

AKRON BOARD OF ZONING APPEALS

MEETING OF WEDNESDAY, NOVEMBER 29, 2023 – 9:00 A.M.

COUNCIL CHAMBERS, THIRD FLOOR, MUNICIPAL BUILDING

166 SOUTH HIGH STREET

(1) CORRECTION and APPROVAL of Minutes of October 25, 2023.

(2) PUBLIC HEARINGS:

(A) APPEAL #11-2023-Z – Appeal of the Kirat Community Organization of America, Inc., to establish a temple at 1333 Betana Avenue.

TAT/emd

Appeal #11-2023-Z

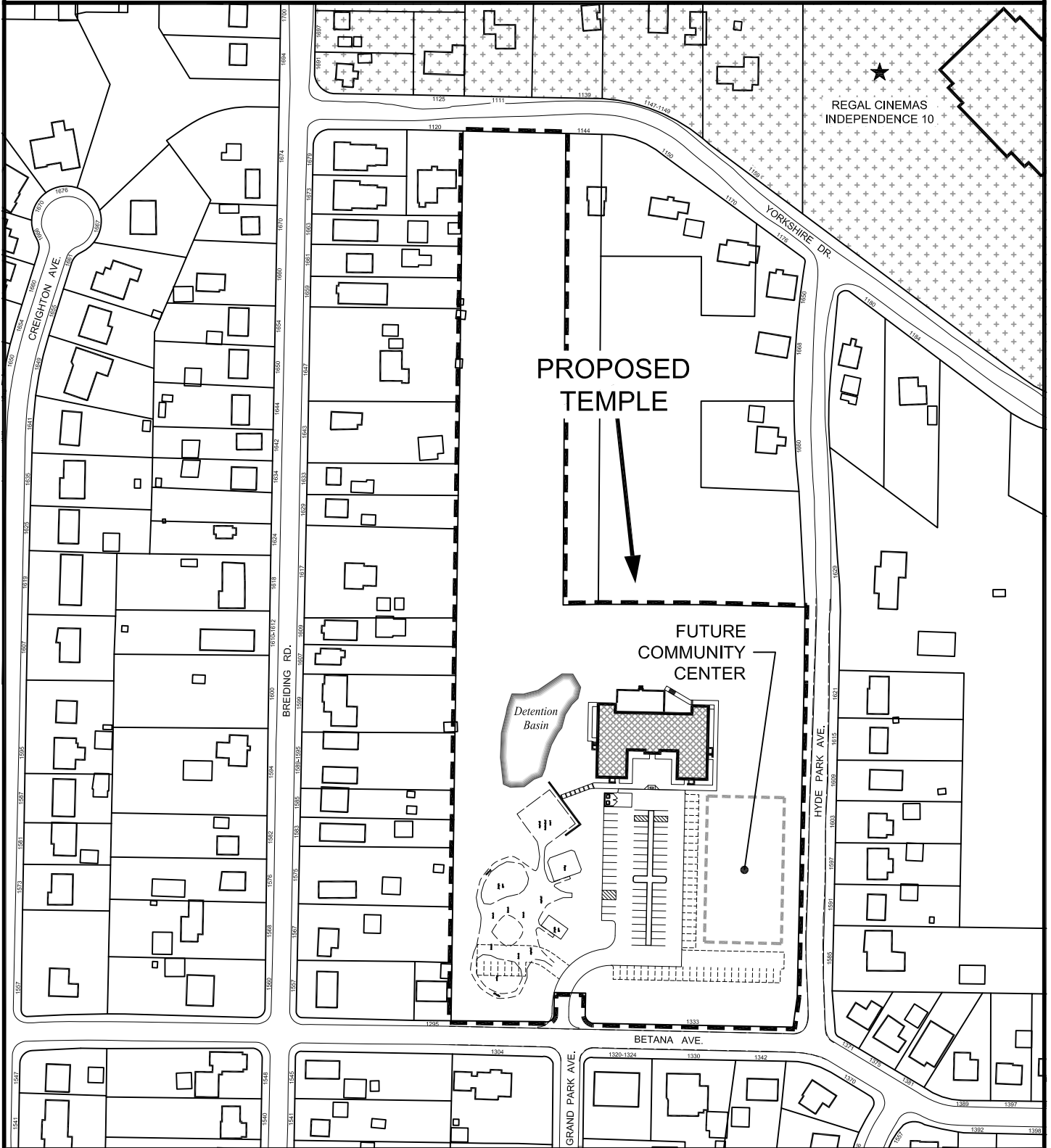
Appeal of the Kirat Community Organization of America, Inc., to establish a temple at 1333 Betana Avenue

