

## **Building and Zoning Appeals Minutes**

Stow City Hall Boards and Commissions, Monday, May 13, 2019, at 6:00 p.m.

Members Present: Mike Svasta, Edward Franks, and Robert Knight.

Members Absent: Randall Roberts and Jamie Syx (resigned)

Also Present: Louise Ruddle, Tony Catalano and Mary Botts

Meeting called to order by Robert Knight at 6:00 p.m.

Approval of Minutes: Motion to approve the minutes of the February 11, 2019, meeting by Mike Svasta, seconded by Edward Franks, all yea's, no nay's, motion passed 3-0.

### **Case #19-003**

#### **Case held until survey complete.**

This is a request by Brent and Katie Adams, property owners, property located at 2774 Progress Park Drive, for the approval of a setback variance of 8 feet in order to construct an attached garage to their existing dwelling. The property is zoned R-1 Residential.

The applicants are proposing to construct an attached garage that will accommodate a lift for a mechanized wheelchair. The proposed addition is 18' by 25' in area and will be located approximately 7 feet from the west property line.

The applicant is requesting a variance from C.O.S. Section 1143.04 which requires a minimum setback from the side property line of 15 feet (7 feet is proposed).

### **Case #19-004**

This is a request by Ms. Louise Ruddle, property owner, property located at 3559 Adaline Drive, for the approval of a setback variance of 6 feet in order to construct an addition to her existing dwelling. The property is zoned R-2 Residential.

The existing dwelling is currently non-conforming in that it is located 4 feet from the south property line. The existing dwelling contains two bedrooms and has approximately 980 square feet of living area.

The applicant is proposing to construct an addition behind the dwelling that is 24' by 30' in area and will provide a third bedroom and an additional accessible bathroom. The addition is proposed to be located 4 feet from the south property line and would extend the non-conformity.

The applicant is requesting a variance of 6 feet. C.O.S. Section 1143.04 requires a minimum setback from the side property line of 10 feet (4 feet is proposed).

Ms. Ruddle said she had a ranch home and if you look at the garage, when you are looking at the home it is on the right hand side, so directly behind the garage, which I currently had some accessible steps put in for my mom. My dad fell on my mom and she ended up with a broken femur and then he passed away so she has been living with me since I have a ranch and the addition behind the garage, would have a small laundry and an accessible bathroom for her so that she can get in and out of the shower on her own and where my current deck is, it will be another living space because my house only has two bedrooms and I am sleeping in my living room. I want to take care of my mom so I am hoping to keep the structure as it looks now and it is symmetrical and that is why I am hoping to get this approved so this will look good from all angles and is pleasing to my neighbors. I do have a fence on both sides of my property that was there when I purchased the home and it is a 6' dog eared fence. I love where I live and my neighbors are awesome so I am asking for this just to make it a bit more comfortable for my mother so we don't have to move.

Mr. Franks said so the existing house is only 4' from the property line? Ms. Ruddle said it appears so. Mr. Franks asked if we had heard from any neighbors and Ms. Botts stated no.

Mr. Knight stated he understood the situation and was sympathetic to it, but you had an architect who drew up the plans, did they give any consideration to moving that to the north so that it wouldn't be aligning with the south building line and the addition would be in conformance with the codes, I am just asking if the architect gave you any options for that alternative or is this the only thing he presented to you?

Ms. Ruddle said we came up with the plans together. I can't say anything was voiced to position this on the other side of the house. Mr. Knight said not necessarily on the other side just moved this way (north) so you didn't have the alignment on the south side but this would become conforming to the code even though the main building is not. Ms. Ruddle stated we talked about it slightly after I found out this was going to be a variance because of the 4' issue. If we moved it over it would offset everything from where the back of the house, where the kitchen would be to that room and it would also take away the window that is currently there so it would raise the cost of the project. They would also have to move the water spigot outside and the dryer vent. This way it would keep the cost down.

Motion to approve Case #19-004 by Mike Svasta, seconded by Edward Franks, motion passed 3-0.

Adjournment: With no further business to be discussed, motion to adjourn by Robert Knight, seconded by Mike Svasta, meeting was adjourned at 6:15 p.m.

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Robert Knight, Chairman

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Mary Botts, Secretary