

Description of Project (Expanded):

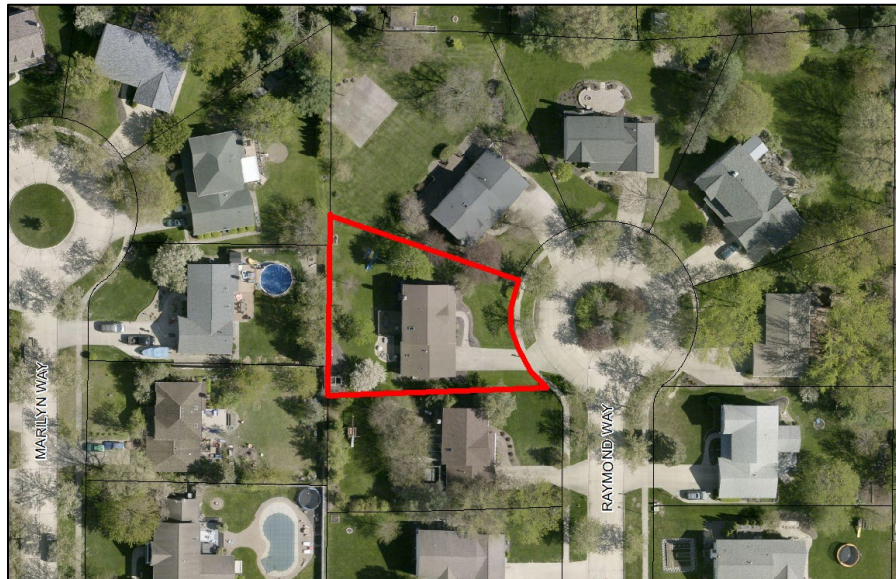
The homeowners wish to have Sturgess Construction add a roof over their existing deck in order to create a screened-in porch behind their house. The proposed structure would have a rear setback of 34 ft. 2 1/8 in., which falls short of the required 50 ft. for principal structures. The homeowners are seeking a variance to Section 1121.05 in order to allow the project.

Z23-09
Raymond Way Rear Addition

Property Owners: Richard and Denise Koeth
Applicants: Richard and Denise Koeth
Location: 1065 Raymond Way
Zoning: R-1 (Low Urban Residential)
Request: Area Variance to Section 1121.05 to allow an addition within the rear yard setback

LOCATION AND SURROUNDING USES

The subject site is composed of 0.29 acres on the west side of Raymond Way. Adjacent properties are zoned R-1 and contain single-family residences.



BACKGROUND & PROPOSED APPLICATION

The home currently has a 16 ft. x 16 ft. rear deck located 34 ft. 2 in. from the rear property line. The applicant is proposing to construct a pitched roof over the existing deck, which will be attached to the home. The roofed deck will not have solid walls and will be enclosed by screening.

SECTION 1121.05 – REAR YARD SETBACKS

Section 1121.05 includes a table with a number of development standards for properties in the R-1 district. The table indicates a required minimum rear yard setback of 50 ft. for principal structures.

Current standards allow unroofed decks to project 10 ft. within required setbacks. Though the existing deck does not meet this requirement, it received the necessary building and zoning approvals prior to construction.

Once a roof is constructed on a deck, it is considered part of the existing structure and is subject to the 50 ft. rear yard setback requirement. As noted, the existing deck and proposed roof are located 34 ft. 2 in. from the rear property line.

STANDARDS FOR VARIANCES AND APPEALS (SECTION 1107.08(i))

Factors applicable to area or size-type variances ("practical difficulty"). 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 a practical difficulty exists and an area or size-type 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;
- B. Whether the variance is substantial;
- 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;
- D. Whether the variance would adversely affect the delivery of governmental services (e.g., water, sewer, garbage);
- E. Whether the property owner purchased the property with knowledge of the zoning restrictions;
- F. Whether the property owner's predicament feasibly can be obviated through some method other than a variance; and/or
- G. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting a variance.

The applicant has indicated the following regarding the Standards for Variances and Appeals:

- The project will add value to the neighborhood.
- The variance is not substantial as the footprint of the deck will not change.
- The essential character of the neighborhood will not be altered and adjoining property owners support the project.
- The spirit and intent behind the zoning requirement will be observed as the project will allow reasonable enjoyment of the property without impacts on neighbors.

