

MEETING DATE: 10-8-20

BOARD OF ZONING APPEALS

Z20-17

248 S. Harmony St.



CITY of MEDINA
Board of Zoning Appeals
October 8, 2020

Case No: Z20-17

Address: 248 S. Harmony Street

Applicant: Tony Cerny representing Louis & Julie Schubert (owners)

Subject: A variance from Section 1113.05(1)(2)A.7 of the Planning & Zoning Code to permit the expansion of the total accessory building area on the property from 1,282 sqft to 1,822 sqft instead of the maximum allowed 1,032 sqft.

Zoning: R-2, Medium Density Urban Residential District

Submitted by: Jonathan Mendel, Community Development Director 

Site Location:

The site is located at the northeast corner of S. Harmony St. and E. Smith Rd.

Project Introduction:

The applicant proposes expanding the total accessory building area on the property from 1,282 sqft to 1,822 sqft instead of the maximum allowed 1,032 sqft to permit the expansion of the existing detached garage to include living space for the owners.

Please find attached to this report:

1. Applicant's narrative argument and plans received September 21, 2020
2. Aerial photograph

Considerations:

Section 1107.08(b) of the Planning & 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 an accessory building area 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 Board shall weigh the following factors to determine whether a 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 1,282 sqft of accessory buildings on the property already exceeds the maximum allowed 1,032 sqft.

- B. *Whether the variance is substantial;*

The proposed is 76.6% more than the maximum allowed (1,822 vs. 1,032)
The proposed is 42% more than the current existing nonconforming accessory building area (1,822 vs 1,282)

- 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 may not be altered as the subject property is much larger than surrounding residential properties. Additionally, the immediate neighborhood along Smith Road is a mix of residentially occupied and developed properties and small scale office uses and buildings.

- 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 applicant has owned the property for 5 years and the applicable regulations were in place prior to 2015.

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

The applicant could build an addition onto the existing house to accommodate the space proposed for the expanded detached garage.

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

The intent of the requirements is to prevent accessory structures from dominating subject sites and neighboring properties.

The BZA must weigh the above seven factors and determine if a practical difficulty exists that would merit a variances from Section 1113.05(1)(2)A.7.

S HARMONY ST

Subject Site

E SMITH RD

Z20-17
248 S. Harmony St.
Acc. Bldg. Area Var.
October 8, 2020



1 inch = 50 feet



Architecture
Preservation
Graphics
Planning
Interior Design

620 East Smith Rd
Medina, Ohio
44256

330.723.6975
(phone)

330.723.7129
(fax)

September 21, 2020

Board of Zoning Appeals
c/o Jonathan Mendel, Community Development Director
City of Medina
132 North Elmwood Street
Medina, Ohio 44256

SEP 21 2020

Re: Julie and Jeb Schubert Residence
248 South Harmony St.
Medina, Ohio 44256

Dear Board Members,

We are requesting relief from City of Medina zoning section 1113.05(l)(2)-A-7 regarding the size of detached accessory structures. The owners currently own 1.43 acres of property at the northeast corner of S. Harmony and E. Smith Roads. There is an existing 2 story house and a large 1,122 sf two car garage. The garage currently has a large space at the back that the owners utilize for some storage and as an exercise space. This back section of the garage is in need of significant maintenance, which prompted the owners to consider how best to utilize the garage into the future.

The existing exercise area is really just unfinished garage space and does not provide a very nice environment for this purpose. The house appears to be very large from the road, but is actually relatively modest in scale. The basement area is adequate in character to be finished and utilized as living space. Both of the owners are local to the area with extended families close by. Family gatherings are a common practice and having adequate space for these gatherings was another consideration as they assessed how they were going to address the future of the garage.

After careful consideration of their options, the owners decided they wanted to address the current issues with the garage by tearing down the deteriorating rear section and then expanding the garage to better service their needs. The initial concept is to expand the front of the garage to incorporate a third bay. A very common situation in today's world. As part of the expansion, we determined it would be important to add in a man door for easy access that also incorporated a porch element. This helped to add character to the garage, diminishing the scale of the facade from the road and helping to architecturally tie the garage to the house. As the existing garage doors are 10' wide, the additional bay also utilizes a 10' door. The additional width to the doors adds more than 100 sf to a typical garage without any other consideration.

