

**REPORT**

DATE            March 11, 2016

TO:             Board of Zoning and Building Appeals for  
Meeting Date March 17, 2016

FROM:          Kris A. McMaster, Associate Planner  
Mark Richardson, Community Development Director

SUBJECT:      **Appeals Docket 2016-06**

**Application**

Variance to rear yard setback to allow an addition.

**Site**

Address:        26 Keswick Drive  
District:        3-Outer Village Residential Neighborhood  
Applicant:      Irudhayaraj and Althea Premraj  
Owner:          Irudhayaraj and Althea Premraj

**Adjacent**

<u>Location</u>	<u>District</u>	<u>Use</u>
North	3	Single Family Residential
South	3	Single Family Residential
East	3	Single Family Residential
West	3	Single Family Residential

**Comments**

The subject of this hearing is a request for a variance of fourteen (14) feet from the required rear yard setback of fifty (50) feet to allow an addition resulting in a thirty-six (36) foot rear yard setback pursuant to Section 1205.06(d)(5)(E)(i), "Setbacks: Minimum Rear Yard Setbacks-Principal Structure" of the City of Hudson Land Development Code.

Docket No. 2016-06  
March 11, 2016  
Page 2

The subject property is located in the Keswyke Estates Subdivision on lot 42 in District 3. The property is surrounded by single family residential homes on all sides. The house was built in 1965 and the owners purchased the property in October of 2004. The lot shape is irregular creating design challenges for the property owners and meeting required setbacks. The property owners are proposing to add a family room addition 16' by 24' and a porch addition 13' 4" by 16'. Staff notes that the zoning office shows no record of a zoning certificate for the existing deck which will be replaced with the addition. The survey dated February 20, 2016 indicates the house side yard setback is non-conforming. The applicant has indicated due to the shape of the lot, the property being located on a cul-de-sac and the mature trees, bushes and landscaping the adjacent neighbors will be screened from the view of the new addition.

The following documents regarding the property are attached for your review:

1. **February 17, 2016**-Application for BZBA and supplemental information of applicant's request.
2. **Aerial of site.**
3. **Site plan.**
4. **Photographs.**

cc: BZBA 2016-06  
Aimee W. Lane, Assistant City Solicitor  
Irudhayaraj and Althea Premraj  
Keith Smith, Council Liaison

Attachments

OHIO  
**HUDSON**

COMMUNITY DEVELOPMENT • 115 Executive Parkway, Suite 400 • Hudson, Ohio 44236 • (330) 342-1790

**BOARD OF ZONING AND BUILDING APPEALS APPLICATION**

Please make check amount payable to "City of Hudson" for the amount of \$250.00.

Pursuant to the City of Hudson Land Development Code, the undersigned hereby submits attached information and requests a hearing before the Board of Zoning and Building Appeals for the following purposes(s):

(Please Circle Request)      "VARIANCE"      "NONCONFORMING USE"      "APPEAL"

Property Address: 26 KESWICK DRIVE      Zoning District: 3

Explanation of Requests and Justification:

REAR YARD SET BACK

For a variance: Code requires 50 setback/sq. ft./height. Request is for 37 setback/sq. ft. height, therefore requesting a 13 setback/sq. ft./height.

Year Property Purchased: 2004

36.54

Sections(s) of the Land Development Code applicable to this application:

The undersigned certify that the information provided to the Board in and with this application is true and accurate and consent to employees and/or agents of the City of Hudson entering upon the premises of this application for purposes of inspection and verification of information pertaining to the application, and if the application is approved, to verify conformance to requirements and conditions of such approval.

Applicant: ROBERTS CONST. Co., INC. Property Owner: ANTHONY PREMRAJ

Address: 211 PROSPECT AVE CFO Address: 26 KESWICK DR.

Telephone 330-923-1940 Telephone: 330-752-3437

E-Mail: ROB @ ROBERTS REMODEL.COM E-Mail: apremraj@roadrunner.com

Applicant: state relationship (agent, attorney, contractor, other): \_\_\_\_\_

Applicant Signature: [Signature] Date: 01/16/16

Property Owner Signature: [Signature] Date: 1/16/16

(Staff use only)  
Application No./Docket No. 2016-06 Hearing Date: 3-17-16

Date Received: 2/11/16 Fee Paid: 250.00 FEMA Floodplain  Y  RMC (Initials)

Doug Fleming - Architect

BOARD OF ZONING AND BUILDING APPEALS (BZBA)

Application Supplemental Information

Application for property located at: 26 KESWICK DRIVE, HUDSON, OH. 44236

Variances from the terms of this Code shall not be granted by the BZBA unless the application for variance demonstrates the following: "Exceptional or unusual conditions exist that are not common to other areas similarly situated and practical difficulty may result from strict compliance with any of the zoning standards, provided that such relief will not have the effect of nullifying or impairing the intent and purpose of these standards".