FACTORS APPLICABLE TO AREA OR SIZE-TYPE VARIANCES ("PRACTICAL DIFFICULTY")

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 a practical difficulty exists and an area or size-type 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;

B. Whether the variance is substantial;

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;

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

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

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

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

To the Board of Zoning Appeals,

As the owners of 1065 Raymond Way in Medina, we are seeking a variance to Section 1121.05 in order to permit a home improvement project.

We would like to have Sturgess Construction add a roof over our home's existing deck in order to create a screened-in porch behind the house. The proposed structure would have a rear setback of 34 ft. 2 1/8 in., which falls short of the required 50 ft. for principal structures.

The variance is not substantial, would not change the use of the property, and would add value to our property and the neighborhood as a whole. The footprint of our home and deck will not change, it is just the addition of a roof over the deck.

Adjoining properties would not be adversely affected. Our adjacent neighbors indicated their approval of the proposed project.

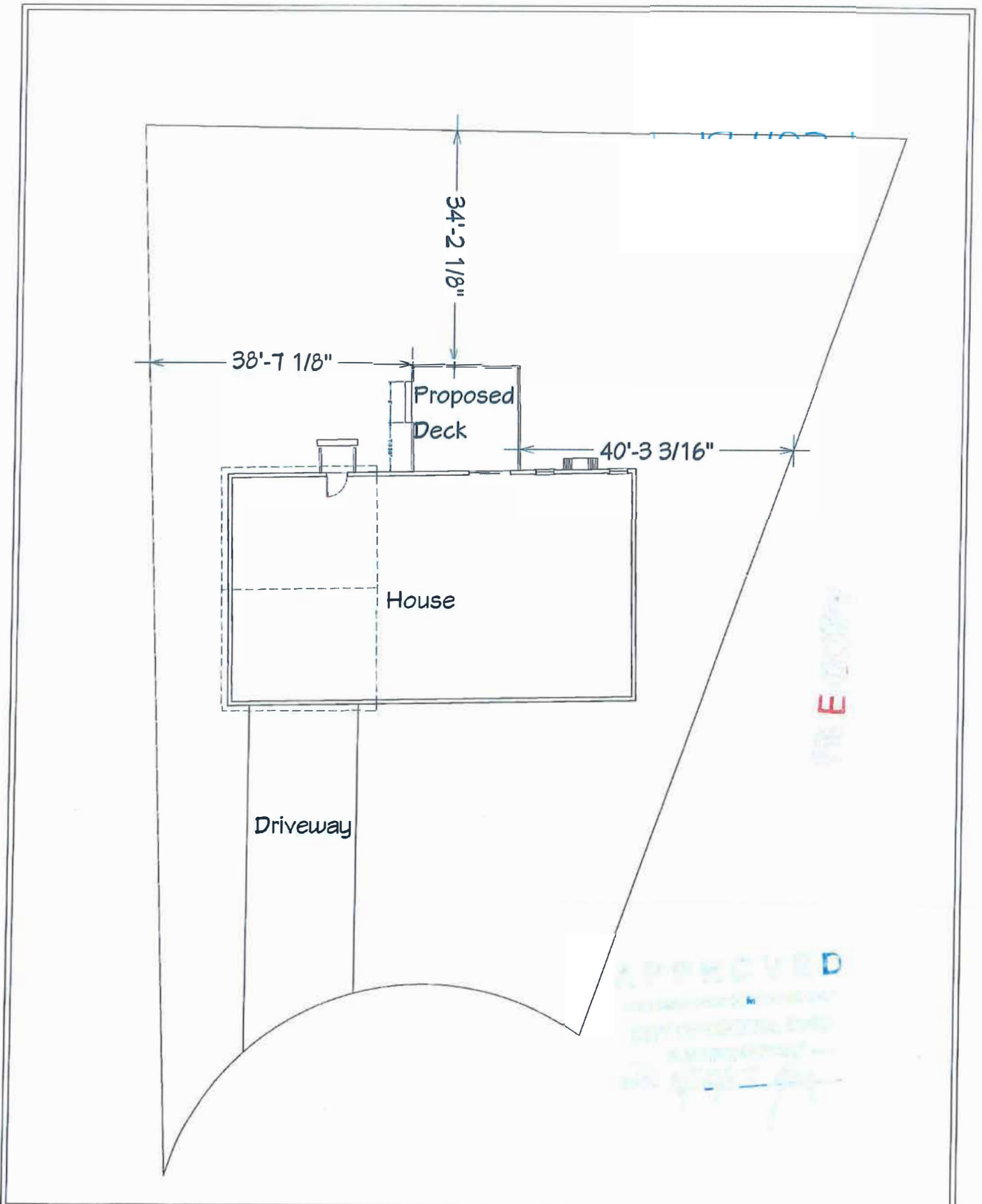
Thank you for your consideration.

Sincerely,

Ritch & Denise Koeth



Original Deck Approval - 2017



E-2007

APPROVED

DATE: 4/7/2017
 SCALE: As Noted
 SHEET: A-2 of 2

DECK CREATOR
 12295 York Road
 Suite B
 North Royalton, OH
 44135

Koeth
 1065 Raymond Hwy
 Medina, Ohio

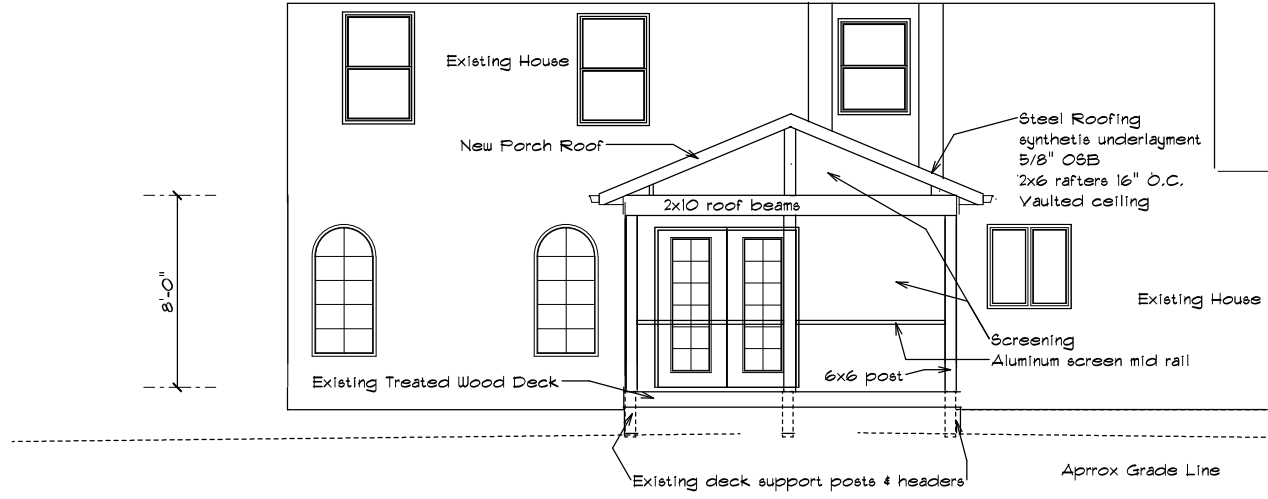
Plot Plan

NO.	DESCRIPTION	BY	DATE

Existing Deck



RECEIVED
