



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

REPORT

DATE May 11, 2018

TO: Board of Zoning and Building Appeals for
Meeting Date May 17, 2018

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

SUBJECT: **Appeals Docket 2018-13**

Application

Variance to allow an accessory structure detached garage to be located in the side yard.

Site

Address: 72 Clairhaven Dr
District: 3- Outer Village Residential Neighborhood
Applicant: Paul Palumbo, Palumbo Renovations
Owner: Kevin M. and Lori Nelson

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 to allow an accessory structure detached garage to be located in the side yard when code permits accessory structures to be located only in the rear yard pursuant to Section 1205.06(d)(9)(D)(ii), “Building Siting and Orientation – Private Garages” of the City of Hudson Land Development Code.

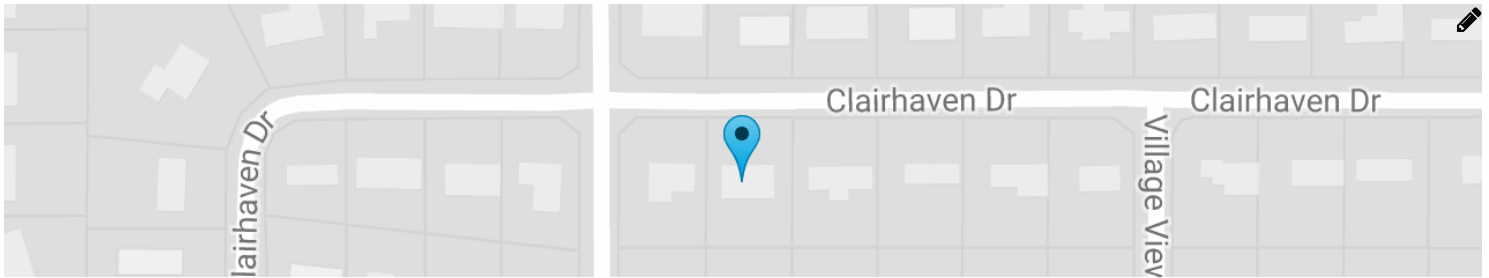
The subject property is located in District 3. The property is surrounded by single-family residential homes on all sides. The owners purchased the property on February 17, 2005. The applicant intends to construct a 384 square foot (24' x 16') detached garage with an eight (8) foot overhang on the east side and a 637 square foot (26' x 24.5') addition to the existing house. The proposed addition will replace an existing sunroom at the rear of the house. It will provide additional family room space on the first floor as well as a master suite on the second floor. The proposed detached garage will provide additional storage as the property currently has an attached garage. The proposed detached garage will be located seven (7) feet from the existing house, but relatively parallel to the proposed addition. Building Siting and Orientation standards require detached garages to be located only in the rear yard. The City of Hudson Land Development Code defines rear yard as "the yard extending the full width of the lot between the rear lot line and rear building line and measured perpendicular to the building at its closest point to the rear lot line." Therefore, the code requires the garage to be located behind the proposed addition, as the addition would be the closest point of the building to the rear lot line. The proposed garage would have to be moved nineteen (19) feet to the south, closer to the rear property line in order to comply with the requirement. The property has a rear yard depth of fifty-six (56) feet with the proposed addition. The rear setback requirement for accessory structures in District 3 is fifteen (15) feet. The applicant has indicated the desire to obtain the variance is based on the proposed stamped concrete patio located between the detached garage and the addition. The proposal will create a courtyard with a width of fifteen (15) feet. The applicant states the courtyard will provide privacy from adjacent properties. A proposed porch overhang will be built on the detached garage in order to add functionality to the courtyard.

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

1. **April 6, 2018- Application for BZBA and supplemental information of applicant's request.**
2. **Aerial Map, City of Hudson**
3. **Site Plan.**
4. **Elevations.**
5. **Photographs**

Approval of the design of the detached garage will require approval from the Architectural and Historic Board of Review and approval from the City of Hudson Fire Dept.

cc: BZBA 2018-13
Matthew Vazzana, Assistant City Attorney
Paul Palumbo, Palumbo Renovations
Kevin M. and Lori Nelson
Hal Desaussure, Council Liaison



Applicant

Paul Palumbo

☎ 216-409-8914

@ palumborenovations@gmail.com

Location

72 CLAIRHAVEN RD , Hudson, OH

Ward 1 OLDE TOWNE COLONY

Owner ✎

NELSON KEVIN M & NELSON LORI

(View Owner Information)

Applicant and Property Owner Information

Applicant Relationship to Property Owner: *

Contractor

Property Owner's E-Mail: *

dsnykev@aol.com

Company Name:

Palumbo Renovations

Type of Hearing Request

Type of Request: *

Variance

Year Property Purchased *

dont know

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

garage needs to be behind the house

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

customer wants the garage to be 7ft behind the house creating a courtyard between the new garage and room addition

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

7ft behind the garage

Explanation of Request and Justification: *

customer wants the garage to be 7ft behind the house creating a courtyard between the new garage and room addition

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: *

because it is creating a courtyard between the garage and the porch and the room addition and creating privacy

The variance is

insubstantial

Describe why the variance is substantial or insubstantial *

because it is creating a stamped concrete courtyard between the garage, porch and the room addition entry way and creating privacy

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

Creating privacy for homeowners

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. *

It will be aesthetically pleasing and will reach to customers goals

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: *

because, the homeowner wants the garage porch to be lined up with the stamped concrete patio and the entry of the home

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

because the homeowner will reach their needs and enjoy their courtyard as they wanted

