

Meeting Date:
April 18, 2024

Location:
166 Ravenna St

Parcel Number
3200634

Request
A variance request for a side
yard setback

Applicant:
Daniel Marinchick

Property Owner:
Daniel Marinchick

Zoning:
D3 – Outer Village Residential
Neighborhood

Case Manager:
Lauren Coffman,
Associate Planner

Contents

- Application, 3-13-2024
- Site Plan, 3-22-2024
- Elevations, 3-13-2024
- Site Photos 4-2-2024



Location Map, City of Hudson GIS

Request:

A variance request of thirteen (13) feet from the required side yard accessory structure setback of fifteen (15) feet, resulting in a side yard setback of two (2) feet pursuant to section 1205.06(d)(5)(D)(4), “Property Development/Design Standards – Setbacks” of the City of Hudson Land Development Code in order to build a detached garage.

Adjacent Development:

The site is adjacent to residential development to the north, east and west. The site is adjacent to a rail line and a City owned parcel to the south.

Hudson Board of Zoning and Building Appeals	
January 18, 2024	DOCKET 2024-239

Project Background

The property is located in District 3 – Outer Village Residential Neighborhood and is situated on Ravenna Street. The lot is approximately 0.22 acres and the house on the property was built in 1883. The owners purchased the property in 1991.

The applicant is requesting to construct a 20ft x 20ft (400 square foot) detached accessory structure to be used as a detached garage. The City of Hudson’s Land Development Code has the following regulation relative to the placement of accessory structures on a property –

- *1205.06(d)(5)(D)(4) – Minimum side yard setbacks. All other accessory structures: fifteen feet.*

The applicant is requesting a side yard setback variance of thirteen (13) feet from the required fifteen (15) foot setback resulting in a side yard setback of two (2) feet from the eastern property line in order to build a detached garage.

The applicant states that the overall lot size makes it difficult to meet all Land Development Code regulations. Additionally, the applicant states the structure would be used to store the applicants’ vehicles from the year-round weather they are currently exposed to. The applicant states that placing the structure along the eastern property line would be the most functional, aesthetically pleasing, and manageable placement.

Considerations

Section 1204.03 of the Land Development Code describes the standards for review of variance requests. These standards are listed below, along with staff findings to assist in your determination. All findings are subject to additional testimony presented to the Board during the public hearing:

1. Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the variances:

Staff acknowledges an enclosed garage is significant to provide reasonable return and beneficial use of the property and some amount of variance may be justified; however, staff questions if the application has sufficiently documented the need for a substantial thirteen (13) foot variance, as further discussed in this analysis.

2. Whether the variance is substantial:

The variance would represent an 86% deviation from the code requirement.

3. Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variances:

Staff notes the following:

- The lot is approximately 0.22 acres.
- The existing house has a fourteen (14) foot side setback along the eastern property line.
- The structure would be located entirely behind the main mass of the house in the rear yard.

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- Staff notes the lot sizes along this section of Ravenna Street are smaller than the current 16,000 square foot or .36-acre requirement. Thus, principal and accessory structures have been built at reduced setbacks.

4. Whether the variance would adversely affect the delivery of governmental services such as water and sewer:

The variance could impact the delivery of governmental services such as:

- Staff notes the presence of both communication and overhead utility lines on the property. These lines, per a site visit with Hudson Public Power, would need to be relocated before construction could begin on the proposed project. This item would be coordinated through the administrative site plan review.

5. Whether the applicant purchased the property with knowledge of the requirements.

The existing regulations were not in effect when the owners purchased the property in 1991.

6. Whether the applicant's predicament can be obviated feasibly through some method other than a variance:



Staff questions if the garage could be sited further to the rear of the property to allow the room for the drive to be angled and increase the side yard setback. Staff notes the rear yard setback for accessory structures is fifteen (15) feet.

7. Whether the spirit and intent behind the requirement would be observed and substantial justice done by granting the variance.

The Board of Zoning and Building Appeals shall weigh the above factors, along with given testimony in order to make this determination.