18-399
9-2023



Date
April 12, 2023

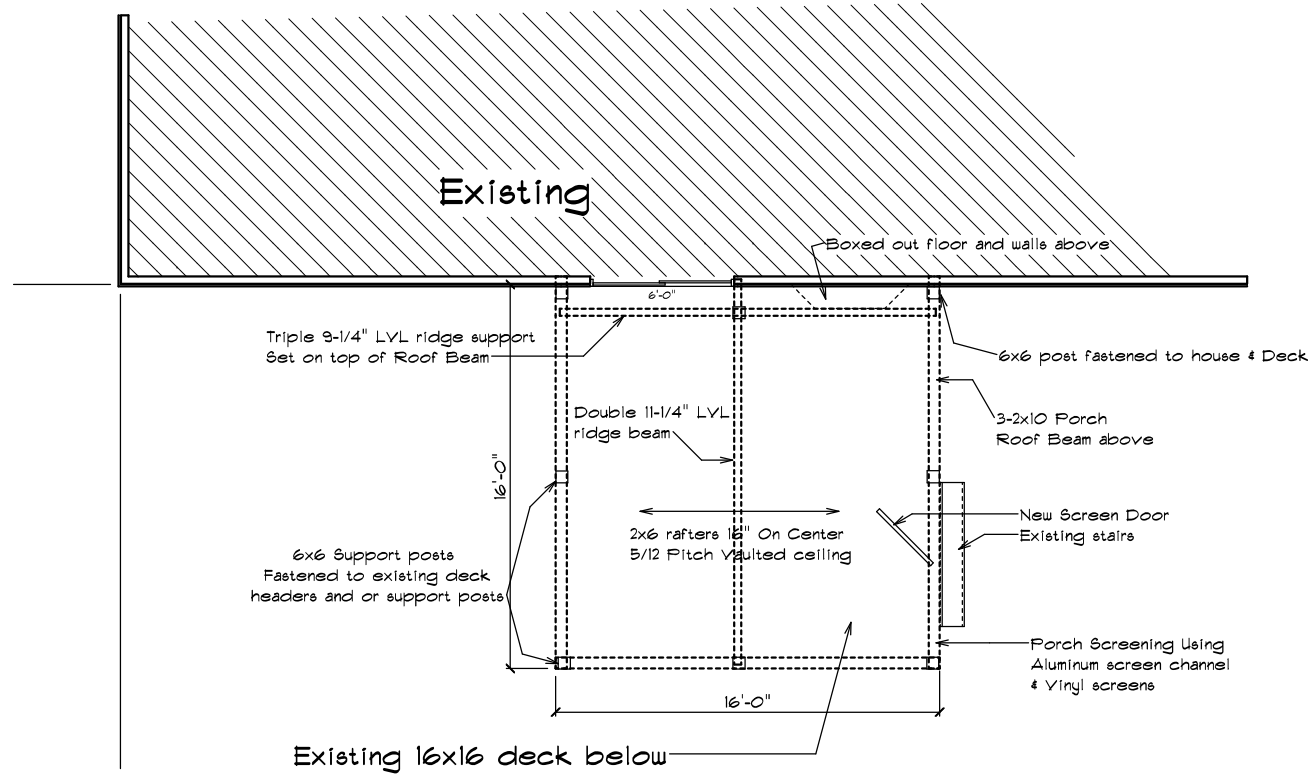
Plan#

Project:
Porch roof
Rich & Denise Koeth
1065 Raymond Way
Medina, Ohio 44256

Sturgess
Construction

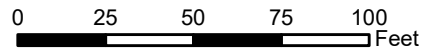
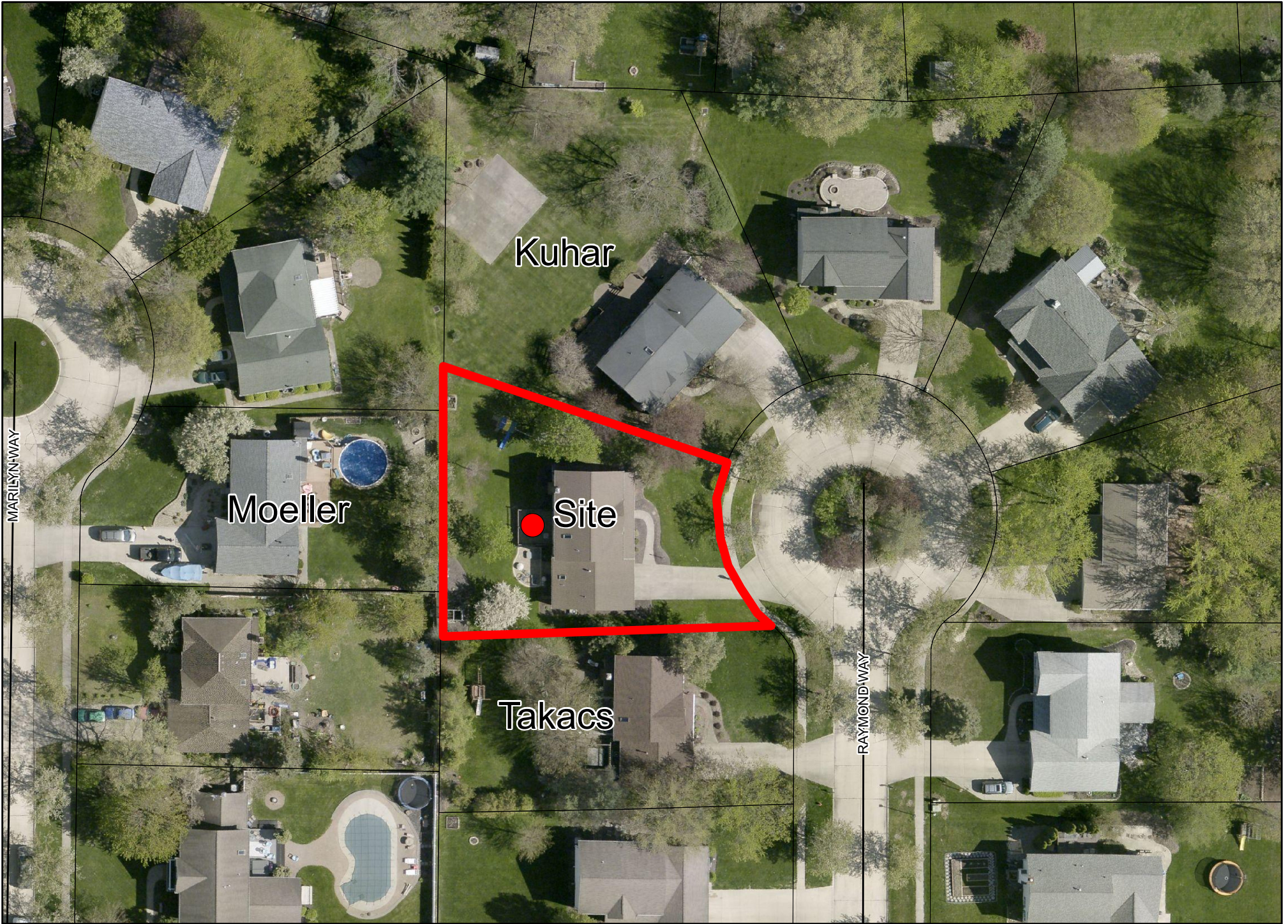
Sturgess Construction Inc.
332 North Court St.
Medina, Ohio 44256
330-723-6685

