



BOARDS & COMMISSIONS APPLICATION

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

Application Number Z24-26

GENERAL	Date of Application <u>10/10/2024</u> Property Location <u>253 Ryeland Circle Medina, Ohio 44256</u> Description of Project <u>Shed, Plastic, non-fixed.</u>
CONTACT INFORMATION	Applicant Name <u>Aaron Luther</u> Address <u>253 Ryeland Circle</u> City <u>Medina</u> State <u>OH</u> Zip <u>44256</u> Phone <u>330-338-4262</u> Email <u>luther.aaron87@gmail.com</u> Property Owner Name <u>Same As Above</u> Address _____ City _____ State _____ Zip _____ Phone _____ Email _____
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	By signing this application, I hereby certify that: 1) The information contained in this application is true and accurate to the best of my knowledge; 2) 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; 3) I assume sole responsibility for correspondence regarding this application; and 4) I am aware that all application requirements must be submitted prior to the formal acceptance of my application. Signature <u>[Signature]</u> Date <u>10/10/2024</u>
OFFICIAL USE	Zoning District <u>R-1</u> Fee (See Fee Sheet) \$ <u>200</u> Meeting Date <u>11/14/24</u> Check Box when Fee Paid <input checked="" type="checkbox"/>

Z24-26
Ryeland Circle Shed

Property Owner: Aaron and Marcie Luther
Applicant: Aaron Luther
Location: 253 Ryeland Circle
Zoning: R-1 (Low Density Residential)
Request: Area Variance to Section 1113.05(l)(2)(A.)(2.) to allow an accessory building in the front yard of a corner lot

LOCATION AND SURROUNDING USES

The subject site consists of 0.42 acres located on the northeast corner of Ryeland Circle and Meadow Gateway. Adjacent properties contain the single-family residential homes zoned R-1.



BACKGROUND & PROPOSED APPLICATION

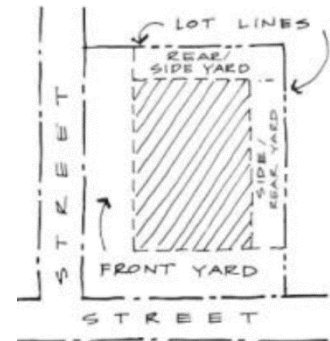
An approximate 42 sq. ft. (6 ft. x 7 ft.) shed was installed to the southeast of the home within a fenced area. Though the shed was installed in the past few years, it was recently identified by a city inspector and forwarded for permitting.

ACCESSORY BUILDING LOCATION (SECTION 1113.05(I)(2)(A.)(2.))

Section 1113.05(I)(2)(A.)(2.) requires that accessory buildings must be located in the rear yard.

Section 1105.164, located in the Definitions chapter, states the following and provides the adjacent graphic:

- "...On corner lots, there shall be two (2) front yards, a side yard, and a rear yard..." and
- "Front yard" means a yard extending across the full width of a lot and being the perpendicular distance between the street right-of-way line and the nearest portion of any building.



The subject corner lot has front yards adjacent to Ryeland Circle and Meadow Gateway. The proposed accessory building is located in the front yard between the home and Meadow Gateway, setback 18 ft. from the right-of-way.

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 variance is not substantial and the essential character of the neighborhood will not be altered as the style of the shed will blend in with the home.
- The applicant was unaware of the restrictions and believed the shed to be in the backyard.
- The predicament cannot not be obviated through another method as the location is the only flat portion of the yard.

To note, Staff does not agree that the shed's current location is the only flat portion of the yard as the majority of the area to the east of the home is adequately level and is classified as the "rear yard".

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;

N/A

B. Whether the variance is substantial;

The lot being considered is a corner lot, therefore the variance is not substantial as the style of the shed blends with the home.

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;

There would be NO substantial change to the neighborhood. The style of the shed is a common style and is the same style seen in other lots within the neighborhood.

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

NO Disruption.

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

We were unaware of restriction due to our front yard facing Ryeland Circle. We believe the shed is within our back yard.

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

The position the shed is in is the ONLY flat portion of yard within the lot. Therefore this is the preferred location.

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

The shed has functioned without issue for over three years.



02819B26023

02819B26024

02819B22045

RYELAND CIRCLE

02819B26025

02819B26123

MEADOW GATEWAY

02819B26120

02819B26121

02819B26028

18 ft





Ryeland Cir







Lot Contours/Slope