Hudson Board of Zoning and Building Appeals	
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City Departments

Public Power

Assistant Public Works Superintendent Dave Griffith has submitted comments dated 4/3/2024. Mr. Griffith has the following general findings:

- The requirement for the existing overhead service (120/240v) is a 3.5' minimum vertical clearance above the proposed roof and/or 5' horizontal clearance to the sides of the structure.
- The communication lines are visibly low, and the property owner would need to contact each of the communication companies for possible solutions.
- One option for consideration would be to have all utilities placed underground to the existing residence. For the electric portion, all work would need to be completed by a licensed electrician and must pass a Summit County Electrical inspection. If this option is selected, we would need to work with the electrician to coordinate the cutover. Additionally, we would need to be contacted in advance so a new feed point (handhole) can be installed.

Additional Approvals

The proposal would also require the following:

- A design review with the Architectural and Historic Board of Review.
- Administrative approval.

**24-239**

Board of Zoning and
Building Appeals (BZBA)

Status: Active

Submitted On: 3/13/2024

Primary Location

166 RAVENNA ST Unit APT A
Hudson, OH 44236

Owner

Daniel E Marinchick
166 RAVENNA ST 166
Ravenna St Hudson, Ohio
44236

Applicant

 Daniel Marinchick
 313-770-7422
daniel.marinchick@outlook.com
 166 Ravenna St
Hudson, Ohio 44236

Applicant and Property Owner Information

Applicant Relationship to Property Owner:*

Property Owner

Property Owner Name*

Daniel Marinchick

Property Owner's E-Mail:*

Daniel.marinchick@outlook.com

Property Owner Phone Number*

313-770-7422

Type of Hearing Request

Type of Request:*

Variance

Year Property Purchased*

1991

Code Required Regulation (please indicate feet, s.f. or height)* 

1201.07.c

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

20 s.f.

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

40 s.f.

Explanation of Request and Justification:*

This variance is needed due to the small lot and position of the house on the property in relation to the east side of the property.

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:*

We currently do not have a garage. Our vehicles are exposed to the weather all year long. It would be much safer for the vehicles and add property value to our home.

The variance is
insubstantial

Describe why the variance is substantial or insubstantial*

The variance moves the normal 3' off set from the side offset to a 2' offset.

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

no

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

The existing home at 166 Ravenna St. is positioned 14 feet from the side yard of the property line and the angle of approach to enter the new garage will be more difficult to navigate and have a higher chance for property damage.

Would adjoining properties be negatively impacted?*

no

Describe how the adjacent properties will not be affected.*

I have discussed this with our neighbors and they are happy we are getting a garage and offered their help if needed.

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:*

I have moved the garage as far to the west as I can to reasonably accomodate the side yard easement requirement. There is not enough property on the side yard of the house and this variance will make the approach manageable.

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

This is an old home that was built as the one of the original Chapman Estate lots. Homes like ours were set up differently than the homes in the newer Hudson developments. In the older areas of Hudson, many homes and structures are close to the property line. This allowance will enhance the street view of our home, presently and for future owners.

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

Original home positioning on the property.

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

this property has a narrow side yard on the driveway side and will need the requested easement to accomidate the garage and garage door access.

BZBA Meeting Information

The following persons are authorized to represent this application with respect to all matters associated with the project*

Daniel Marinchick

By checking this box, I do hereby certify that I am authorized to represent the property owner and to accept any conditions that the Board may impose.*



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. *



Board Meeting Date

 AHBR

☐

 BZBA

☐

 Planning Commission



Internal

 Company Name

 Variances

 Meeting Date

 District

BOUNDARY SURVEY/PARTIAL SITE PLAN
LOT 8, JOHN L. CHAPMANS ADDITION
CITY OF HUDSON, SUMMIT COUNTY, OHIO

For: Dan Marinchick

Parcel: 3200634/HU0038101003000

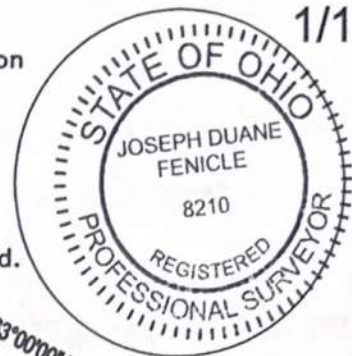
Document: OR1141, Page 542

10,221.790 s.f. - 0.235 Acres Measured

Plat Record Information:
John L. Chapmans Addition
Plat Book 3, Page 20

Note:
1 Chain = 66.00'

Zoning:
Outer Village
Residential Nbhd.



1/1

Certification:

I hereby certify that the information shown hereon is the result of a true and accurate Boundary Survey performed in the field under my supervision during October of 2023.

