



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

## REPORT

DATE December 9, 2016

TO: Board of Zoning and Building Appeals for  
Meeting Date December 15, 2016

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

SUBJECT: **Appeals Docket 2016-22**

## Application

Three variances to construct a third car garage addition and wood craft room.

## Site

Address: 6014 Willow Lake Drive  
District: 3-Outer Village Residential Neighborhood  
Applicant: Molly Click  
Owner: Robert and Molly Click

## 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 the request for the following variances to permit the construction of an addition for a wood craft room and third car garage with the garage door entrance facing the street. The requests are: 1] a variance of three (3) feet to the minimum side yard setback of fifteen (15) feet resulting in a garage addition twelve (12) feet from the side yard property line pursuant to Section 1205.06(d)(5)(D)(i), "Setbacks-Minimum Side Yard Setback-Principle Residential Structure", 2] a variance from the requirement that doors for attached garages are not permitted to face the street pursuant to Section 1205.06(d)(9)(D)(i), "Building Siting and Orientation Private Garages", and 3]

Appendix D, III-1(a)(4), "Architectural and Design Standards-General Standards for all buildings" of the Land Development Code. Variance (2) and (3) relate to attached garages may not face the street.

The subject property is located in the Plymouth Village Subdivision on subplot 252 in District 3. The property is surrounded by single-family homes on all sides. The house was built in 1977 and the owners purchased the property in July of 2014. The applicant is requesting variances to construct a wood craft room and a third car garage addition to the existing two car garage to store an old pickup truck instead of permanently locating it in the driveway. The wood craft room will be 14' 8" by 14' located behind the new garage addition.

The Land Development Code was adopted in December of 1999 which states doors of attached garages shall not face the street. Staff believes the intent of the adopted code requiring garage doors not to face the street is to achieve the goal of maintaining a high level of architectural quality as stated in the Architectural and Design Standards, "Architectural quality does not refer to specific style or details, but to the general level of composition, materials, and design integrity".

To meet code would require the homeowner to construct an accessory structure detached garage. A side entry garage addition would be permitted; however, there is not enough room in the side yard to accommodate the width of a garage and the required 25 foot setback. The existing garage is at a 26.78 foot setback. The proposed garage addition will be approximately 22 feet by 14 feet with a wood craft room added to the rear of the garage for a total side length of 36 feet. The side yard variance of 3 feet will result in a side yard setback of 12 feet.

BZBA has both approved and denied variances for front facing attached garage doors for a third car addition. Requests for 5905 Nicholson Drive in 2003 and at 5840 Nicholson Drive in 2011 were denied. However, the Board approved requests at 6009 Nicholson Drive in 2005 which was constructed on an angle on a corner lot and 1644 Sapphire Drive in 2015 which was located on a corner lot. Staff notes that the approved variance requests were for lots located on a corner lot having two street fronts where the previous cases were not. In addition, at 5674 Humelsine Drive in 2015 approval was granted due to the garage addition location was in a gas and oil pipeline easement and a side entry garage would require a greater impact on the easement.

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December 9, 2016  
Page 3

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

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

1. **November 16, 2016**-Application for BZBA and supplemental information of applicant's request.
2. **Aerial of site and neighborhood.**
3. **Site plan and elevations.**
4. **Photographs.**
5. **Letter of acceptance from adjacent neighbors.**

cc: BZBA 2016-22  
Aimee W. Lane, Assistant City Solicitor  
Robert and Molly Cline  
Beth Bigham, Council Liaison

Attachments



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## 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: 6014 Willow Lake Dr Zoning District: 3

### Explanation of Requests and Justification:

Requesting 2 variances to build front facing garage, attached to existing garage that is front facing. Asking for a variance on set back from the side yard of . Approval from the neighbor on that side is attached.

For a variance: Code requires 15' setback/sq. ft./height. Request is for \_\_\_\_\_ setback/sq. ft. height, therefore requesting a \_\_\_\_\_ setback/sq. ft./height.

Year Property Purchased: 2014

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: Molly Click Property Owner: Molly + Robert Click

Address: 6014 Willow Lake Dr Address: 6014 Willow Lake Dr.

Telephone: 616-550-0740 Telephone: 616-550-0740

E-Mail: mollymce1354@gmail.com E-Mail: mollymce1354@gmail.com

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

Applicant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Property Owner Signature: Mollymce1354 Date: 11/15/16

(Staff use only)

Application No./Docket No. 2016-22 Hearing Date: 12-15-16

Date Received: 11-16-16 Fee Paid: 250.00 FEMA Floodplain Y N (Initials)



# BOARD OF ZONING AND BUILDING APPEALS (BZBA)

## Application Supplemental Information

Application for property located at: 6014 Willow Lake Dr.

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 homeowner owns an old, unsightly pickup truck that will be parked permanently in the driveway, without a third stall garage.
- 2) The variance is (substantial/~~insubstantial~~) because: the garage is already front facing and the neighbors yard will not be impacted with a structure closer.
  - 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, other homes on the street have third stall, front facing garages already.
  - a) Would adjoining properties be negatively impacted: NO, the neighbors on both sides and across the street have signed that they approve of the plans.
  - b) Describe how the adjacent properties will not be affected: there will still be — feet to the edge of the neighbors property. The front facing garage matches with the style of the house.
- 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
- 6) This situation cannot be feasibly solved by means other than a variance. Explain: there is not substantial enough room to build a structure somewhere else on the property.
- 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 addition is in keeping with the neighborhood and other homes on the street have third stall additions on the garage.
  - a) The circumstance leading to this request was not caused by current owner. It was caused by: a change in code to not allow front facing garages.
  - b) List any special circumstances peculiar to the property/lot (i.e. exceptional irregularity, narrowness, shallowness or steepness) these circumstances are: None

Signature: Melvin Miller

Date: 11/15/16

I, the undersigned, have been made aware of my neighbor's garage construction project. I have seen or have had explained to me the proposal made by my neighbor to erect a garage at 6014 Willow Lake Dr, Hudson.