In determining "practical difficulty", the BZBA will consider the following factors:

1) The property in question (will/will not) yield a reasonable return and there (can/cannot) be a beneficial use of the property without the variance because: DESIGN CHALLENGES, MATURE TREE REMOVAL, LOSS OF GREEN SPACE

2) The variance is (substantial/insubstantial) because: THE EXISTING HOME IS NOT CONFORMING TO SIDE PROPERTY LINE

a) Is the request the minimum amount necessary to make reasonable use of the property or structure(s)? YES

3) Would the essential character of the neighborhood be substantially altered? Explain: NO- THERE IS A DECK (BUILT BY PRIOR OWNERS) THAT BASICALLY SITS IN HERE NEW ADDITION WILL BE BUILT

a) Would adjoining properties be negatively impacted: NO

b) Describe how the adjacent properties will not be affected: MOST OF NEIGHBORING LOTS ARE BORDERED W/ BUSHES, TREES, & LANDSCAPING

4) Will this request adversely affect public services (mail, water, sewer, safety services, etc.)? NO

5) Did the owner of the property purchase the property with the knowledge of the zoning restrictions? NO OWNER EXPECTED DECK CONFORMED TO SET BACK REGULATIONS THEREFOR REMOVAL OF DECK AND CONSTRUCTION OF ADDITION IN ITS PLACE

6) This situation cannot be feasibly solved by means other than a variance. Explain: WOULD ALSO CONFORM THE IRREGULAR LOT & LAYOUT OF HOME PROHIBIT ALTERATION IN DESIGN

7) The spirit and intent behind the zoning requirement (would/would not) be observed and substantial justice (done/not done) by granting the variance because: THE EXISTING HOUSE IS NON-CONFORMING. THIS ALONG W/ AN IRREGULAR LOT, DESIGN/AESTHETIC ISSUES AND PROXIMITY OF NEIGHBORS TO PROPOSED ADDITION! KEEP US WITHIN THE SPIRIT AND INTENT OF CURRENT ZONING REQUIREMENTS.

a) The circumstance leading to this request was not caused by current owner. It was caused by: THE ASSUMPTION OF EXISTING DECK CONFORMING, MATURE TREES, IRREGULAR LOT, HOME ON CUL-DE-SAC.

b) List any special circumstances peculiar to the property/lot (i.e. exceptional irregularity, narrowness, shallowness or steepness) these circumstances are: IRREGULAR LOT, CUL-DE-SAC, MATURE TREES

Signature: [Handwritten Signature]

Date: 02/16/16

City of Hudson, OH

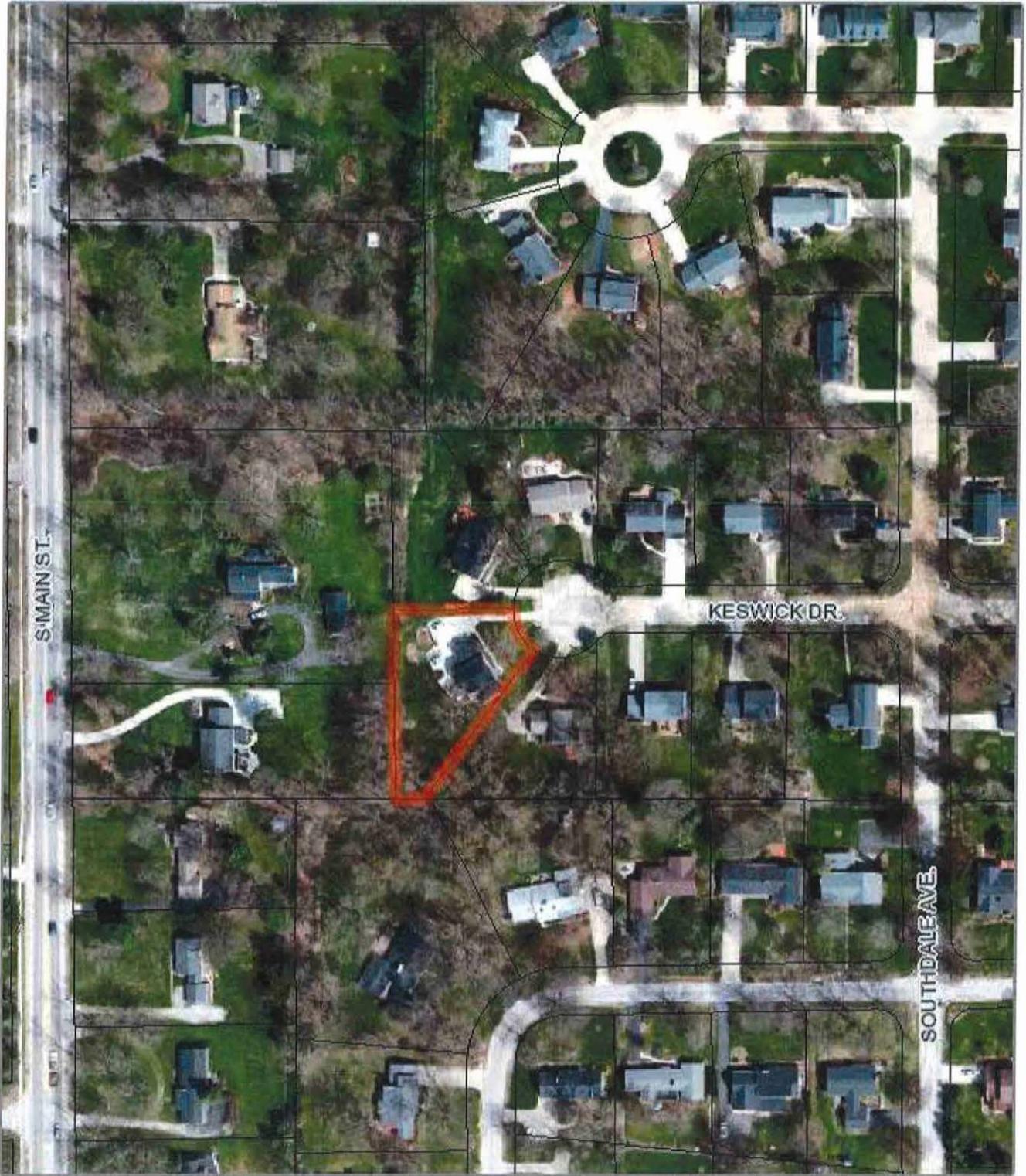


Owner Name	Premraj Irudhayaraj A	Legal Description	KESWYKE EST LOT 42 ALL
Site Address	26 KESWICK DR	Area	0.43
Parcel ID	3200894	Council Ward	Ward 1
Owner Address	26 KESWICK DR	Water Provider	City of Hudson
Owner City	HUDSON	Sewer Provider	City of Hudson
Owner State	OH	Electric Provider	City of Hudson
Owner ZIP	44236	Water Rate	Original Service Area Rate
Phone	Unlisted	Water Tap	No Special Tapping Fee