The bearings used hereon are based on an assumed meridian and are for the express purpose of calculating angular measurements.

This survey was performed without the benefit of a title report and is subject to any additional information that might be disclosed by such a report.

Lot 07
Ruddy
3201468
HU0038104004000
Document 56392115

Lot 08
Marinchick
3200634
HU0038101003000
Document OR1141, Page 542
10,221.790 s.f. - 0.235 Acres

Lot 09
Miller
3201258
HU0038104002000
Document 54567319

MONUMENT LEGEND

- A Set Wood Lath on-line.
- B Found Disturbed #5 Rebar 0.11' North & 0.25' West.
- C Found $\frac{3}{4}$ " o.d. Iron Pipe.
- D Found #5 Rebar in Mon. Box. w/ Yellow Cap bearing "Conner 4570"
- E Fnd. Rebar w/ Cap as set by Andrew E. Rudy, PS in 1998. Fnd. #5 Rebar 0.12' SW.
- F Found $\frac{3}{8}$ " Rebar as set by Timothy A. Uzl, PS in 1996.
- G Fnd. Broken $\frac{3}{4}$ " o.d. Iron Pipe 0.16' North & 0.09' East.

PP

E

2.00' Encroachment

Joseph D. Fenicle, PS
Ohio Professional Surveyor #8210
Angular By Nature, LLC
dba Hudson Land Surveying
Ohio C.O.A 04885
2567 Ravenna Street,
Hudson, OH 44236
Date of Survey: October 22, 2023

City of Hudson
3203780
HU0038298001000
Document 54226917

PP

C

PROJECT: DEMO AND BUILD 20'X20' DETACHED GARAGE

OWNER: DAN MARINCHICK

ADDRESS: 166 RAVENNA ST, HUDSON, OH 44236

COLORS & MATERIALS

SIDING COLOR: _____

TRIM COLOR: _____

ROOFING COLOR: _____

DRAWING INDEX

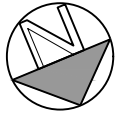
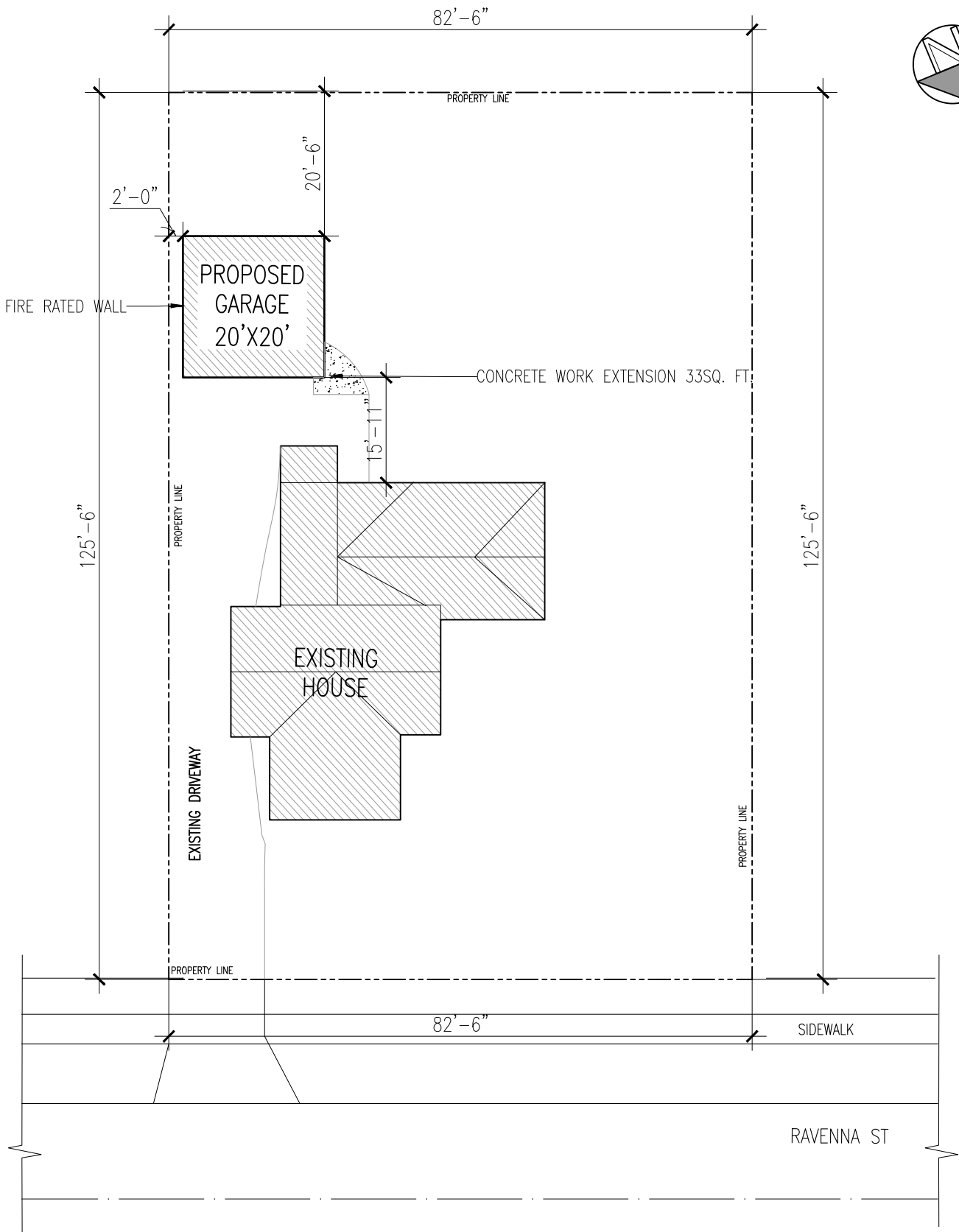
- 1 TITLE SHEET
- 2 SITE PLAN
- 3 ELEVATIONS
- 4 FLOOR PLAN
- 5 WALL SECTION
- 6 ELECTRICAL PLAN

