

**MEETING DATE: 03/11/21**


# **PLANNING COMMISSION**

**Case No. P21-04  
248 S Harmony St.**



**CITY of MEDINA**  
**Planning Commission**  
**March 11, 2021 Meeting**

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**Case No:** P21-04  
**Address:** 248 S. Harmony Street  
**Applicant:** Louis & Jill Schubert  
**Subject:** Conditional Zoning Certificate request for an In-Law Suite  
**Zoning:** R-2, Medium Density Urban Residential  
**Submitted by:** Jonathan Mendel, Community Development Director 

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**Site Location:**

The site is located at the northeast corner of E. Smith Road and S. Harmony Street.

**Project Introduction:**

The applicant proposes a 407 sqft In-Law Suite as part of the proposed expanded detached accessory structure (garage). Such use is defined as an accessory dwelling unit on the same property as an existing principal dwelling unit. This use is a Conditionally Permitted Use in the R-2 zoning district and requires review and approval by the Planning Commission.

Please find attached to this report:

1. Applicant's plans received March 11, 2021
2. Aerial photograph

**Public Hearing:** The Zoning Code requires the Planning Commission conduct a Public Hearing for the proposed Conditional Use. The legal notices have been issued to permit the Public Hearing at the March 11, 2021 meeting. Based on the review of the case and the public hearing the Planning Commission may impose such additional conditions and safeguards deemed necessary for the general welfare, for the protection of individual property rights and for the insuring that the intent and objectives of this Zoning Ordinance will be observed.

**Section 1153 Conditional Use Standards:**

The Planning Commission shall review the particular facts and circumstances of each proposed use in terms of the following standards:

- (1) Will be harmonious with and in accordance with the general objectives or with any specific objectives of the Land Use and Thoroughfare Plan of current adoption;*
- (2) Will be designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area;*
- (3) Will not be hazardous or disturbing to existing or future neighboring uses;*
- (4) Will not be detrimental to property in the immediate vicinity or to the community as a whole;*
- (5) Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection drainage structures, refuse disposal and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide such service adequately;*
- (6) Will be in compliance with State, County and City regulations;*
- (7) Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic or surrounding public streets or roads.*

Staff Comment: The proposed In-Law Suite is clearly sized to be accessory and secondary to the existing principal dwelling unit. Additionally, the space is intended for the owner's family members consistent with the letter and intent of the In-Law Suite zoning code definition.

**General Comments**

This is the second review of an In-Law Suite, since the use was added to the zoning code in 2014.

The proposal is minor in scale and accessory to the principal dwelling unit use of the property. Apart from being its own separate dwelling unit with cooking and sanitation facilities, the scale of the detached accessory structure within which it is located is not out of place within the immediate vicinity.

**Recommendation:**

Staff recommends approval of the requested Conditional Zoning Certificate for the proposed In-Law Suite at 248 S. Harmony Street with the following condition:

- The In-Law Suite must be occupied persons related by blood, adoption or marriage to those occupying the primary dwelling unit.

