

**PLANNING COMMISSION MEETING
STAFF REPORT
WEDNESDAY, FEBRUARY 21, 2024**

CASE NO: PC 24-0006
PROJECT NAME: PEPPER ACCESSORY STRUCTURE WAIVER
PROJECT ADDRESS: 7825 UNION SCHOOLHOUSE ROAD, RIVERSIDE, OH 45424
PARCEL ID: I39300201 0035
APPLICANT/PROPERTY INFO: JAMES PEPPER, 7825 UNION SCHOOLHOUSE ROAD, RIVERSIDE, OH 45424
OWNER/PROPERTY INFO: SAME AS APPLICANT
ZONING DISTRICT: R-1 LOW DENSITY SINGLE-FAMILY RESIDENTIAL
CURRENT USE: SINGLE-FAMILY RESIDENCE

REQUEST:

A waiver to allow the combined accessory structures' footprint to exceed that of the principal structure. (UDO Section 1115.01.C.2).

CASE BACKGROUND:

The subject site is located 172 feet from the northeast corner of Union Schoolhouse Road and N. Hyland Avenue. The property is outside of the Source Water Protection Area. The site 0.81 acres with 125 feet of frontage. There is an existing 1,925 sf single-family residence on the property. The property also has two detached garages in the rear yard. The existing detached garages are 832 sf and 400 sf. Respectfully. The applicant is proposing to construct a 5,200 sf. accessory structure – storage building – on the northern portion (rear) of the property. The Riverside Codified Ordinances require the footprint of accessory structure(s) to be smaller than the principal structure. This ensures that the accessory structure is incidental to the principal structure and creates a more consistent neighborhood character. Planning Commission has the authority to waive this requirement under UDO §1105.19 and §1115.11(C)(2).

It should also be noted the the proposed structure will cap the maximum 35% lot coverage for this property. No additional impervious surfaces or structures can be added to the property without a variance from the Board of Zoning Appeals.

INTERESTED PARTY COMMENTS:

Staff has not received any comments from adjacent property owners or other interested parties.

STAFF REVIEW/FINDINGS:

Staff finds that the *waiver request* is adequately justified and does meet the standards for approval. Staff recommends **approval** of the design waiver, because:

- The proposed waiver will not have adverse effects on adjacent property owners.
- The proposed waiver request will assist the applicant in complying with other UDO standards.
- The applicant is requesting the minimum necessary to afford them relief from the regulations.

The question(s) before the Planning Commission is:

- **Does the proposal meet the standards for granting a waiver request established in Section 1105.13(E)?**

In order to answer this question, the Planning Commission should consider:

- information in the staff report (standards for approval, attachments, land use plan, etc.), and
- whether the waiver aligns with the goals and objectives of the Comprehensive Land Use Plan & zoning code.

ATTACHMENTS:

1. Zoning Map
2. Aerial Map
3. Site Plan
4. Site Photos

STANDARDS FOR APPROVAL AND STAFF ANALYSIS FROM SECTIONS 1115.13 (E):

THE FOLLOWING CRITERIA SHALL BE FOLLOWED IN APPROVING A WAIVER REQUEST.

1. Whether the waiver will have an adverse effect on adjacent property owners.

The requested waiver would not have an adverse effect on adjacent property. The applicant shall construct the storage building to allow stormwater to drain properly and not cause flooding or runoff issues for other properties.

2. Whether the proposed development is in conformance with the principles of the City's Comprehensive Land Use Plan.

Yes, the Comprehensive Land Use Plan recommends a housing pattern in this area that transitions from rural lots to more urbanized neighborhoods. This waiver is indicative of this land use character type. The subject site is larger than the more traditionally platted developments such as Forest Ridge or Valley View communities.

3. Whether the applicant can show that the regulation will cause a practical difficulty or strict application of the provisions of the regulations would deprive the applicant of the reasonable use of the land.

