

MEETING DATE: 10-10-19

BOARD OF ZONING APPEALS

Z19-19

529 W Friendship



CITY of MEDINA
Board of Zoning Appeals
October 10, 2019 Meeting

Case No: Z19-19
Address: 529 W. Friendship Street
Applicant: Suzanne Sharpe
Subject: A variance request from Section 1125.05 to permit the creation of a new lot at 529 W. Friendship Street that is 55 feet wide instead of the minimum required 75 feet in the R-3 district.
Zoning: R-3 High Density Urban Residential
Submitted by: Jonathan Mendel, Community Development Director 

Site Location:

The subject site is located on the north side of the 500 block of W. Friendship St.

Project Introduction:

The applicant owns the two vacant lots at 529 W. Friendship Street. The two existing lots are 82.5 feet wide (west lot) and 55 feet wide (east lot).

The applicant proposes re-platting to move the lot line between the two lots further to the west, so that the west lot would be 55 feet wide and the east lot 82.5 feet wide. Although, this is the same dimensions of the existing lots, the re-platting would technically create two new lots. New lots must comply with the minimum 75 foot width of the underlying R-3 zoning district.

Please find attached to this report:

1. Applicant's proposal received September 19, 2019
2. Aerial photograph

Considerations:

Section 1107.08(b) of the Planning and Zoning 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 lot width and area variances are requested. There are seven factors that the BZA should consider when evaluating whether or not a practical difficulty exists. 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 two existing lots are buildable for a single family dwelling as-of-right.

B. *Whether the variance is substantial;*

The variance may not be substantial. Although the actual variance constitutes a lot width 26.7% smaller than the minimum required 75 feet, the proposal does not change the increment of lot widths already present for the north side of the 500 block of W. Friendship St.

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 altered as the rhythm and number of lots along this block face is not substantively changing.

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

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

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

The R-3 district minimum lot width requirement was in place when the applicant purchased the property.

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 feasibly be obviated without a variance by not changing the current configuration of the subject lots.

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 unit density on any given street and also to be consistent with infrastructure capacity.

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 1125.05.

FOUNDRY ST

BRONSON ST

Subject Site



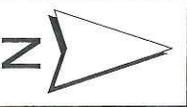
W/FRIENDSHIP ST

VINE ST

MEDINA ST

BOLIVAR ALLEY

Z19-19
529 W. Friendship St.
Min. Lot Width Variance
October 10, 2019



1 inch = 100 feet

VARIANCE WORKSHEET ATTACHMENT

- A. Maintaining parcel #02819A20032 as a lot capable of becoming a "possible building site" is eliminated if this Variance request is denied; value of the westerly parcel decreases remarkably without approval of this Variance request.

Parcels must be re-platted to accommodate the new site of Sophia Huntington Parker's Farmhouse on the easterly lot, which requires a lot width of at least 75 feet.

- B. Variance approval will allow the platting of two (2) new City Lots to each retain status as a "possible building site."
- C. The properties in the immediate vicinity of these parcels have been fully developed on lots with widths of 55 ft.
- D.
- E.
- F. Combined and divided equally, both parcels would still have a substandard width of 68.75 ft., less than the 75 ft. minimum at the building line required. No matter the parcel division, one will be created with a substandard minimum.
- G. The character of the adjoining parcels of Water Tower Historic Neighborhood District can remain in the same undisturbed state and use (as two buildable parcels) that they have enjoyed for decades.

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BY: _____

Basemap MCSE Aerial Floodplain

#240.00 47.92 62.33 14.25 65 74.25 55 82.5

02819A20031

02819A20032

02819A20033

02819A21019

02819A21018

165

55

55

82.5

#545.00

#520.00

#523.00

#517.00

#511.00

82.5

82.5

55

55

82.5

W FRIENDSHIP STREET

Java Updat

02819A20029

#538.00

#528.00

#524.00

#514.00

02819A21346

#508.00

53.78

47

28.25

17.75

50.0

45

50

60.0

74.25

#542.00

#532.00

#520.00

#514.00

#508.00

91.5

87.35

67.35

104.0

115.97

115.98



MEDINA STREET

B & O RAILROAD

50



CITY of MEDINA
Planning and Zoning Department
Ph(330) 722-0397 Fax (330) 350-1011
www.medinaoh.org

Board of Zoning Appeals
Area/Size (practical difficulties) worksheet

Case No. _____
Address: 529 W. Friendship Street, Medina
Applicant: Suzanne Sharpe

A. The property in question [will not] yield a reasonable return and there [cannot] be any beneficial use of the property without the variance because
See Attachment

B. The variance is [substantial/] because
See Attachment

C. The essential character of the neighborhood [would not] be substantially altered and the adjoining properties [would not] suffer substantial detriment as a result of the variance because
See Attachment

D. The variance [would not] adversely affect the delivery of governmental services (e.g., water, sewer, garbage);

E. The property owner purchased the property [without] knowledge of the zoning restrictions;

F. The property owner's predicament feasibly [can not] be obviated through some method other than a variance because
See Attachment

G. The spirit and intent behind the zoning requirement [would/] be observed and substantial justice done by granting a variance because
See Attachment

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

1125.05 LOT DEVELOPMENT STANDARDS.

Lots in the R-3 High Density Urban Residential District shall adhere to the following standards:

Minimum Lot Size	<ul style="list-style-type: none">• 8,000 square feet Single Family Detached Dwelling• 14,000 square feet all Other Uses
Minimum Lot Width at Building Line	<ul style="list-style-type: none">• 75 Feet Single Family Detached Dwelling• 120 Feet all Other Uses
Minimum Lot Frontage	<ul style="list-style-type: none">• 40 Feet
Maximum Lot Depth	<ul style="list-style-type: none">• None
Minimum Usable Open Space	<ul style="list-style-type: none">• None
Maximum Lot Coverage	<ul style="list-style-type: none">• 60%
Maximum Building Size	<ul style="list-style-type: none">• None
Maximum Building Width	<ul style="list-style-type: none">• None
Minimum Front Yard	<ul style="list-style-type: none">• 40 Feet
Minimum Rear Yard	<ul style="list-style-type: none">• 30 Feet for Principal Use or Structure• 5 Feet for Accessory Use or Structure
Minimum Side Yard	<ul style="list-style-type: none">• 5 Feet for Principal Use or Structure• 5 Feet for Accessory Use or Structure
Maximum Height	<ul style="list-style-type: none">• 35 Feet for Principal Use or Structure• 15 Feet for Accessory Use or Structure
Minimum District Size	<ul style="list-style-type: none">• n/a

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BY:

