

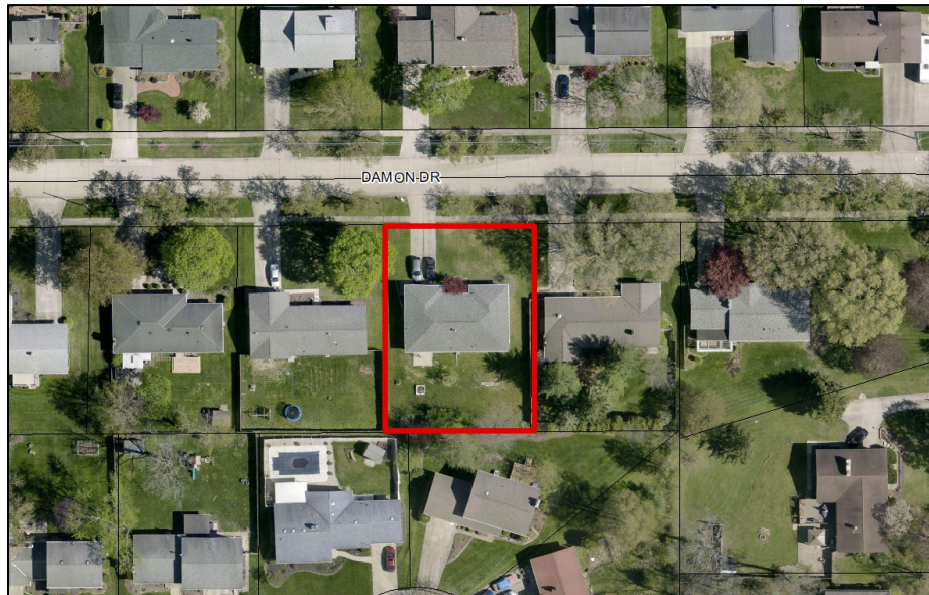


**Z24-05**  
**Damon Drive Rear Addition**

Property Owner: Bryan Knopp and Kristy Mitchell  
Applicant: Jeff Oslin  
Location: 950 Damon Drive  
Zoning: R-1 (Low Density 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 0.27 acres located on the south side of Damon Drive. Adjacent properties are zoned R-1 and contain single-family residences.



**BACKGROUND & PROPOSED APPLICATION**

The applicant is proposing to construct a 228 sq. ft. (14 ft. x 16 ft. 3.2 in.) rear cover over an existing patio. The patio cover does not incorporate walls and will be attached to the roof of the existing home.

**REAR SETBACK (SECTION 1121.05)**

Section 1121.05 requires that principal structures in the R-1 zoning district must have a 50 ft. rear setback.

The proposed patio cover has a roof and is attached to the home. Therefore, it is considered part of the principal structure and is subject to applicable setback requirements. The patio cover is setback 38 ft. 3 in. from the rear property line, which is 11 ft. 9 in. with the required rear yard setback.

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

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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.

**APPLICANT'S RESPONSES TO STANDARDS FOR VARIANCES AND APPEALS**

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The applicant's responses to the Standards for Variances and Appeals include but are not limited to the following:

- The variance is not substantial as the patio cover will be 38 ft. 3 in. from the rear property line.
- The essential character of the neighborhood will not be altered and there will be no detriment to adjacent properties by allowing the patio cover within the setback.
- A variance could be avoided if the patio cover is detached from the home, however, it is not the preferred construction method.
- The spirit and intent of the requirement will be observed as a detached patio cover could be built in the same footprint.

## Andrew Dutton

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**From:** Lila Lehrer <lilal@zoominternet.net>  
**Sent:** Sunday, March 3, 2024 8:25 PM  
**To:** Andrew Dutton  
**Subject:** 224-05

Dear Mr. Dutton

I received a letter from your office regarding an application submitted by Jeff Olson to allow an addition to the rear yard of his property at 950 Damon Drive.

I will not attend the zoning meeting but wish to comment on this.

Mr. Olson has been a good neighbor often offering his help. The improvements made to his property have been very nice and aesthetically pleasing. Since my property is directly behind his I would or could be affected by any change visually.

I have no objections to any additions that Mr. Olson desires, I am approving his variance to Section 1121-05.

Respectfully submitted,

Lila Lehrer

947 Sandy Lane

Medina, Ohio

330-725-8718

Sent from my iPad



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;  
This variance will allow homeowner to cover an already existing patio. The use of the patio will not be hindered if the variance is given.