S HARMONY ST

In-law suite  
part of expanded  
det. garage

Subject Site

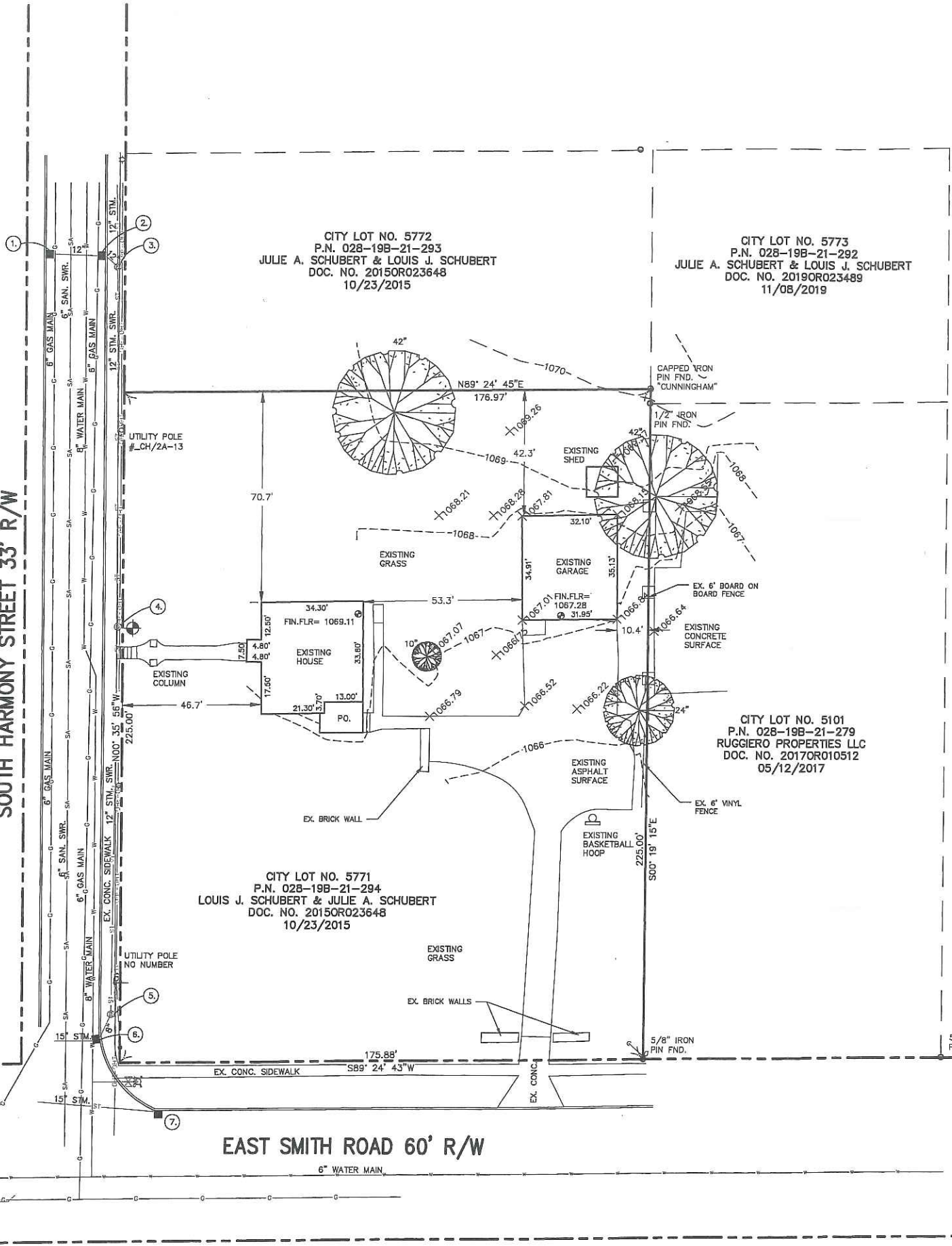
E SMITH RD

P21-04  
248 S. Harmony St.  
CZC - In-Law Suite  
March 11, 2021



1 inch = 50 feet

SOUTH HARMONY STREET 33' R/W



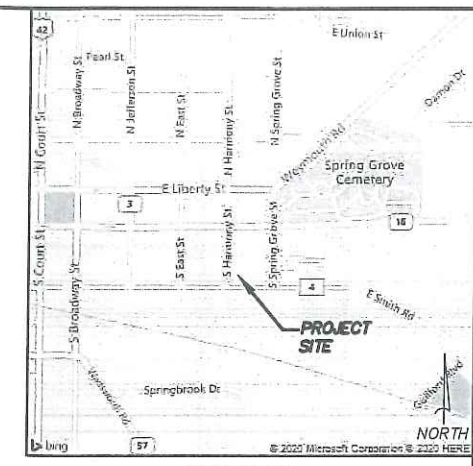
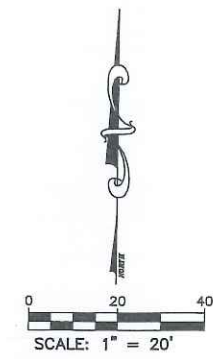
CITY LOT NO. 5772  
P.N. 028-19B-21-293  
JULIE A. SCHUBERT & LOUIS J. SCHUBERT  
DOC. NO. 20150R023648  
10/23/2015

CITY LOT NO. 5773  
P.N. 028-19B-21-292  
JULIE A. SCHUBERT & LOUIS J. SCHUBERT  
DOC. NO. 20190R023489  
11/08/2019

CITY LOT NO. 5771  
P.N. 028-19B-21-294  
LOUIS J. SCHUBERT & JULIE A. SCHUBERT  
DOC. NO. 20150R023648  
10/23/2015

CITY LOT NO. 5101  
P.N. 028-19B-21-279  
RUGGIERO PROPERTIES LLC  
DOC. NO. 20170R010512  
05/12/2017

EAST SMITH ROAD 60' R/W



VICINITY MAP

**STORM/SANITARY STRUCTURES**

- 1.) EX. CATCH BASIN  
T/C= 1085.02
- 2.) EX. CATCH BASIN  
T/C= 1084.95
- 3.) EX. STORM MANHOLE  
T/C= 1085.28
- 4.) EX. STORM MANHOLE  
T/C= 1081.75
- 5.) EX. STORM MANHOLE  
T/C= 1055.85
- 6.) EX. CATCH BASIN  
T/C= 1054.99
- 7.) EX. CATCH BASIN  
T/C= 1054.80

**FLOOD STATEMENT:**

PER 39103CIND08 EFFECTIVE DATE AUGUST 19, 2013 THE PARENT PARCEL IS LOCATED IN UN-PRINTED PANEL 39103C0163D, UN-PRINTED PANELS CONTAIN NO SPECIAL FLOOD HAZARD AREAS.

**BENCHMARK:**  
TOP OF STORM MANHOLE  
CASTING  
ELEVATION = 1061.75

**SYMBOL LEGEND & ABBREVIATIONS:**

⊙	STORM MANHOLE	□	GAS METER
■	STORM CATCH BASIN	—	STREET SIGN
⊙	SANITARY MANHOLE	⊗	GAS VALVE
—	CURB INLET BASIN	⊠	UTILITY PED./BOX
⊗	FIRE HYDRANT	⊙	UTILITY POLE
⊗	WATER LINE VALVE	⊙	POWER POLE
⊗	POLE WITH GUY WIRE	⊗	IRRIGATION CONTROL VALVE
C.O.	CLEAN-OUT	—	OHE - OVERHEAD ELECTRIC
⊗	GAS FLAG	—	OHT - OVERHEAD TELEPHONE
⊗	CURB STOP	—	UGE - UNDERGROUND ELECTRIC
⊗	MANHOLE (TYPE UNKNOWN)	—	UGT - UNDERGROUND TELEPHONE
D.S.	DOWN SPOUT	⊙	1/2" IRON PIN FOUND W/CAP
⊗	TELEPHONE PED.	⊙	5/8" IRON PIN SET W/CAP "ROLLING-HOEVER"
⊗	HOSE SPIGOT	⊗	MONUMENT BOX W/ IRON PIN FOUND
⊗	ELECTRIC TRANSFORMER	⊙	5/8" IRON PIN FOUND (NO CAP)
⊗	EXISTING TREE	⊙	IRON PIPE FOUND
⊗	EXISTING PINE TREE	⊗	STONE FOUND
⊗	ELECTRIC HAND HOLE	⊗	RAILROAD SPIKE FOUND
⊗	HVAC	⊗	PK NAIL SET
⊗	LIGHTPOLE W/ CONC. BASE	⊗	LIGHT POLE
		⊗	GROUND LIGHT
		⊗	BOLLARDS
		⊗	WATER METER
		⊗	FINISHED FLOOR POINT
		⊗	ELECTRIC METER
		⊗	THH TRAFFIC HAND HOLE
		⊗	CHH CATV HAND HOLE

FIN. - FOUND  
S. - SURVEY  
D. - DEED  
CALC. - CALCULATED  
OBS. - OBSERVED

—	SANITARY
—	DOWNSPOUT DRAIN
—	STORM
—	WATER LINE
—	GAS LINE
—	UNDERGROUND ELECTRIC
—	UNDERGROUND TELEPHONE
—	OVERHEAD ELECTRIC
—	OVERHEAD TELEPHONE

FEB 18 2021

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**UTILITY NOTES**  
ANY LOCATIONS OF UNDERGROUND UTILITIES SHOWN HEREON ARE BASED UPON VISIBLE ABOVE GROUND STRUCTURES AND/OR RECORD DRAWINGS PROVIDED TO THE SURVEYOR. LOCATIONS OF UNDERGROUND UTILITY LINES AND STRUCTURES MAY VARY FROM LOCATIONS SHOWN HEREON. ADDITIONAL BURIED UTILITY LINES AND STRUCTURES MAY BE ENCOUNTERED. NO EXCAVATIONS WERE MADE DURING THE PROGRESS OF THIS SURVEY TO LOCATE BURIED UTILITIES/STRUCTURES. THIS SURVEY SHOWS ONLY APPROXIMATE LOCATIONS OF UNDERGROUND UTILITIES AND MUST BE VERIFIED AND FIELD CHECK BY THE UTILITY COMPANIES BEFORE YOU DIG.