*Disclaimer: Map and parcel data are believed to be accurate, but accuracy is not guaranteed. This is not a legal document and should not be substituted for a title search, appraisal, survey, or for zoning verification.*

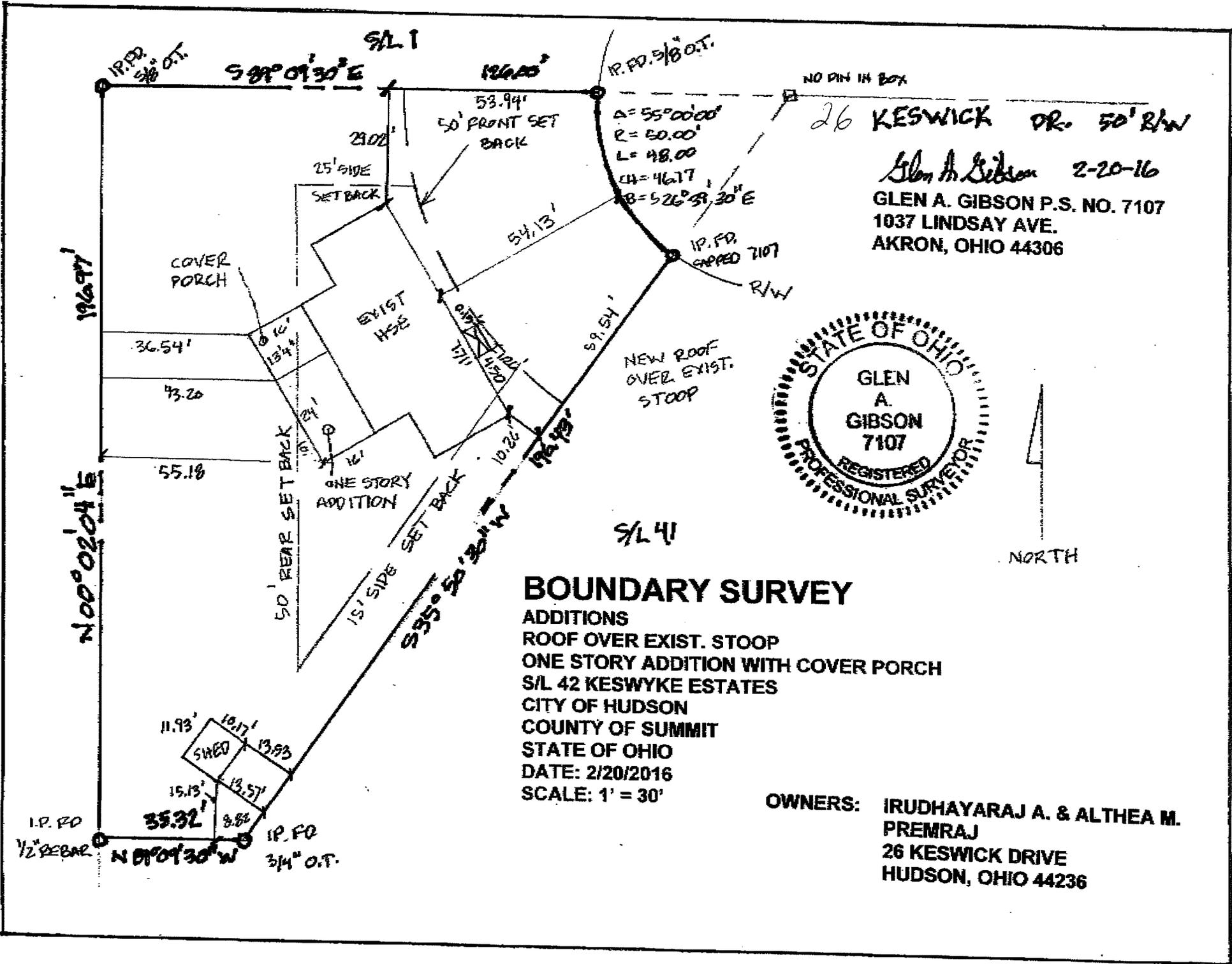
Map Scale  
**1 inch = 42 feet**  
 2/18/2016

City of Hudson, OH



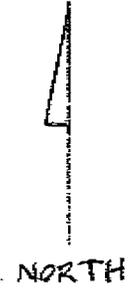
*Disclaimer: Map and parcel data are believed to be accurate, but accuracy is not guaranteed. This is not a legal document and should not be substituted for a title search, appraisal, survey, or for zoning verification.*

