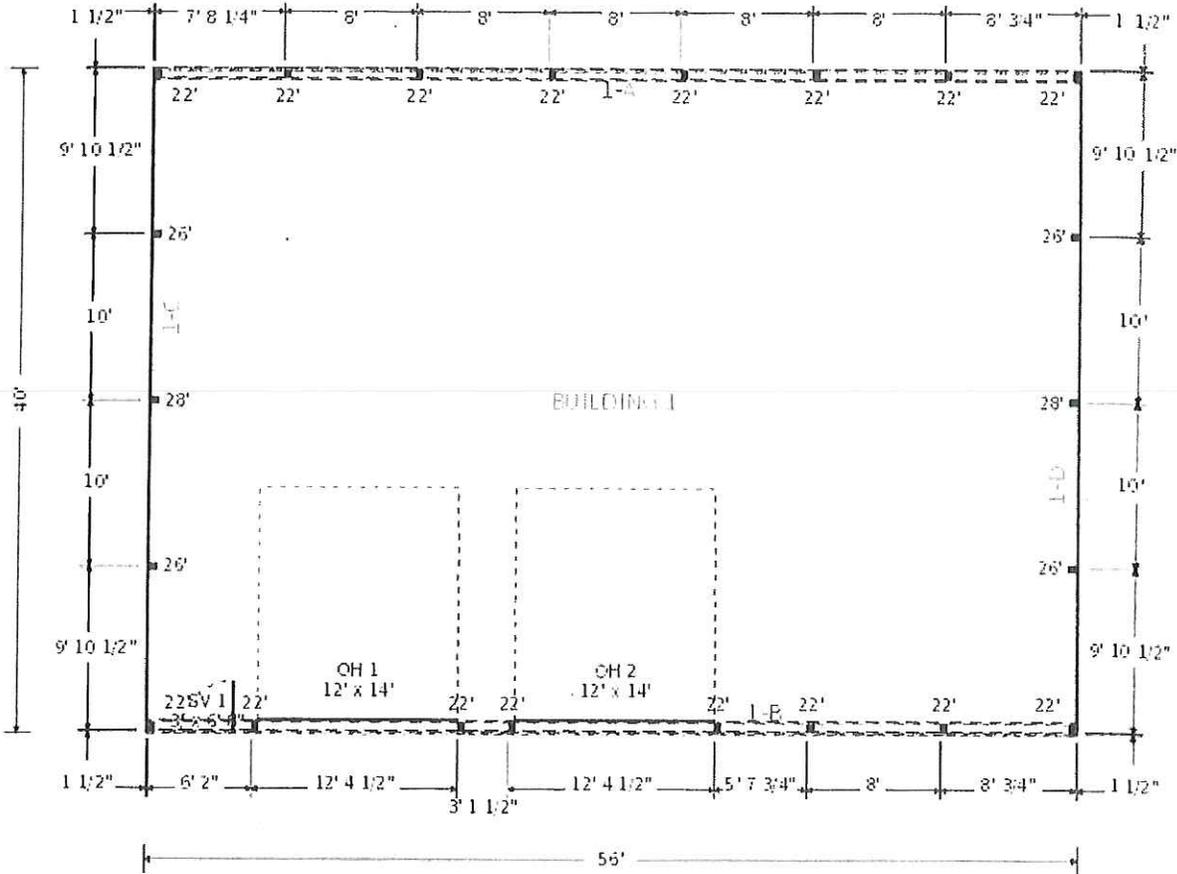
How to purchase at the store

1. Take this packet to any Menards store.
2. Have a building materials team member enter the design number into The Post Frame Request Form on the Midwest Manufacturing website.
3. Apply the design to System V to create the material list.
4. Take the SOC to the register and pay.

How to recall and purchase a saved design at home

1. Go to Menards.com.
2. Log into your account.
3. Go to Saved Designs under the Welcome Login menu.
4. Select the saved design to load back into the estimator.
5. Add your building to the cart and purchase.

FLOOR PLAN



Design #: 335859653585
Store: CLEVELAND



Post Frame Building Estimate

Date: Jul 22, 2019 12:07:11 PM

Congratulations, you have taken the first step towards making your new post frame building a reality!

- You have selected Menards to provide you with superior products produced by Midwest Manufacturing that will meet your needs. For a more detailed look at these premium products select one of the links below or visit us on the web at www.midwestmanufacturing.com.

Premium Steel Panels - Pro-Rib and Premium Pro-Rib steel panels are your best options for steel panels in the market.

- ROOFING
- Steel Panels are Grade 80 (full hard steel).
 - Prepaint zinc phosphate coating for superior paint paint adhesion - available in multiple colors.
 - Pro-Rib features a limited 40 year paint warranty.
 - Premium Pro-Rib has a limited lifetime paint warranty.
 - All painted panels are ENERGY STAR rated, using a Cool Chemistry paint system.
 - Pro-Rib and Premium Pro-Rib panels are UL Certified for Wind Uplift UL 580, Fire Resistance UL 790, Impact Resistance of Roof UL 2218.
 - Pro-Rib and Premium Pro-Rib panels are IRC and IBC compliant.