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

set back of the garage

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

none of the above

Public Meeting Information

Meeting Date *

05/17/2018

Person representing Property Owner at Public Meeting *

Paul Palumbo

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

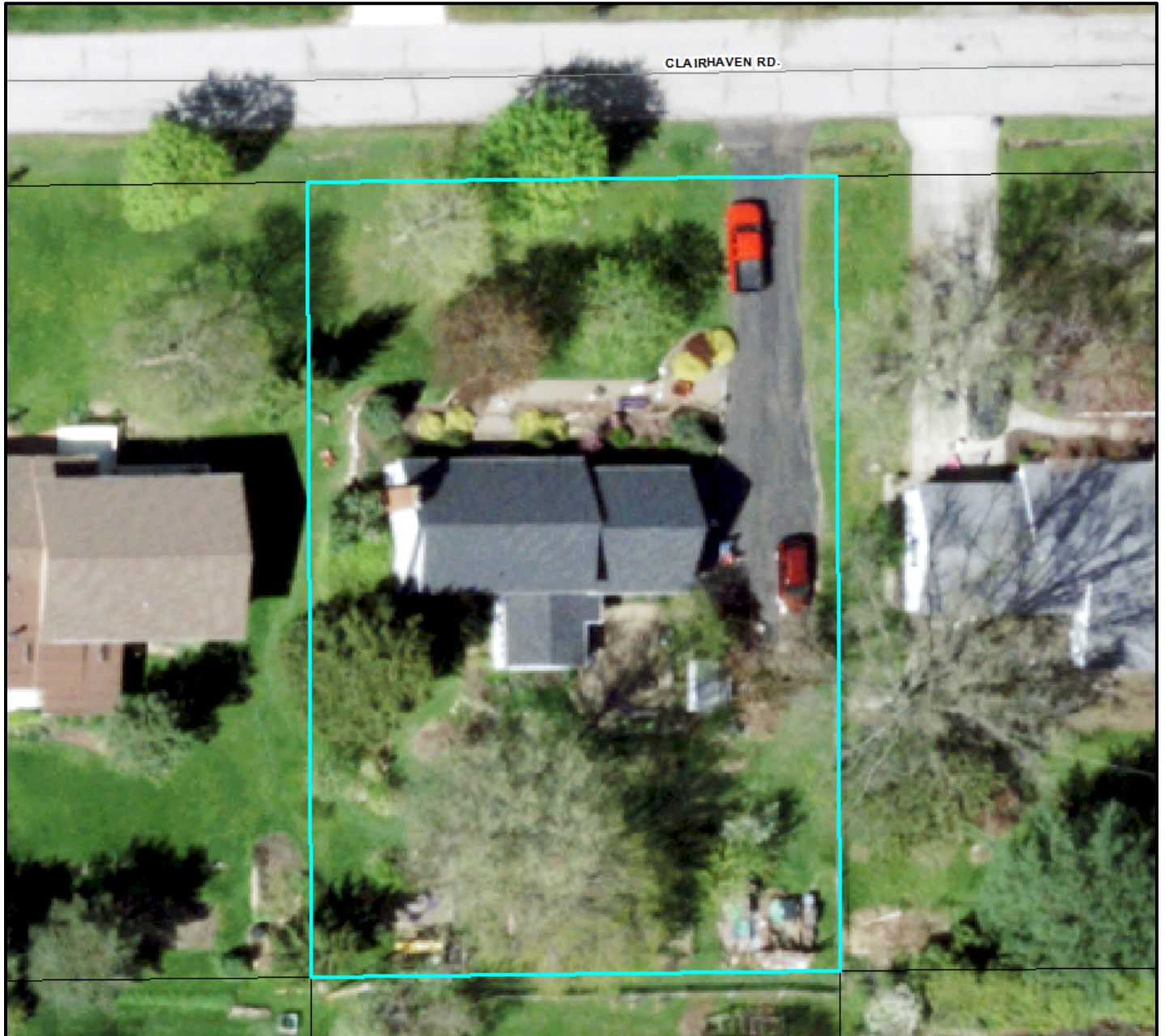
Company Name

Variances

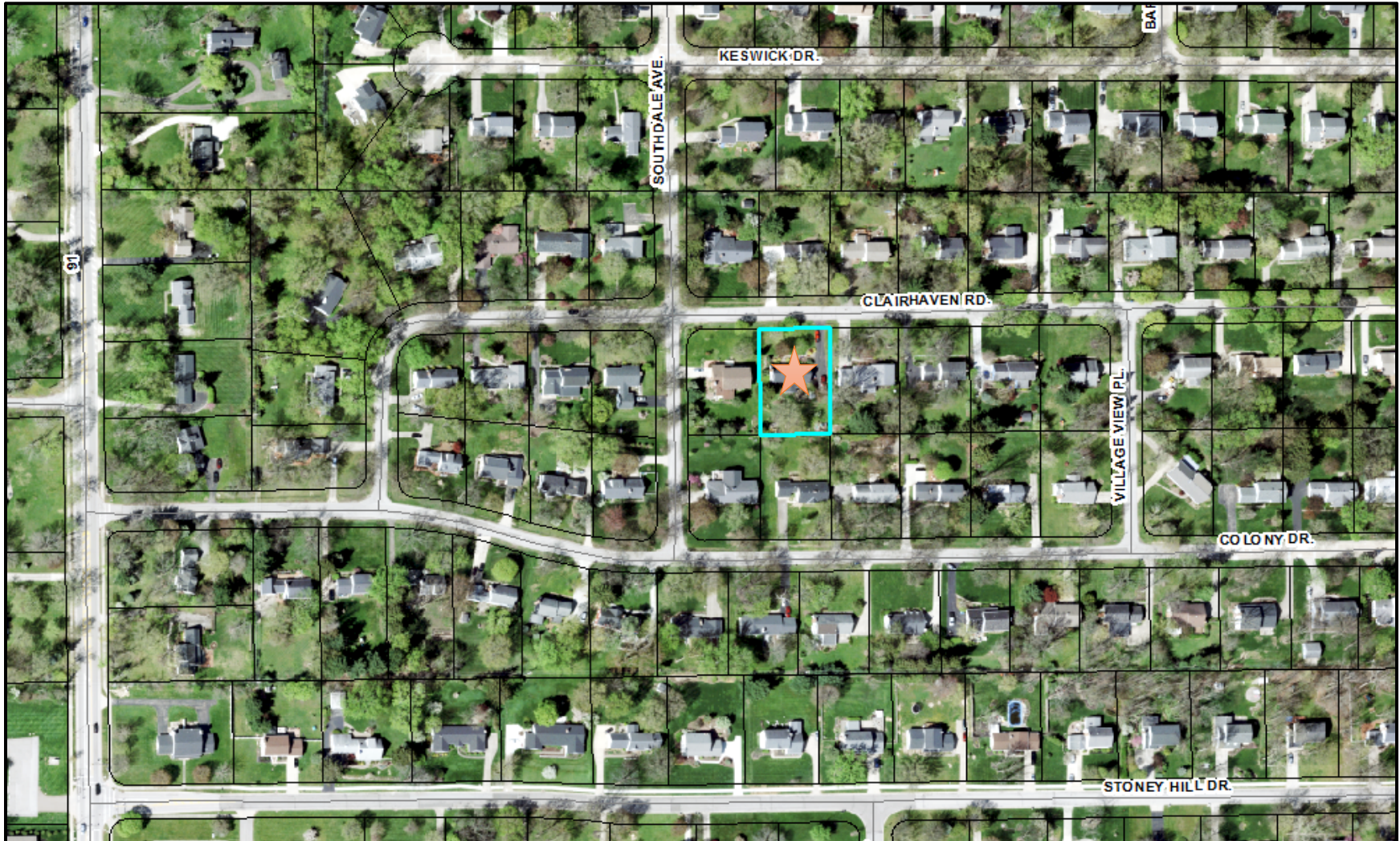
Meeting Date

District

Aerial Map



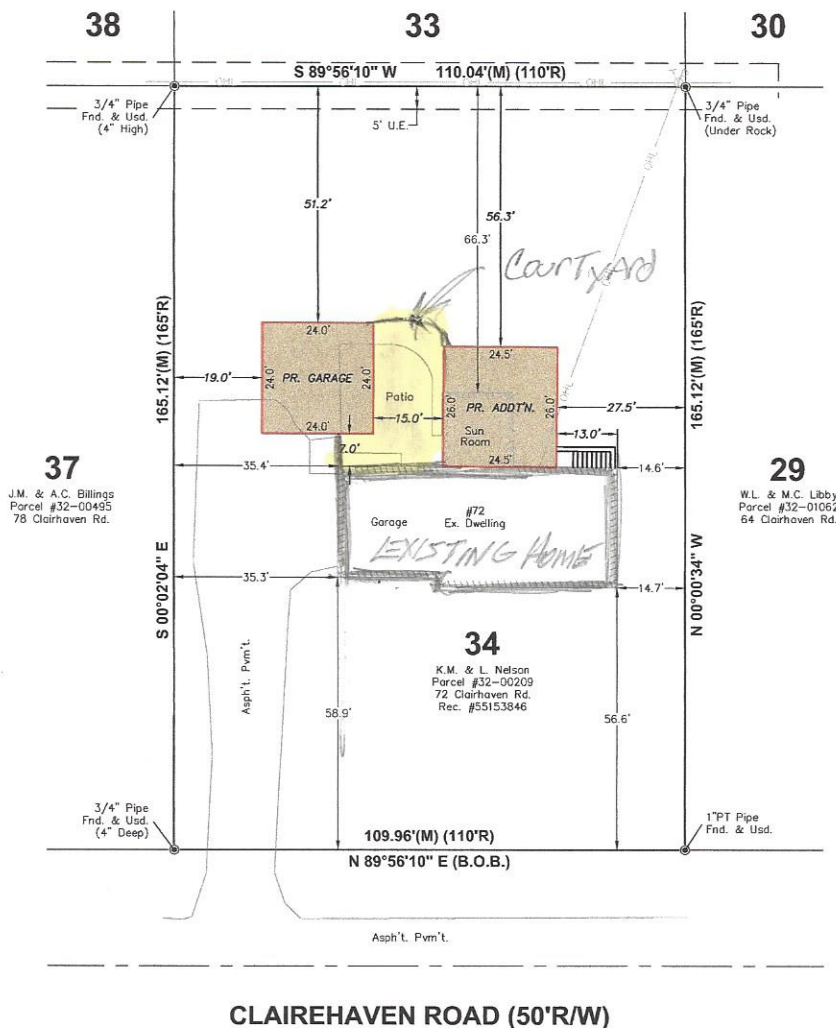
Aerial Map





MAP OF SURVEY & PLOT PLAN for Renovations to the Nelson Residence by Palumbo Renovations

Situated in the City of Hudson, County of Summit
and State of Ohio: And known as being Lot 34
in the Olde Towne Colony, as recorded
in P.B. 45, Pg's. 53-55.



SCALE: 1" = 20'

DATUM:

B.O.B.: RECORD PLAT

LEGEND

- Ex. Contour
- PR. CONTOUR
- Ex. Tree Line
- PR. CLEARING
- PR. SILT FENCE
- PR. GRADE
- Ex. Grade
- PR. DRAINAGE
- TREE TO BE REMOVED
- PR. CONST. ENTRANCE
- Ex. = Existing PR. = PROPOSED
- Ex. San/Strm. MH.
- Ex. Pedestals
- Ex. Hydrant
- Iron Pin Fnd./Set
- Iron Pipe Fnd.
- Mon. Fnd.

