



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

REPORT

DATE July 10, 2015

TO: Board of Zoning and Building Appeals for
Meeting Date July 16, 2015

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

SUBJECT: **Appeals Docket 2015-08**

Application

Variance to permit construction of a garage addition.

Site

Address: 7400 Valerie Lane
District: 1
Applicant: John and Patricia Caputo
Owner: Patricia Caputo

Adjacent

<u>Location</u>	<u>District</u>	<u>Use</u>
North	1	Single Family Residential
South	1	Single Family Residential
East	1	Single Family Residential
West	1	Single Family Residential

Comments

The subject of this hearing is a request for a variance of thirteen (13) feet to the minimum rear yard setback of fifty (50) feet for an addition resulting in the structure being thirty-seven (37) feet from the rear property line pursuant to the City of Hudson Land Development Code, Section 1205.04(d)(5)(D)(i), "Setbacks: Rear Yard Setbacks-Principal Structure: 50 feet".

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The subject property is located in the Leeway Acres Subdivision on subplot 13 in District 1. The property is surrounded on all sides by single family homes. The house was built in 1964 and the owners purchased the property in May of 2010. The property owners are proposing to construct a 27' x 37' garage addition and a 10' x 7' 5" bath addition. The owners have indicated the placement of the house on the property is on an angle that has created an awkward setback for the proposed additions. They have indicated the aesthetics of the new additions will improve the value of the home. The owners have said the surrounding properties will not be affected except for the adjacent property to the west. The adjacent property owners that would be affected have been shown the proposed plans by the owner and agree that there would be almost no impact to their property with the location of the proposed structure.

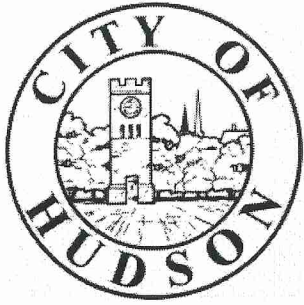
The following documents regarding the property are attached for your review:

1. **June 17, 2015** - Application for BZBA and supplemental information of applicant's request including building floor plans and elevations.
2. **Aerial/photographs of site.**
3. **Site Plan.**
4. **Elevation Plans.**

Approval of the design for the proposed garage and bath addition from the Architectural and Historic Board of Review will be required prior to the issuance of a zoning certificate.

cc: BZBA 2015-08
Aimee W. Lane, Assistant City Solicitor
John and Patricia Caputo
Keith Smith, Council Liaison

Attachments



Board of Zoning and Building Appeals Application

115 Executive Parkway, Suite 400 · Hudson, Ohio 44236-3004
(330) 342-1790 · (330) 656-1753 · Fax (330) 342-1722
www.hudson.oh.us

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 purpose(s):

(Please Circle Request)

"VARIANCE"

"NONCONFORMING USE"

"APPEAL"

Property Address: 7400 Valerie Ln Zoning District: 1

Explanation of Request and Justification:

Requesting A VARIANCE of the 50 foot rear yard Setback requirement. The position of the house on the property is only 1 foot within the Setback and no improvements are possible without A VARIANCE

For a variance: Code requires 50 ft. setback/sq. ft./height. Request is for 37.45 ft. setback/sq. ft./height.

Year Property Purchased: 2010

Section(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 this application is approved, to verify conformance to requirements and conditions of such approval.

Applicant: Patricia Caputo
John Caputo

Property Owner: Patricia Caputo

Address: _____

Address: 7400 Valerie Ln

Telephone: _____

Telephone: 440-823-5057

Fax: _____

Fax: _____

E-Mail: _____

E-Mail: cap3fan@gmail.com

Applicant: state relationship (agent, attorney, contractor, other): _____

Applicant Signature P. Caputo Date: 6/17/15

Property Owner Signature P. Caputo Date: 6/17/15

(Staff use only)

Application No./Docket No. 2015-08

Hearing Date 7-16-15

Date Received 6-17-15

Fee Paid 250.00

FEMA Floodplain Y N (Initials)

BOARD OF ZONING AND BUILDING APPEALS (BZBA)