★ Conditional Use

- U1 Single Family Residential
- U1 Two Family Residential



0 200'
Created 11/07/2023 jwh
Revised 11/15/2023 jwh



MEMORANDUM

TO: AKRON BOARD OF ZONING APPEALS **ITEM # 2A**
APPEAL #11-2023-Z

FROM: DEPARTMENT OF PLANNING AND
URBAN DEVELOPMENT

DATE: NOVEMBER 29, 2023 **WARD:** 2
COUNCILPERSON: Lombardo

SUBJECT: **APPEAL #11-2023-Z** – Appeal of the Kirat Community Organization of America, Inc., to establish a temple at 1333 Betana Avenue

REASON FOR APPEAL: Sec. 153.240(F)

BOARD OF ZONING APPEALS AUTHORITY: Sec. 153.404(F)

GENERAL LOCATION: South of Independence Avenue, west of Brittain Road

LAND USE IN THE SURROUNDING AREA: All sides residential

ZONED: Single Family Residence Use District (U1, H1, A1)

BUILDING LINES: 25 feet on Hyde Park Avenue; 15 feet on Betana Avenue

SIZE OF LOT & AREA: Approximately 9 acres of land

COMMENTS:

The Kirat Community of America, Inc., is the owner of approximately 9 acres of vacant land at the northwest corner of the intersection of Betana Avenue and Hyde Park Avenue. The former site of Bettles Elementary School, the property was recently cleared of the structure, while the playground and basketball court at the southwest corner of the site remains. Surrounding uses are all residential. The property is zoned Single Family Residence Use District (U1, H1, A1) in accordance with the Land Use and Development Guide Plan.

The Appellant is seeking permission to construct a temple on the subject property. A church or other religious use is classified by the zoning code as a retail use. The Board of Zoning Appeals, however, has the authority to approve such a use in a residential use district, subject to meeting certain parking requirements.

The proposed temple structure would be fairly centrally located on the large lot, observing ample setbacks of 135 feet from Hyde Park Avenue and the north lot line, 195

feet from the west line, and nearly 350 feet from Betana Avenue. The 14,222 square feet structure would rise to a height of 33 feet. The temple would be clad with an exterior insulation and finish system (EIFS) and capped with a gently sloped (roughly 3:12 pitch) asphalt shingle roof. The south-facing, symmetric structure would feature a large central patio entrance with surrounding gardens. The sanctuary would provide seating for 150 people, requiring 30 parking spaces. Three rows of parking in a north-south orientation would provide 51 parking spaces to the south of the building, observing a setback of 80 feet from Betana Avenue. Access would be provided by a curved entry drive across from Grand Park Avenue. The Appellant contemplates adding a community center building to the east of the parking lot. The submitted plans indicate two additional rows of landbanked parking for 46 vehicles for the community center and 7 additional spaces for the playground area to the west, which would remain. A detention basin to the west of the temple would provide stormwater control for the property.

The proposed layout is suitable for the spacious 9-acre property. Existing trees on the property and ample setbacks would provide adequate screening and buffer areas from neighboring uses. The proposed temple should not be intrusive to the surrounding area. The Kirat people, native to the vicinity of eastern Nepal and northeastern India, have recently found a home in the Chapel Hill neighborhood and greater North Akron area. The proposed temple would provide a convenient place to worship and congregate and would be an asset to the community. The property was formerly used as a public elementary school, and the temple would serve a similar community-oriented function. The Planning Staff is supportive of this request.

RECOMMENDATION:

The Planning Staff, in accordance with Section 153.426, recommends **APPROVAL** of the appeal of the Kirat Community Organization of America, Inc., to establish a temple at 1333 Betana Avenue, in accordance with the submitted plans entitled, "NEW MANGHIM TEMPLE; 1333 BETANA AVENUE; CITY OF AKRON, SUMMIT COUNTY, OHIO; PRELIMINARY SITE IMPROVEMENT PLANS," dated 10/17/2023.

JH/emd