- PR. ADDITION FOOTPRINT

CONSTRUCTION NOTES:

1. The contractor must verify all foundation dimensions and proposed grades shown on this plan. Any errors resulting from failure to check or to notify the surveyor of any changes shall not be the responsibility of Apex Land Surveying.
2. All grades shall comply w/corresponding government office.
3. All swales must maintain a minimum slope of 1%.
4. Maintain positive yard drainage away from house.
5. Contractor to notify utilities protection services/ OUPS prior to construction.
6. Contractor shall verify location and depths of existing laterals & verify if proper connections can be made to house. Contact corresponding government office if discrepancies occur.
7. All sewer connections must maintain a minimum slope of 1%.
8. A foundation sump pump is/is not required.
9. Silt fence must surround any excavation areas so that no silt escapes site.
10. There was no search for esements of record, right-of-ways, restrictive covenants, encumbrances, ownership title evidence, or any other facts that a title search may disclose.



Know what's below.
Call before you dig.

SURVEYED BY:

**APEX LAND
SURVEYING**

KELLY D. DUNFORD, P.S. 8182
2858 FULMER DR., SILVER LAKE, OH
(330) 928-7750
ps8182@abcglobal.net
www.apexlandsurveying.com

TITLE: PLOT PLAN

DATE: MAR. 2018

CLIENT: PALUMBO RENOVATIONS

PROJ.: 2018015

SCALE: 1" = 20'