REVISIONS:

PROJECT TITLE: **LOUIS J. SCHUBERT AND JULIE A. SCHUBERT**  
248 SOUTH HARMONY STREET, CITY OF MEDINA, COUNTY OF MEDINA, OHIO

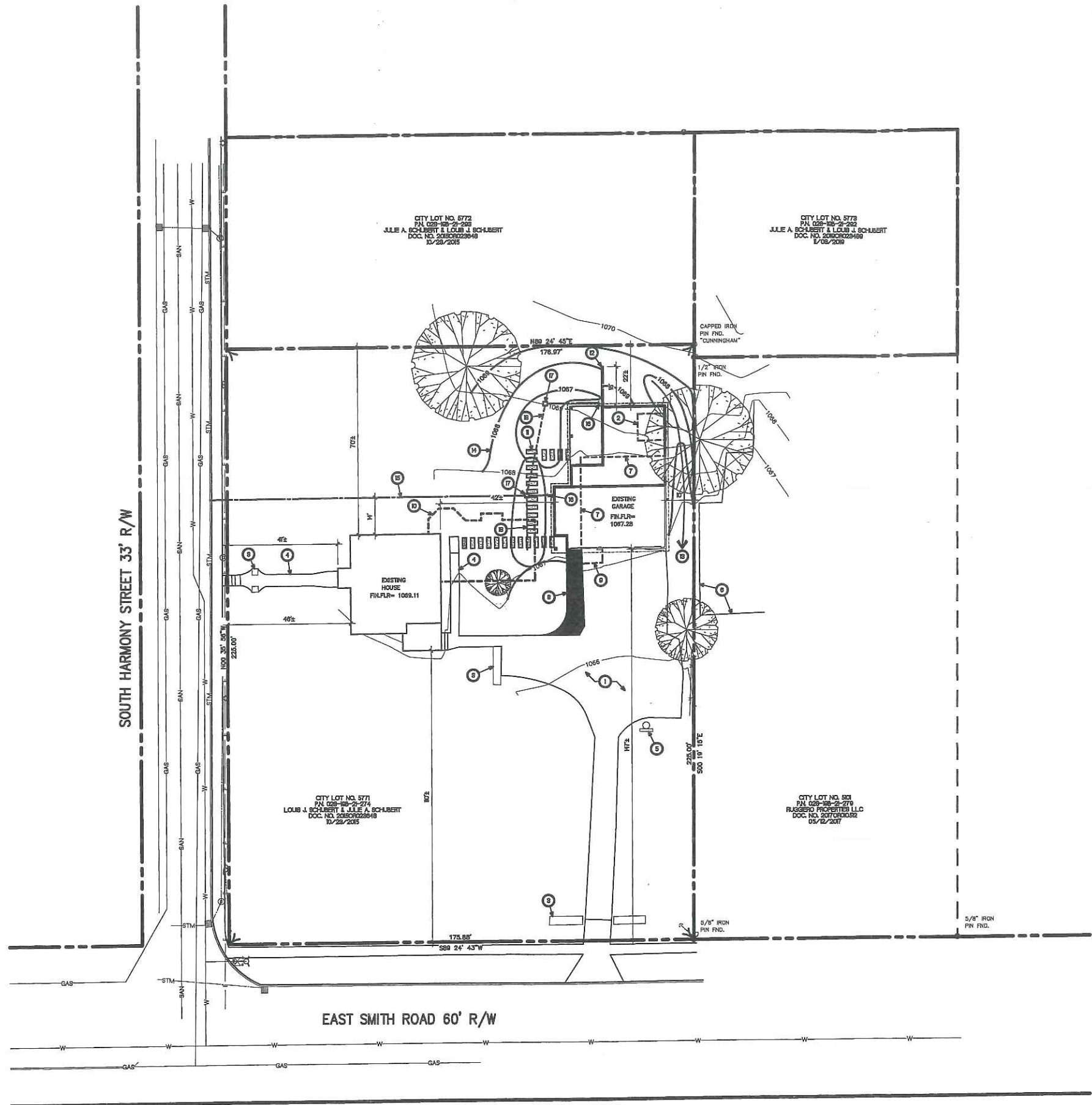
SHEET TITLE: **LOCATION SURVEY TOPOGRAPHIC SURVEY**

SURVEYOR SEAL

PLAN PREPARED BY: **ROLLING HOEVER INC.**  
A Subsidiary of GroundMetrics

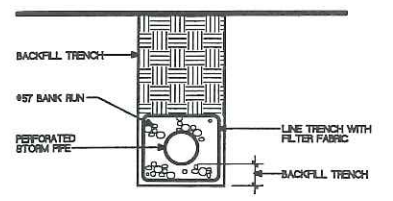
257 SOUTH COURT ST.  
SUITE 6  
MEDINA, OHIO 44256  
PHONE (330) 723-1828  
FAX (330) 723-6637