CODE DATA

2019 OHIO RESIDENTIAL CODE
ROOF LIVE LOAD 30 PSF
GROUND SNOW LOAD 20 PSF
WIND SPEED 115 MPH
LUMBER GRADE #2 SPF

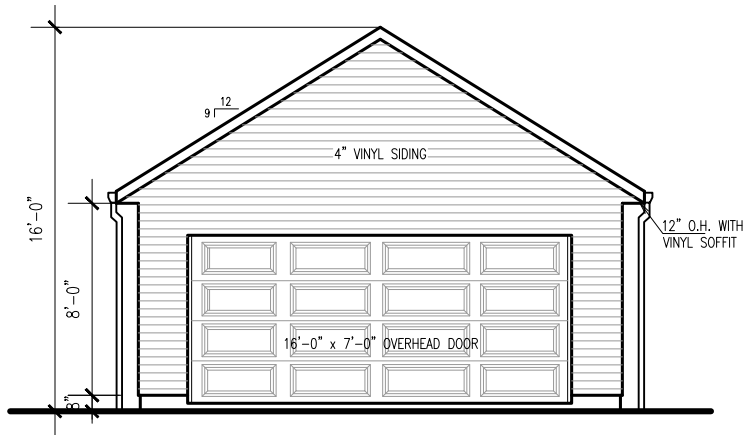


WWW.PLATINUMGARAGES.COM
216-459-0000



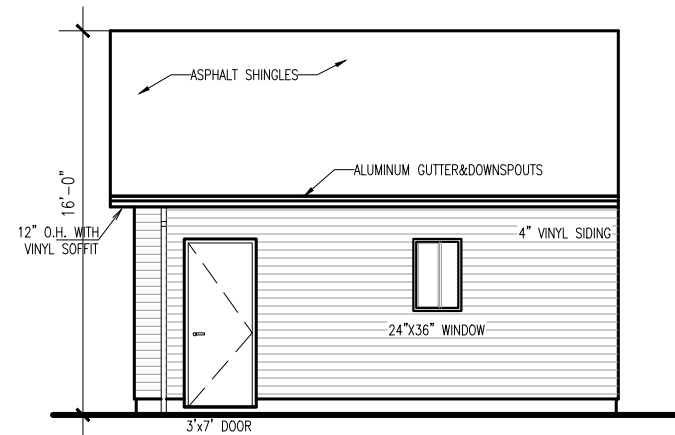
SITE PLAN

Scale: 1/20"=1'-0"