FILE: 2018015.dwg

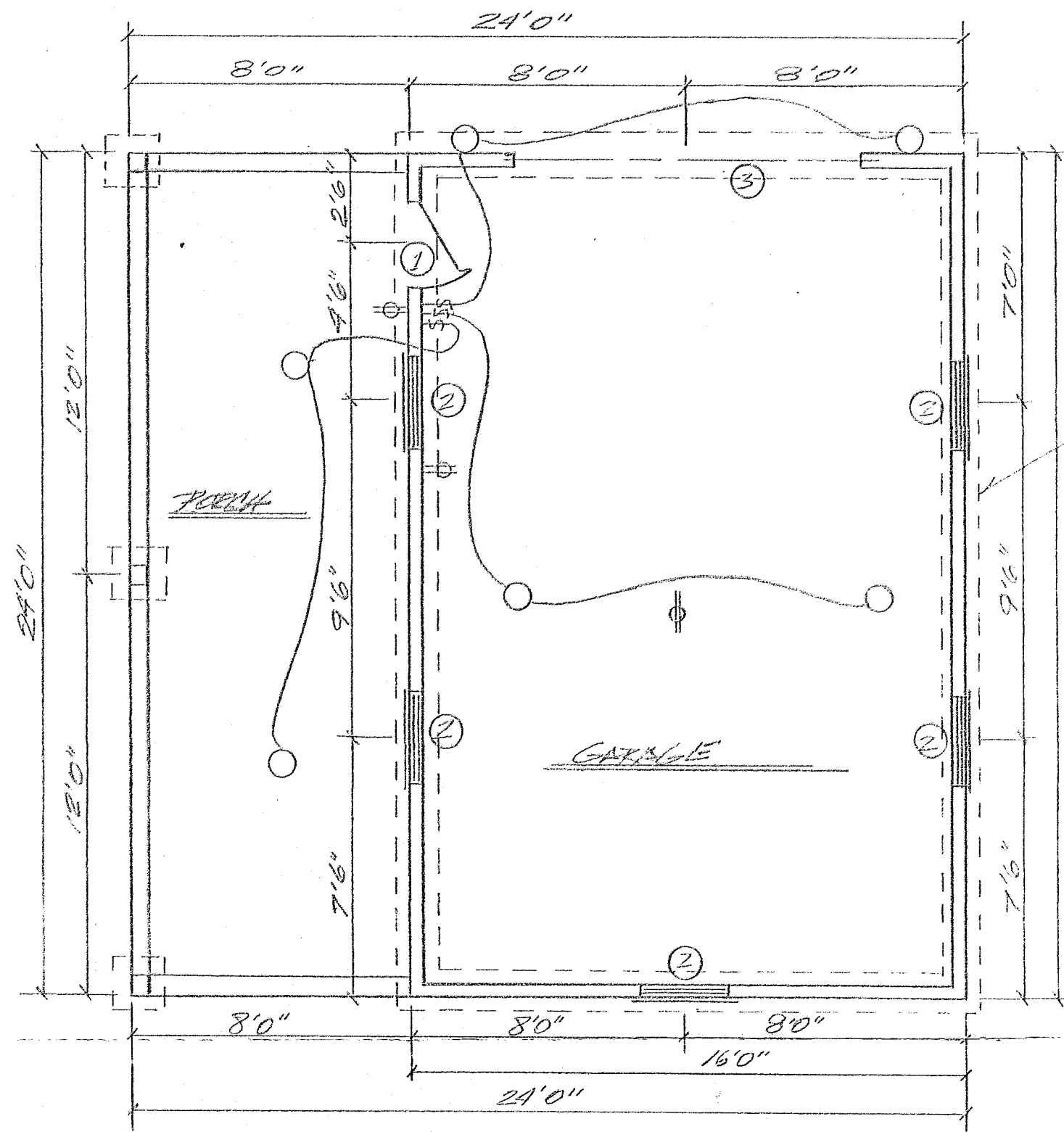
DRAWN BY: KDD

CHECKED BY: KDD

CREW: KDD

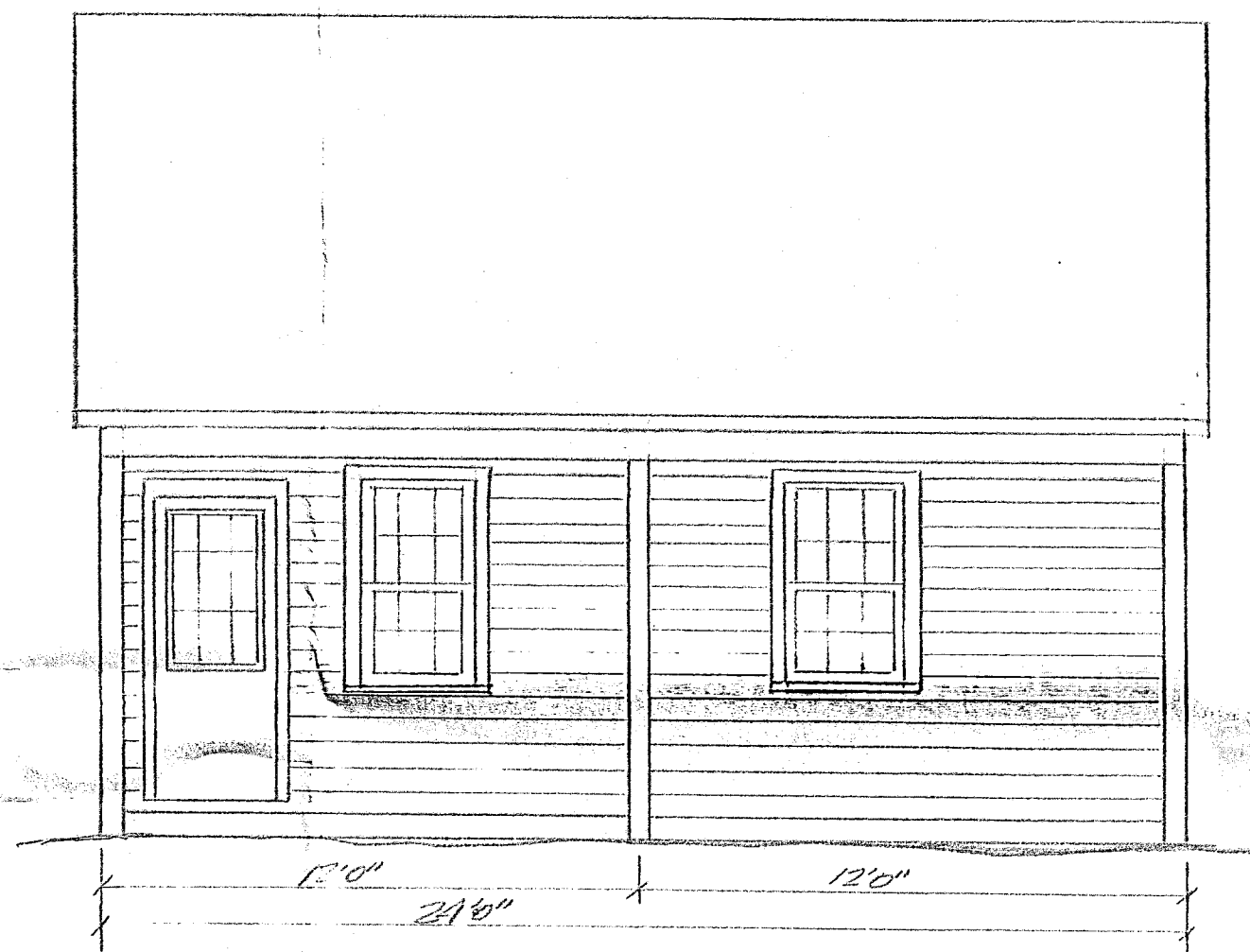
SHEET: 1 OF 1

SHEET SIZE: 17" X 22"



- 1 32x80 STEEL DOOR TO 52 1/2 x 84"
- 2 30x54 MEZZO LOWE ALUM 30 1/2 x 54 1/2 TO
- 3 12x7 1/2 ANDERSON STEEL GARAGE DOOR TO 121 x 84 1/2