Map Scale  
**1 inch = 152 feet**  
3/7/2016



26 KESWICK DR. 50' R/W

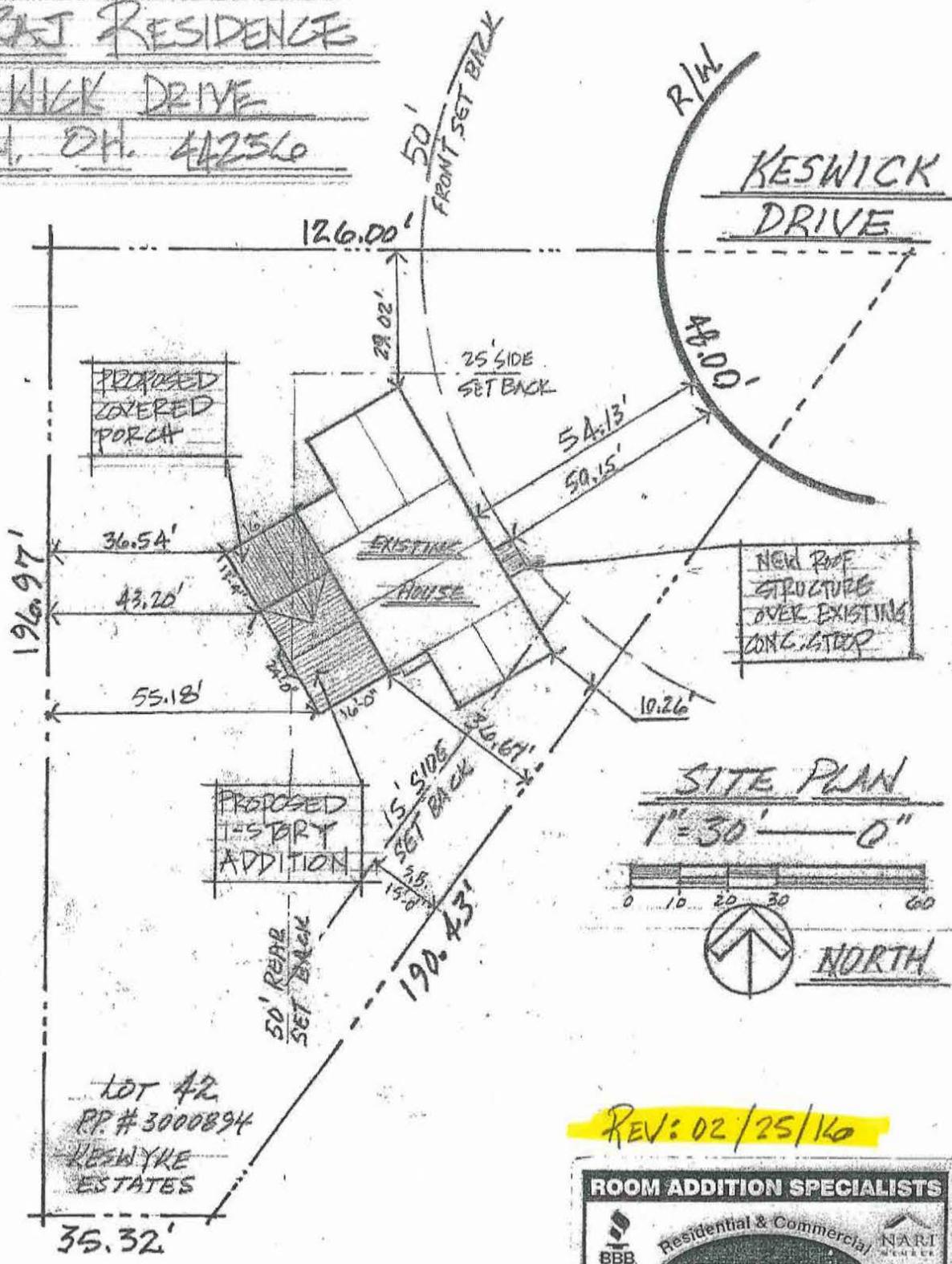
Glen A. Gibson 2-20-16  
 GLEN A. GIBSON P.S. NO. 7107  
 1037 LINDSAY AVE.  
 AKRON, OHIO 44306



**BOUNDARY SURVEY**  
 ADDITIONS  
 ROOF OVER EXIST. STOOP  
 ONE STORY ADDITION WITH COVER PORCH  
 S/L 42 KESWYKE ESTATES  
 CITY OF HUDSON  
 COUNTY OF SUMMIT  
 STATE OF OHIO  
 DATE: 2/20/2016  
 SCALE: 1' = 30'

**OWNERS:** IRUDHAYARAJ A. & ALTHEA M. PREMRAJ  
 26 KESWICK DRIVE  
 HUDSON, OHIO 44236

PROPOSED ADDITION FOR  
PREMIER RESIDENCE  
26 KESWICK DRIVE  
HUDSON, OH. 44236



SITE PLAN  
1" = 30' - 0"