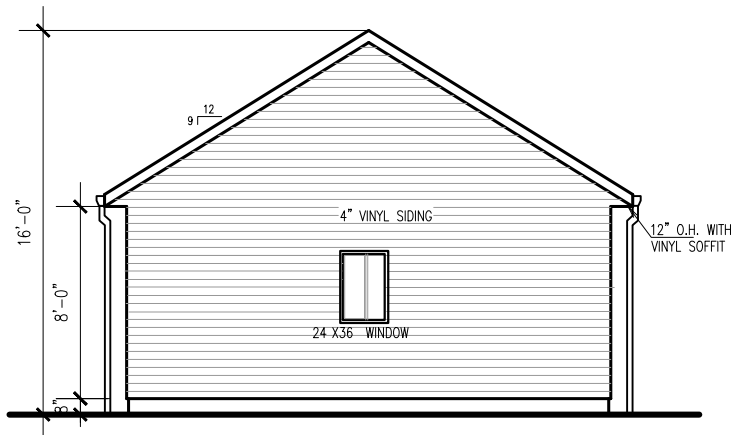
FRONT ELEVATION

Scale: 1/8"=1'-0"



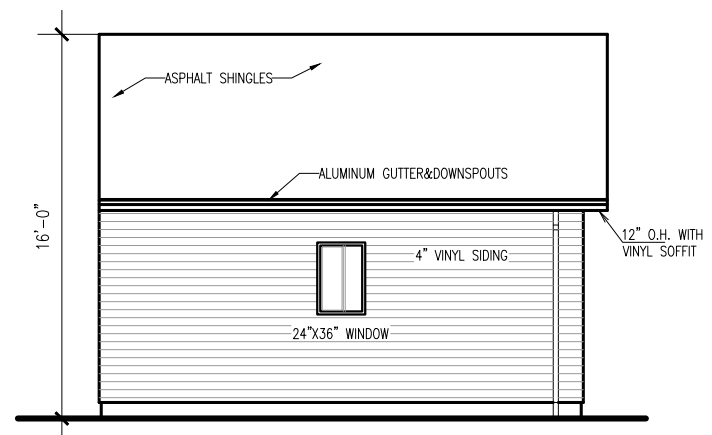
RIGHT ELEVATION

Scale: 1/8"=1'-0"



REAR ELEVATION

Scale: 1/8"=1'-0"



