



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

REPORT

DATE January 12, 2018

TO: Board of Zoning and Building Appeals for
Meeting Date January 18, 2018

FROM: Nick Sugar, Associate Planner
Kris McMaster, City Planner

SUBJECT: **Appeals Docket 2018-02**

Application

Variances to allow construction of a house.

Site

Address: 1808 Hines Hill Road
District: 2-Rural Residential Conservation
Applicant: Jon Russell, Prestige Homes
Owner: Arthur Ray Dalton Trustee

Adjacent

<u>Location</u>	<u>District</u>	<u>Use</u>
North	1	Single Family Residential
South	2	Single Family Residential
East	2	Single Family Residential
West	2	Single Family Residential

Comments

The subject of this hearing is a request for variances from the requirement to utilize public water and sewer in order to have a water well and septic system on the property to construct a new house pursuant to Section 1207.11(b)(1), "Adequate Public Facilities-Water/Wastewater" of the City of Hudson Land Development Code.

The subject property is located in District 2. The property is surrounded by single family residential homes on all sides. The owner purchased the property on July 13, 2001. The owner intends to demolish the existing house built in 1943 and construct a new single-family dwelling. The demolition was approved by the Architecture and Historic Board of Review on October 25, 2017 and a permit was issued on October 26, 2017. A lot consolidation for the property is also currently under review. The request is to permit a water well and septic system at the time of occupancy. Code requires all new development to use public utilities at the time of occupancy. The closest sewer line is located at Granby Drive, approximately 880 feet from the property as shown in red on the attached map. The nearest water line is located on Middleton Road, approximately 3,100 feet as shown in blue on the attached map. A confirmation e-mail from the City of Akron Water Distribution Department is attached indicating there is no water main within 2,000 feet of this property. Mr. Russell, the applicant, has submitted total costs for the sewer line to be approximately \$199,400. A private septic system will cost approximately \$19,000. Total costs for a potential water line was not submitted.

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

1. **December 19, 2017- Application for BZBA and supplemental information of applicant's request.**
2. **Aerial Map, City of Hudson GIS.**
3. **Water/Sewer Distribution Map, City of Hudson GIS.**
4. **Site Plan**
5. **December 19, 2017- E-mail from Joe Okolish, Engineer Tech at Akron Water.**
6. **Photographs and Proposed Elevation.**

The proposal was approved by the Architectural Historic Board of Review on December 13, 2017 with the condition of approval by BZBA.

cc: BZBA 2018-02
Matthew Vazzana, Assistant City Attorney
Jon Russell, Prestige Homes
Arthur Dalton Trustee, Owner
Hal Desaussure, Council Liaison

Attachments



Applicant

Prestige Homes

☎ 330-650-2033 ext. 303

@ lisastuthard@prestigehomesohio.com

Location

1808 HINES HILL RD , Hudson, OH

Ward 4

Owner

DALTON ARTHUR RAY TRUSTEE

(View Owner Information)

Applicant and Property Owner Information

Applicant Relationship to Property Owner: *

Contractor

Property Owner's E-Mail: *

rdalton@relinkmedical.com

Company Name:

Prestige Homes

Type of Hearing Request

Type of Request: *

Variance

Year Property Purchased *

2013

Code Required Set-Back (please indicate feet, s.f. or height) *

0

Requested Variance (please indicate the amount of the variance in feet, s.f. or height) *

0

Resulting Set-Back (please indicate feet, s.f. or height) *

0

Explanation of Request and Justification: *

Variance #1 - Request variance for water well vs city water

Variance #2 - Request variance for septic system vs public sewer

Supplemental Information for Determining Practical Difficulty

The property in question will yield a reasonable return and there can be a beneficial use of the property with the variance because: *

Granting of the variances requested would be required in order to allow the use of the site for a new residential home.

The variance is

insubstantial

Describe why the variance is substantial or insubstantial *

The variance is the minimum needed to allow use of the homesite.

Explain why the request is the minimum amount necessary to make reasonable use of the property or structure(s): *

Approval of the variances would make the residential single family home construction economically feasible.

Would the essential character of the neighborhood be substantially altered? *

no

Would adjoining properties be negatively impacted? *

no

Describe how the adjacent properties will not be affected. *

The proposed new home is in the same location as an existing home.