DATE: 08/27/2020  
JOB No.: 31,960  
DWG. FILE: 31960\_Topo.dwg  
SCALE: AS NOTED  
SHT. No.: S-1



**SITE PLAN NOTES**

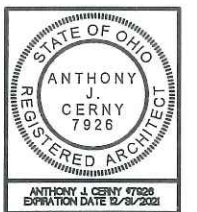
- 1 EXISTING ASPHALT DRIVEWAY TO REMAIN.
- 2 DEMO EXISTING SHED.
- 3 EXISTING BRICK COLUMNS/WALLS TO REMAIN.
- 4 EXISTING SIDEWALK TO REMAIN.
- 5 EXISTING BASKETBALL HOOP TO REMAIN.
- 6 EXISTING CONCRETE PARKING LOT ON ADJOINING PARCEL.
- 7 LINE OF EXTERIOR WALLS OF EXISTING GARAGE TO BE REMOVED. REFER TO SHEETS A-21 & A-22.
- 8 EXPAND DRIVE WITH 4" NEW ASPHALT ON 6" STONE BASE.
- 9 REMOVE EXISTING CONCRETE PAD AND PATCH ASPHALT.
- 10 FUTURE HOUSE ADDITION.
- 11 NEW STEPPING STONE WALK BY OWNER INC.
- 12 LANDSCAPE WALL BY OWNER INC.
- 13 CONSTRUCT SWALE ALONG EAST SIDE OF GARAGE.
- 14 ADJUST GRADE FOR DRAINAGE.
- 15 6" 8094 80R SS PVC STORM AT MINIMUM 1% TE INTO STORM AT ROAD.
- 16 REFER TO FOUNDATION PLAN FOR CONTINUATION OF STORM AT BUILDING.
- 17 YARD DRAIN: 12" x 12" CATCH BASIN WITH GRATE. SET ELEVATION AT 1086.84.
- 18 6" 8094 80R SS PERFORATED PVC IN BANK RUN WITH FILTER FABRIC WRAP. SEE DETAIL THIS SHEET.



2 PERF. DRAIN DT1  
SCALE: 1/2" = 1'-0"

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

PLOTTED 2/18/2020



Architecture  
Preservation  
Graphics  
Planning  
Interior Design

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330 723 0875

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JUNE 2020  
#20042

**SP-1**



Know what's below.  
Call before you dig.

INDUSTRY/UNIVERSITY/02042\_SCHUBERT\_GARAGE.SP1

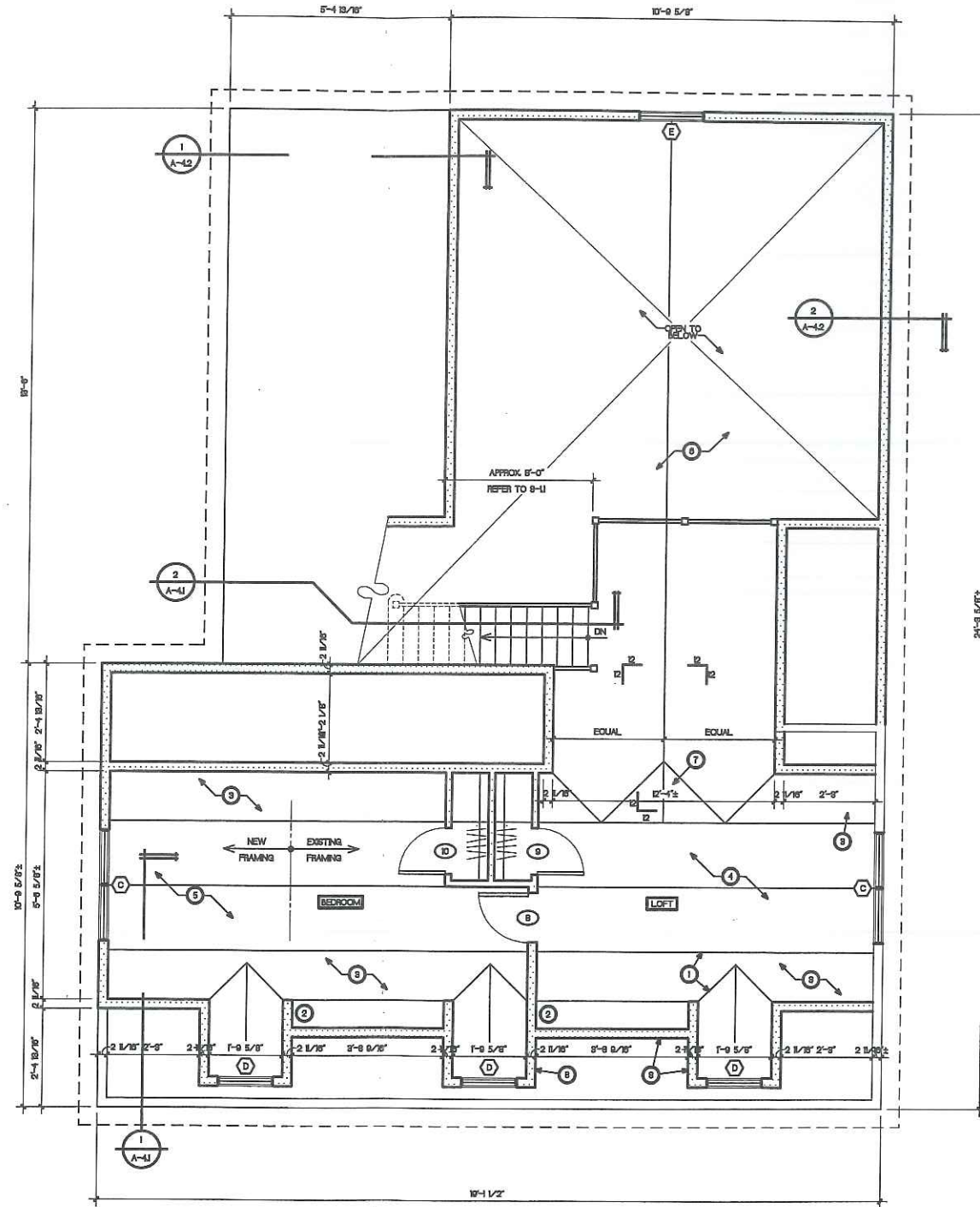
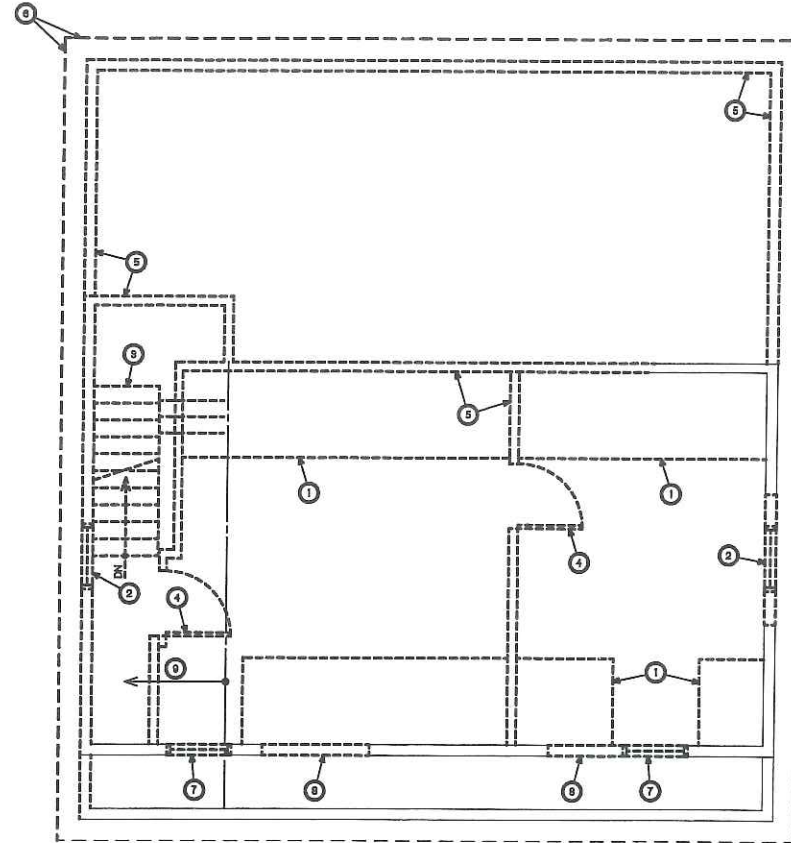