The exercise room is an important aspect to the project and the owners wanted to recreate this type of space, but in a manner that would allow for them to both heat and air condition the space. This would make the space far more functional throughout the year. Within the existing house, there really is not room for this function.

Finally the concept of a family gather space as part of the structure became an important goal. The owners have family members that have barns that over the years have been converted and utilized for just such activities and they feel they could achieve something similar here. The idea is to have a large room that would address the exterior, capable of housing large groups of family. It would incorporate a bathroom and some cooking facilities, thus avoiding the need for people to have to traipse

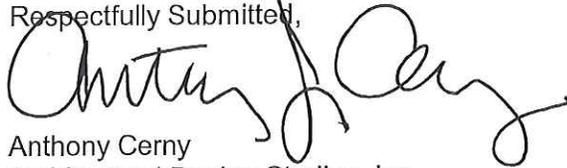
through the house. This gathering space would also service their children as a play area since the basement of the house is not suitable for this purpose.

With the renovations and additions proposed, the garage would be 1,822 sf, roughly 50% larger than currently and 75% larger than the maximum size outbuilding allowed under the zoning code. In response to this, we offer the following for the Board to consider in evaluating the owner's request for relief from this section of the zoning code.

1. First, the owners own a significant amount of property at this location, with a total lot size of 1.43 acres. Under the R2 zoning, the minimum lot size is less than 1/4 acre so the size of the lot under consideration is roughly 6 times the minimum size of a lot in the district.
2. There is adequate land available that the owners could actually replat the lot to form two separate lots with the existing house on one and the garage on another lot. The garage could then be considered a separate dwelling, meeting the requirements for the R-2 zoning. The owner's preference is not to do this as they have a long range plan to eventually add onto the house on the east. The addition would extend far enough to incorporate the existing garage. At that point the garage would no longer be a detached structure and with the addition, the owners would have to go back through the process of consolidating the two lots into one. The result is unwarranted expense to the owners to split and then consolidate the lots without any benefit to the community. We have attached a sample site plan that demonstrates how the lot could be replated.
3. The zoning code makes reference to allowing for accessory buildings of up to 10% of the rear yard as part of the limitations. Even with a corner lot and considering only the space that is behind the house from both roads, the rear yard is 23,000 sf and the proposed garage is thus less than 10% of the rear yard.
4. The code is limiting the detached structure to the 1,032 sf, but we believe that is because the intent is to limit spaces like garages and storage structures. In this case the portion of the structure that will be utilized as a garage is 1,005 sf, below the intended limitation for these types of structures and the balance of the space is intended as living space.
5. The board should take note of the design of the structure and the efforts to control the visual scale of the structure. While historically, it was not uncommon for homes in the community to have a larger barn associated with them, the scale of which would seem to be out of place as the city grew and filled with smaller lots and higher density housing, in this case, we have developed a design that utilizes a cross gable layout. This limits the overall height of the structure to be consistent with other structures in the area and reduces the visual massing of the structure. The design proposed is consistent with the character of the house and visually blends in with the architecture in the area.
6. We feel the proposed design addresses issues with the deterioration of a portion of the existing garage that needs to be addressed, provides functional space that the owners design to utilize both as a garage and living space, and is consistent with the architectural character of the area.

In summary, we believe the proposed accessory structure is appropriate for this lot and is consistent with the overall goals of the city's zoning code. It does not meet the specific requirements of the code, but when you consider the purpose of this section of the code, it is hard to believe the structure will become a detriment to the surrounding community. Granting the owners relief from this section of the code does not diminish the character or value of the community and we believe substantial justice will be done by the Board in the granting of relief. We want to thank the Board for their consideration in this matter and we look forward to a favorable review.