Application Supplemental Information

Application for property located at: 7400 Valerie Ln

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: The property is situated in an awkward position (house is not placed square on lot) causing any improvement to require zoning and/or building variance
- 2) The variance is (substantial/insubstantial) because: IT will have little impact on neighbors' properties and improve the overall look and architecture of the home.
 - 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. This addition will greatly improve the street view of the house and improve the character
 - a) Would adjoining properties be negatively impacted? No. The lots are wide enough that it will not impact side neighbors and it is far enough to the side that it will have minimal impact on the rear property
 - b) Describe how the adjacent properties will not be affected: The only neighbor will potential negative impact has been shown the proposed structure and agrees that there will be almost no impact to the rear and a positive impact to the neighborhood
- 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? The setback requirements were not researched prior to purchase
- 6) This situation cannot be feasibly solved by means other than a variance. Explain: The house sits 1 foot from the setback limit and any addition would require a variance
- 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 unique placement of the house creates this hardship and the positive impact to the neighborhood is far greater than the negative impact
 - a) The circumstance leading to this request was not caused by current owner. It was caused by: The builder who placed the house in an awkward position when it was built in 1964
 - b) List any special circumstances peculiar to the property/lot (i.e. exceptional irregularity, narrowness, shallowness or steepness) these circumstances are: Placement of the structure on the lot

Signature

V. Caputo

Date

4/17/15

City of Hudson, OH



Owner Name	Caputo Patricia A	Legal Description	LEEWAY AC PT #3 LOT 13 ALL	
Site Address	7400 VALERIE LN	Area	0.69	
Parcel ID	3000788	Council Ward	Ward 4	
Owner Address	7400 VALERIE LN	Water Provider	Well Water	
Owner City	HUDSON	Sewer Provider	DOES	
Owner State	OH	Electric Provider	City of Hudson	
Owner ZIP	44236	Water Rate	Akron Water District	
Phone	(330) 656-1866	Water Tap	Akron Water District	

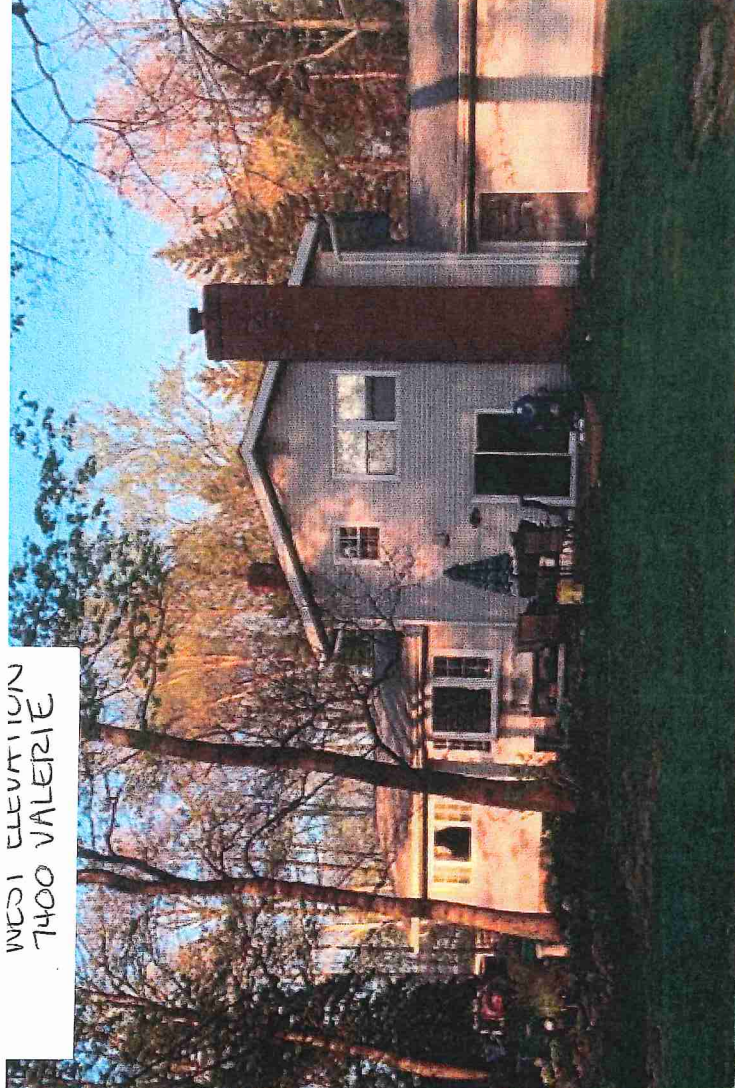
Disclaimer: Map and parcel data are believed to be accurate, but accuracy is not guaranteed. This is not a legal document and should not be substituted for a title search, appraisal, survey, or for zoning verification.