FOOTER 12" BELOW GRADE

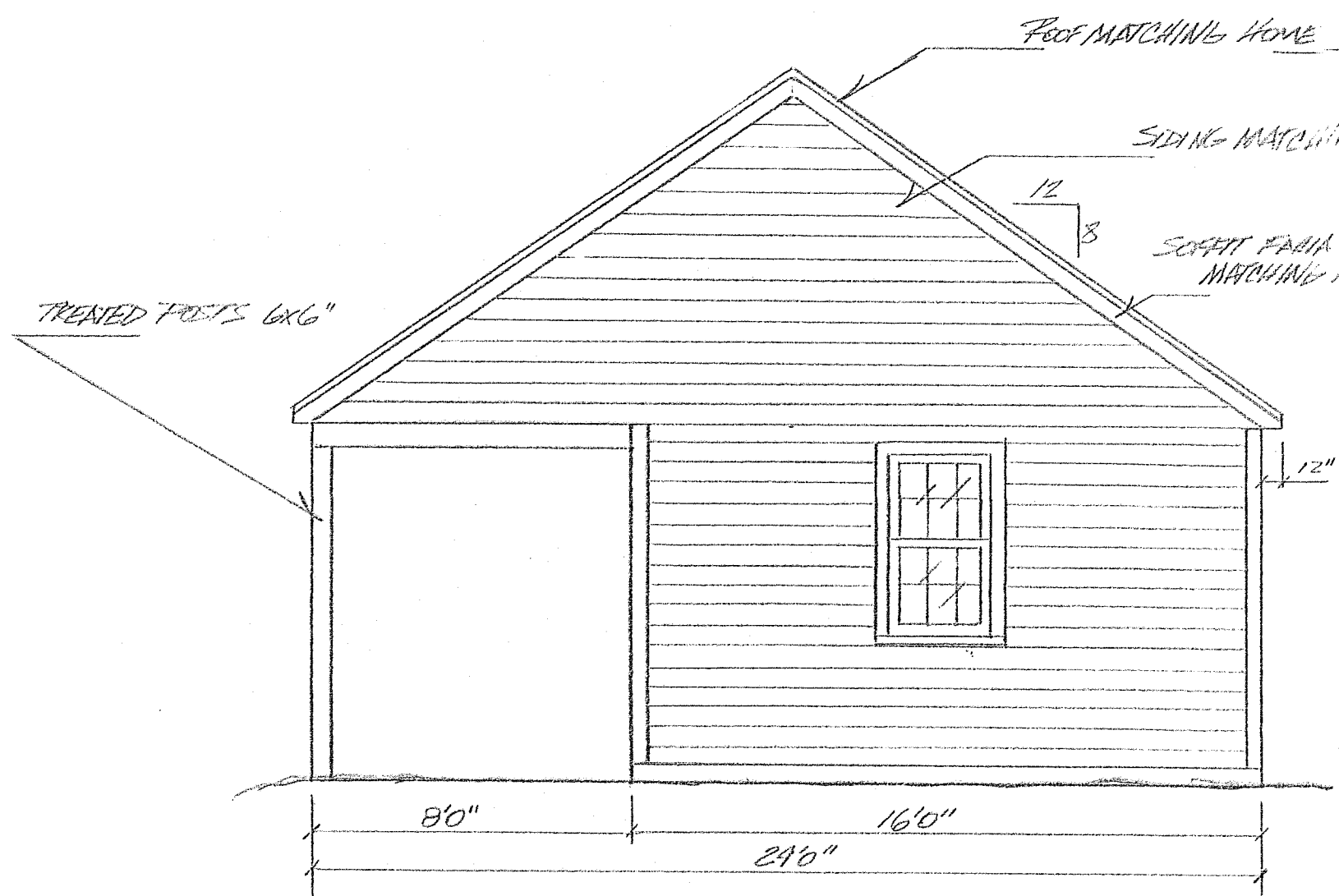
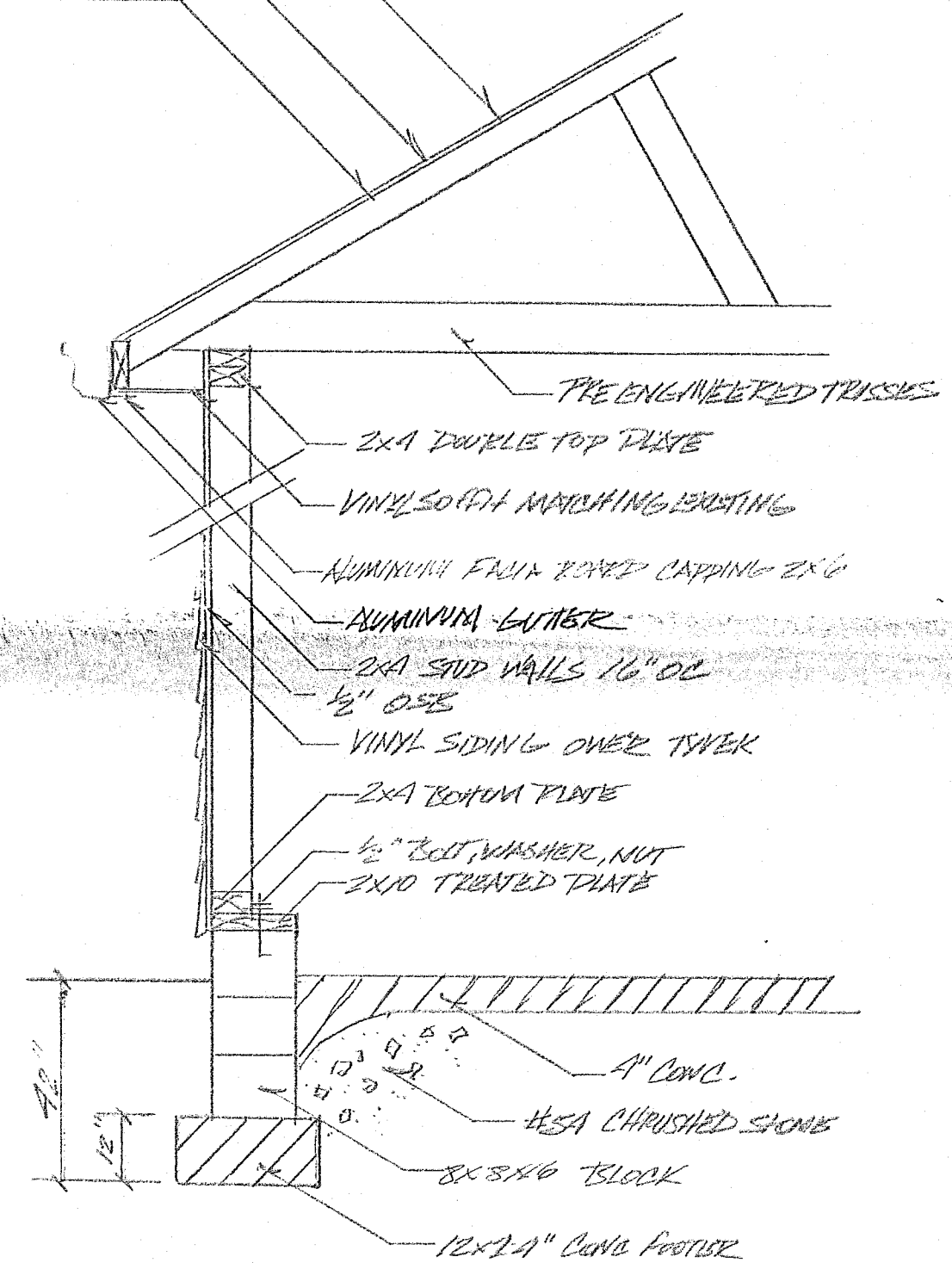