NORTH

LOT 42  
 PP. # 3000894  
 KESWYKE  
 ESTATES

REV: 02/25/16

**ROOM ADDITION SPECIALISTS**

Residential & Commercial

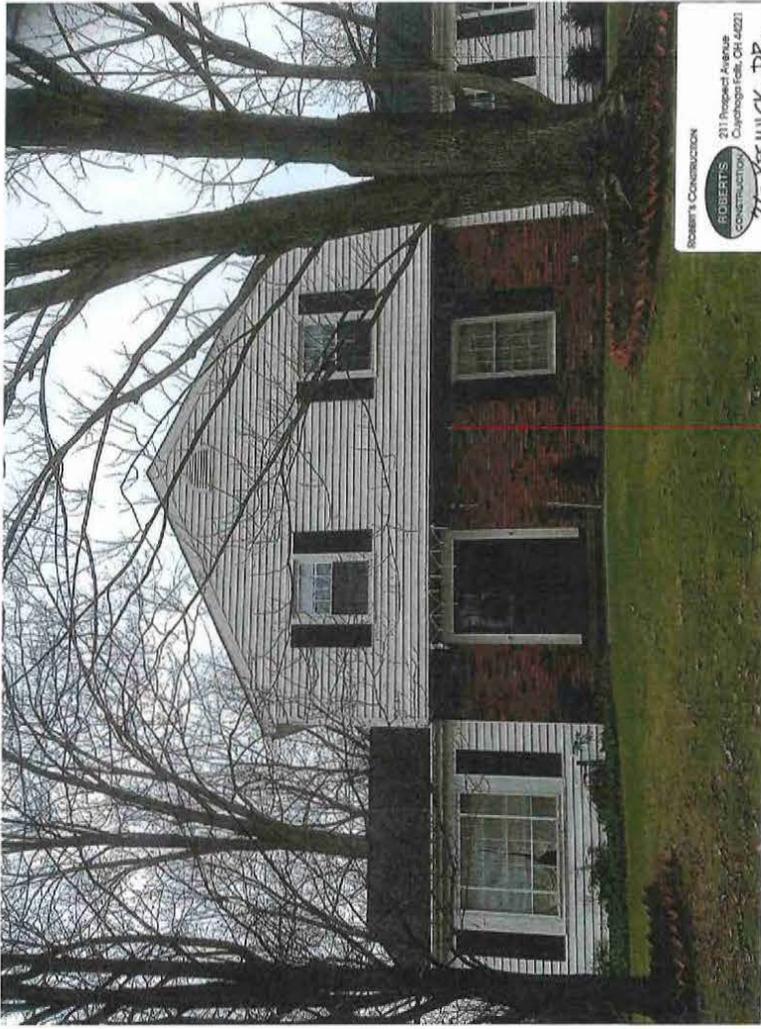
**ROBERT'S CONSTRUCTION**

Local, Regional & National Award Winning Company

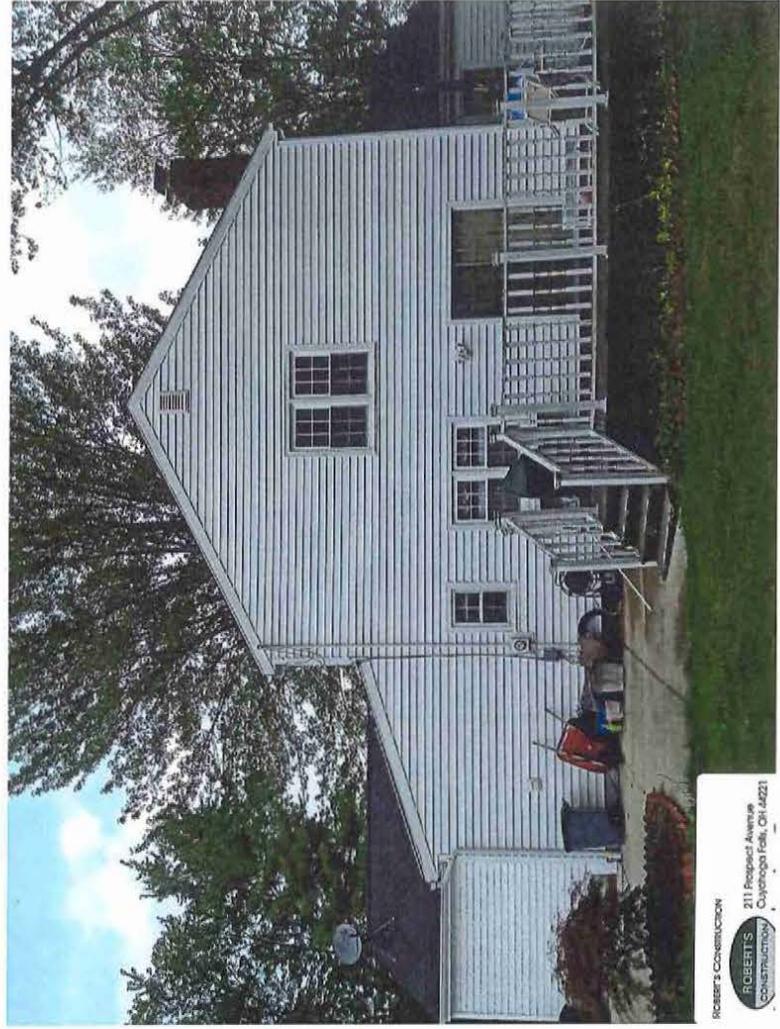
Remodeling and New Construction    **Design/Build**    Kitchens, Bathrooms, Basements and More!

330-923-1940

[www.robertsremodel.com](http://www.robertsremodel.com)