I understand that they will be asking for two variance on the project.

- 1) Front facing garage door
- 2) Building to 10 feet to the lot line

I agree that both variance are okay and do not negatively affect my house or property.

Barbara Lemmo 10-12-16  
(Neighbor Signature) (Date)

Bill 10-12-16  
(Neighbor Address) (Neighbor Signature)

Robert Hoey 10/12/16  
(Neighbor Signature) (Date)

(Neighbor Address)  
(Neighbor Signature)

(Neighbor Signature) (Date)

(Neighbor Address) (Neighbor Signature)

(Neighbor Signature) (Date)

(Neighbor Address) (Neighbor Signature)



City of Hudson, OH

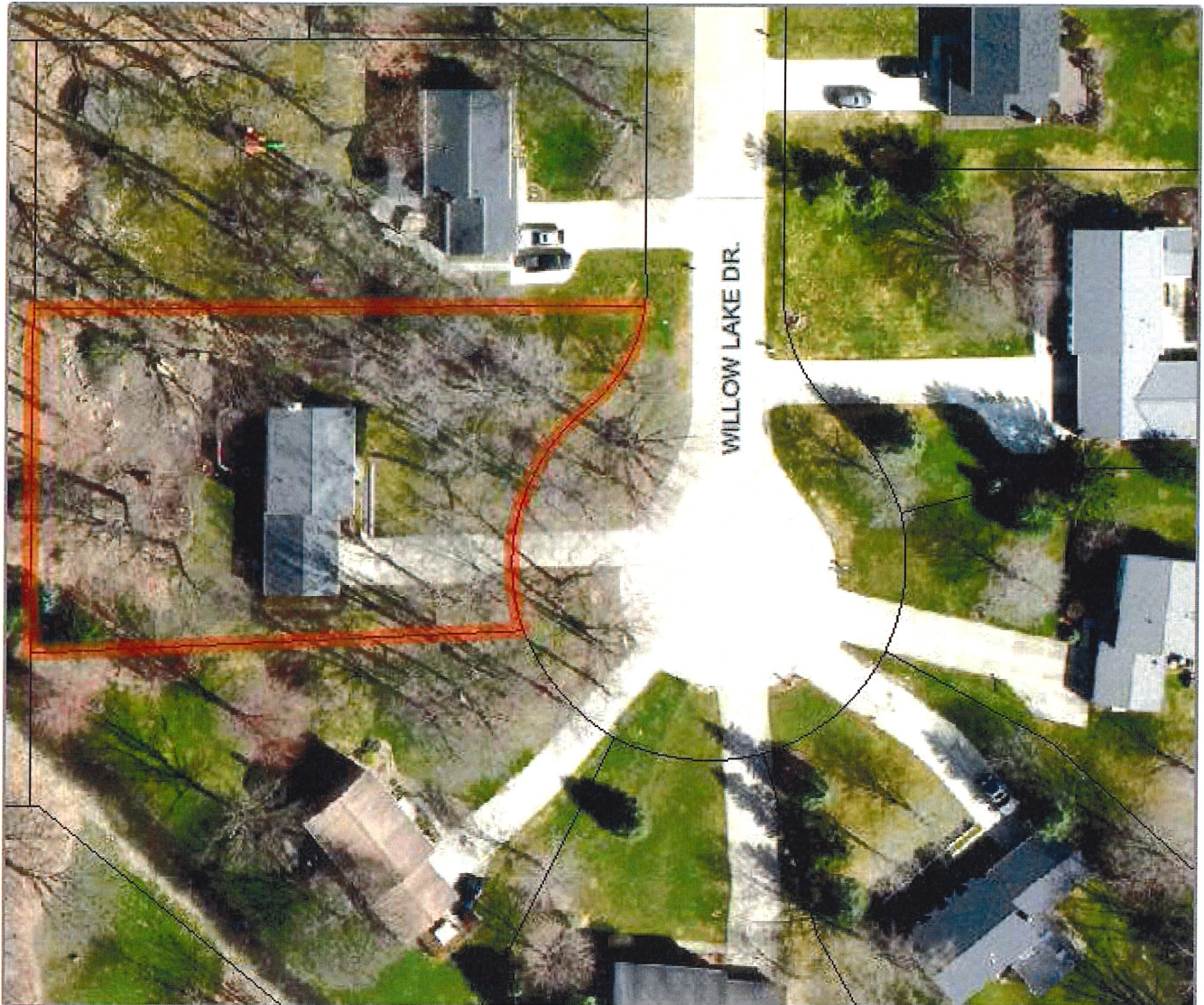


*Disclaimer: Map and parcel data are believed to be accurate, but accuracy is not guaranteed. This is not a legal document and should not be substituted for a title search, appraisal, survey, or for zoning verification.*