Will this request adversely affect public services (mail, water, sewer, safety services, etc.)

no

The situation cannot be feasibly solved by means other than a variance. Explain: *

#1 No water is provided by Cleveland Water or Hudson Water. City of Akron Water has stated that water service provided by them would be greater than 2000 If so extension would not be feasible.

#2 A private septic system would cost approximately \$19,000 to provide service to the proposed home.

Summit County Health Dept is currently evaluating the property. Public sewer estimated costs for approx 900' along Hines Hill Rd and Granby Rd for a sanitary sewer line extension would be \$189,000 (sewer lines, survey, engineering, permits and fees) plus approx \$10,400 for the proposed home setback to the road, totaling approx. \$199,400.

The spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance. Explain below:

Approval of the variance would make residential single family home construction economically feasible.

12/21/2017

The circumstance leading to this request was not caused by current owner. It was caused by: *

Current zoning code.

List any special circumstances particular to the property/lot (i.e.: exceptional irregularity, narrowness, shallowness or steepness) these circumstances are: *

Acreage parcel

Public Meeting Information

Meeting Date *

01/18/2018

Person representing Property Owner at Public Meeting *

Jon Russell. Prestige Homes & A. Ray Dalton, Property Owner

The property owner has acknowledged and agreed that the above representative can speak on their behalf at the public hearing. *

✓

By checking this box, I do hereby certify that the information to the City of Hudson in and with this application is true and accurate and consents 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. I acknowledge that City reviews or approvals do not absolve the subject property from deed restrictions, easements, or homeowner association covenants, restrictions, or regulations regarding structures and uses on the property. *