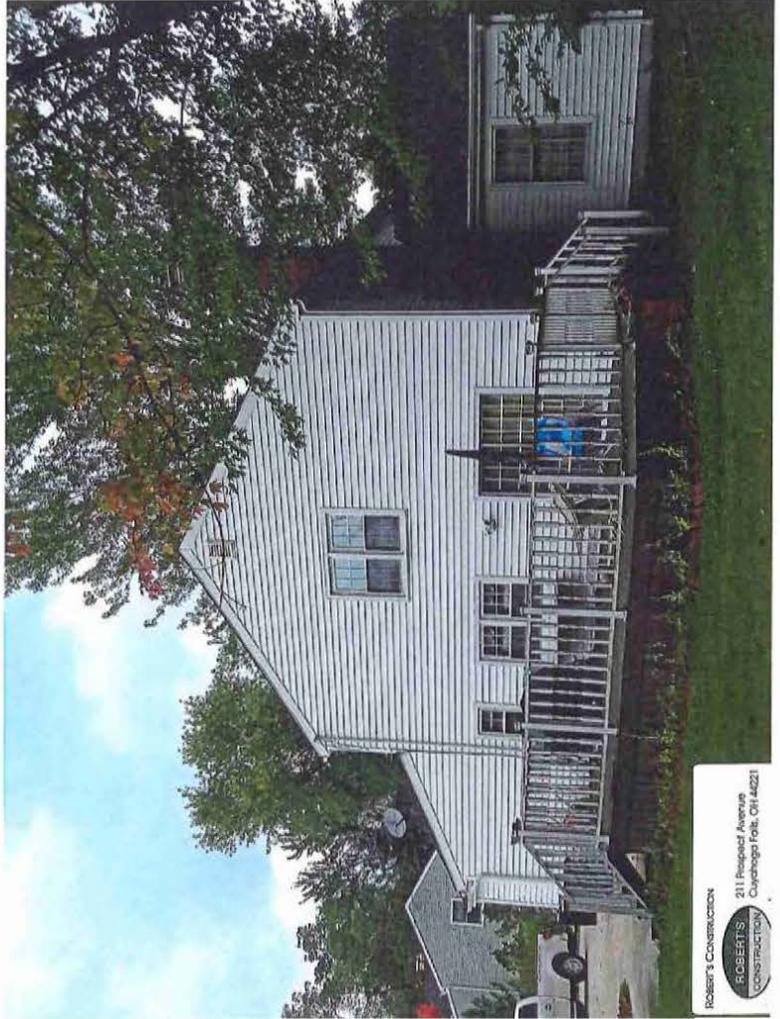
ROBERT'S CONSTRUCTION  
ROBERT'S  
CONSTRUCTION  
211 Prospect Avenue  
Cuyahoga Falls, OH 44221  
216 KESWICK DR.



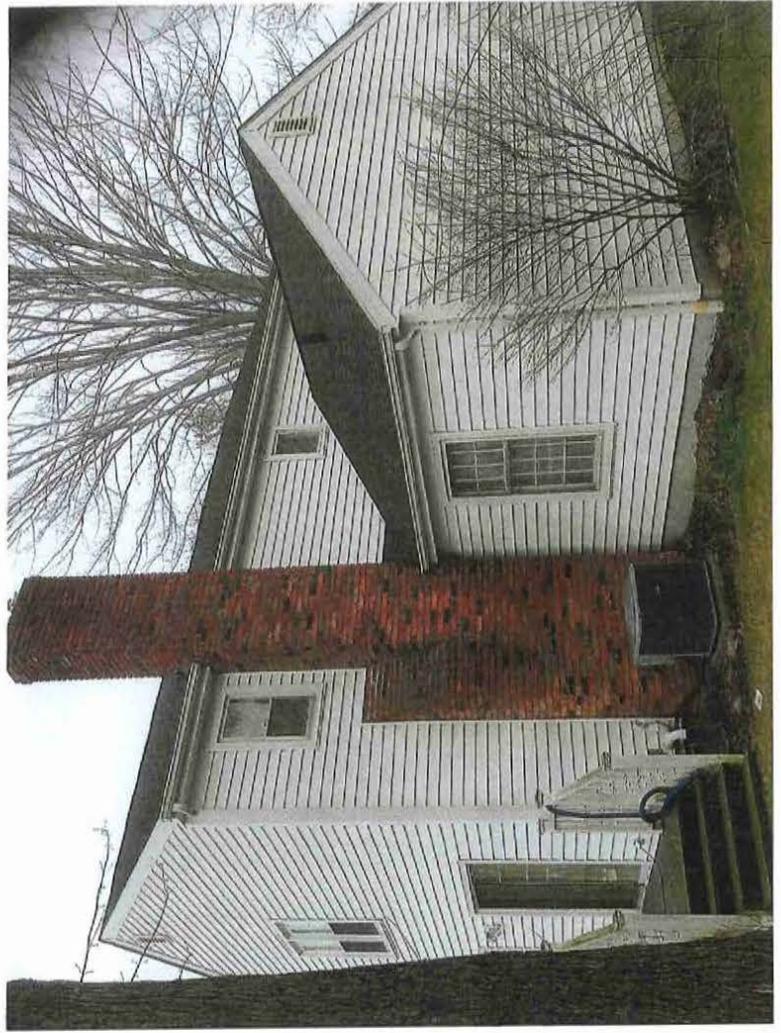
ROBERT'S CONSTRUCTION  
ROBERT'S  
CONSTRUCTION  
211 Prospect Avenue  
Cuyahoga Falls, OH 44221