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New Porch Roof built over top of existing treated wood deck with Composite decking

<p>Date April 12, 2023</p>	<p>Project: Porch roof Rich & Denise Koeth 1065 Raymond Way Medina, Ohio 44256</p>		<p>Sturgess Construction Inc. 332 North Court St. Medina, Ohio 44256 330-723-6685</p>	<p>This Drawing is the exclusive property of Sturgess Const. and Protected by Copyright Law Copyrighted</p>
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Koeth project & zoning variance

Inbox x



Denise <denisekoeth@gmail.com>

to keithamoeller@gmail.com

Tue, May 2, 8:47 PM (12 hours ago)



Hi Keith,

Ritch and I are planning to have Sturgess Construction add a roof over our home's existing deck in order to create a screened-in porch behind the house. The proposed structure would have a rear setback of 34 ft. 2 1/8 in., which falls short of the required 50 ft. for principal structures. We are seeking a variance from Medina's Board of Zoning Appeals in order to continue with this home improvement project.

As the neighbor directly behind our property, would you be OK with us receiving the variance and proceeding with this project?

Thanks,
Denise Koeth



Keith Moeller

to me

Tue, May 2, 9:03 PM (11 hours ago)



Hi Denise,

Yes, that would be fine.

Good luck on your project!

Keith And Jessica Moeller



Koeth deck project



Inbox x



Denise Koeth <denisekoeth@gmail.com>

to jatakacs20 ▾

Fri, May 5, 1:23 PM (3 days ago)



Hi Judy,

Ritch and I are planning to have Sturgess Construction add a roof over our home's existing deck in order to create a screened-in porch behind the house. The proposed structure would have a rear setback of 34 ft. 2 1/8 in., which falls short of the required 50 ft. for principal structures. We are seeking a variance from Medina's Board of Zoning Appeals in order to continue with this home improvement project.

As our next door neighbor, would you be OK with us receiving the variance and proceeding with this project?

Thanks,
Denise Koeth



Judy Takacs

to me ▾

Sat, May 6, 8:18 PM (2 days ago)



Approved!

Jim and Judy



Koeth project & zoning variance

Inbox x



Denise <denisekoeth@gmail.com>

to Kusmael2@yahoo.com ▾

Tue, May 2, 8:45 PM (13 hours ago)



Hi Cheryl,

Ritch and I are planning to have Sturgess Construction add a roof over our home's existing deck in order to create a screened-in porch behind the house. The proposed structure would have a rear setback of 34 ft. 2 1/8 in., which falls short of the required 50 ft. for principal structures. We are seeking a variance from Medina's Board of Zoning Appeals in order to continue with this home improvement project.

As our next door neighbor, would you be OK with us receiving the variance and proceeding with this project?

Thanks,
Denise Koeth



Cheryl (Kuhar)

to me ▾

10:08 AM (9 minutes ago)



Yes, Bill & I are both fine with this.

We're looking forward to watching this happen for You!

Sent from my iPhone

On May 2, 2023, at 8:46 PM, Denise <denisekoeth@gmail.com> wrote:

