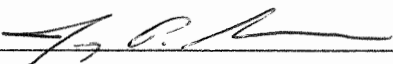




BOARDS & COMMISSIONS APPLICATION

132 North Elmwood Avenue
330-722-9038
www.medinahoh.org

Application Number 222-20

GENERAL	Date of Application <u> June 3, 2024 </u> Property Location <u> 228 S. East St., Lot 028-19B-21-247 and 220 S. East St., Lot 02819B-21-246 </u> Description of Project <u> </u> Proposal for Jay P & Cheryl K Summers to purchase North 30' of Lot 028-19B-21-247 to adjoin existing lot 028-19B-21-246 for relocation of Driveway and addition of detached garage. Present lot sizes respectively are 110'x100' and 110'x40'. Additional land area is needed to better comply existing codes and safety requirements when improving property. Permission is needed from City to conduct sale.
CONTACT INFORMATION	Applicant Name <u> Jay P Summers </u> Address <u> 220 S. East St. </u> City <u> Medina </u> State <u> OH </u> Zip <u> 44256-26 </u> Phone <u> 330-635-8210 </u> Email <u> jp_summers@mail.com </u> Property Owner Name <u> James Rickert </u> Address <u> 228 S. East St. </u> City <u> Medina </u> State <u> Oh </u> Zip <u> 44256-26 </u> Phone <u> 330-321-5928 </u> Email <u> </u>
APPLICATION TYPE	Planning Commission Site Plan <input type="checkbox"/> Conditional Zoning Certificate <input type="checkbox"/> Code or Map Amendment <input type="checkbox"/> Preliminary Plan <input type="checkbox"/> Final Plat <input type="checkbox"/> Conditional Sign (EMC/Shopping Ctr) <input type="checkbox"/> Cert. of Appr. (TCOV) <input type="checkbox"/> Other <input type="checkbox"/> Historic Preservation Board Certificate of Appropriateness <input type="checkbox"/> Conditional Sign <input type="checkbox"/> Board of Zoning Appeals Variance <input checked="" type="checkbox"/> Appeal <input type="checkbox"/>
APPLICANT SIGNATURE	<i>By signing this application, I hereby certify that:</i> 1) <i>The information contained in this application is true and accurate to the best of my knowledge;</i> 2) <i>I am authorized to make this application as the property owner of record or I have been authorized to make this application by the property owner of record;</i> 3) <i>I assume sole responsibility for correspondence regarding this application; and</i> 4) <i>I am aware that all application requirements must be submitted prior to the formal acceptance of my application.</i> Signature <u> <u> </u> Date <u> June 3, 2024 </u> </u>
OFFICIAL USE	Zoning District <u> R-3 </u> Fee (See Fee Sheet) \$ <u> 200 </u> Meeting Date <u> 7/11/24 </u> Check Box when Fee Paid <input checked="" type="checkbox"/>

Z24-20
South East Street Lot Width

Property Owner: James Rickert
 Applicant: Jay Summers
 Location: 228 South East Street
 Zoning: R-3 (High Density Urban Residential)
 Request: Area variance to Section 1125.05 to allow a lot with a reduced width

LOCATION AND SURROUNDING USES

The subject site is 0.26 acres located on the east side of South East Street. Adjacent properties are zoned R-3 and contain single-family residences.



BACKGROUND & PROPOSED APPLICATION

The subject property at 228 South East Street is 100.65 ft. in width and the adjacent property to the north at 220 South East Street is 40 ft. in width. The applicant is proposing to split the northern 30 ft. of 228 South East Street portion of the site and combine it with the adjacent property at 220 South East Street. The resulting properties will be 70 ft. in width and 70.65 ft. and width per the following:

	Existing Width	Proposed Width
220 S. East St.	40 ft.	70 ft.
228 S. East St.	100.65 ft.	70.65 ft.

LOT WIDTH (SECTION 1125.05)

Section 1125.05 includes a table with development standards in the R-3 District. The table indicates a minimum lot width of 75 ft. at the building line.

The existing lot at 220 South East Street is 40 ft. wide and is permitted nonconforming. The existing lot at 228 South East Street is conforming at 100.65 ft. in width.

The proposed lot split provides more even lot widths and allows the lot at 220 South East Street to approach a conforming width of 70 ft. However, the proposed lot at 228 South East Street is reduced to a width of 70.65 ft., which does not meet the minimum lot width of 75 ft.

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.

APPLICANT'S RESPONSES TO STANDARDS FOR VARIANCES AND APPEALS

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

- The proposed variance will allow a beneficial use of the property by providing land for the relocation of a driveway and construction of a detached garage.
- The variance is not substantial as it will bring the property at 220 South East Street closer to compliance with the 75 ft. standard lot width.
- The essential character of the neighborhood would be improved as the variance will allow for the construction of a detached garage.
- The spirit and intent of the requirement will be observed by increasing the value of the property, creating a lot closer to conformance, and improving safety.

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.



CITY OF MEDINA

Community Development Department

132 N. Elmwood Ave. Medina, OH 44256
Phone: 330-722-9023 Fax: 330-764-4385

June 26, 2024

Dear Property Owner,

You are receiving this notice because you are an owner of property adjacent to an application that has been submitted to the City of Medina Board of Zoning Appeals. The Board will hold a public hearing at their next regular meeting regarding the application described below at **7:00 pm on July 11, 2024**. The meeting will be held at City Hall, 132 North Elmwood Avenue, Medina, OH 44256.

Z24-20: Jay Summers requesting an area variance to Section 1125.05 to allow a lot with a reduced width at 228 South East Street in an R-3 (High Density Urban Residential) zoning district.

All interested parties are welcome to attend and will be given the opportunity to address the Board during the public hearing portion of the meeting and submit evidence and written comments with respect to the application. In the spirit of ADA compliance, individuals with a disability should contact the Community Development Department at least 72 hours prior to the meeting to request accommodations.

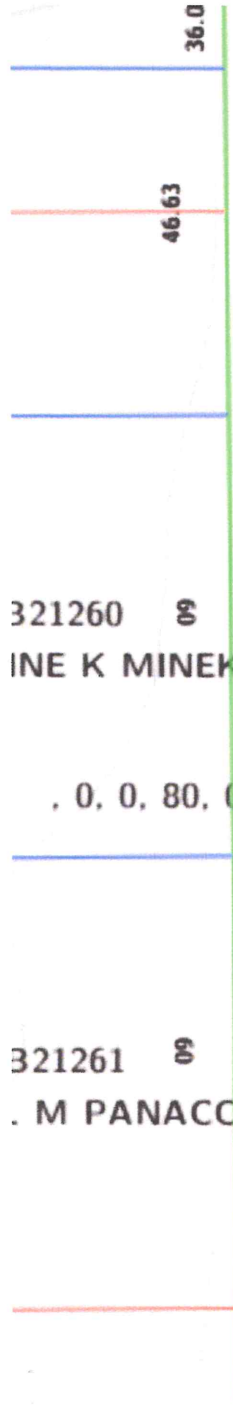
For further information, to submit written comments prior to the meeting, or to request special auxiliary aids please contact:

Andrew Dutton
Community Development Director
adutton@medinaoh.gov
(330) 722-9023
132 North Elmwood Avenue
Medina, Ohio 44256

I have no issues with the granting
of the VARIANCE.

James Rickert

James Rickert



S EAST STREET

40.0

100.65

220 S. East St.

40.0 #218.00 26 40.07 14 255

40.0 110.05 02819B21247
JAY P #220 CHERYL K SUMMERS, 100%

40.0

02819B21251 DEAN
JANICE M HARTMAN, 100%

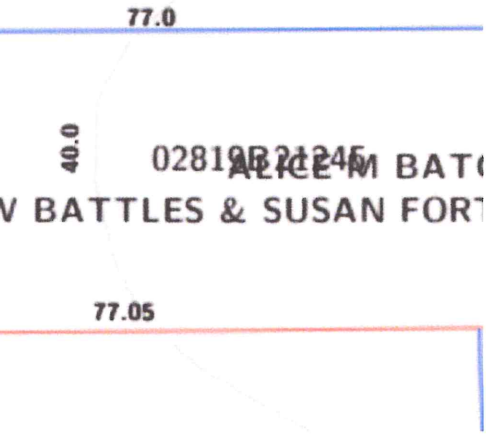
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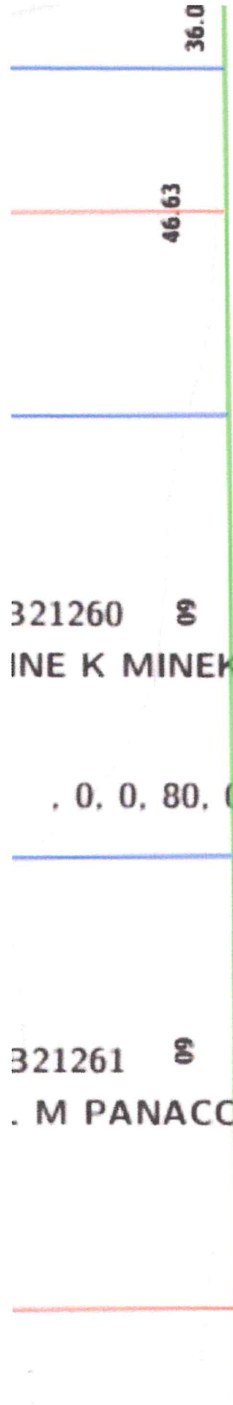
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02819B21246
JAMES RICKERT, 100%
#228.00