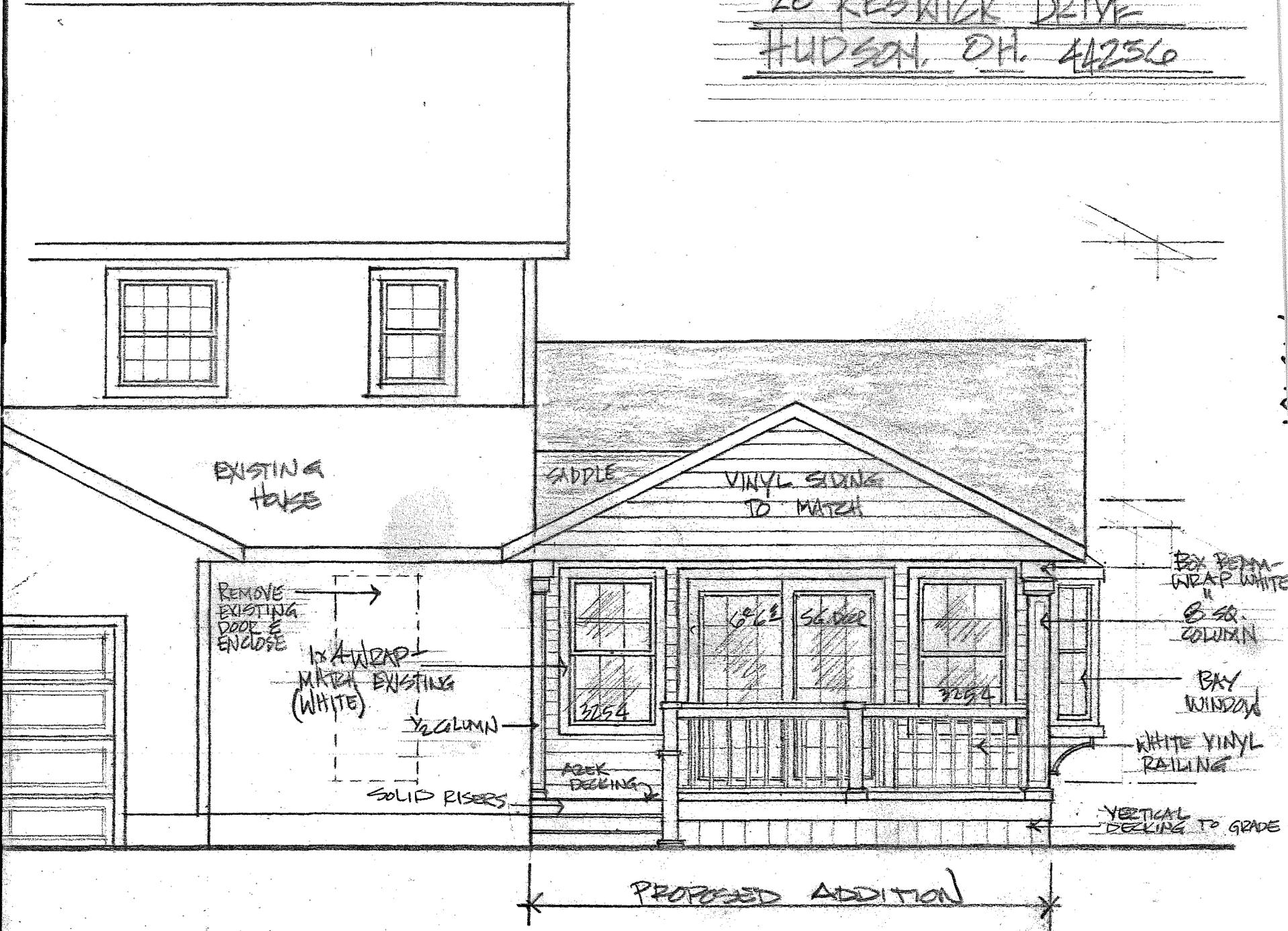
ROBERT'S CONSTRUCTION  
ROBERT'S  
CONSTRUCTION  
211 Prospect Avenue  
Cuyahoga Falls, OH 44221  
216 KESWICK DR.



ROBERT'S CONSTRUCTION  
ROBERT'S  
CONSTRUCTION  
211 Prospect Avenue  
Cuyahoga Falls, OH 44221