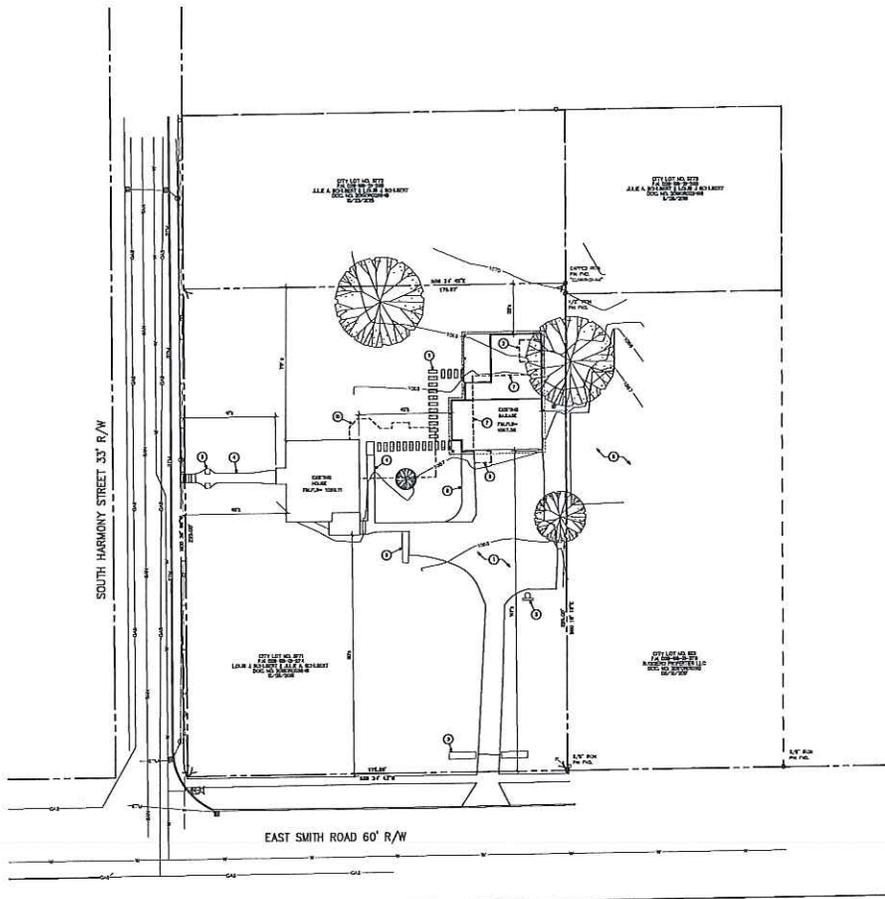
Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Anthony Cerny". The signature is fluid and cursive, with a large initial "A" and "C".

Anthony Cerny
Architectural Design Studios, Inc

J:\0STUDIOS\0JOBS\20042_Schubert Residence_Garage\City of Medina\Board of Zoning Appeals Letter_200921a.wpd

SEP 21 2020



SITE PLAN NOTES

- ① EXISTING CONCRETE FLOOR
- ② NEW ASPHFLT
- ③ REMOVE EXISTING CONCRETE FLOOR
- ④ EXISTING MASONRY WALL
- ⑤ EXISTING MASONRY
- ⑥ EXISTING MASONRY WALL
- ⑦ EXISTING CONCRETE FLOOR
- ⑧ LINE OF STRUCTURE WALLS OF EXISTING BUILDING TO BE MAINTAINED
- ⑨ NEW ASPHFLT
- ⑩ REMOVE EXISTING CONCRETE FLOOR
- ⑪ EXISTING MASONRY
- ⑫ EXISTING MASONRY WALL

SITE PLAN
SCALE: 1" = 30' - 0"

PLOTTED: 8/27/2020

STUDIOS
ARCHITECTURE
INTERIORS
LANDSCAPE
DESIGN

220 E. South Street
Medina, Ohio 44028
330.723.6979

DRAWINGS FOR:
SCHUBERT RESIDENCE
248 SOUTH HARMONY STREET
MEDINA, OHIO 44028

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DATE: 08/20/20
2020



Know what's below.
Call before you dig.