✓

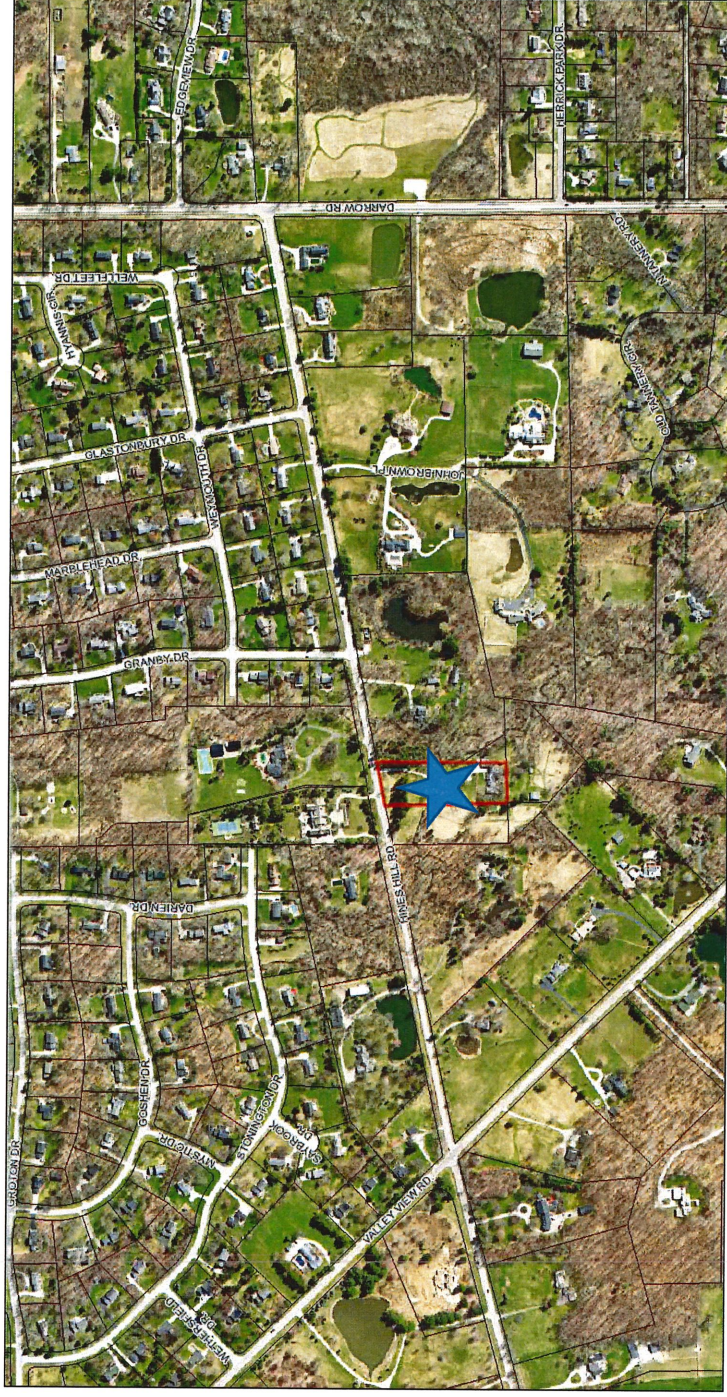
Internal

Company Name

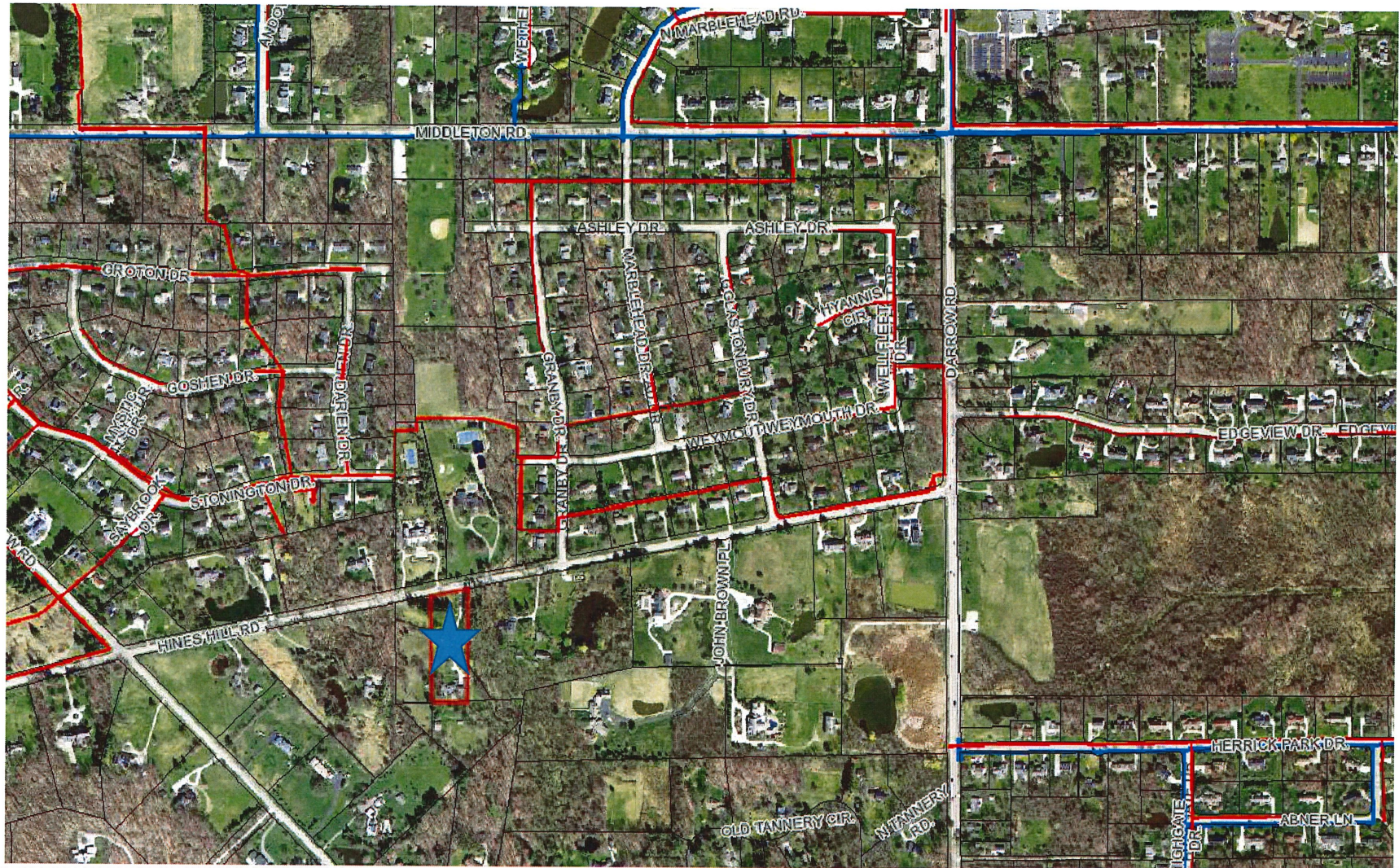
Variances

Meeting Date

District