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B. Whether the variance is substantial;  
The variance requested is 11' 9". It is not substantial, based on the fact that the home itself is only 53' from the rear property line.

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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 will not be altered and the adjoining properties would not suffer any detriments due to the install.

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

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E. Whether the property owner purchased the property with knowledge of the zoning restrictions;  
The property owner was unaware of the zoning restriction prior to purchasing the patio cover.

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F. Whether the property owner's predicament feasibly can be obviated through some method other than a variance; and/or  
To construct any sort of patio cover off the home a variance will be required. We are able to avoid variance by being detached but would be still covering the same area.

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We hope that will allow us to build the project as initially intended.

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G. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting a variance.  
If a variance is granted we would be using the same space as if detached. The spirit and intent would be observed.

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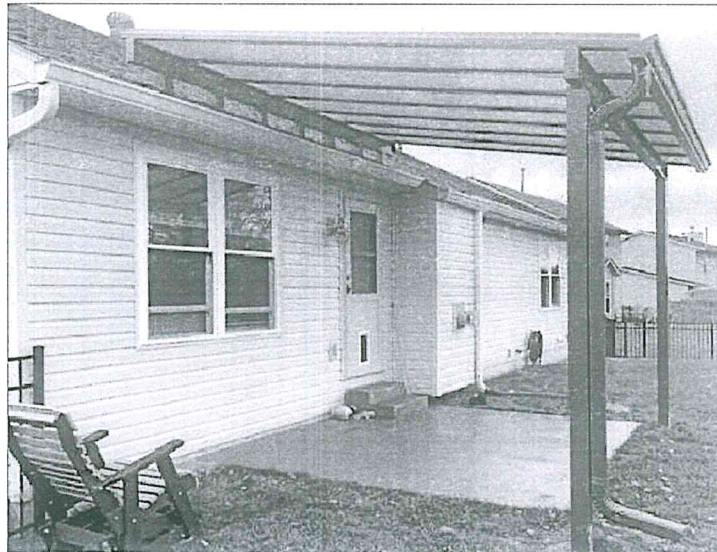
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PROPOSED LOCATION



VICINITY MAP/ ELEVATION VIEW



EXAMPLE ONLY

DRAWING INDEX	
SHEET #	SHEET TITLE
1	COVER SHEET
2	SITE PLAN
3	CONSTRUCTION PLAN
4	SECTION PLAN
5A	WALL & ROOF ATTACHMENT DETAILS
5B	BEAM ATTACHMENT DETAILS
5C	POST TO GROUND ATTACHMENT DETAILS
5D	PANEL, RAFTERS & GUTTER DETAILS
6	SNOW LOAD TABLES

KNOPP RESIDENCE  
BRIGHTCOVERS ADDITION



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NOTES:

- ALL DIMENSIONS SHALL BE FIELD VERIFIED, (UNLESS WHERE REFERENCE (REF.) IS SHOWN)
- PARTS DESIGNED AND INSTALLED IN ACCORDANCE WITH THE FOLLOWING:
  - 2019 OHIO RESIDENTIAL CODE (ORC)
  - 2017 OHIO BUILDING CODE (OBC).
  - 2020 AA ALUMINUM DESIGN MANUAL (ADM)
  - 2017 AA ALUMINUM STANDARDS AND DATA.
- STRUCTURAL LOADS IN ACCORDANCE WITH THE FOLLOWING:
  - ASCE 7-16 (MINIMUM DESIGN LOADS FOR BUILDINGS AND OTHER STRUCTURES); REF. ATTACHED LOAD TABLES.

CUSTOMER:

BRYAN KNOPP  
950 DAMON DRIVE  
MEDINA, OH 44256  
MEDINA COUNTY  
PARCEL# 028-19B-16-121

DESCRIPTION:

16' WIDTH X 14' LENGTH  
ROOF TO FOOTERS  
BLACK FRAME W/ GREY PANELS

JOB NUMBER: 418372\_2024/1/KNOPP

PIN: 16X14.3R.4FH-000.000-000.X13-4F2.G41.BY

DRAWN: NP APPROVED: JO

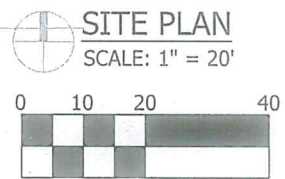
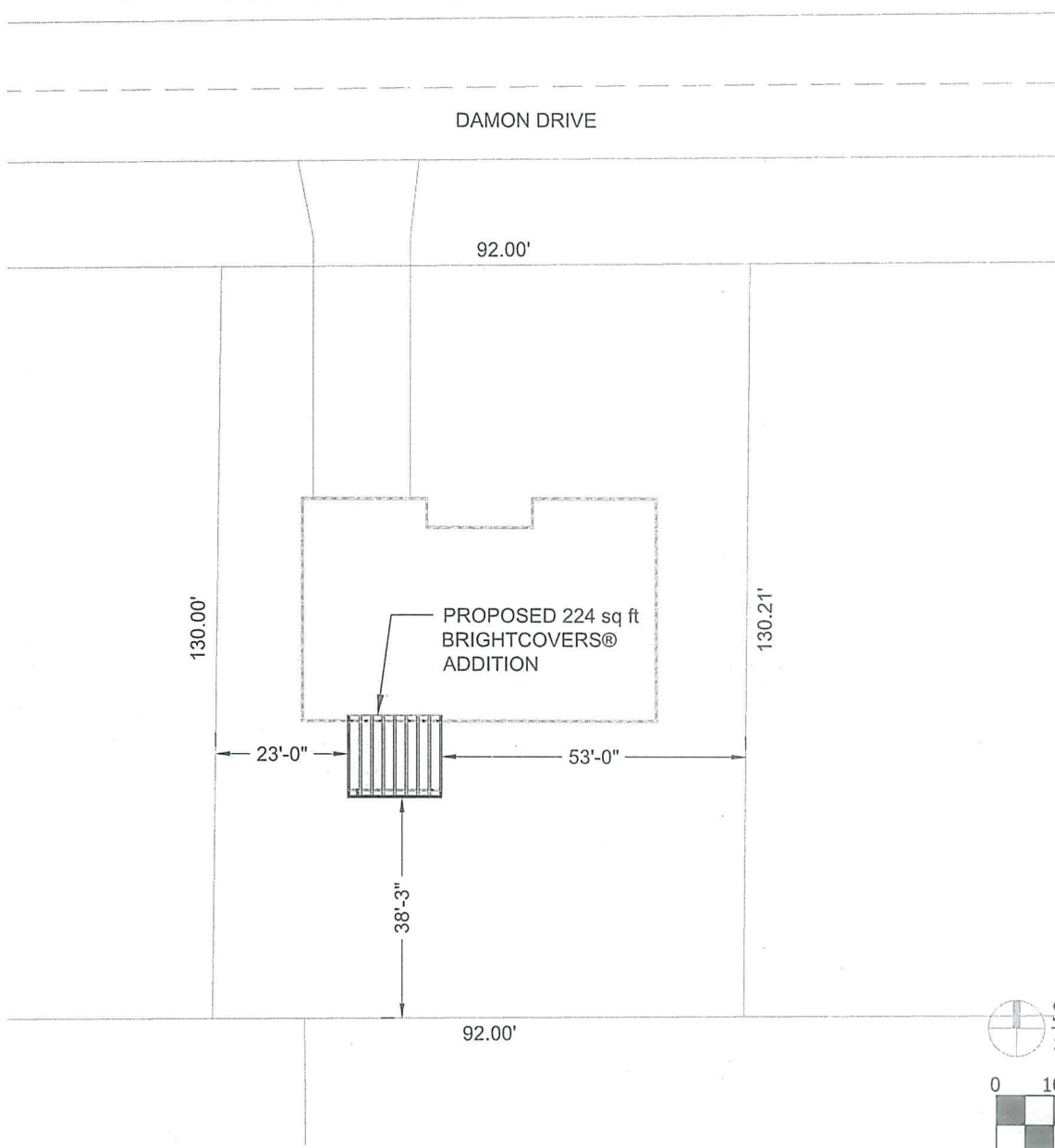
ISSUED FOR PERMIT: 2/2/2024

