

**AKRON BOARD OF ZONING APPEALS**

**MEETING OF WEDNESDAY, MARCH 29, 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, and February 22, 2023.

(2) **PUBLIC HEARINGS:**

(A) **APPEAL #02-2023-Z** – Appeal of Akron Metropolitan Housing Authority to vary the front and rear building line setbacks to construct a house at 1330 Nanaula Circle.

(3) **HEARING EXAMINERS' REPORT:**

(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.

**THE HEARING EXAMINERS RECOMMENDED APPROVAL.**

(4) **ELECTION OF OFFICERS**

JS/emd

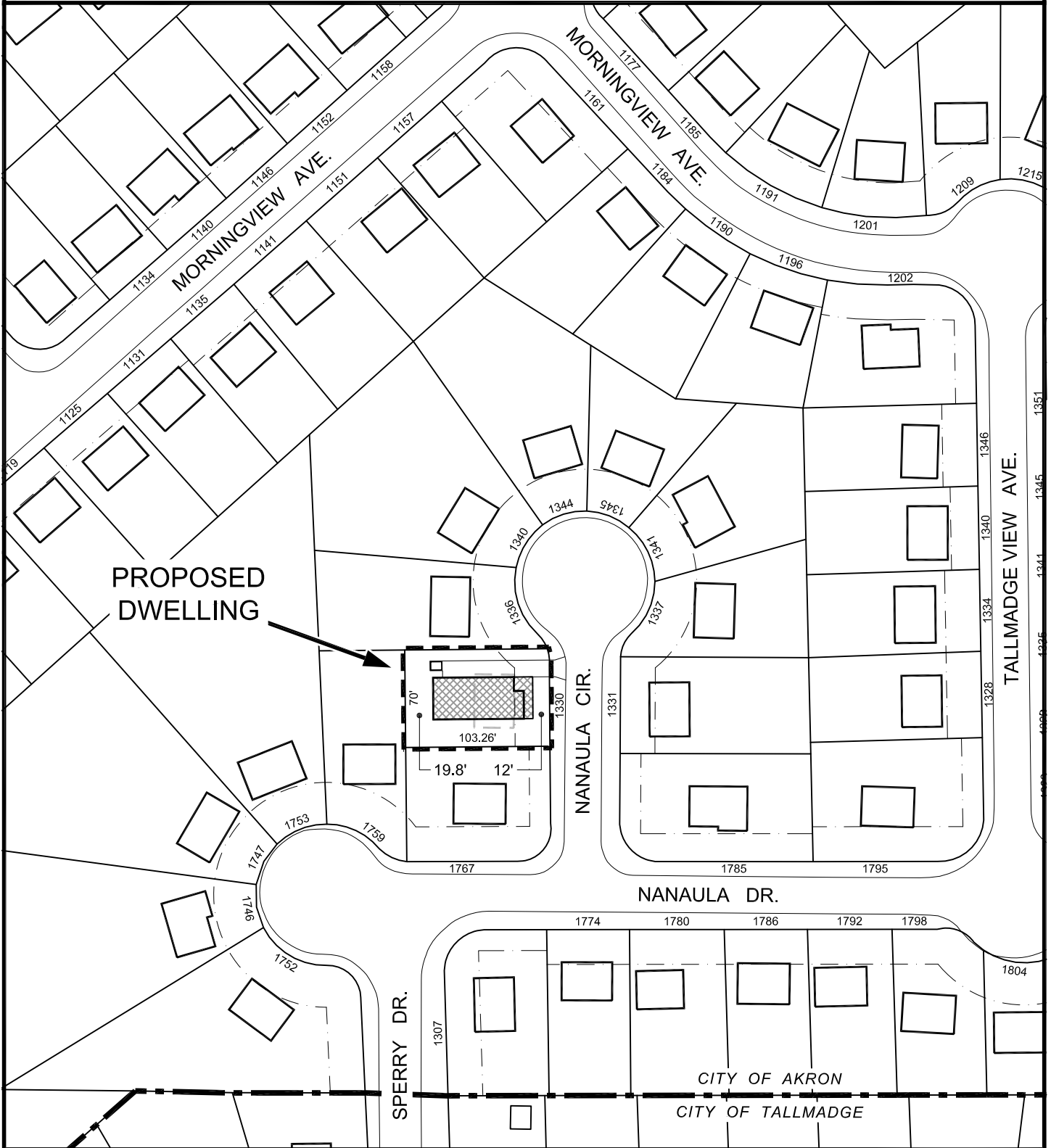
# Appeal #02-2023-Z

Appeal of AMHA to vary the front and rear building line setbacks to construct a dwelling at 1330 Nanaula Circle

U1 Single Family Residential



0 100'  
Created 03/16/2023 jwh  
Revised 03/21/2023 jwh



NANAU LA DR.

