

AKRON BOARD OF ZONING APPEALS

MEETING OF WEDNESDAY, FEBRUARY 22, 2023 – 9:00 A.M.

COUNCIL CHAMBERS, THIRD FLOOR, MUNICIPAL BUILDING

166 SOUTH HIGH STREET

- (1) **CORRECTION** and **APPROVAL** of Minutes of June 22, September 28, and October 26, 2022.
- (2) **PUBLIC HEARINGS:**
 - (A) **APPEAL #01-2023-Z** Appeal of Gail Tucker to vary the height requirement to construct a 20 feet in height garage at 1333 Pontiac Avenue.
- (3) **ELECTION OF OFFICERS**

JS/emd

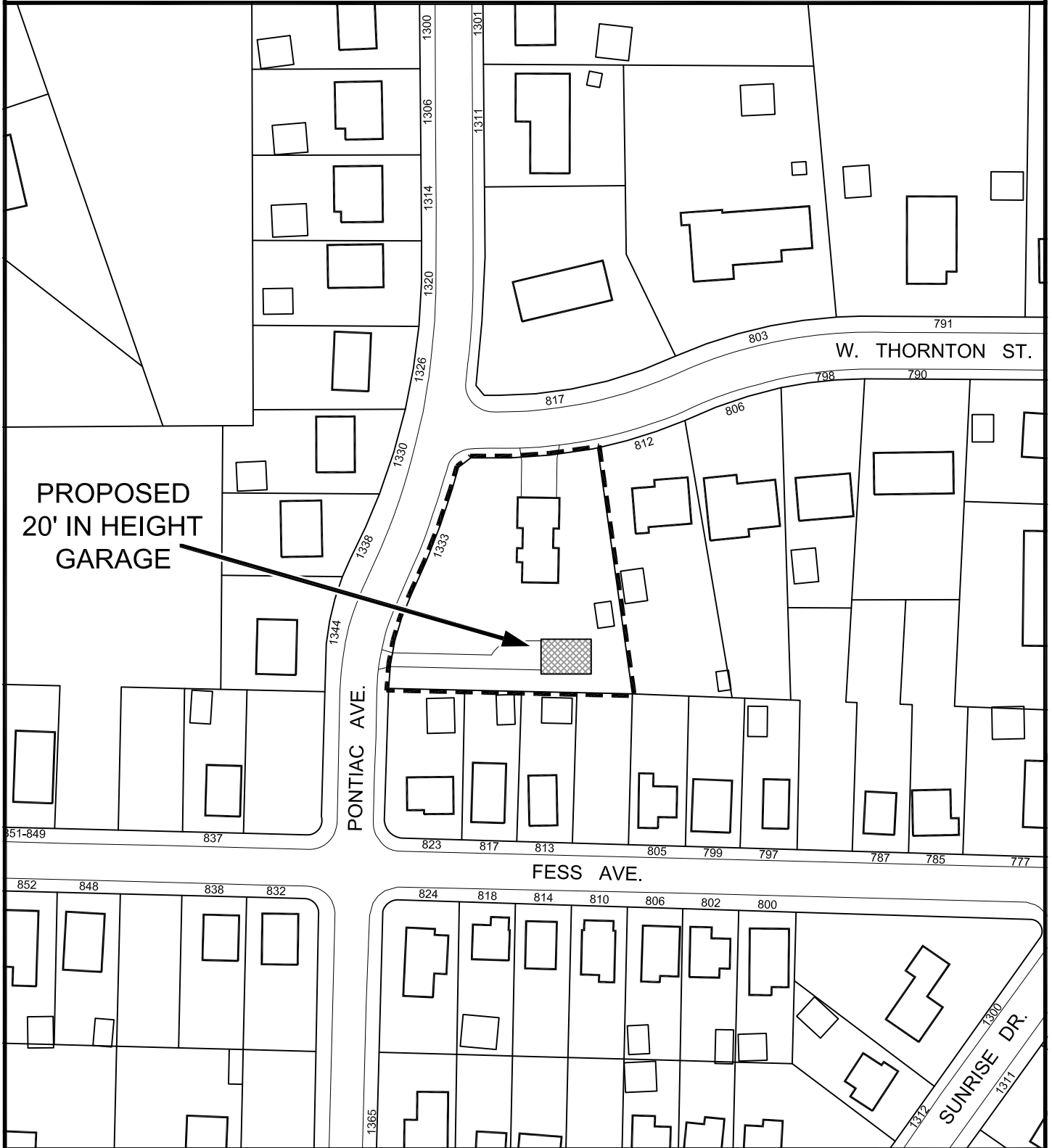
Appeal #01-2023-Z

Appeal of Gail Tucker to vary the height requirement to construct a 20 feet in height garage at 1333 Pontiac Avenue

U1 Single Family Residential



0 100'
Created 02/12/2023 jwh
Revised 02/14/2023 jwh



MEMORANDUM

TO: AKRON BOARD OF ZONING APPEALS **ITEM # 2A**
APPEAL #01-2023-Z

FROM: DEPARTMENT OF PLANNING AND
URBAN DEVELOPMENT

DATE: FEBRUARY 22, 2023 **WARD:** 3
COUNCILPERSON: Sommerville

SUBJECT: APPEAL #01-2022-Z – Appeal of Gail Tucker to vary the height requirement to construct a 20 feet in height garage at 1333 Pontiac Avenue.

REASON FOR APPEAL: SECTION 153.260(E)(4)

BOARD OF ZONING APPEALS AUTHORITY: SECTION 153.404(K)(2)

GENERAL LOCATION: Southeast corner of Pontiac Avenue and Thornton Street

LAND USE IN THE SURROUNDING AREA: All sides Single Family Residential

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

SIZE OF LOT & AREA: 159 feet in width by approximately 147 feet in depth for an area of approximately 23,373 square feet

COMMENTS:

Gail Tucker is the owner of a single-family residence on the southeast corner of Pontiac Avenue and Thornton Street, addressed as 1333 Pontiac Avenue. The lot measures 159 feet in width by approximately 147 feet in depth for a total area of approximately 23,373 square feet of land. Surrounding uses are all single-family 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 requesting permission to construct a detached garage to a peak height of 20 feet. Accessory structures are limited to a height of 15 feet; however, the Board of Zoning Appeals has the authority to grant a height variance, provided the structure is no more than 20 feet in height.

The structure measures 25 feet in width and 36 feet in depth (900 square feet) and is built on the southern side of the lot, 10 feet from the southern property line, and 25 feet from the rear yard property line. The floor and foundation will be poured concrete. The front (western) wall of the garage will feature two overhead garage doors.

The modified garage height is to allow a second floor for the express purpose of a workout room.

The new, detached structure will only be used for the storage of personal vehicles and household equipment. The allowance of 5 feet of additional height for the proposed detached garage would not be out of scale for the structure and large lot, nor would it be out of character for this neighborhood of well-maintained homes. The Planning Staff is supportive of this request.

RECOMMENDATION:

The Planning Staff, in accordance with Section 153.426, recommends **APPROVAL** of the appeal of Gail Tucker to vary the height requirement for an accessory structure to 20 feet at 1333 Pontiac Avenue, in accordance with the submitted plans and subject to the following conditions:

- (1) That the Appellant obtain all necessary building permits.
- (2) That the garage does not exceed 20 feet in height.
- (3) That the garage shall be used for residential purposes only.

BL/emd