ROOF

Engineered Trusses - Post frame trusses are specifically engineered to meet your application and geographic location.

- All Midwest Manufacturing trusses can be supplied with engineered sealed prints.
- TPI approved and third party inspected.

STRUCTURE

Laminated Columns - Designed to replace standard treated posts as vertical supports in Post Frame Construction.

- Columns 20' or less are treated full length.
- Lifetime Warranty against rot and decay.
- Columns over 20' in length are reinforced with 20 gauge stainless steel plates at each splice location.
- Lower portion of columns treated for in ground use.
- Rivet Clinch Nails provide superior holding power.
- Columns provide superior truss to pole connection.

Pressure Treated Lumber - All treated post and grade board used in your building will safely and effectively resist decay.

- Treated to AWPA compliance.
- Post and grade board offer a lifetime warranty against rotting and decay.

*Delivery charge is not included in price. Items ordered to complete your building from vendors other than Midwest Manufacturing are not available for pickup from the plant.

Design #: 335859653585
 Store: CLEVELAND



Post Frame Building Estimate
 Date: Jul 22, 2019 12:07:11 PM

Building Information

- 1. Building Use:
- 2. Width: 40 ft
- 3. Length: 56 ft
- 4. Inside Clear Height: 16 ft
- 5. Floor Finish: Concrete
- 6. Floor Thickness: 5 in
- 7. Post Foundation: Post Embedded
- 8. Post Embedment Depth: 4 ft
- 9. Footing Pad Size: 14 in x 4 in

Roof Information

- 1. Pitch: 4/12
- 2. Truss Spacing: 4 ft
- 3. Heel Height: 6 1/16 in
- 4. Roof Type: Pro-Rib
- 5. Roof Color: Midnight Gray
- 6. Ridge Options: Universal Ridge Cap
- 7. Roof Fastener Location: On the Rib
- 8. Endwall Overhangs: 0 ft
- 9. Sidewall Overhangs: 1 ft
- 10. Fascia Size: 6 in Fascia
- 11. Soffit Color: TBD
- 12. Skylight Size: None
- 13. Ridge Vent Quantity: None
- 14. Ceiling Liner Type: None
- 15. Purlin Placement: Flat
- 16. Ceiling Insulation Type: 6.75" Fiberglass Blow In (R-19)

Wall Information

- 1. Post Type: Columns
- 2. Post Spacing: 8 ft
- 3. Girt Type: Flat
- 4. Exterior Wall Panel: VINYL
- 5. Exterior Wall Color: (TBD)
- 6. Wainscot Size: 36 in
- 7. Wainscot Color: (TBD)
- 8. Sidewall B Wainscot: Yes
- 9. Sidewall A Wainscot: Yes
- 10. Trim Color: (TBD)
- 11. Endwall D Wainscot: Yes
- 12. Endwall C Wainscot: No
- 13. Sidewall A Eave Light: NO
- 14. Sidewall B eave light: NO
- 15. Wall Fastener Location: N/A
- 16. Bottom Trim: Yes
- 17. Gradeboard Type: 2x8 Treated Gradeboard

Accessories

- 1. Outside Closure Strip: Economy Vented
- 2. Inside Closure Strip: Standard
- 3. Gable Vent Type: 14"x18"
- 4. Gable Vent Quantity: 2
- 5. Gable Vent Color: Midnight Gray
- 6. Cupola Size: None
- 7. Gutters: Yes
- 8. Gutters Color: Midnight Gray
- 9. End Cap: No
- 10. Snow Guard: Yes
- 11. Mini Print: Hardcopy and E-mail

Interior Finish

- 1. Wall Insulation Type: None
- 2. Wall Liner Type: None
- 3. Roof Insulation: No

11/22/2019

Post Frame

Design #: 335859653585

Store: CLEVELAND



Post Frame Building Estimate

Date: Jul 22, 2019 12:07:11 PM

Doors & Windows

Name	Size	Wall
Service Door	36"x80"	1-B
Overhead Door	12' x 14'	1-B
Overhead Door	12' x 14'	1-B

Floor type (concrete, dirt, gravel) is NOT included in estimated price. The floor type is used in the calculation of materials needed. Labor, foundation, steel beams, paint, electrical, heating, plumbing, and delivery are also NOT included in estimated price. This is an estimate. It is only for general price information. This is not an offer and there can be no legally binding contract between the parties based on this estimate. The prices stated herein are subject to change depending upon the market conditions. The prices stated on this estimate are not firm for any time period unless specifically written otherwise on this form. The availability of materials is subject to inventory conditions. MENARDS IS NOT RESPONSIBLE FOR ANY LOSS INCURRED BY THE GUEST WHO RELIES ON PRICES SET FORTH HEREIN OR ON THE AVAILABILITY OF ANY MATERIALS STATED HEREIN. All information on this form, other than price, has been provided by the guest and Menards is not responsible for any errors in the information on this estimate, including but not limited to quantity, dimension and quality. Please examine this estimate carefully. MENARDS MAKES NO REPRESENTATIONS, ORAL, WRITTEN OR OTHERWISE THAT THE MATERIALS LISTED ARE SUITABLE FOR ANY PURPOSE BEING CONSIDERED BY THE GUEST. BECAUSE OF WIDE VARIATIONS IN CODES, THERE ARE NO REPRESENTATIONS THAT THE MATERIALS LISTED HEREIN MEET YOUR CODE REQUIREMENTS. THE PLANS AND/OR DESIGNS PROVIDED ARE NOT ENGINEERED. LOCAL CODE OR ZONING REGULATIONS MAY REQUIRE SUCH STRUCTURES TO BE PROFESSIONALLY ENGINEERED AND CERTIFIED PRIOR TO CONSTRUCTION.