NO.	REVISIONS	DATE
-	-	-

TITLE: COVER SHEET

SHEET: 1 REV: 0



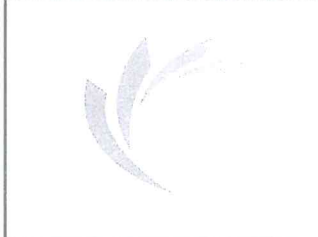


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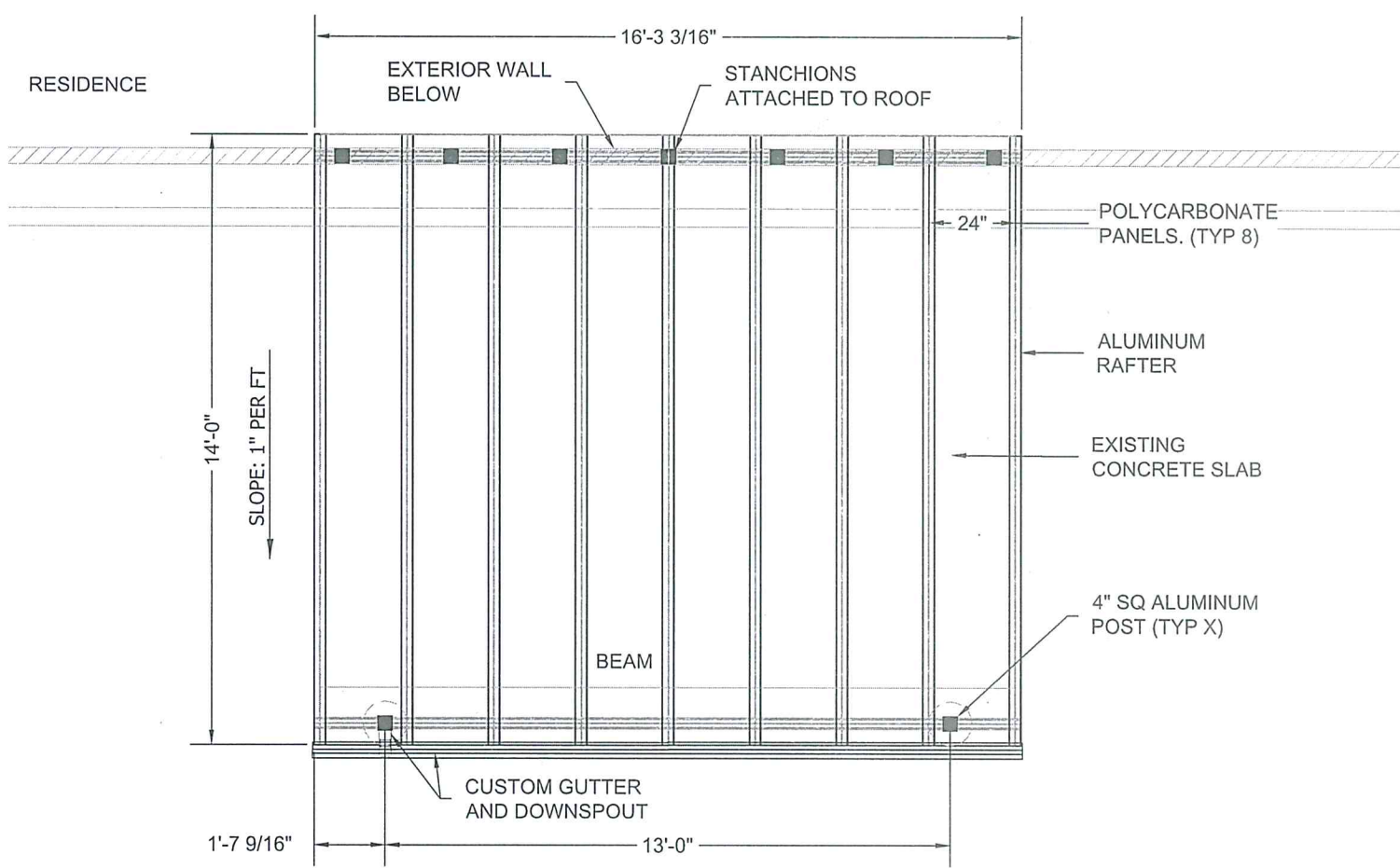
**ISSUED FOR PERMIT:** 2/2/2024

NO.	REVISIONS	DATE
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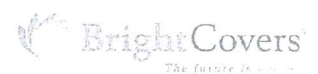
**TITLE:**  
SITE PLAN