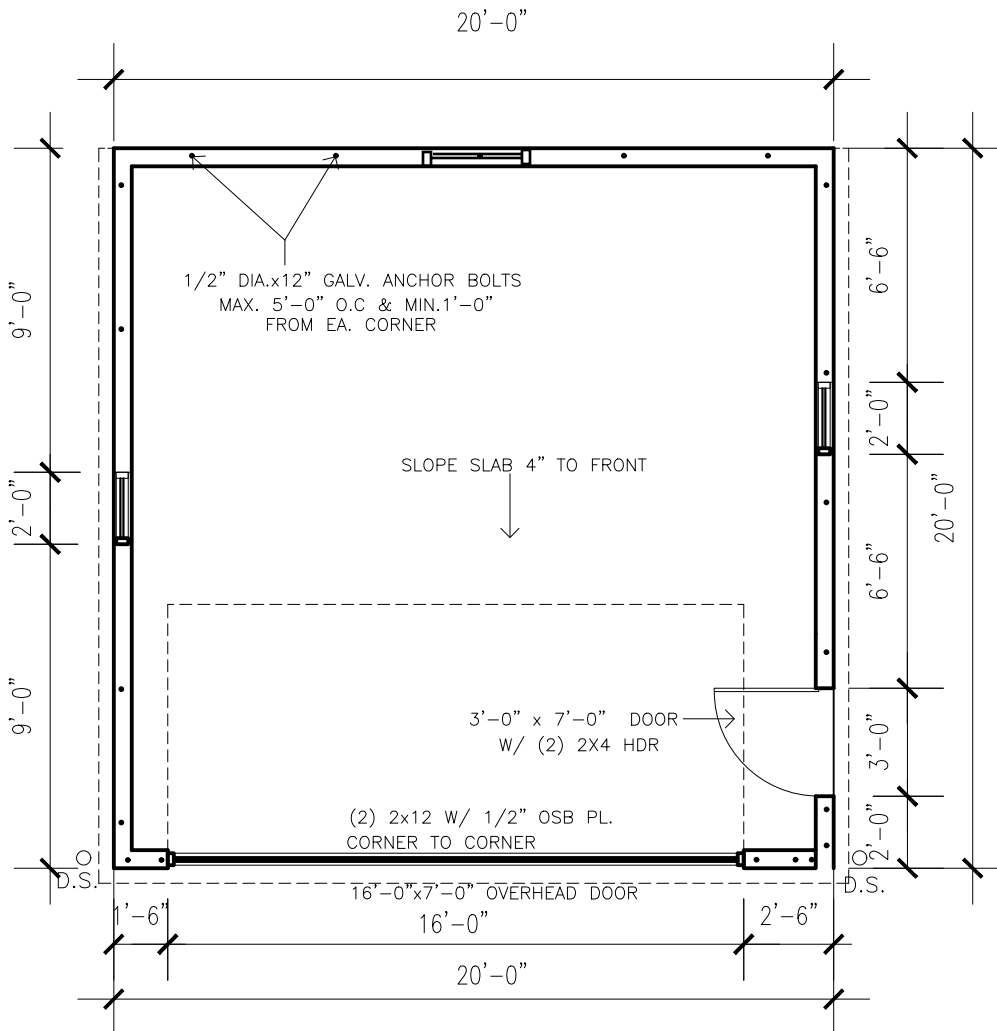
LEFT ELEVATION

Scale: 1/8"=1'-0"



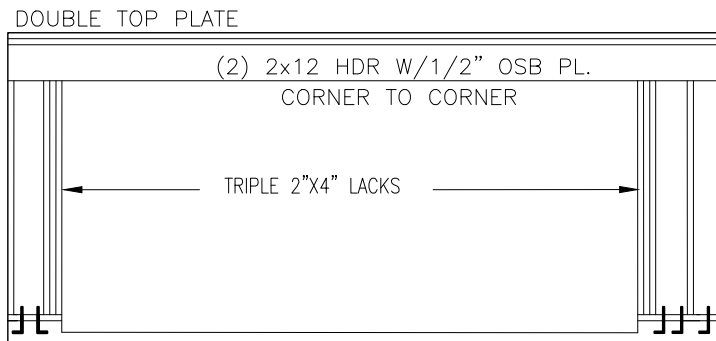
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FLOOR PLAN

Scale: 3/16" = 1'-0"