Map Scale  
**1 inch = 119 feet**  
11/16/2016



City of Hudson, OH

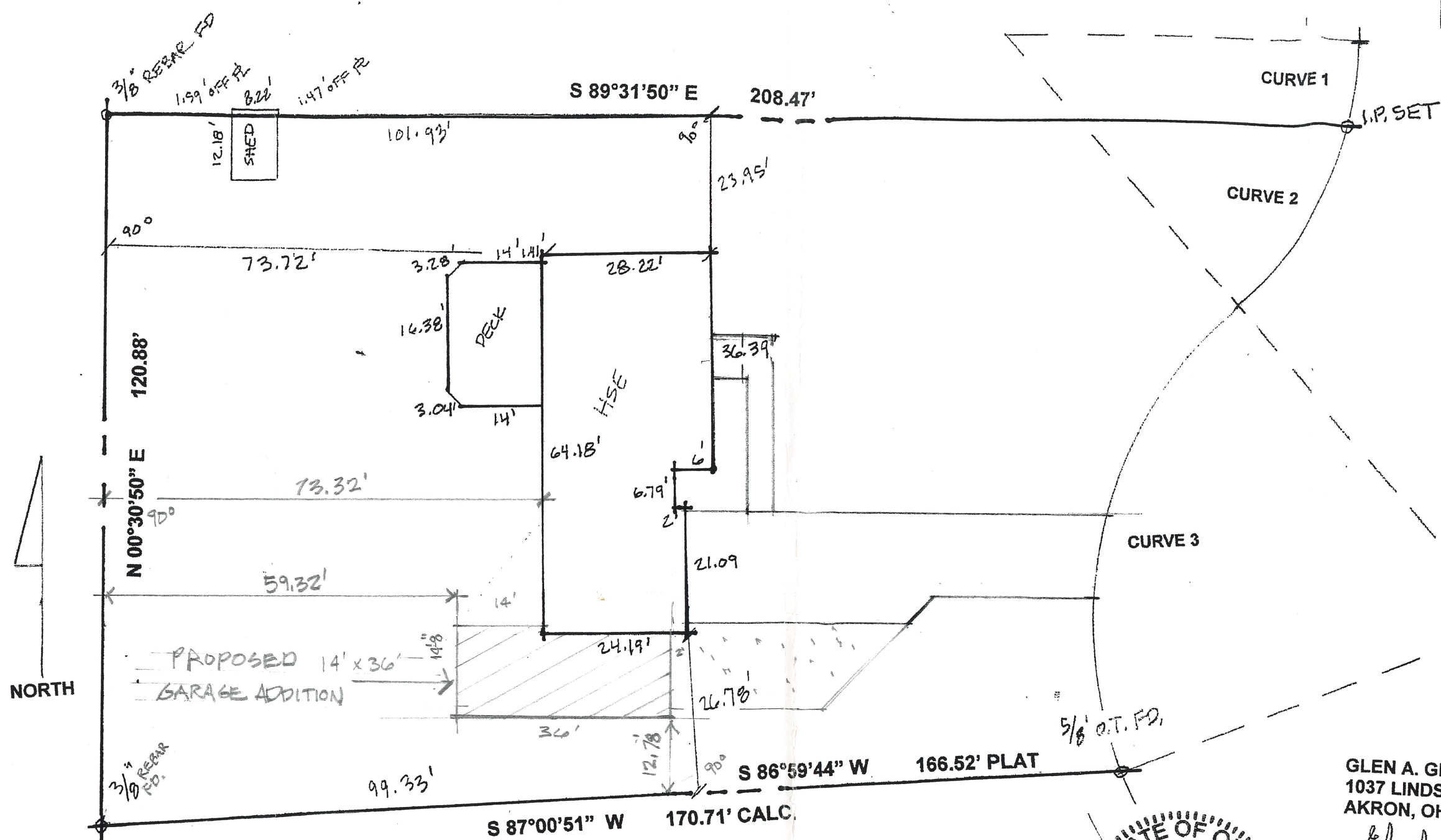


Owner Name	Click Robert	Legal Description	PLYMOUTH VILLAGE SECTION R-2 LOT 252 ALL	
Site Address	6014 WILLOW LAKE DR	Area	0.48	
Parcel ID	3000132	Council Ward	Ward 3	
Owner Address	6014 WILLOW LAKE DR	Water Provider	City of Hudson	
Owner City	HUDSON	Sewer Provider	DOSSS	
Owner State	OH	Electric Provider	First Energy	
Owner ZIP	44236	Water Rate	Original Service Area Rate	
Phone		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 = 60 feet**  
 11/16/2016





OWNERS:  
MOLLY & ROBERT CLICK  
6014 WILLOW LAKE DRIVE  
HUDSON, OHIO 44236  
STATE OF OHIO  
COUNTY OF SUMMIT  
CITY OF HUDSON  
SCALE 1" = 20'