Map Scale
1 inch = 88 feet
6/19/2015

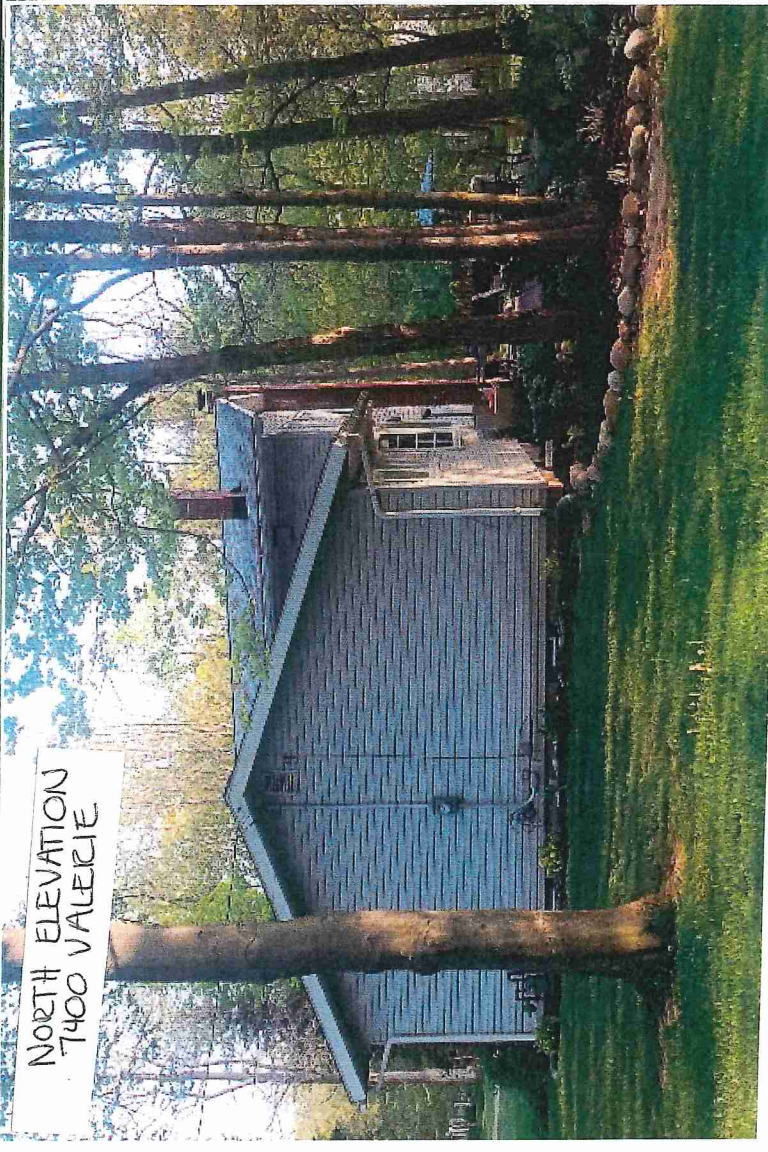
EAST ELEVATION
7400 VALERIE



WEST ELEVATION
7400 VALERIE



NORTH ELEVATION
7400 VALERIE



SOUTH ELEVATION
7400 VALERIE



AREA OF
ADDITION



S/L 15

S/L 12

N 88° 43' 10" E

146.50'

S/L 13

S/L 14

N 01° 16' 50" W

205.00'

NEW
ADDITION

NEW DRIVE

1/2" P.T. F.D.

588°43'10" W

71.39' / 146.50'

1/2 P.T.
E.D.

PERPARED BY:

Glen A. Gibson 6-15-15
GLEN A. GIBSON P.S. NO. 7107
1037 LINDSAY AVENUE
AKRON, OHIO 44306
JUNE 2015.

July 8, 2015

RE: Zoning Variance, 7400 Valerie Lane

City of Hudson Board of Zoning and Building Appeals,

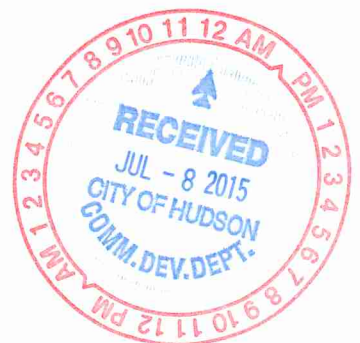
I understand that the proposed structure will have a rear yard setback of 37 feet instead of the required 50 feet.

After reviewing the plans submitted by Patricia & John Caputo, the overall appearance of the house will be enhanced by the addition and I have no objection to the board granting a variance for this project.