**2ND FLOOR DEMO PLAN NOTES**

- 1 REWORK FRAMING AND SLOPED CEILING TO COORDINATE WITH ADDITION.
- 2 REMOVE EXISTING WINDOWS (TYPICAL AS SHOWN). REFRAME FOR NEW WINDOWS.
- 3 REMOVE EXISTING STAIRS.
- 4 REMOVE EXISTING DOORS AND FRAMES (TYPICAL AS SHOWN).
- 5 REMOVE EXISTING WALLS AS REQUIRED FOR NEW CONSTRUCTION (TYPICAL AS SHOWN).
- 6 REMOVE EXISTING ROOF OVERHANG TO ALLOW FOR ADDITION (TYPICAL AS SHOWN).
- 7 REMOVE EXISTING DORMER AND WINDOW. REFRAME ROOF.
- 8 REMOVE WALL AND REFRAME FOR NEW DORMERS.
- 9 REMOVE EXISTING FLOOR FRAMING AND REFRAME.

**GARAGE 2ND FLOOR PLAN NOTES**

- 1 CEILING LINE.
- 2 BUILT-IN SHELVES.
- 3 SLOPED CEILING. REFER TO WALL SECTION (TYPICAL).
- 4 EXISTING GYPSUM ON COLLAR TIE TO REMAIN.
- 5 FRAME NEW CEILING IN BEDROOM TO MATCH EXISTING.
- 6 VAULTED CEILING.
- 7 TRANSITION FROM GYPSUM CEILING AT COLLAR TIE UP TO VAULTED CEILING OF ADDITION.
- 8 WALLS ARE FRAMED WITH 2 x 8 STUDS FOR ADDED INSULATION.

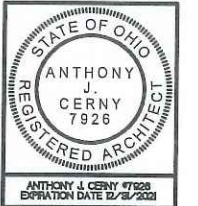


**2ND FLOOR DEMO PLAN**  
 NORTH  
 SCALE 1/4" = 1'-0"

**GARAGE 2ND FLOOR PLAN**  
 NORTH  
 SCALE 1/4" = 1'-0"  
 2ND FLOOR = 998.00 SF.

INTERIOR WALL DIMENSIONS ARE FROM FACE OF STUD TO FACE OF STUD.  
 EXTERIOR WALL DIMENSIONS ARE FROM FACE OF SHEATHING TO FACE OF STUD.  
 DIMENSIONS ARE SHOWN NOMINAL.  
 1" = 3-1/2"  
 5" = 5-1/2"

PLOTTED 2/18/2021



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**A-2.2**

I:\CADD\DWG\STUDIOS\2020\20042\SCHUBERT GARAGE\A-2.2

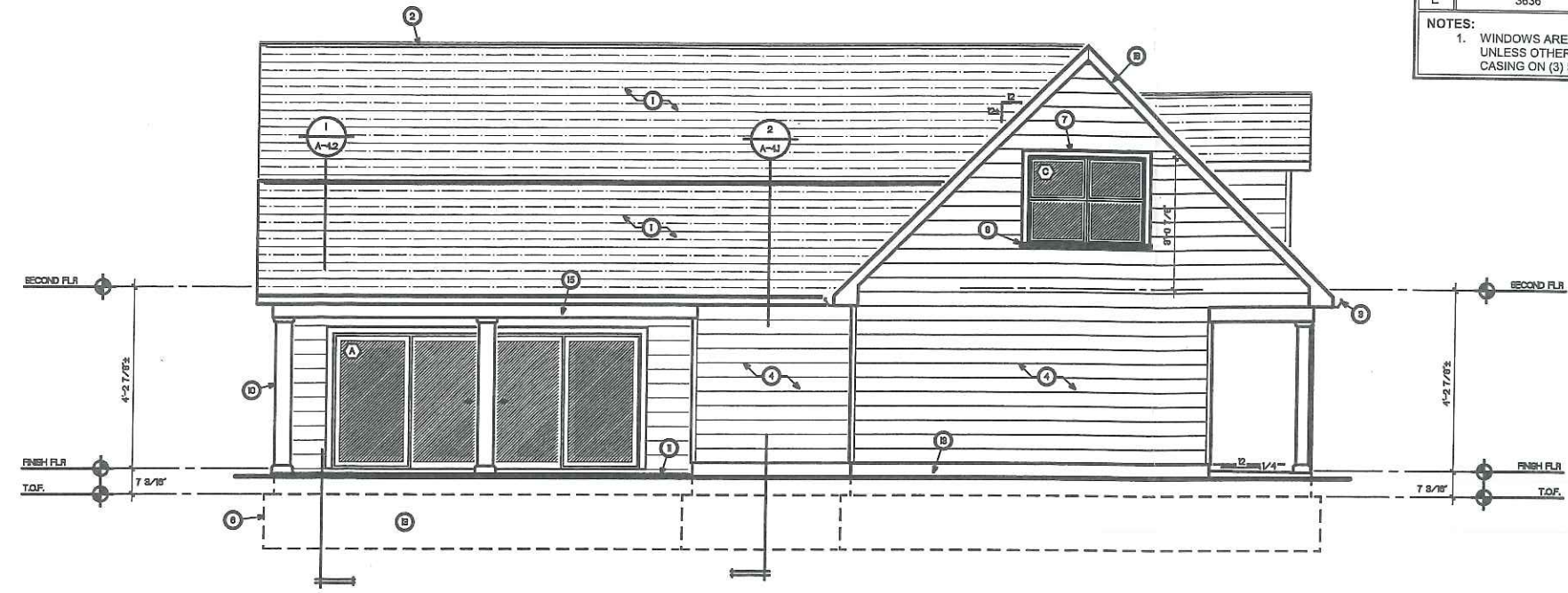


WINDOW SCHEDULE		
NO	WINDOW	REMARKS
A	FNG-160611-4	400 SERIES FRENCHWOOD GLIDING DOOR 7'-0" x 16'-0"
B	(4) 3066	SINGLE HUNG. MULL TOGETHER. TEMPERED GLASS
C	3046-2	SINGLE HUNG
D	3046	SINGLE HUNG
E	3636	ROUND

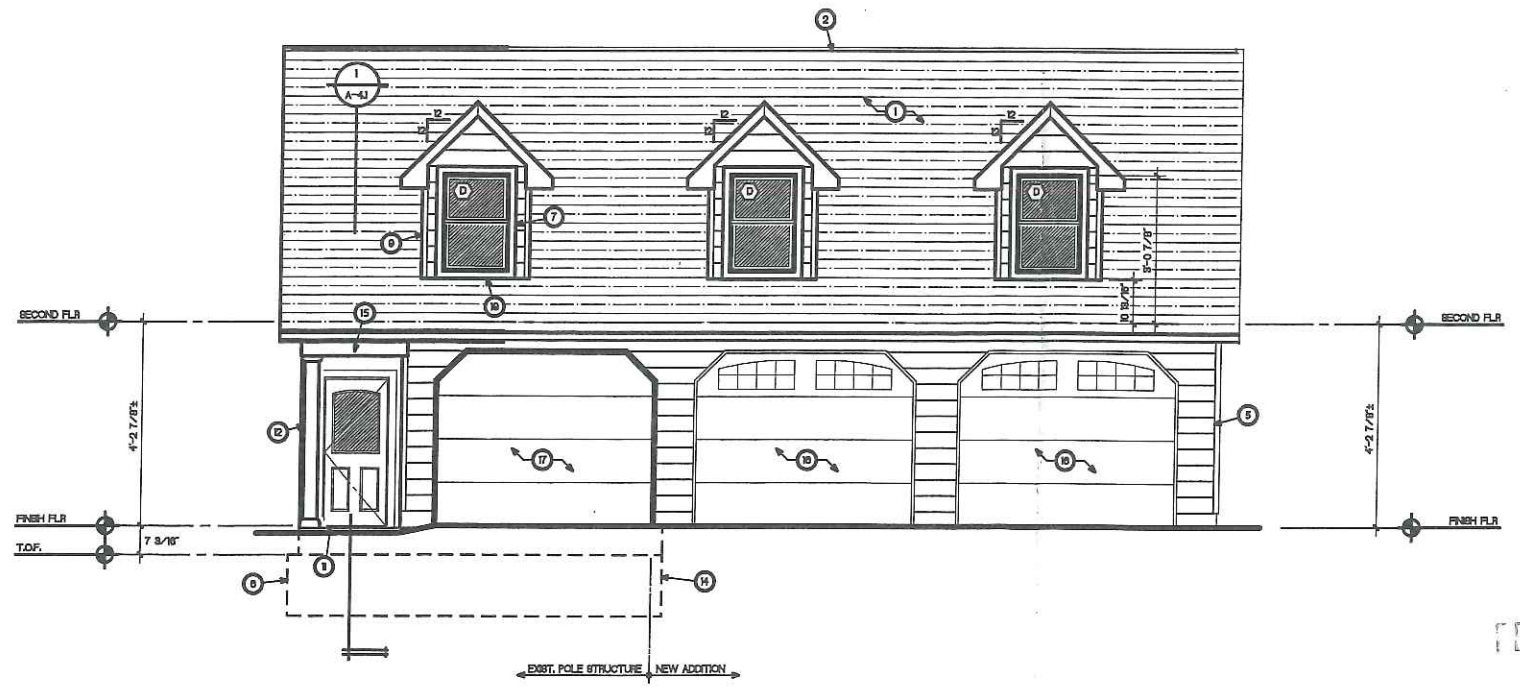
NOTES:  
 1. WINDOWS ARE SHOWN AS ANDERSEN 100 SERIES UNLESS OTHERWISE NOTED. PROVIDE AZEK 5/4" x 4" CASING ON (3) SIDES WITH AZEK FARM HOUSE SILL.