CURVE 1  
D = 13°36'20"  
R = 60.00'  
L = 14.25'  
CH = 14.21'  
BRG = S 07°16'20" W

CURVE 2  
D = 35°33'44"  
R = 60.00'  
L = 37.24'  
CH = 36.65'  
BRG = S 31°51'22" W

CURVE 3  
D = 71°16'31"  
R = 70.00'  
L = 87.06'  
CH = 81.57'  
BRG S 13°59'59" W

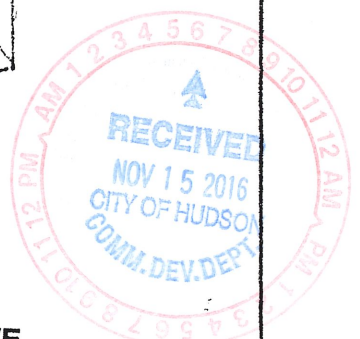


GLEN A. GIBSON  
1037 LINDSAY AVE.  
AKRON, OHIO 44306

*Glen A. Gibson* 10-17-16  
GLEN A. GIBSON DATE

HOUSE LOCATION  
S/L 252 PLYMOUTH VILLAGE  
SECTION 'R-2' P.B. 106 PAGE 22

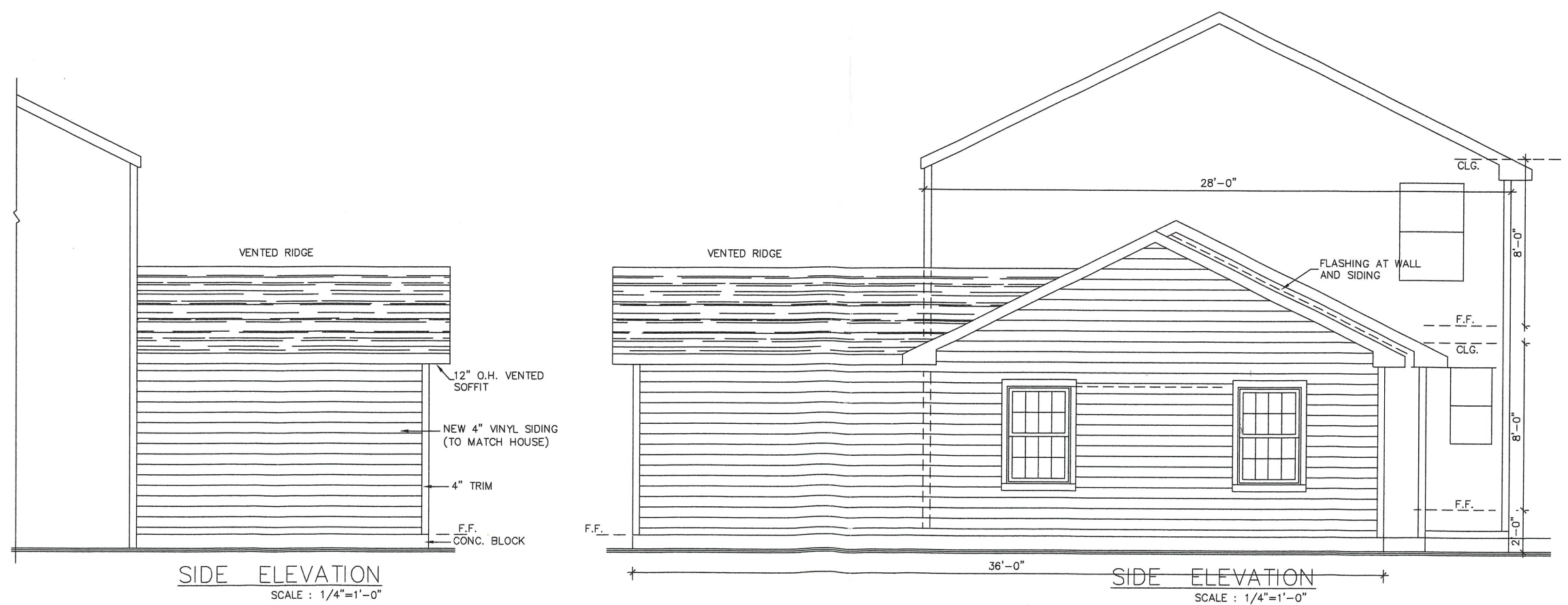
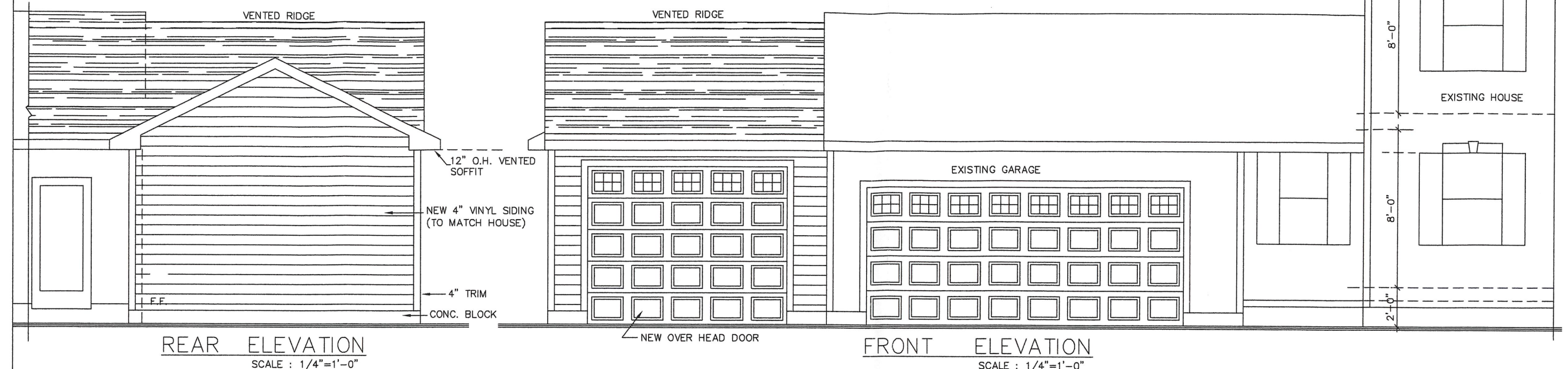
IRON PIN SET 5/8" X 30" CAPPED  
GLEN A. GIBSON 7107



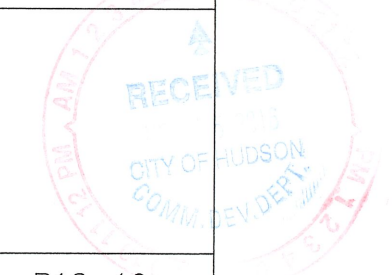


DRAWN BY:  
G. COSTLOW & ASSOC.  
1865 ARNDALE RD.-"C"  
STOW, OHIO 44224  
GORDON COSTLOW  
PHONE 330-688-9500

DATE:  
NOV. 7, 2016



OWNER - ROBERT AND MOLLY CLICK  
GARAGE ADDITION PLANS  
6014 WILLOW LAKE DR. , HUDSON , OHIO 44236



NOTES :