Respectfully Submitted,

Amanda Lutz
Neighbor Amanda Lutz

7407 Woodyard Rd
Address Hudson, OH
44236



July 8, 2015

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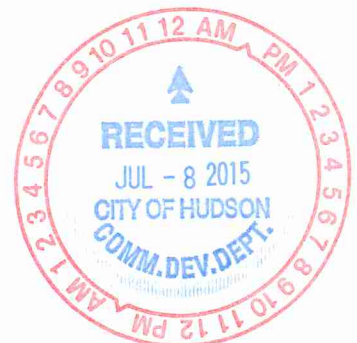
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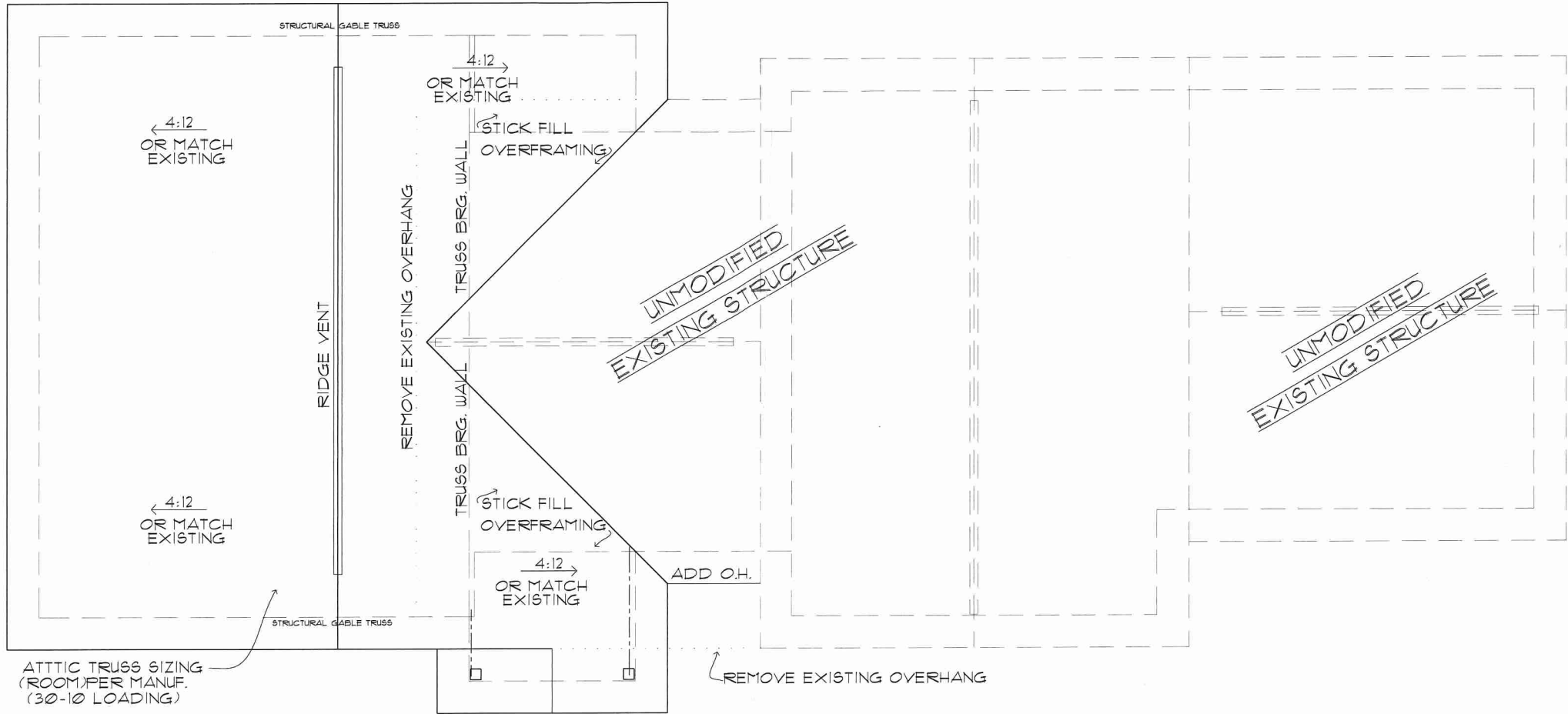