02819B21245
ALICE M BATO
ROBERT W BATTLES & SUSAN FORT

228 S. East St.





S EAST STREET

70.0

70.65

#218.00
40.0

26
40.07
14
255

220 S. East St.

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02819B21247
JAY P #22 CHERYL K SUMMERS, 100%

110

100.65

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JAMES RICKERT, 100%
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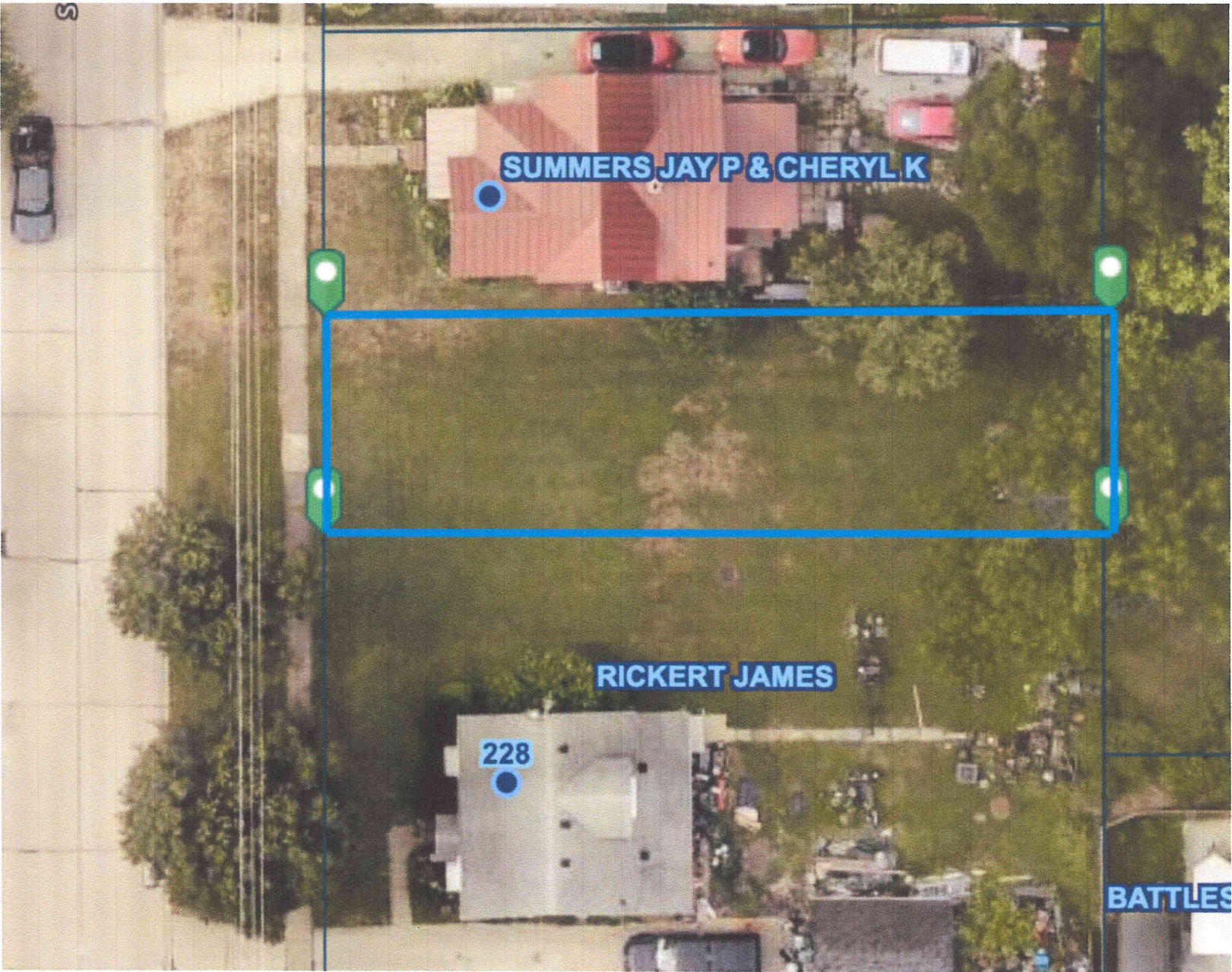
228 S. East St.