**ELEVATION PLAN NOTES**

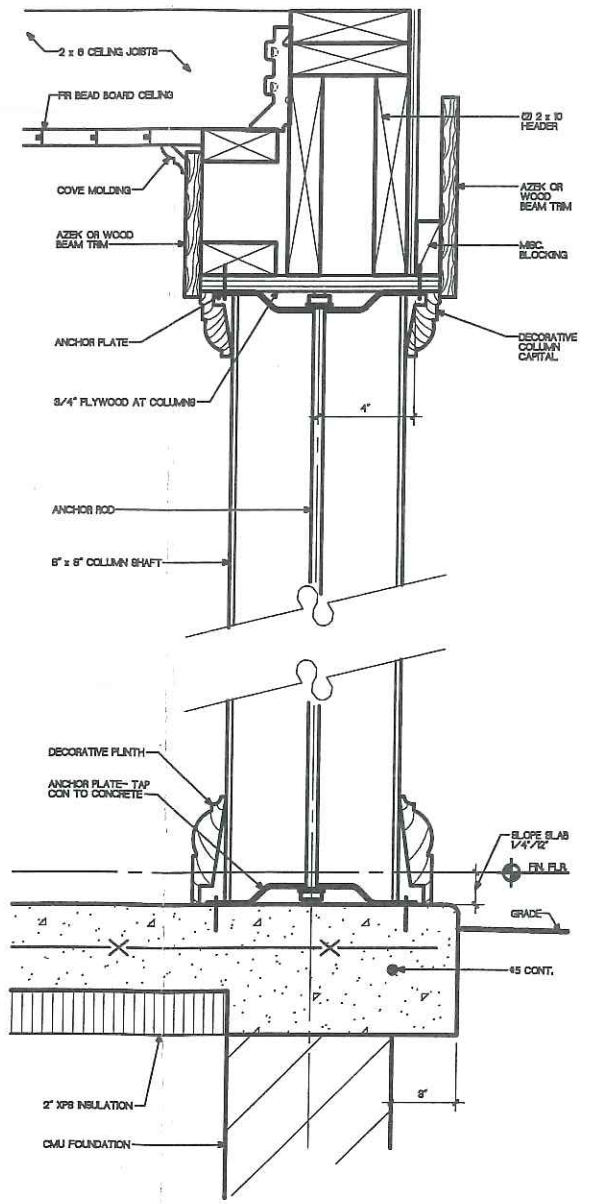
- 1 NEW DIMENSIONAL ASPHALT SHINGLES AS SELECTED BY OWNER.
- 2 NEW CONTINUOUS NAIL OVER RIDGE VENT.
- 3 NEW GUTTER.
- 4 NEW SIDING SYSTEM AS SELECTED BY OWNER.
- 5 SIDING SYSTEM CORNER BOARD.
- 6 TRENCH FOOTING. MAINTAIN MIN. 42" BELOW GRADE.
- 7 1 x 4 AZEK/PYRON WINDOW TRIM. RASSET TO RECEIVE SIDING.
- 8 AZEK/PYRON WINDOW SILL TRIM.
- 9 NEW DORMERS.
- 10 12" SQUARE PORCH COLUMN.
- 11 SLOPED CONCRETE PORCH SLAB.
- 12 H&G 6" x 8" FLAN PERMA LITE COLUMN. REFER TO DETAIL THIS SHEET.
- 13 EXPOSED CMU FOUNDATION. PAINT WITH FOUNDATION SEALER.
- 14 COORDINATE NEW FOUNDATION WITH EXISTING POLE STRUCTURE.
- 15 AZEK TRIM AT BEAM. REFER TO DETAIL THIS SHEET AND SECTIONS.
- 16 EXISTING OVERHEAD SECTIONAL DOORS TO REMAIN.
- 17 NEW SECTIONAL OVERHEAD DOOR. MATCH TO EXISTING.
- 18 2 x 8 FLYING RAKE. WRAP AND FINISH TO MATCH EXISTING.
- 19 USE 1 x 4 AZEK SILL BOARD AT DORMERS TO CONCEAL FLASHING.



**2 WEST ELEVATION**  
 SCALE 1/4" = 1'-0"



**1 SOUTH ELEVATION**  
 SCALE 1/4" = 1'-0"



**3 COLUMN DETAIL**  
 SCALE 3/8" = 1'-0"

FEB 18 2021



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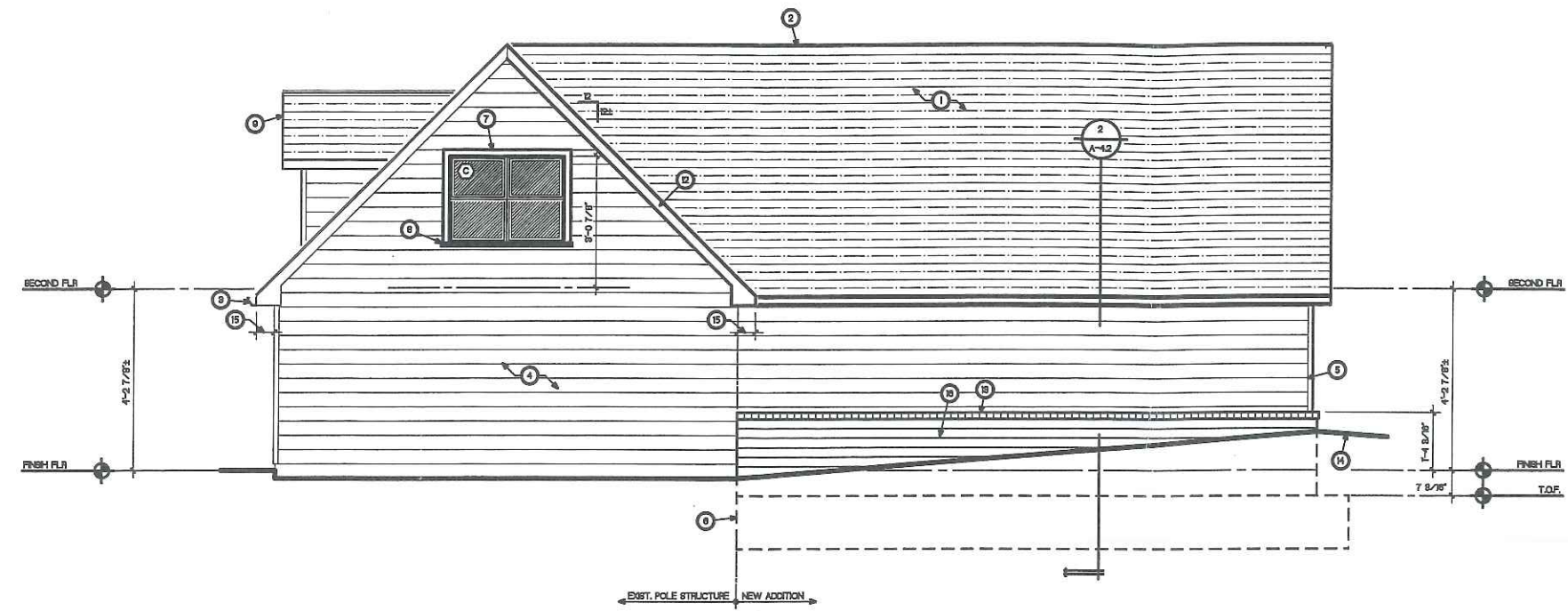
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**A-31**