- ALL WORK TO BE CONSTRUCTED UNDER \_\_\_\_\_, CITY OF HUDSON, SUMMIT CO. INSPECTION. BUILDING MATERIALS AND CONSTRUCTION TO MEET LOCAL CODES AND OHIO BASIC BUILDING CODE. ALL PROPER PERMITS MUST BE OBTAINED FOR ALL CONSTRUCTION WORK (WHICH HAS BEEN APPROVED BY PROPER DEPARTMENTS) PRIOR TO ANY CONSTRUCTION. ALL CONTRACTORS INCLUDING GENERAL H.V.A.C. ELECTRICAL, PLUMBING AND FIRE SUPPRESSION MUST BE LICENSED TO DO WORK WITHIN THE GOVERNING MUNICIPALITY.
- THE DRAWINGS AND SPECIFICATIONS ARE INTENDED TO SHOW ALL WORK COMPLETE AND FUNCTIONING PROJECT. EVEN THOUGH EVERY ITEM INCIDENTAL TO THE WORK MAY NOT BE COMPLETELY DETAILED, IT IS ASSUMED THAT THE CONTRACTORS ARE SUFFICIENTLY SKILLED AND EXPERIENCED IN THEIR WORK TO ANTICIPATE THE NORMAL REQUIREMENTS OF A COMPLETE JOB. ALL SECTIONS, DETAILS, AND NOTES ON THE DRAWINGS ARE INTENDED TO BE TYPICAL AND SHALL APPLY TO SIMILAR SITUATIONS ELSEWHERE. UNLESS OTHERWISE SHOWN, WHERE METHODS OF INSTALLATION ARE NOT COMPLETELY COVERED ON THE DRAWINGS OR SPECIFICATIONS, THE INSTALLATION SHALL BE IN ACCORDANCE WITH THE MANUFACTURER'S LATEST WRITTEN SPEC'S.
- BY SUBMITTING BID TO OWNER, BIDDER INDICATES THAT HE HAS EXAMINED THE SITE AND THESE DRAWINGS THOROUGHLY AND HAS FAMILIARIZED HIMSELF WITH ALL FACTORS THAT MAY AFFECT COST, PROGRESS OR PERFORMANCE OF WORK.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL THE REQUIRED INSPECTIONS AND SHALL NOTIFY OFFICIALS WELL IN ADVANCE OF ALL SUCH INSPECTIONS.
- CONTRACTOR IS RESPONSIBLE FOR REMOVAL OF ALL DEBRIS AND GARBAGE RESULTING FROM THE EXECUTION OF THE WORK IN THIS PROJECT PRIOR TO ISSUANCE OF FINAL PAYMENT.
- THESE DRAWINGS INDICATE INTENT ONLY. ALL CONTRACTORS SHALL FIELD VERIFY AND APPROVE ALL DIMENSIONS, LOCATIONS AND ALL EXISTING CONDITIONS AFFECTING THIS PROJECT PRIOR TO EXECUTION OF WORK.

WALL LEGEND

[---] DENOTES : EXISTING WALLS TO BE REMOVED

[---] DENOTES : EXISTING HOUSE WALLS

[---] DENOTES : EXISTING HOUSE WALLS WITH BRICK

[---] DENOTES : NEW STUD WALLS AT 16" O.C. AND INSULATION

[---] DENOTES : NEW CONCRETE BLOCK AND FOOTING

STRUCTURAL NOTES:

1. THE DRAWING SHOW THE GENERAL DETAILS OF THE CONSTRUCTION. THE CONTRACTOR SHALL NOTIFY THE DESIGNER WHERE ADDITIONAL DETAILS ARE REQUIRED, OR WHERE CONDITIONS ARE ENCOUNTERED THAT ARE NOT SHOWN BY THE DRAWINGS.

2. THE CONTRACTOR IS TO VERIFY ALL DIMENSIONS PRIOR TO FABRICATION AND CONSTRUCTION.

3. BUILDING LOADS:  
LIVE LOADS: ROOF = 30 PSF , CEILING = 20 PSF  
: FLOOR = 40 PSF, ATTIC FLOOR = 30 PSF  
DEAD LOADS: ROOF = 15 PSF , CEILING = 10 PSF  
: FLOOR = 10 PSF

SOIL BEARING CAP. = 2000 PSF (MIN.)

CONCRETE : FOUNDATIONS -  $f_c' = 3,000$  PSI  
WALLS AND SLABES-  $f_c' = 4,000$  PSI  
EXTERIOR /GARAGE SLABS TO HAVE 6 %  
ENTRAINED AIR.  
REBAR - ASTM A 615 GR 60  
WWF- ASTM A 185  
SLUMP - 4" MAX.

4. FRAMING:  
LUMBER(MIN.) E= 1,600,000 PSI ,  $F_b=850$  PSI,  $F_v=85$  PSI  
MICROLAM(LVL) E=2,000,000 PSI ,  $F_b=2800$  PSI,  $F_v=285$  PSI  
STEEL : ASTM A-36 , E=29,000,000 PSI,  $F_b=22$ KSI,  $F_v=14.5$ KSI

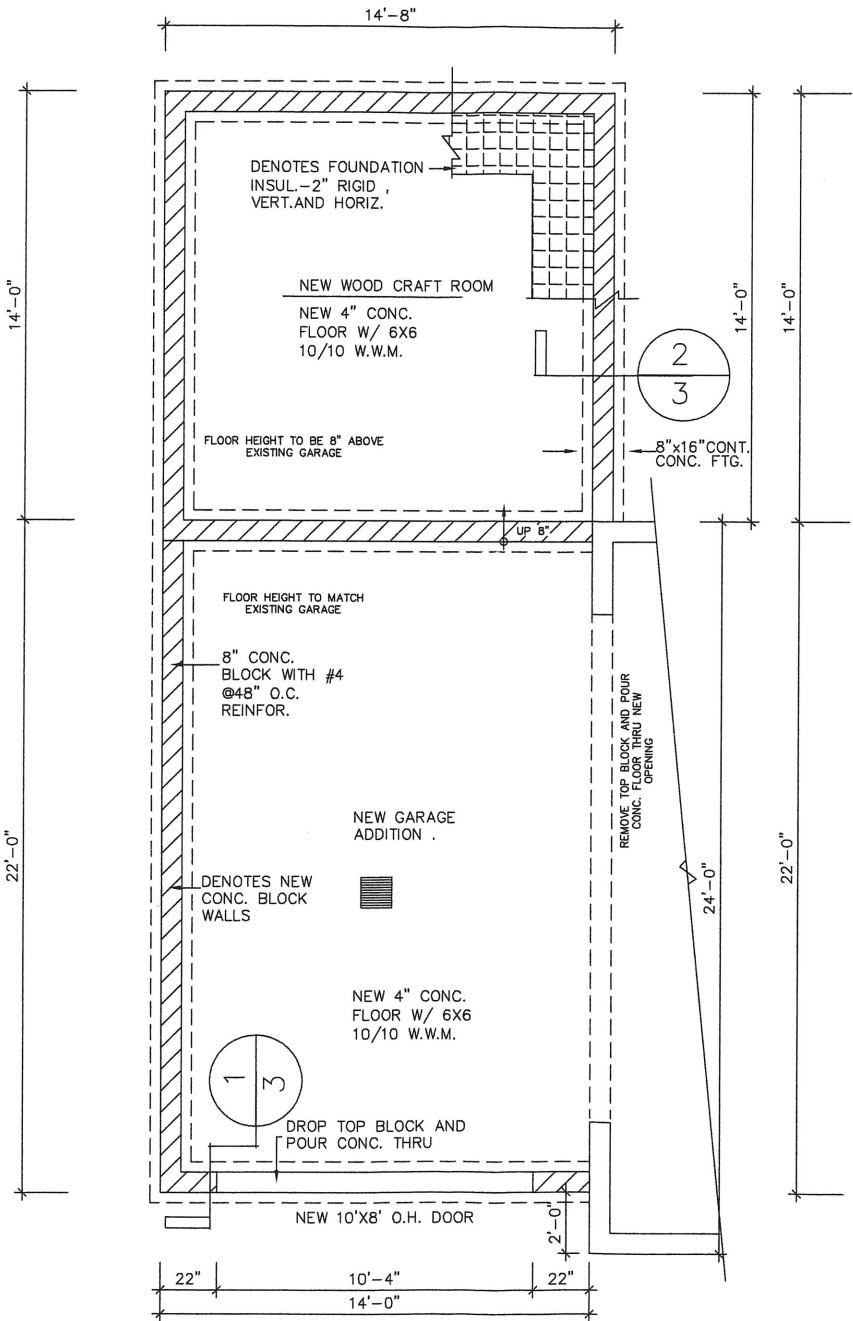
CODE & DESIGN CRITERIA :

2013 RCO-RESIDENTIAL CODE OF OHIO  
2009 INTERNATIONAL ENERGY CONSER. CODE(IECC)  
NATIONAL ELECTRICAL CODE (NEC) NFPA70  
ALL LOCAL CODE ORDINANCES  
ALL LOCAL ZONING ORDINANCES

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G. COSTLOW & ASSOC.

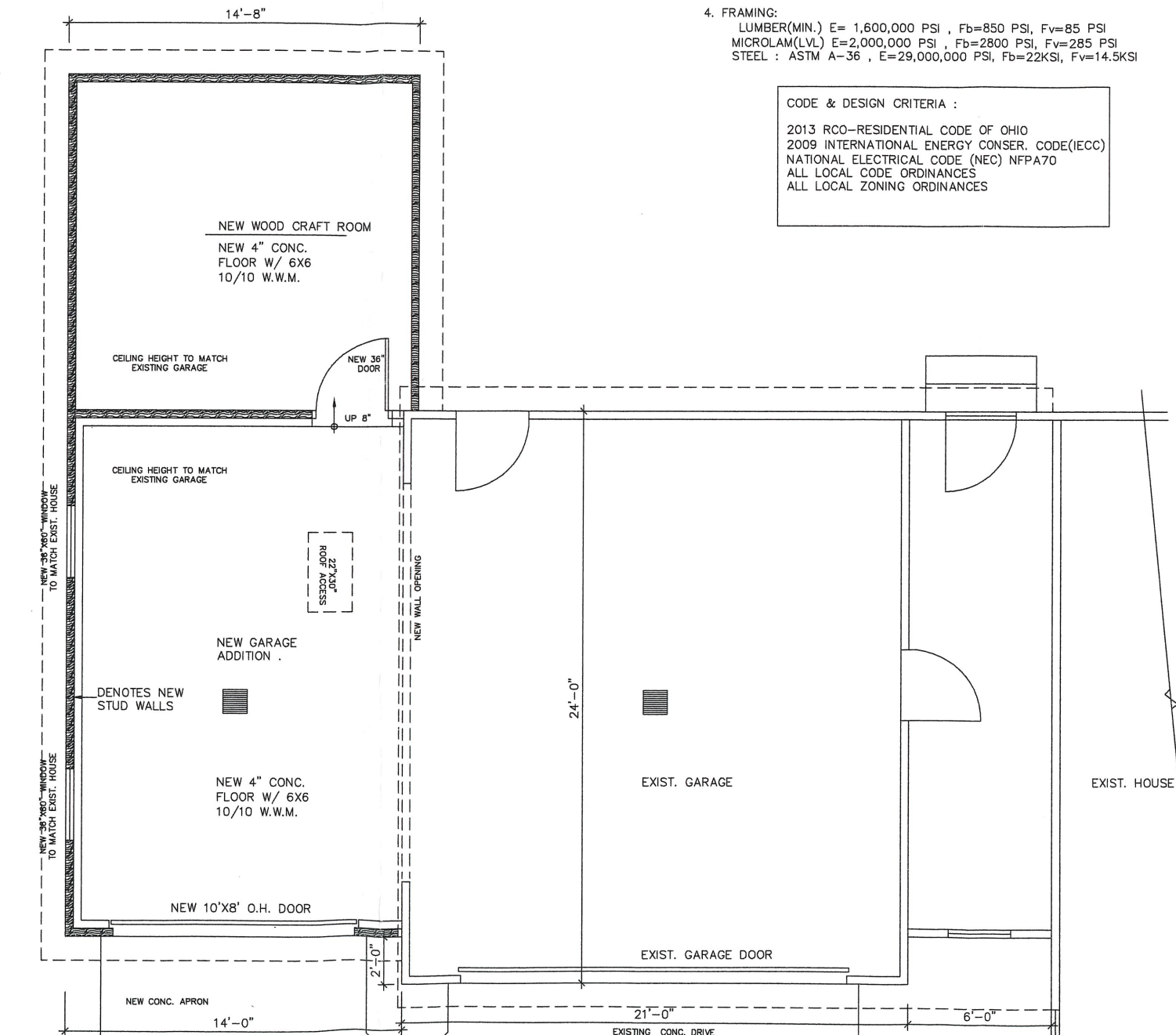
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STOW, OHIO 44224  
GORDON COSTLOW  
PHONE 330-688-9500

DATE:  
NOV. 7, 2016



NEW FOUNDATION PLAN

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



NEW FIRST FLOOR PLAN

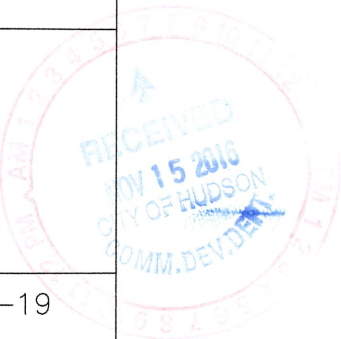
SCALE : 1/4"=1'-0"

GARAGE ADDITION PLANS

OWNER - ROBERT AND MOLLY CLICK  
6014 WILLOW LAKE DR. , HUDSON , OHIO 44236

R16-19

2  
OF 3





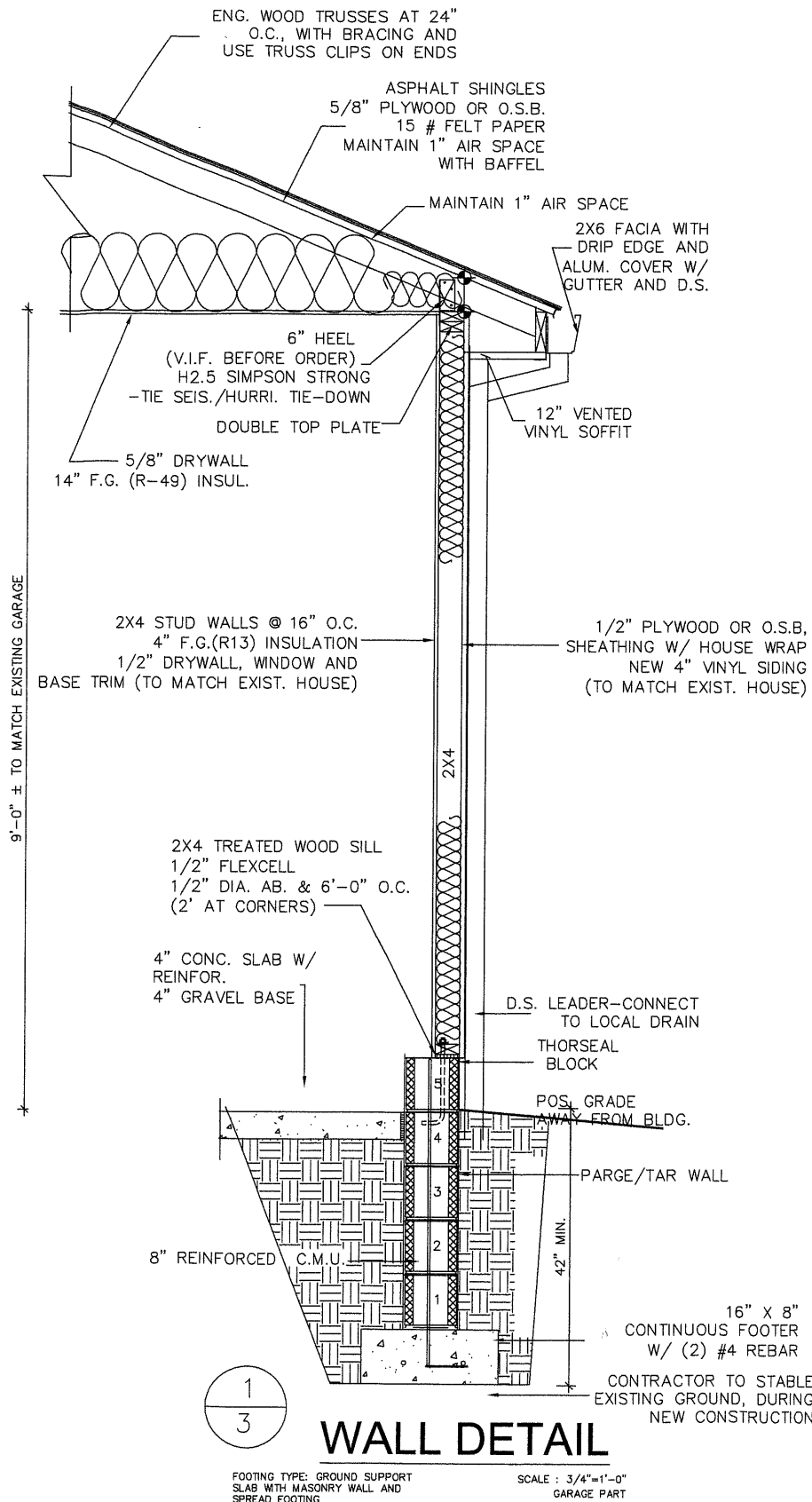
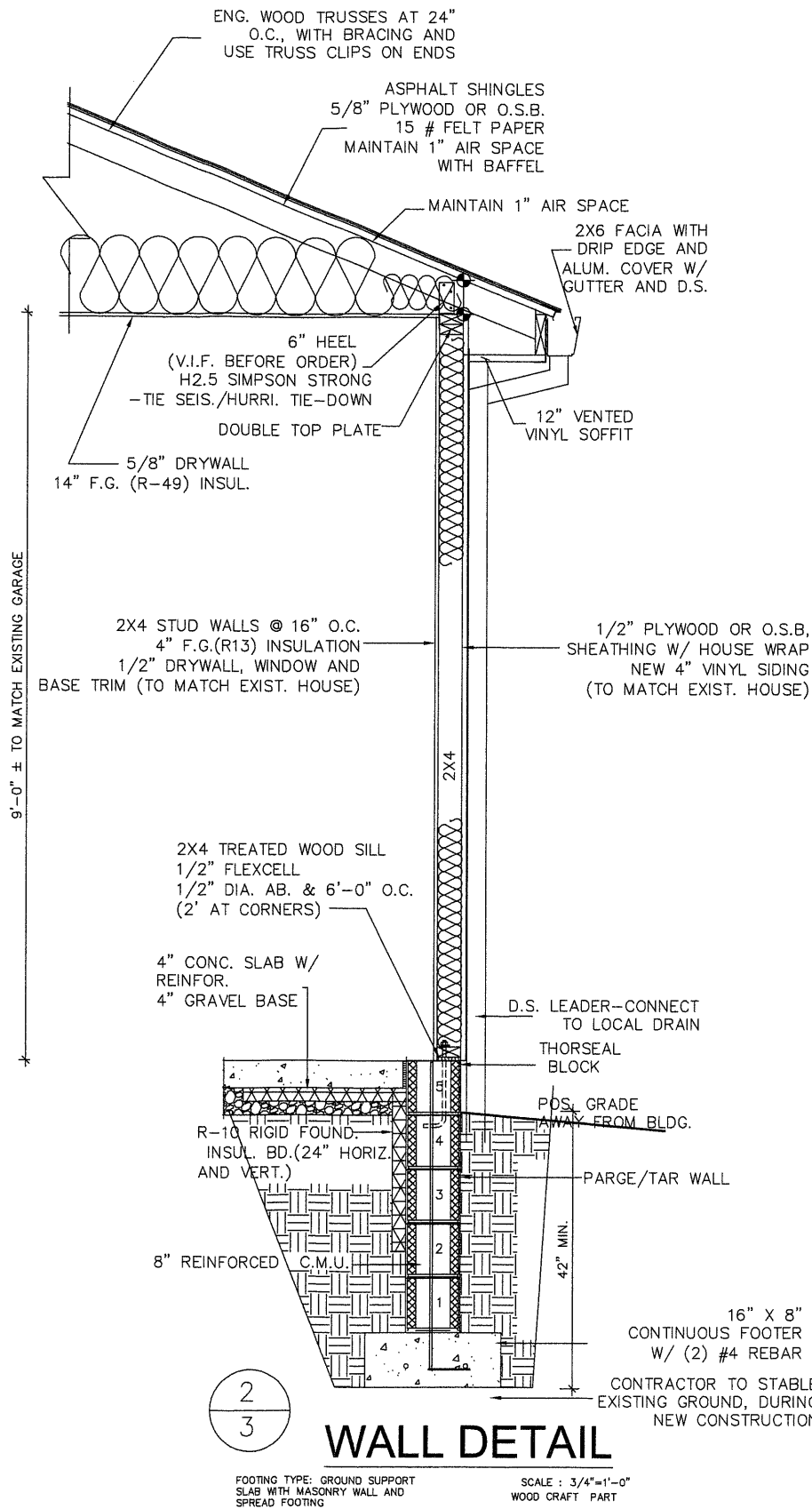
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DATE: NOV. 7, 2016

OWNER - ROBERT AND MOLLY CLICK  
**GARAGE ADDITION PLANS**  
6014 WILLOW LAKE DR. , HUDSON , OHIO 44236

R16-19

3  
OF 3







CLICKS - 6014 WILLOW LAKE  
HUDSON, OHIO 44236



CLICKS - 6014 WILLOW LAKE



← 24' →



**Board of Zoning and Building Appeals**  
**Area/Size Variance Worksheet**

Application for property located at: \_\_\_\_\_

Applicant: \_\_\_\_\_

After reviewing the application, the hearing of evidence under oath, reviewing all documentary submissions of interested parties, and by taking into consideration the personal knowledge of the property in question, the Board of Zoning and Building Appeals finds and concludes:

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  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
2. The variance is (substantial/insubstantial) because \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
3. The essential character of the neighborhood (would / would not) be substantially altered or adjoining properties (would / would not) suffer a substantial detriment as a result of the variance because \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
4. The variance (would / would not) adversely affect the delivery of governmental services, (e.g. water, sewer, garbage).
5. The applicant purchased the property (with / without) knowledge of the zoning restriction.
6. The applicant's predicament feasibly (can / cannot) be resolved through some method other than 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 \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

For all of the above reasons, I move that the variance be (granted / denied) (granted with the following conditions):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_