WEST SIDE

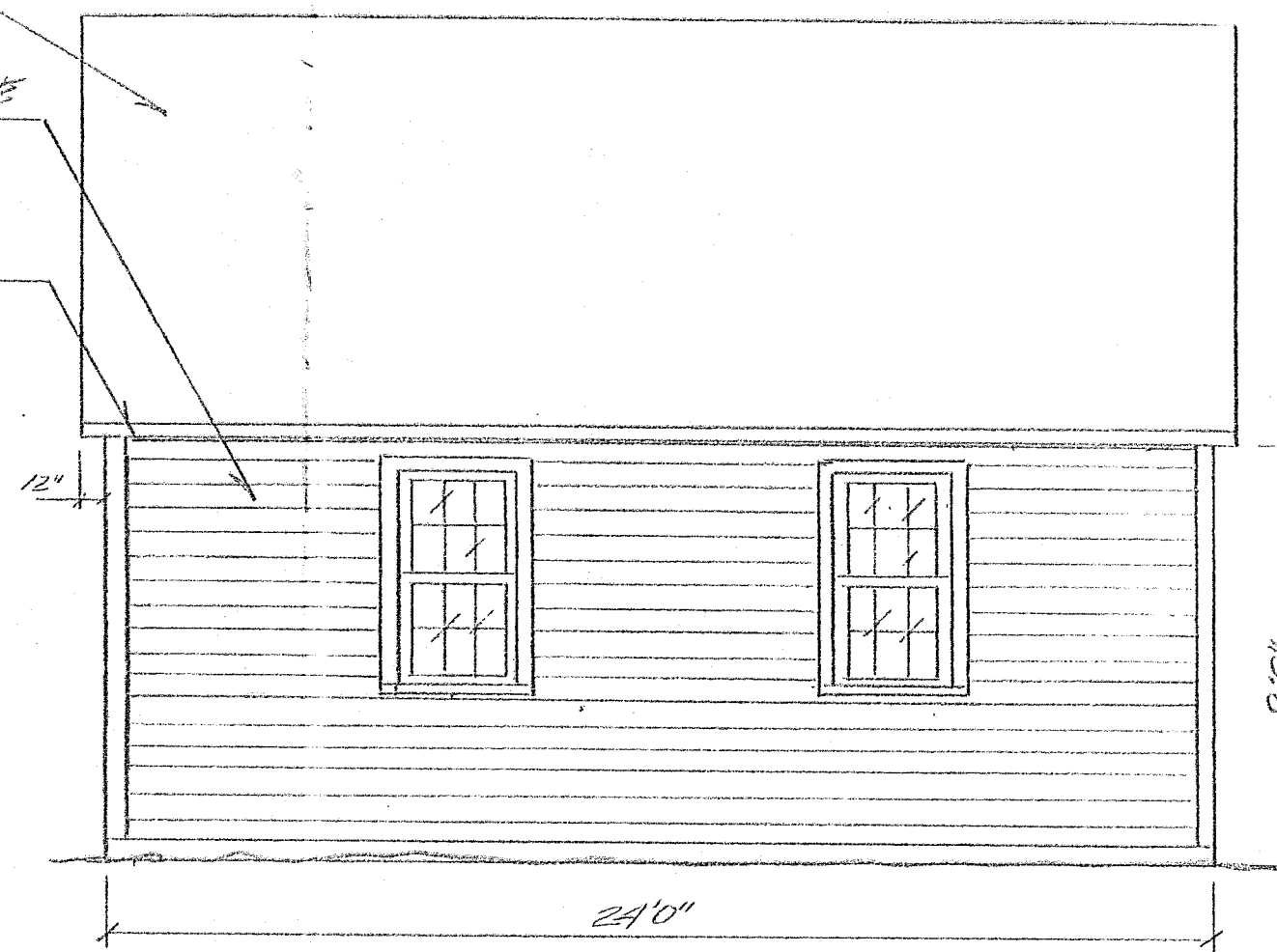
ROOF MATCHING HOME

ICE WATER

5/8" OSB



SOUTH SIDE



EAST SIDE

KEVIN.LORI NELSON

SCALE: 1/4" = 1'

APPROVED BY:

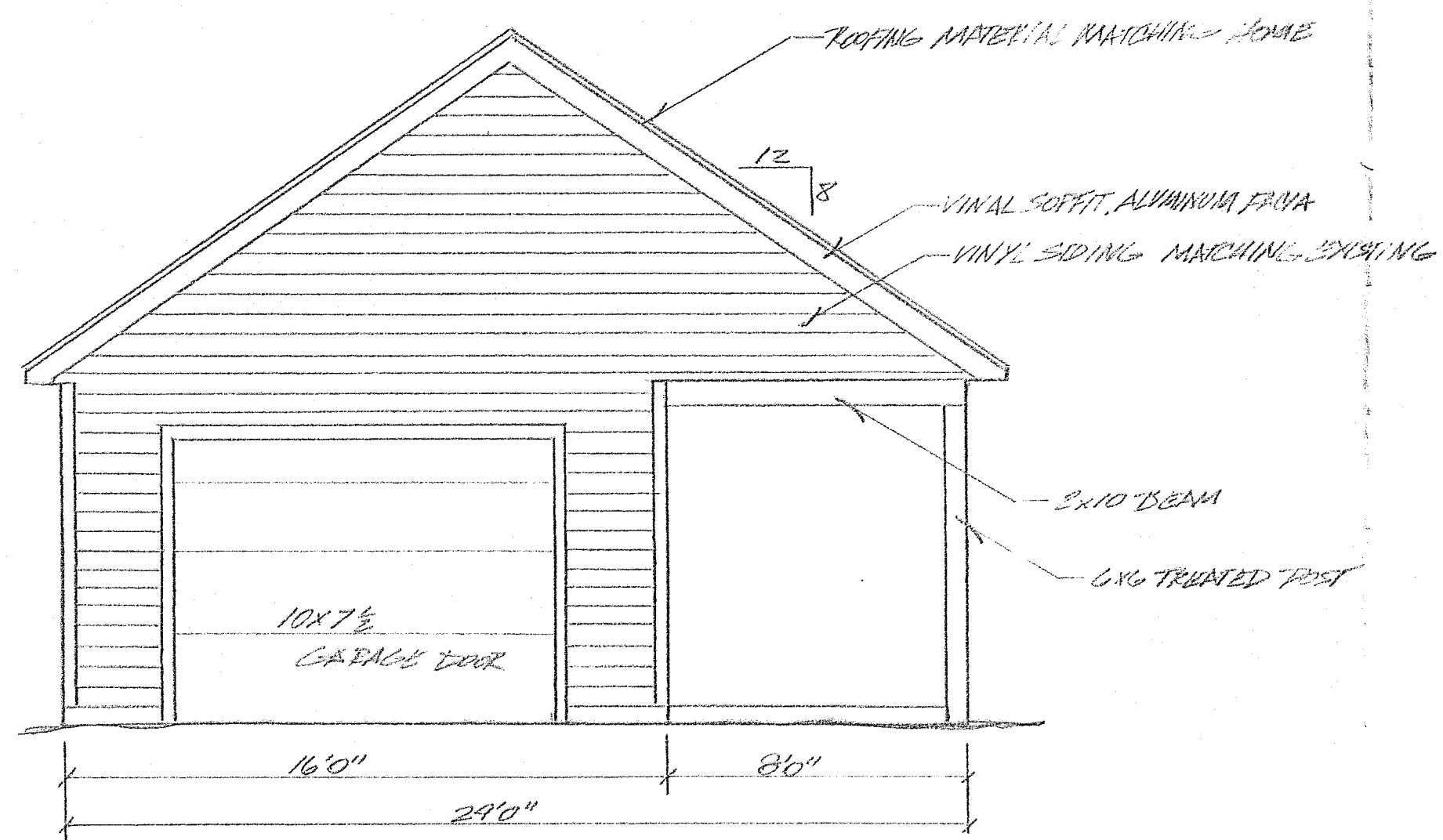
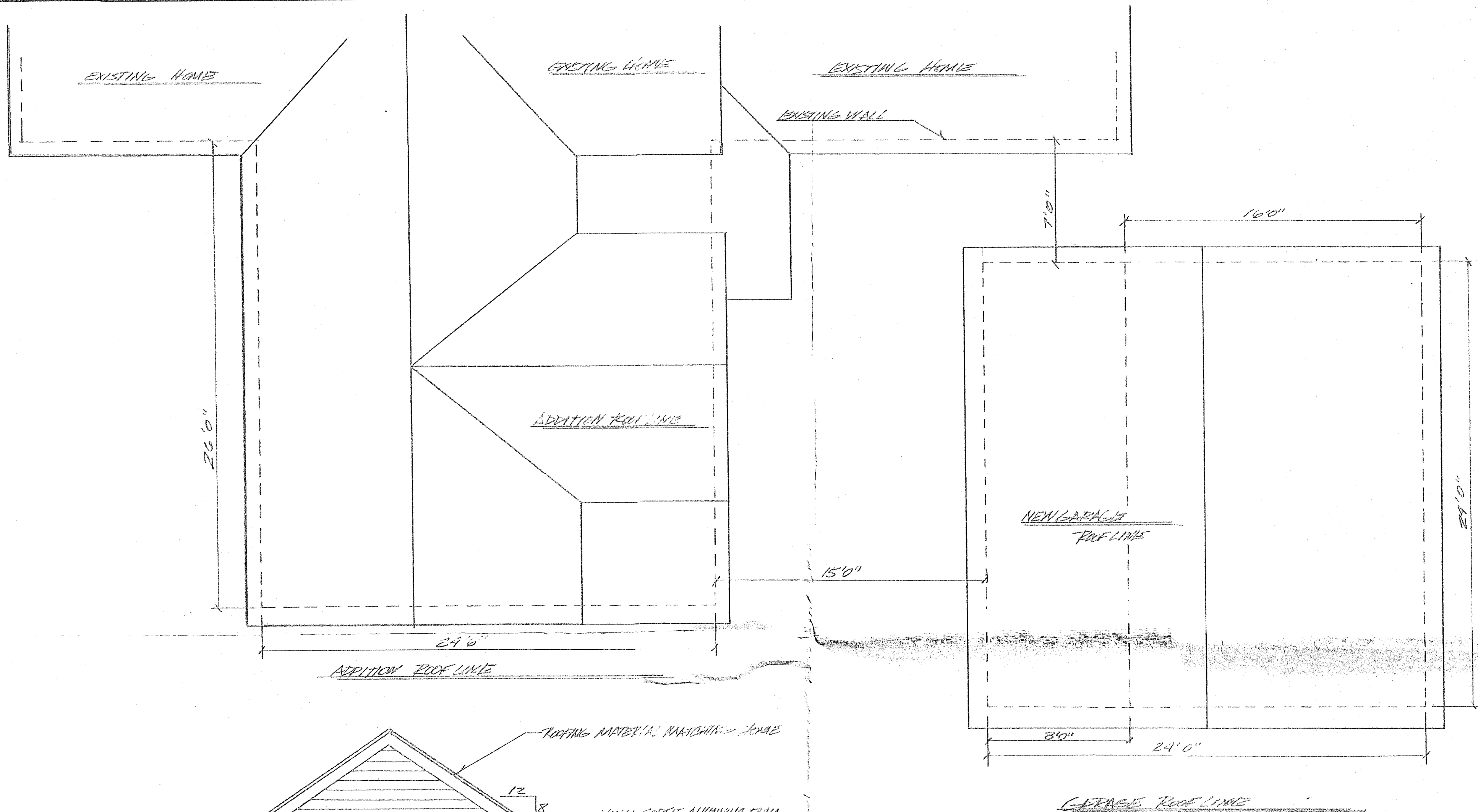
DRAWN BY PP

DATE: 3-13-18

REVISED

72 CLAIRHAVEN DR, HUDSON

PALUMBO RENOVATIONS DRAWING NUMBER 5



NORTH SIDE OF GARAGE SEE PG. 5

KEVIN.LORI NELSON

SCALE:

APPROVED BY:

DRAWN BY

DATE:

REVISED

72 CLAIRHAVEN DR, HUDSON

PALUMBO RENOVATIONS

DRAWING NUMBER

6

11/15/2010



Front



Side / Garage



Side/Garage





Side/Back of house



Back of house



Side house