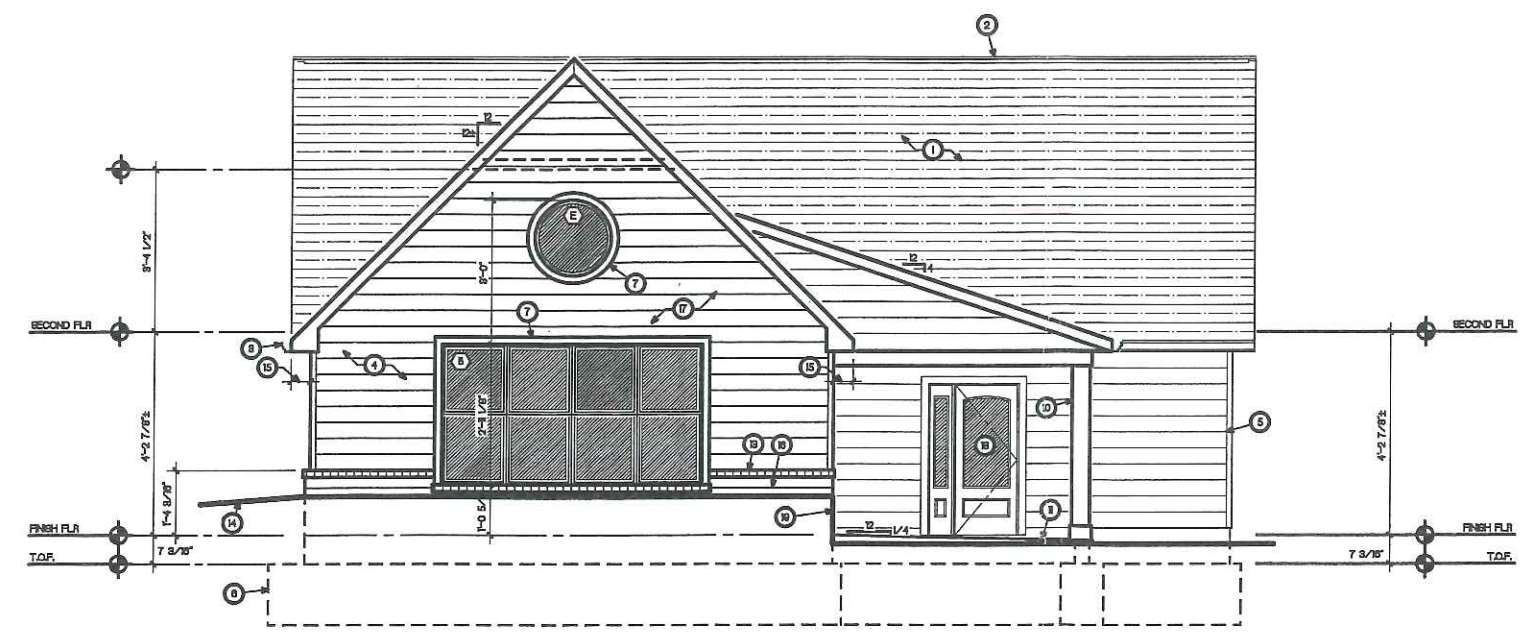
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ELEVATION PLAN NOTES

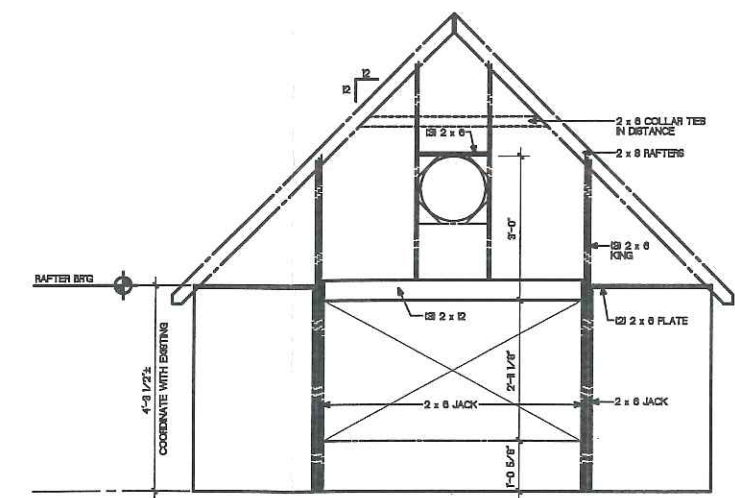
- 1 NEW DIMENSIONAL ASPHALT SHINGLES AS SELECTED BY OWNER.
- 2 NEW CONTINUOUS NAIL OVER RIDGE VENT.
- 3 NEW GUTTER.
- 4 NEW SIDING SYSTEM AS SELECTED BY OWNER.
- 5 SIDING SYSTEM CORNER BOARD.
- 6 TRENCH FOOTING, MAINTAIN MIN. 42" BELOW GRADE.
- 7 1 x 4 AZEK/PYRON WINDOW TRIM, RABBIT TO RECEIVE SIDING.
- 8 AZEK/PYRON WINDOW BILL TRIM.
- 9 NEW DORMERS.
- 10 8" SQUARE PORCH COLUMNS.
- 11 SLOPED CONCRETE PORCH SLAB, COMPOUND FITCH, SET LEVEL TO DOORS.
- 12 REBUILD EXISTING RAKE.
- 13 BRICK ROW LOCK BILL.
- 14 GRADE VARIER, REFER TO SITE PLAN.
- 15 MATCH OVERHANG TO EXISTING.
- 16 BRICK VENEER OVER 6" CMU, REFER TO SECTIONS.
- 17 REFER TO DETAIL, S/A-A-82 FOR GABLE WALL FRAMING.
- 18 3/4" LITE DOOR AND SIDELIGHT.
- 19 TRANSITION GRADE WITH LANDSCAPE RETAINING WALL, REFER TO SITE PLAN.



2 EAST ELEVATION  
SCALE 1/4" = 1'-0"

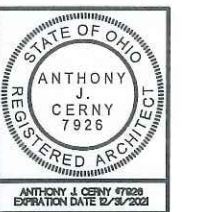


1 NORTH ELEVATION  
SCALE 1/4" = 1'-0"



3 GABLE WALL FRAMING DT'L  
SCALE 1/4" = 1'-0"

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A-3.2

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