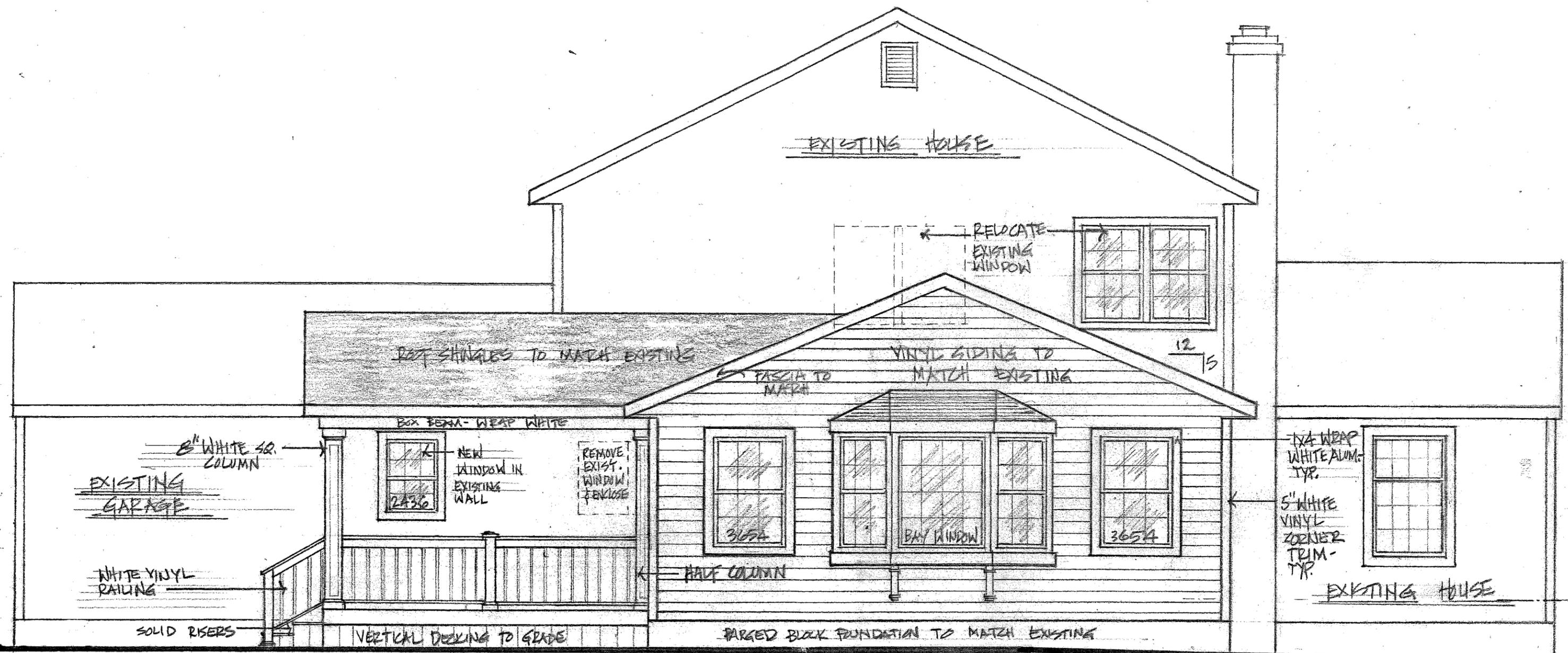


PROPOSED ADDITION FOR  
PREMRAJ RESIDENCE  
26 KESWICK DRIVE  
HUDSON, OH. 44256



LEFT SIDE ELEVATION

$\frac{1}{4}'' = 1' - 0''$



PROPOSED ADDITION

REAR ELEVATION 1/4" = 1' 0"

**ROOM ADDITION SPECIALISTS**

Residential & Commercial

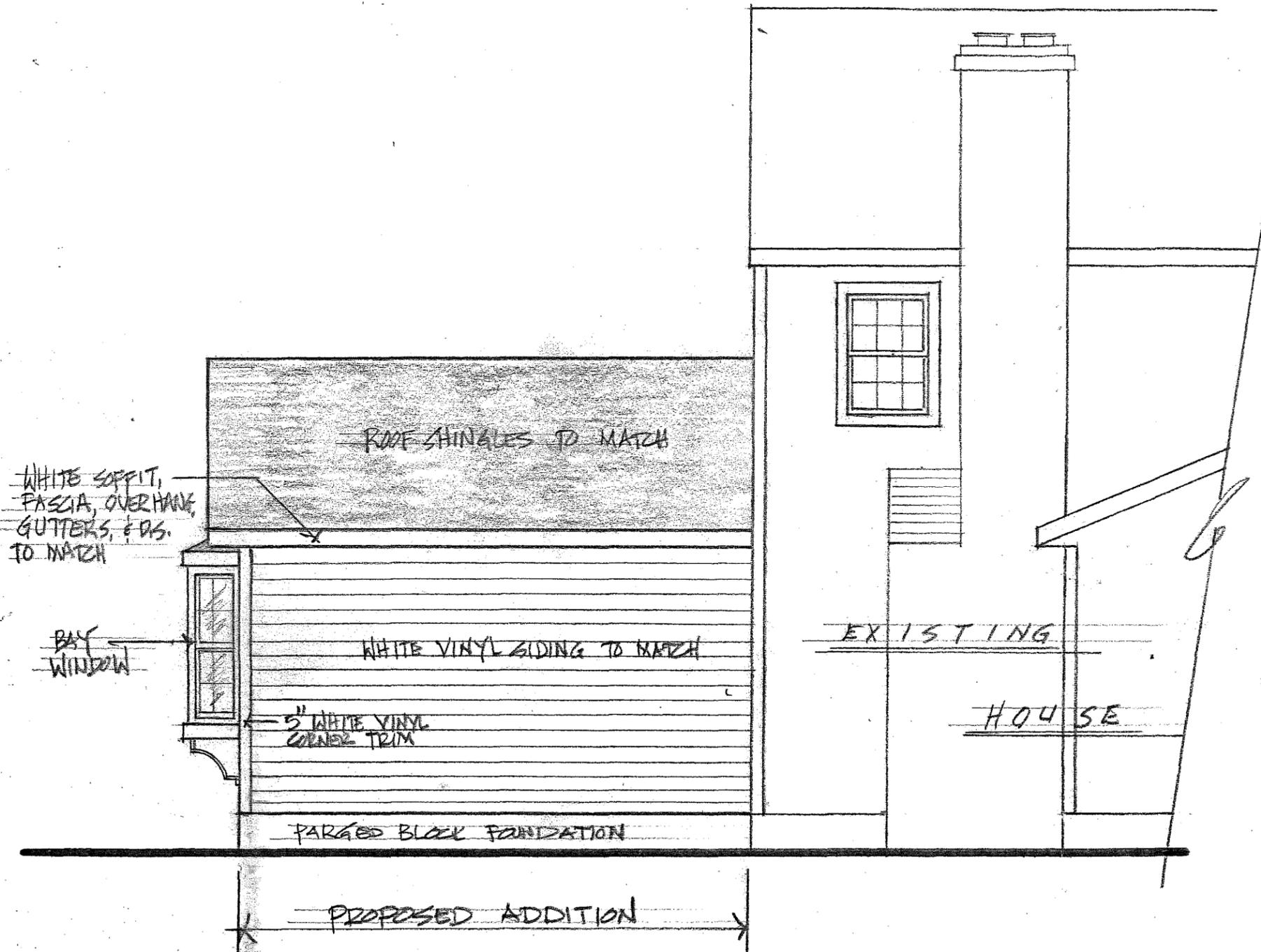
BBB NARI MEMBER

**ROBERT'S CONSTRUCTION**

Local, Regional & National Award Winning Company

Remodeling and New Construction **Design/Build** 330-923-1940 Kitchens Bathrooms Basements and More!

[www.robertsremodel.com](http://www.robertsremodel.com)



PROPOSED ADDITION

RIGHT SIDE ELEVATION 1/4" = 1' 0"

**ROOM ADDITION SPECIALISTS**

Residential & Commercial

BBB NARI MEMBER

**ROBERT'S CONSTRUCTION**

Local, Regional & National Award Winning Company

Remodeling and New Construction **Design/Build** 330-923-1940 Kitchens Bathrooms Basements and More!

[www.robertsremodel.com](http://www.robertsremodel.com)