Neighbor

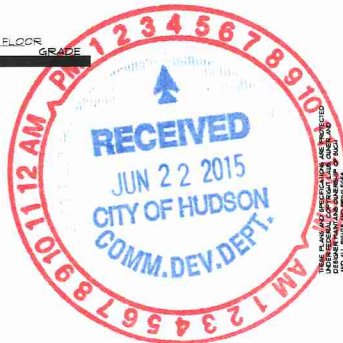
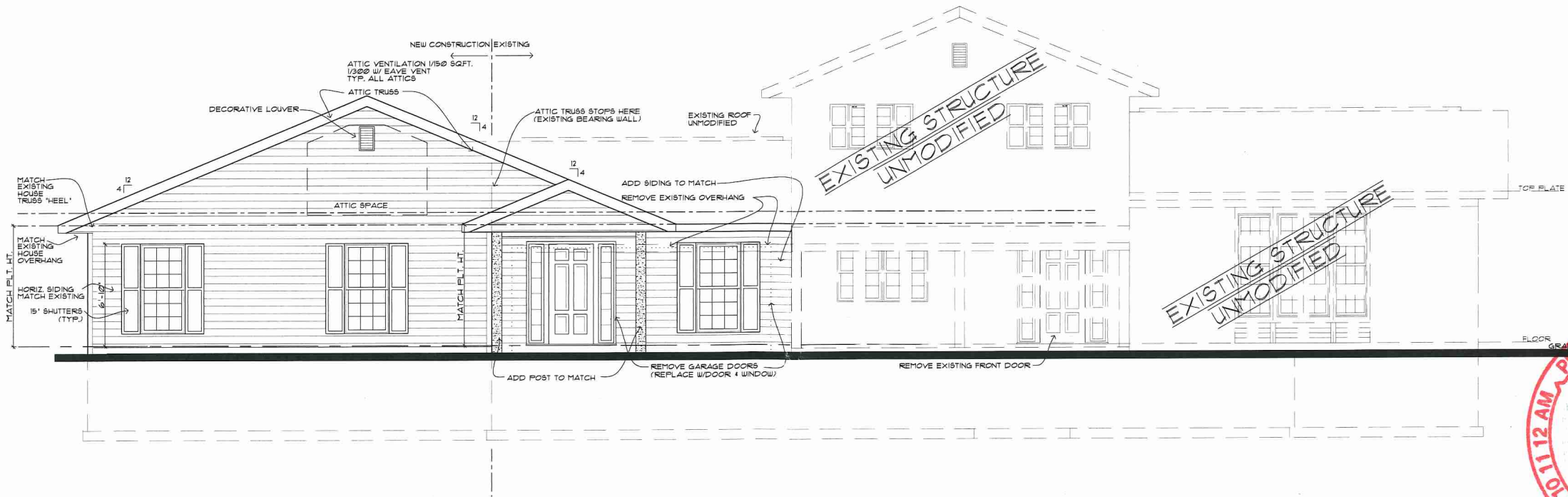
7360 Valerie Lane
Address Hudson, OH 44236



DRAWING INDEX	
TA-1	TITLE SHEET & ELEVATIONS
A-1	ELEVATIONS
A-2	FOUNDATION PLAN
A-3	FIRST FLOOR PLAN
A-4	FIRST FLOOR FUTURE
E-1	FIRST FLOOR ELEC.
S-1	CROSS SECTIONS
ATTACHED DOC.	



ROOF PLAN



CUSTOM ADDITION

The Caputo Residence
1400 VALERIE LN.

TA-1

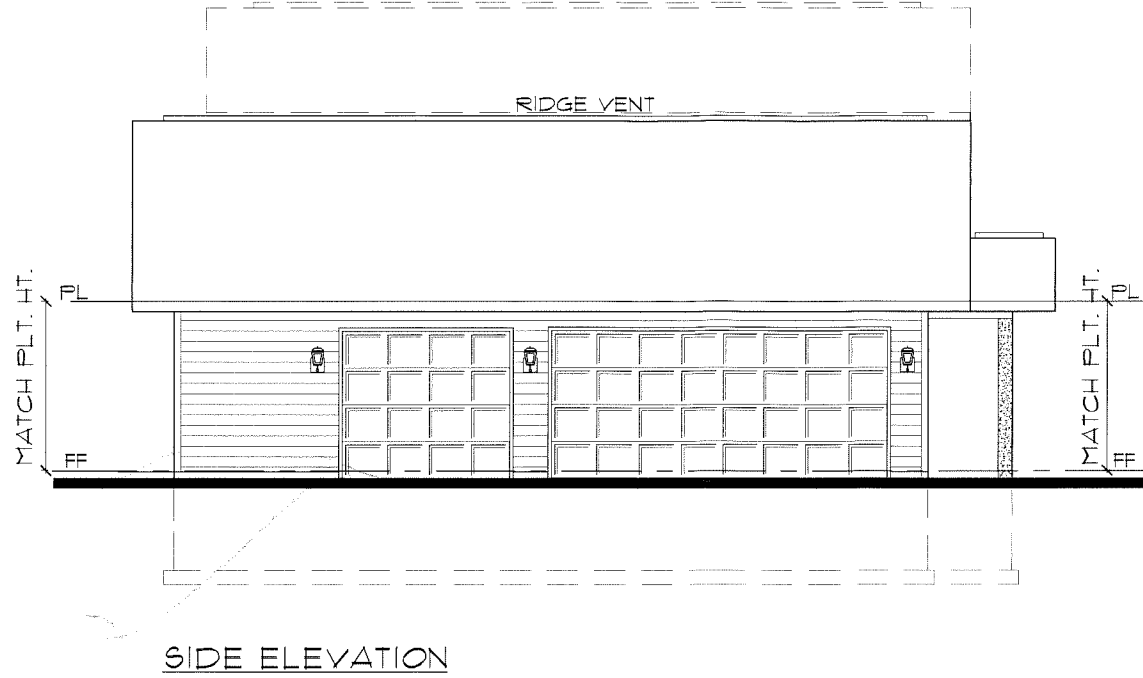
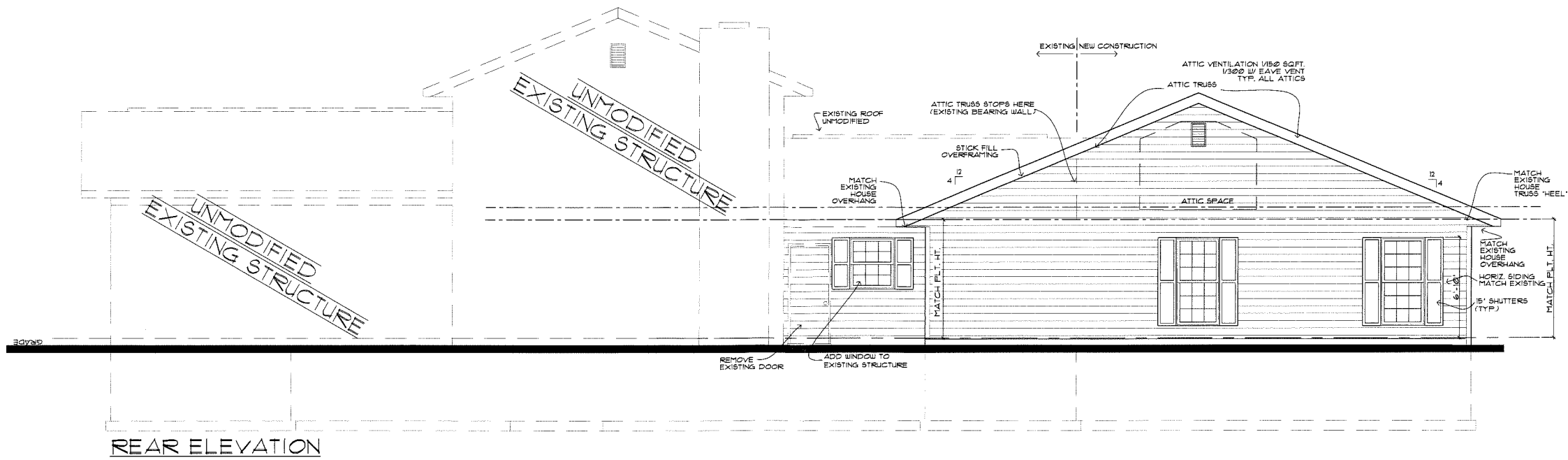
FRONT ELEVATIONS

SCALE: 1/4" = 1'-0"

REV: 4-15-2015 DWT

REV: 3-18-2015 DWT

PLOTTED: 3-18-2015 DWT



THESE PLANS AND SPECIFICATIONS ARE PREPARED BY THE ARCHITECT FOR THE OWNER'S USE AND ARE NOT TO BE USED FOR ANY OTHER PURPOSE WITHOUT THE ARCHITECT'S WRITTEN CONSENT.

ELEVATIONS

SCALE: 1/4" = 1'-0"

PLOTTED: 3-18-2015 DT
REV: 4-1-2015 DT
REV: 4-15-2015 DT

CUSTOM ADDITION

The Caputo Residence
1400 VALERIE LN.

A-1