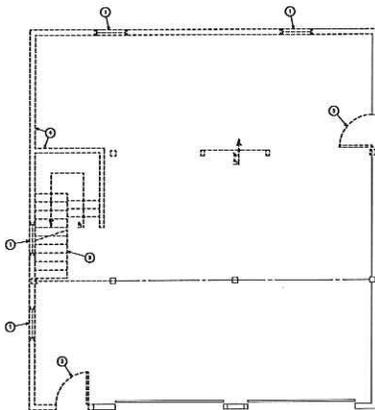
SP-1

1ST FLOOR DEMO PLAN NOTES

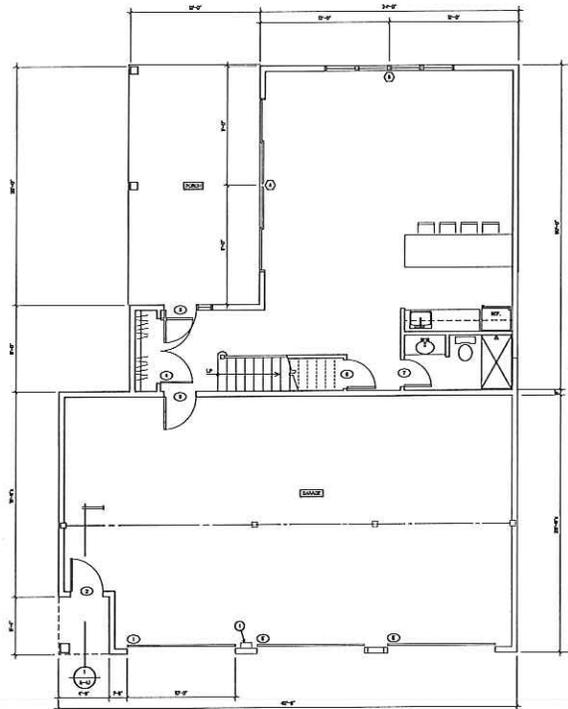
- ① REMOVE EXISTING WINDOWS AT SPICAL, AS SHOWN
- ② REMOVE EXISTING DOORS AT SPICAL, AS SHOWN
- ③ REMOVE EXISTING STAIRS
- ④ REMOVE EXISTING WALLS AT SPICAL, AS SHOWN

GARAGE 1ST FLOOR PLAN NOTES

- ① DETAIL AS NOTED T.A.S.
- ②



1ST FLOOR DEMO PLAN
 NORTH
 SCALE 1/4" = 1'-0"



GARAGE 1ST FLOOR PLAN
 NORTH
 SCALE 1/4" = 1'-0"
 1ST FLOOR - 1022.00 SF.

P. 001110 09/20/20

STUDIOS
 ARCHITECTURE
 INTERIORS
 GRAPHICS
 PLANNING
 DESIGN

440 E. BUCK ROAD
 MEDINA, OHIO 44130
 330.772.6875

OFFICES ARE
 IN MAJOR CITIES

DRAWINGS FOR:

SCHUBERT RESIDENCE
 248 SOUTH HARMONY STREET
 MEDINA, OHIO 44256

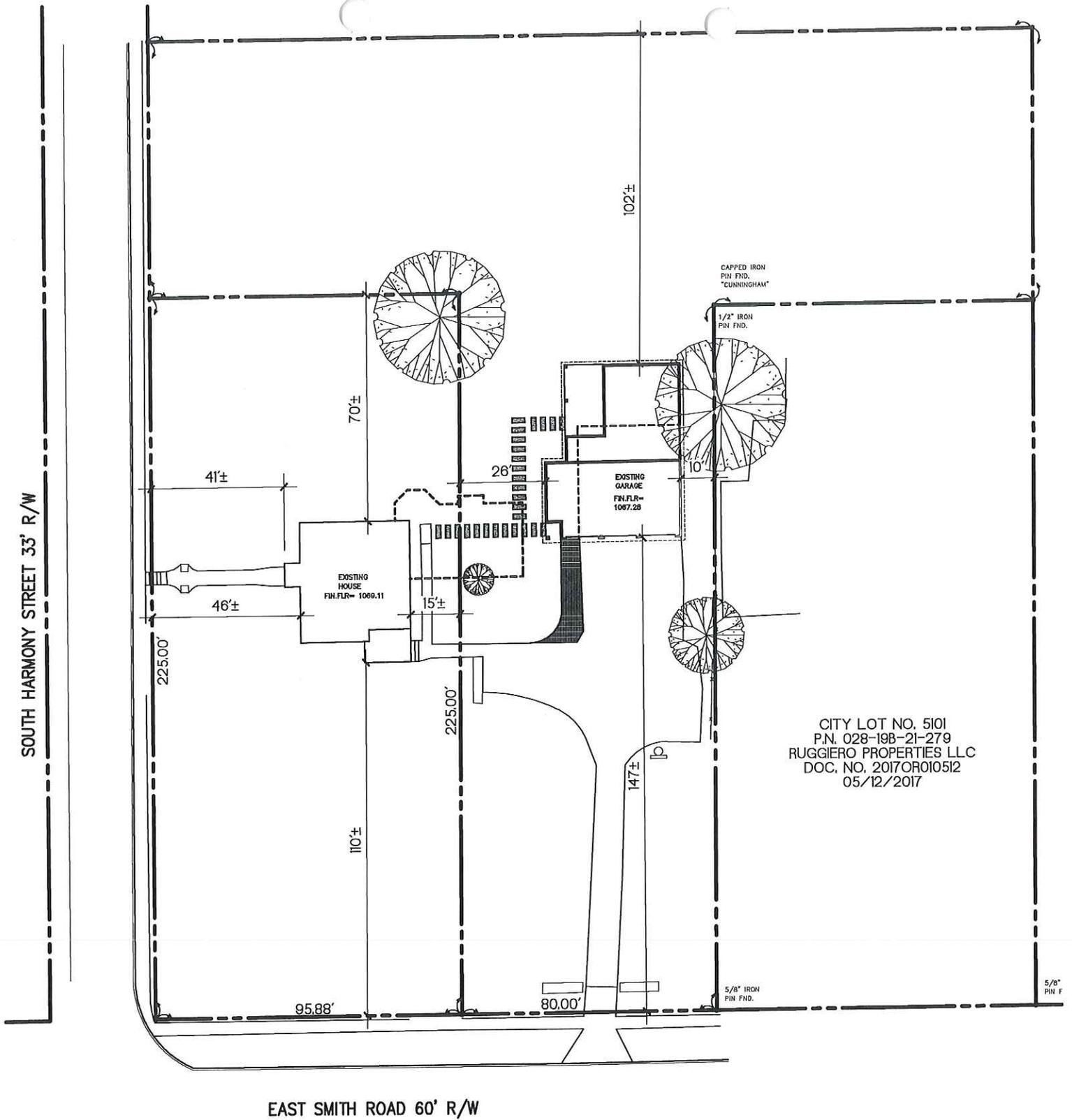
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DATE 09/21/20
 100002

A-2.1

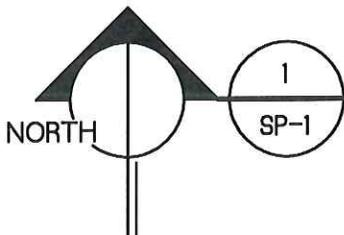
SEP 21 2020

SOUTH HARMONY STREET 33' R/W



CITY LOT NO. 5101
P.N. 028-19B-21-279
RUGGIERO PROPERTIES LLC
DOC. NO. 2017OR010512
05/12/2017

EAST SMITH ROAD 60' R/W



SITE PLAN- LOT SPLIT

SCALE: 1" = 40' - 0"

SEP 21 2020