02819B21251 DEAN JANICE M HARTMAN, 100%

02819B21245 ALICE M BATO ROBERT W BATTLES & SUSAN FORT

77.0

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SUMMERS JAY P & CHERYL K

RICKERT JAMES

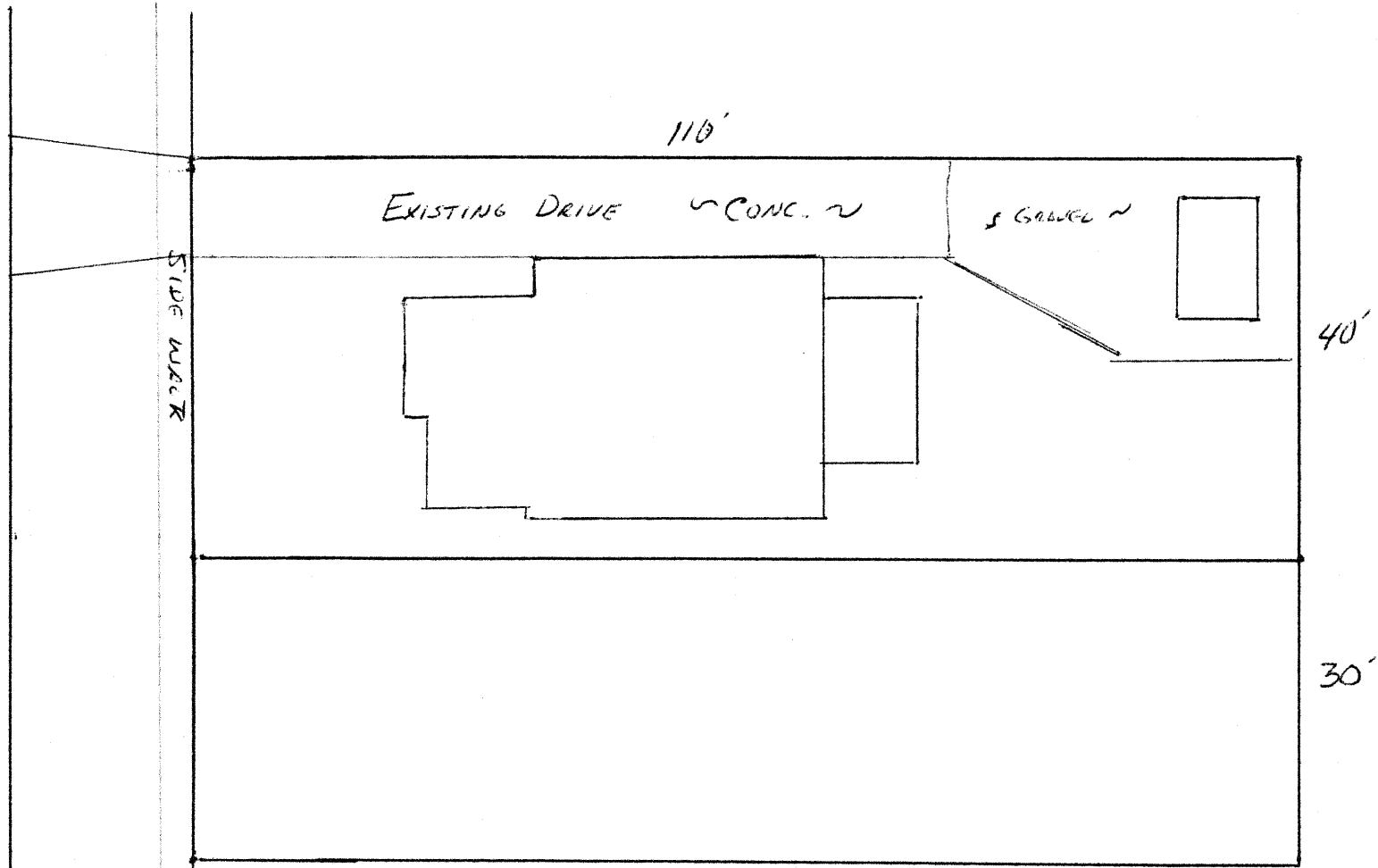
228

BATTLES

S

S. EAST ST.

SIDE MARK



220 S. EAST ST.
PLAT PLAN
ADDITION OF 30' ON SOUTH OF PROP.
 $\frac{1}{8}'' = 2'$