CITY OF AKRON

CITY OF TALLMADGE

**MEMORANDUM**

**TO:** AKRON BOARD OF ZONING APPEALS **ITEM # 2A**  
**APPEAL #02-2023-Z**

**FROM:** DEPARTMENT OF PLANNING AND  
URBAN DEVELOPMENT

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

**SUBJECT: APPEAL #02-2023-Z –** Appeal of Akron Metropolitan Housing Authority to vary the front and rear yard building line setbacks to construct a dwelling at 1330 Nanaula Circle.

**REASON FOR APPEAL: SECTION 153.305(E)(1)(a) & 153.320**

**BOARD OF ZONING APPEALS AUTHORITY: SECTION 153.404(K) & (O)(1)**

**GENERAL LOCATION: West side of Nanaula Circle, north of Nanaula Drive**

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

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

**SIZE OF LOT & AREA: 70 feet in width by 103 feet in depth for 7,210 square feet of area**

**COMMENTS:**

Akron Metropolitan Housing Authority (AMHA) is the owner of a vacant residential lot on the west side of Nanaula Circle, north of Nanaula Drive, addressed as 1330 Nanaula Circle. The lot measures 70 feet in width by 103 feet in depth for a total area of 7,210 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 dwelling to within 18.5 feet of the Nanaula Circle right-of-way and to within 19.8 feet of the rear property line. As such, the 6.5 feet front building line variance and the 5.2 feet rear yard variance requires Board of Zoning Appeals approval.

The previous four-bedroom, bi-level dwelling was severely damaged by fire in 2022 and razed. The proposed dwelling, set on a slab foundation, will measure 30 feet in width by approximately 72 feet in depth for 2,153 square feet of area. The dwelling will be sited 19.9 feet from the southern property line and 20.64 feet from the northern property line. A driveway measuring twelve feet in width will abut the north side of the dwelling. A small 6 feet by 8 feet shed will be sited at the terminus of the drive. Besides a kitchen, living and dining room, the home will contain

four bedrooms with two bathrooms. Four windows and an entrance door along with an L-shaped open covered porch will be located on the east (front) elevation. The northern elevation will contain five windows and a side door entrance. The southern elevation will contain six windows, with the western elevation (rear) containing one window. The house will be vinyl sided with an asphalt shingled roof.

One objective of the Land Use and Development Guide Plan is to improve the quality of housing in residential neighborhoods. AMHA has stated that this single-story fully accessible home will match the bedroom and bathroom count of the previous home. However, to meet accessibility building code requirements the home must have a larger footprint. As such, larger door openings, hallways, kitchen, and bathrooms plus a zero-step side entrance will accommodate residents with mobility impairment and other potential disabilities. The width of the driveway and the side yard areas exceed Code requirements. The minimal rear yard variance still leaves ample space for outdoor activity. Even though the front porch extends to within 12 feet of the right-of-way, the openness of the porch allows for the movement of light and air. Since the proposed dwelling will be located just south of a cul-de-sac and the abutting property to the south faces Nanaula Drive, the front building line variance should not impose on the abutting properties. This secluded Goodyear Heights neighborhood contains numerous AMHA properties and is properly maintained. As such, the Planning Staff is supportive of this request.

**RECOMMENDATION:**

The Planning Staff, in accordance with Section 153.426, recommends **APPROVAL** of the appeal of AMHA to vary the front and rear yard building line setbacks to construct a dwelling at 1330 Nanaula Circle, in accordance with the submitted plans entitled "Nanaula Circle Home; Dated: 01-27-2023" and subject to the following condition:

- (1) That the Appellant obtain all necessary building permits.

KEP/emd