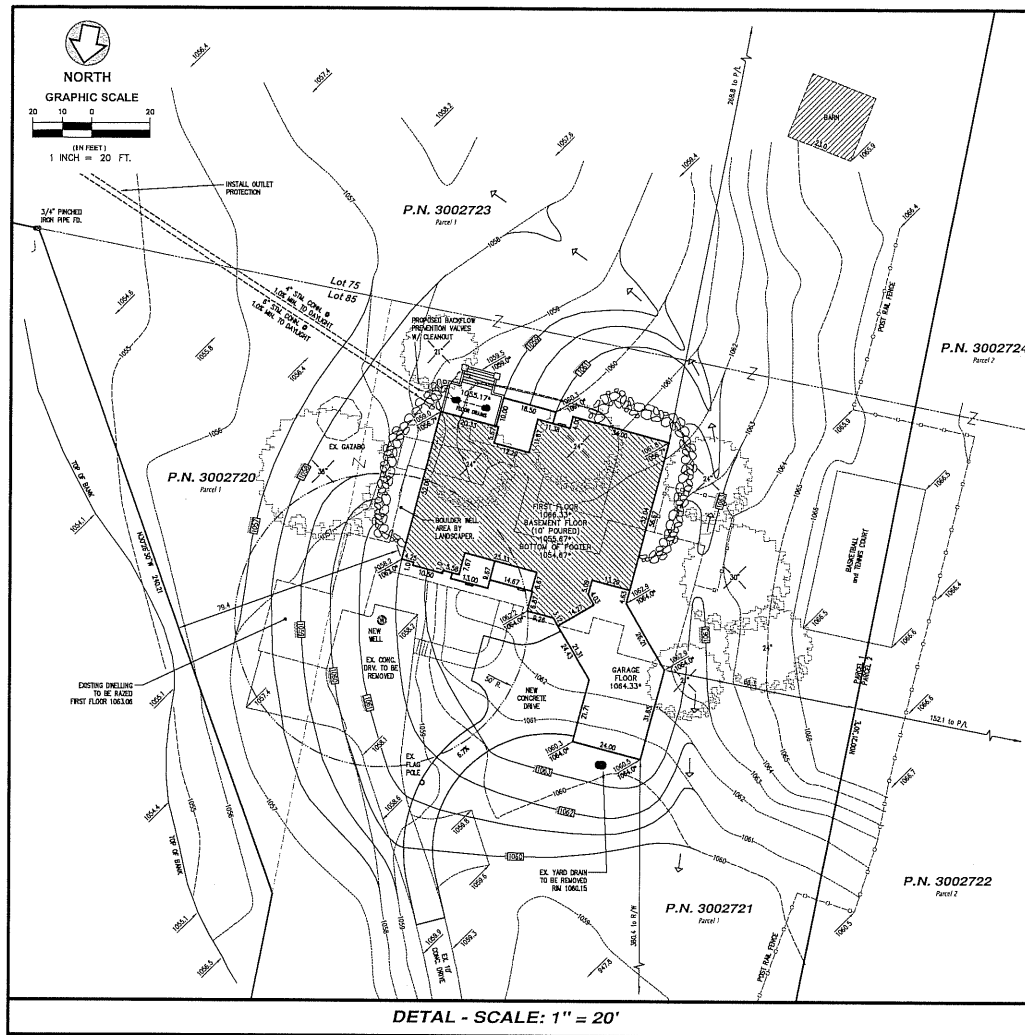


Water/Sewer Distribution



Red Line _____

Blue Line _____



DETAIL - SCALE: 1" = 20'

NOTES:

EXIST'G PROPOSED GRADE
 --- EXIST'G ELEVATION
 --- EX. CONTOUR
 --- PROP. CONTOUR
 --- INDICATES DIRECTION OF SURFACE
 WATER AFTER FINAL DRAINAGE
 BENCH MARK: SOUTHWEST CORNER OF BRIDGE
 ABOUT MID-POINT OF EXISTING CONCRETE DRIVE
 ELEVATION = 1026.85 (MAY 1988)
 MINIMUM FALL AWAY FROM HOUSE IS 6 INCHES IN 10 FEET
 MAINTAIN POSITIVE YARD DRAINAGE (TO SHAWNEE YARD
 DRAINAGE, NATURAL WATERCOURSE OF STREET) ACROSS
 MINIMUM MINIMUM SLOPE OF 1% FROM BOTTOM OF TOWER
 TO STORM AND SANITARY LATERALS. IF IT CANNOT BE
 ACHIEVED, CONTACT CITY ENGINEER.
 UNDERGROUND INFORMATION SHOWN TAKEN FROM
 IMPROVED PLANS AND TYPE, SIZE AND ELEVATIONS TO
 BE VERIFIED IN FIELD BY CONTRACTOR PRIOR TO
 CONSTRUCTION.
 CONTRACTOR MUST CHECK BENCH MARK WITH PERMANENT
 GRADE BEFORE ANY EXCAVATION OR WORK IS STARTED.

NOTES:

THE SITE SHALL COMPLY WITH "SPECIFICATIONS FOR
 INDIVIDUAL LOT PROTECTION AND TENDON AND
 STORMWATER CONTROL FOR CONSTRUCTION SITES".
 THERE SHALL BE NO OBTURBANCE OF ANY KIND OR
 STORAGE OF MATERIALS TO OCCUR BETWEEN THE SILE
 FENCE.
 A/C UNIT WILL BE LOCATED OUT OF PUBLIC VIEW.
 STEP FOOTINGS AS NEEDED.
 SUMP PUMP MAY BE REQUIRED FOR FOOTER DRAIN.
 CONTRACTOR TO VERIFY STORM AND SANITARY
 CONNECTION BEFORE BASEMENT EXCAVATION.
 THIS PLAN FOR SITE PURPOSES ONLY. SEE FOUNDATION
 PLAN FOR HOUSE DETAILS.
 5/8" CAPPED IRON PIN TO BE SET
 5/8" IRON PIN FOUND

SEPTIC SYSTEM:

NEW SEPTIC FIELD AND REPLACEMENT FIELD SIZE AND
 LOCATION TO BE DETERMINED BY OTHERS.

BUILDER:

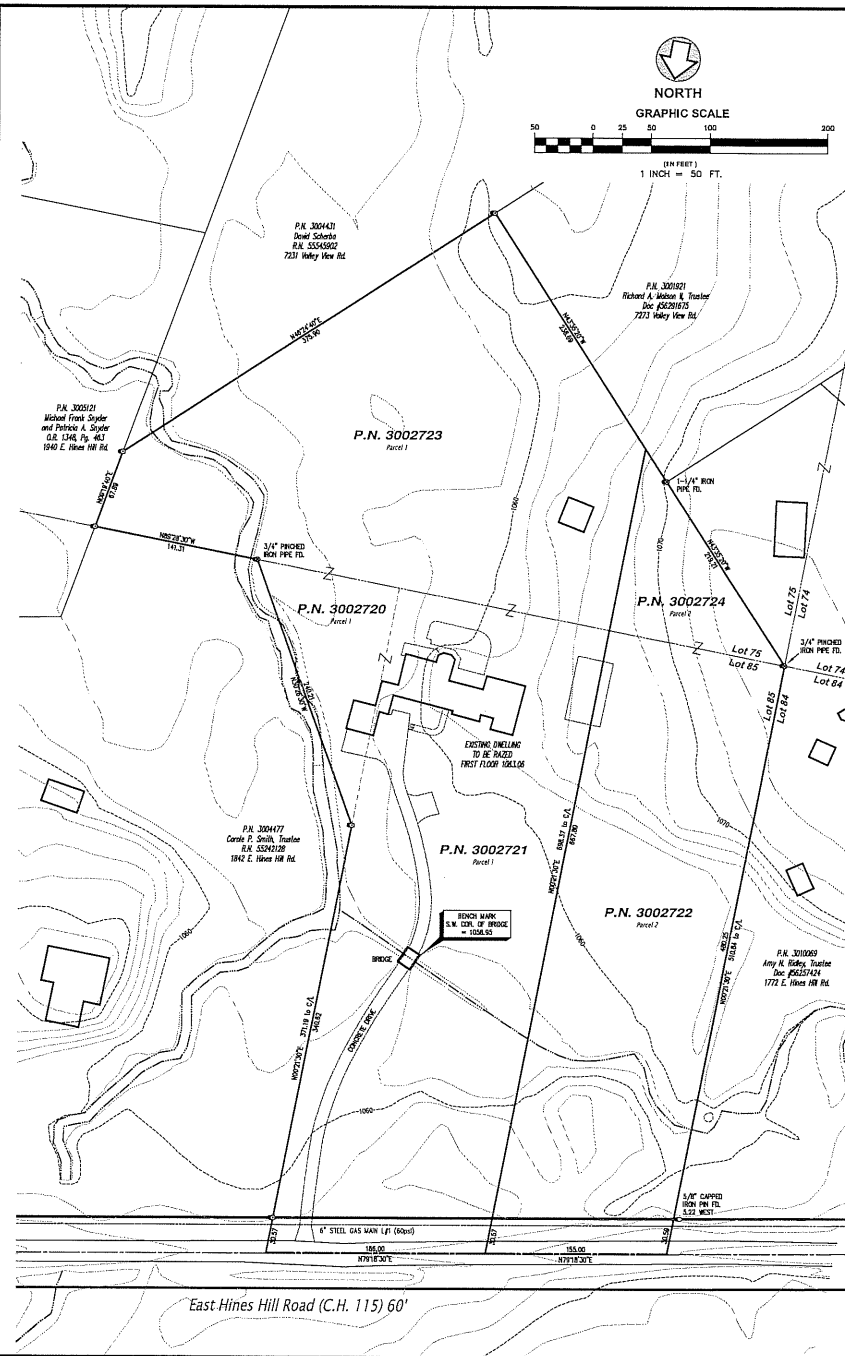
PRESTIGE HOMES
 17 W. STREETSBORO ST.
 HADRON OHIO 44230
 PHONE: 330-650-2033
 FAX: 330-650-3328