Ju To



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Basemap MC SE Aerial Floodplain

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02919A15009

02919A15081

#940.00B

02919A15009

02919A15081



179.0

#930.00

714.25

W LIBERTY STREET

02919A15013

02919A15013

#938.00

02919A15022

11.76

362.0

02919A15012

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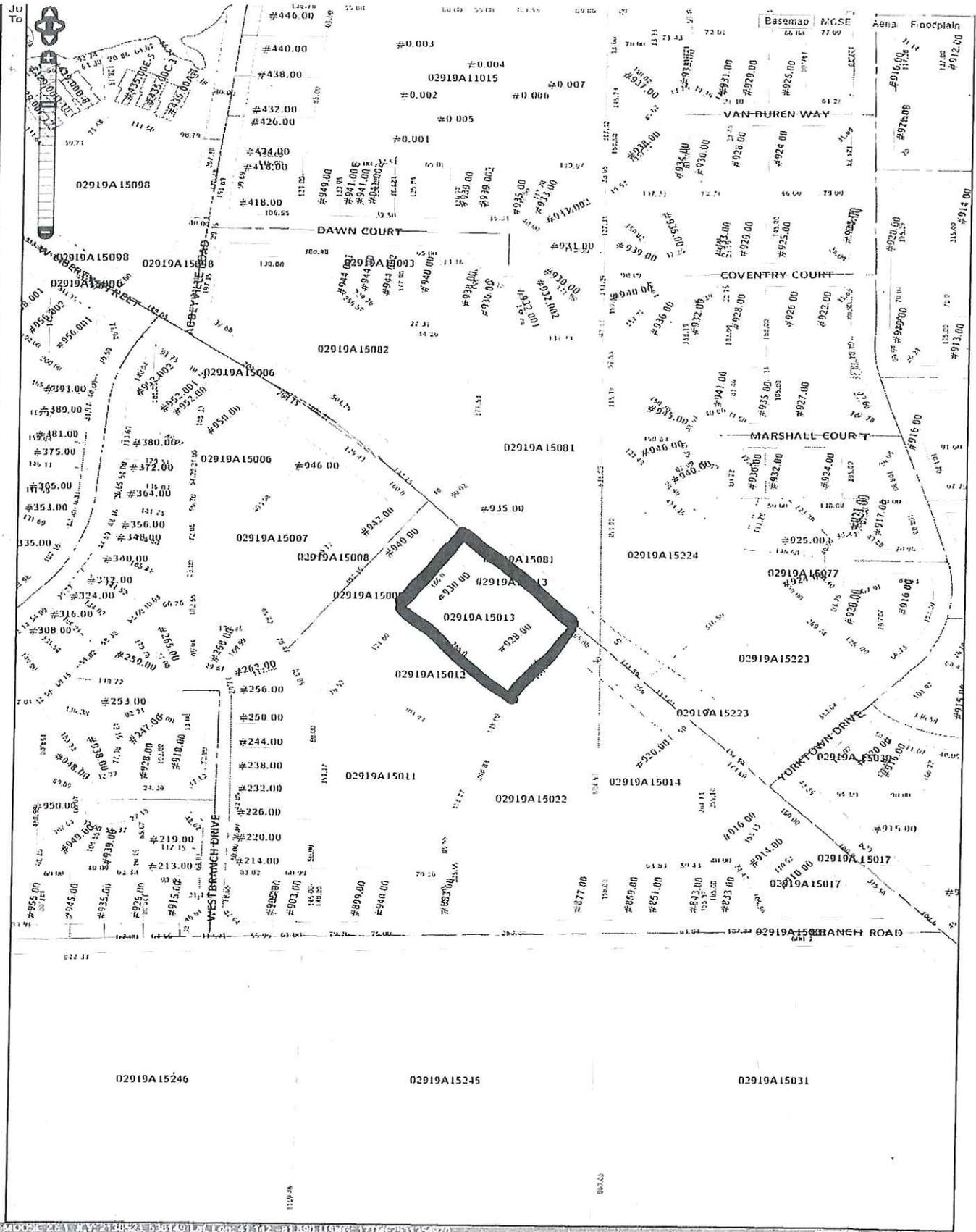
188.60

02919A15022

02919A15011

304.63

148.62



Z19-16 & P19-18
930 W. Liberty St.
Rear setback variance
for building addition
and exterior material choice
September 12, 2019

Subject Site

W LIBERTY ST

1 inch = 60 feet