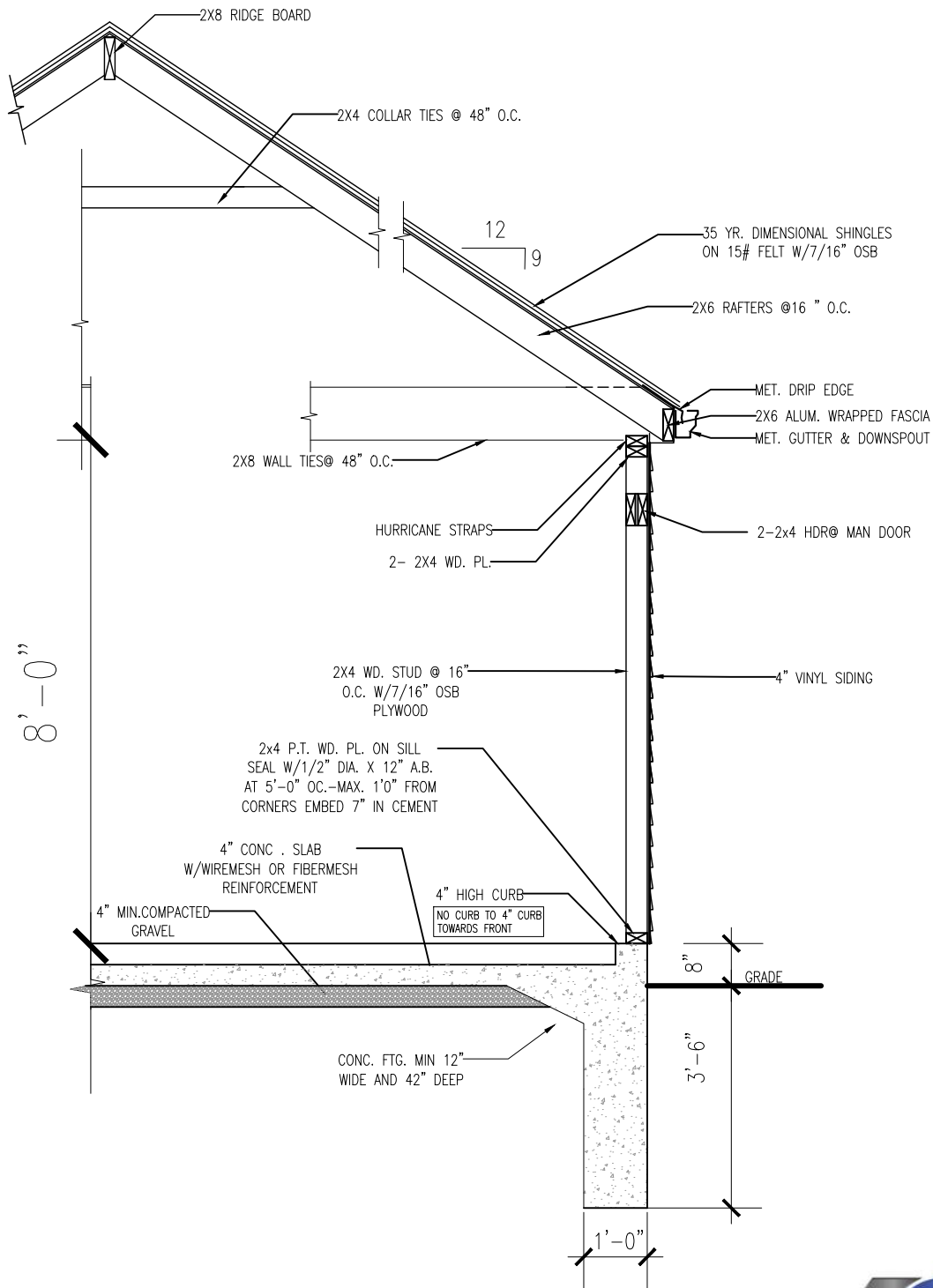
FRONT WALL CONSTRUCTION

Scale: 3/16" = 1'-0"



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216-459-0000



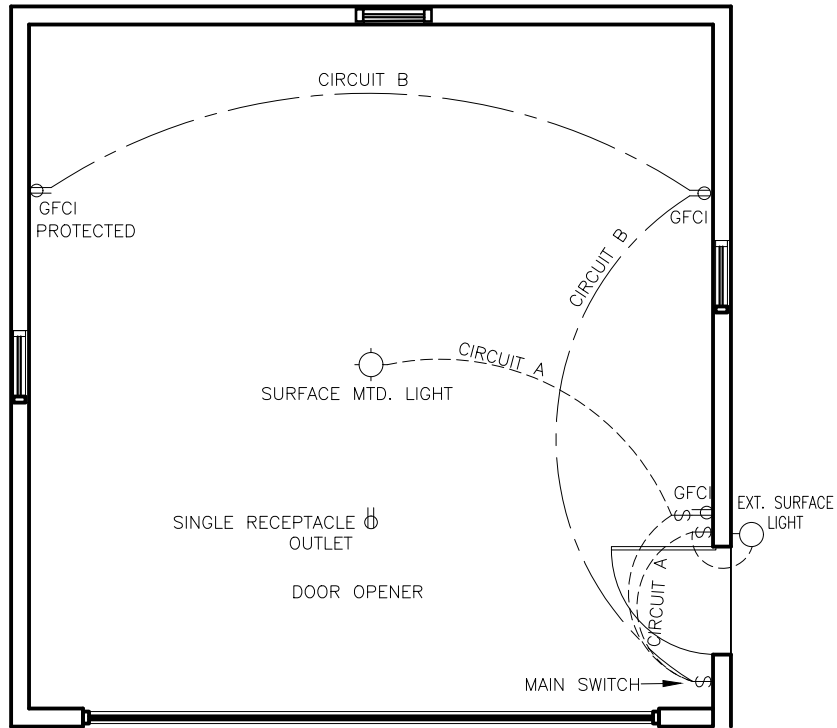
WALL SECTION

Scale: $3/8" = 1'-0"$



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216-459-0000



(1)The wiring for the garage will be installed in $\frac{3}{4}$ " rigid metal conduit (RMC installed to comply with NEC 3005J)

(2)Two 20 AMP–120 Volt circuits. Garage GFCI receptacles to be installed on dedicated circuit.

ELECTRICAL PLAN

Scale: $\frac{3}{16}"=1'-0"$



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216-459-0000



Galaxy S20 FE 5G



Galaxy S20 FE 5G





Galaxy S20 FE 5G



Galaxy S20 FE 5G



Galaxy S20 FE 5G