**SHEET:** 2      **REV:** 0

8 7 6 5 4 3 2 1



**PLAN VIEW**  
SCALE: 3/8" = 1'-0"



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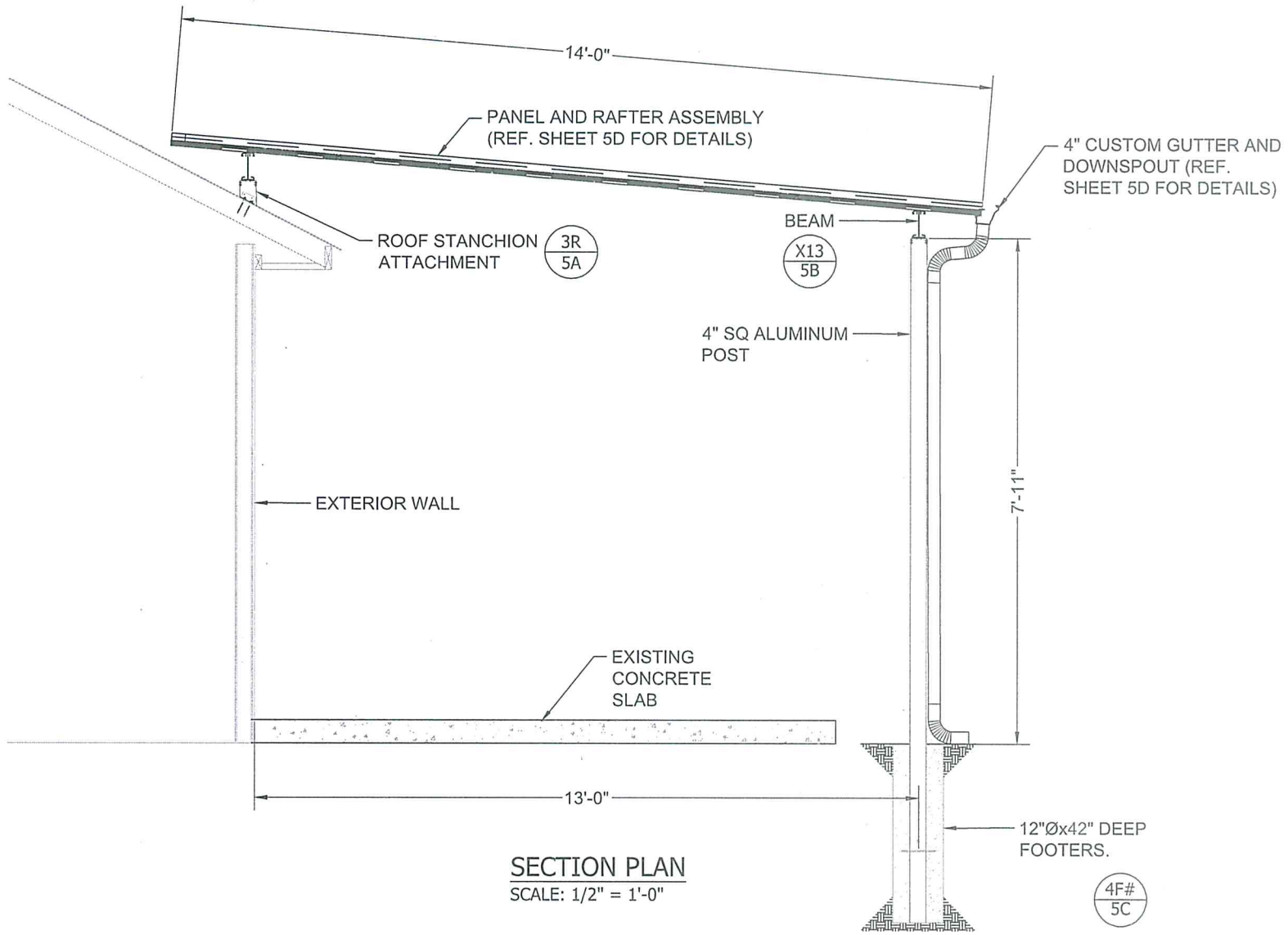
**TITLE:**  
CONSTRUCTION PLAN

**SHEET:** 3    **REV:** 0

8 7 6 5 4 3 2 1



8 | 7 | 6 | 5 | 4 | 3 | 2 | 1



**SECTION PLAN**  
SCALE: 1/2" = 1'-0"



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**ISSUED FOR PERMIT:** 2/2/2024

NO.	REVISIONS	DATE
-	-	-

**TITLE:** SECTION PLAN

**SHEET:** 4    **REV:** 0

8 | 7 | 6 | 5 | 4 | 3 | 2 | 1