APPROVALS:

ENGINEER _____ DATE _____
 LANDSCAPE ARCHITECT _____ DATE _____



DIMENSIONS SHOWN HEREON ARE EXPRESSED IN FEET AND DECIMAL
 PARTS THEREOF. MONUMENTS WERE FOUND ON SET AS INDICATED
 HEREON. BEARINGS SHOWN ARE TO AN ASSUMED MERIDIAN AND ARE
 FOR THE SOLE PURPOSE OF DESCRIBING THE RELATIVE ANGULAR VALUE
 BETWEEN LINES. ALL OF WHICH I CERTIFY TO BE CORRECT TO THE BEST
 OF MY KNOWLEDGE AND BELIEF.
 10/30/17
 RICHARD J. KULE, REG. SURVEYOR #7889 DATE



REVISIONS:

NO.	DATE	DESCRIPTION
1	10/30/17	ISSUED FOR PERMIT



DEED REFERENCE: P.Nos. 3002720, 3002721, 3002722, 3002723
 and 3002724
 Arthur Ray Dillen, Trustee under the Joint B.
 and C. Trust, dated March 24, 1954
 P.Nos. 3002720, 3002721, 3002722, 3002723
 and 3002724
 1800 East Hines Hill Road
 Hudson, Ohio 44236
 SITE ADDRESS:

Site Improvement Plan

of P.Nos. 3002720, 3002721, 3002722, 3002723 and 3002724
 for The Dalton Residence
 Situated in the City of Hudson, County of Summit and State of Ohio and known as being parts of
 Lots Nos. 75 and 85 in said City.

DATE: OCT. 30, 2017
 SCALE: 1" = 30'
 DRAWN BY: R.D.S.
 FILE NO. 17307 Site
 SHEET 1 OF 1



Lisa Stuthard <lisastuthard@prestigehomesohio.com>

1808 E Hines Hill rd

1 message

Okolish, Joseph <JOkolish@akronohio.gov>

Tue, Dec 19, 2017 at 9:09 AM

To: "lisastuthard@prestigehomesohio.com" <lisastuthard@prestigehomesohio.com>

Cc: "Johnson, Anne" <AMJohnson@akronohio.gov>

Lisa,

There is no City of Akron Water main within 2000 feet of this property.

Joe Okolish

City of Akron Water



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):