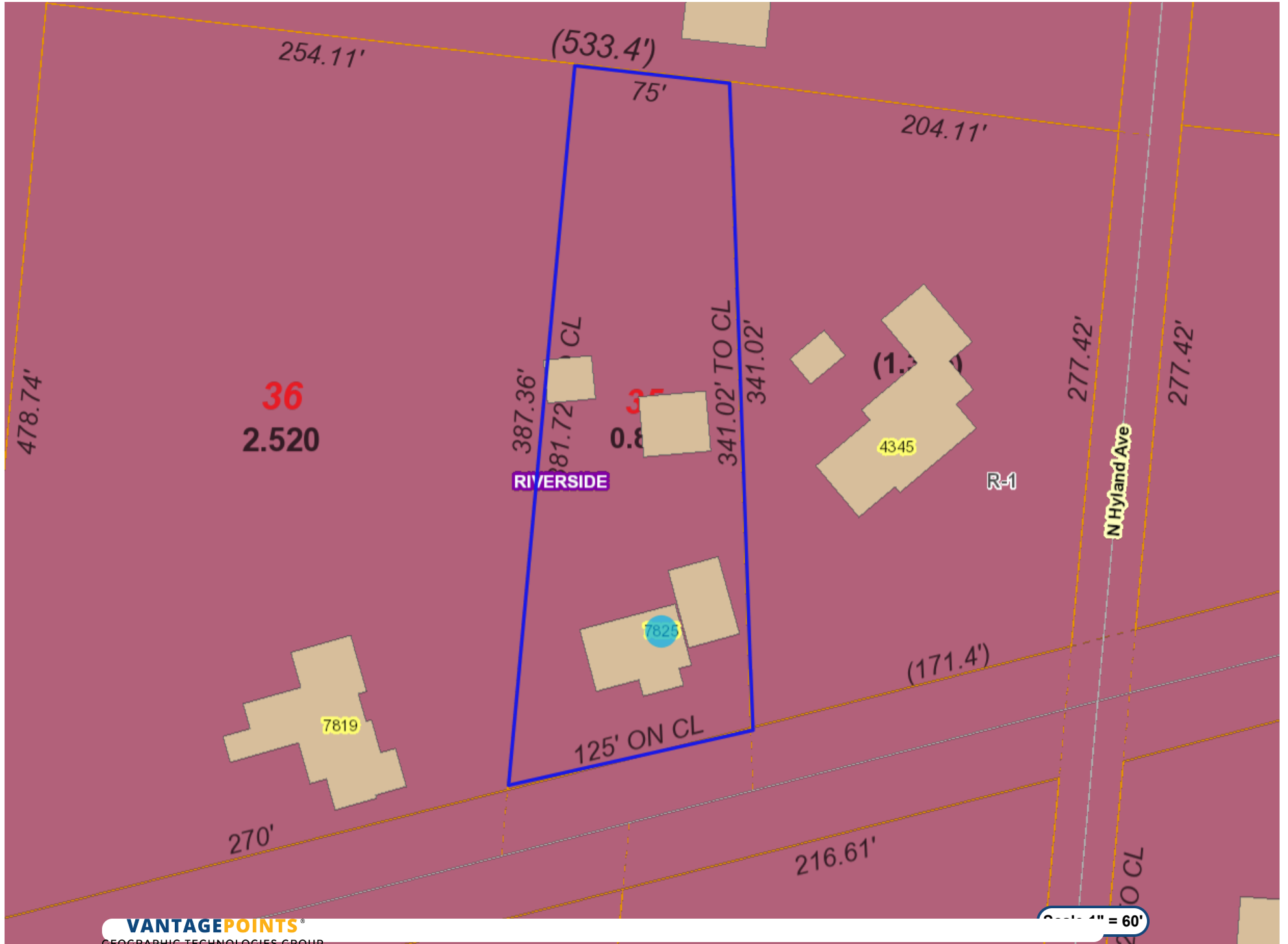
Yes, the strict application of the regulation will cause practical difficulty. The waiver request is not substantial given the size of the property. Additionally, the applicant plans to store the vehicles and equipment they use to maintain their property. Section 1113.11 *Parking and Loading Standards* limit the number of vehicles which can be stored outside. It should also be noted that the outdoor storage of this equipment is prohibited by Property Maintenance Code. The proposed accessory structure will ensure all the vehicles and equipment are stored in compliance with the aforementioned UDO regulations.

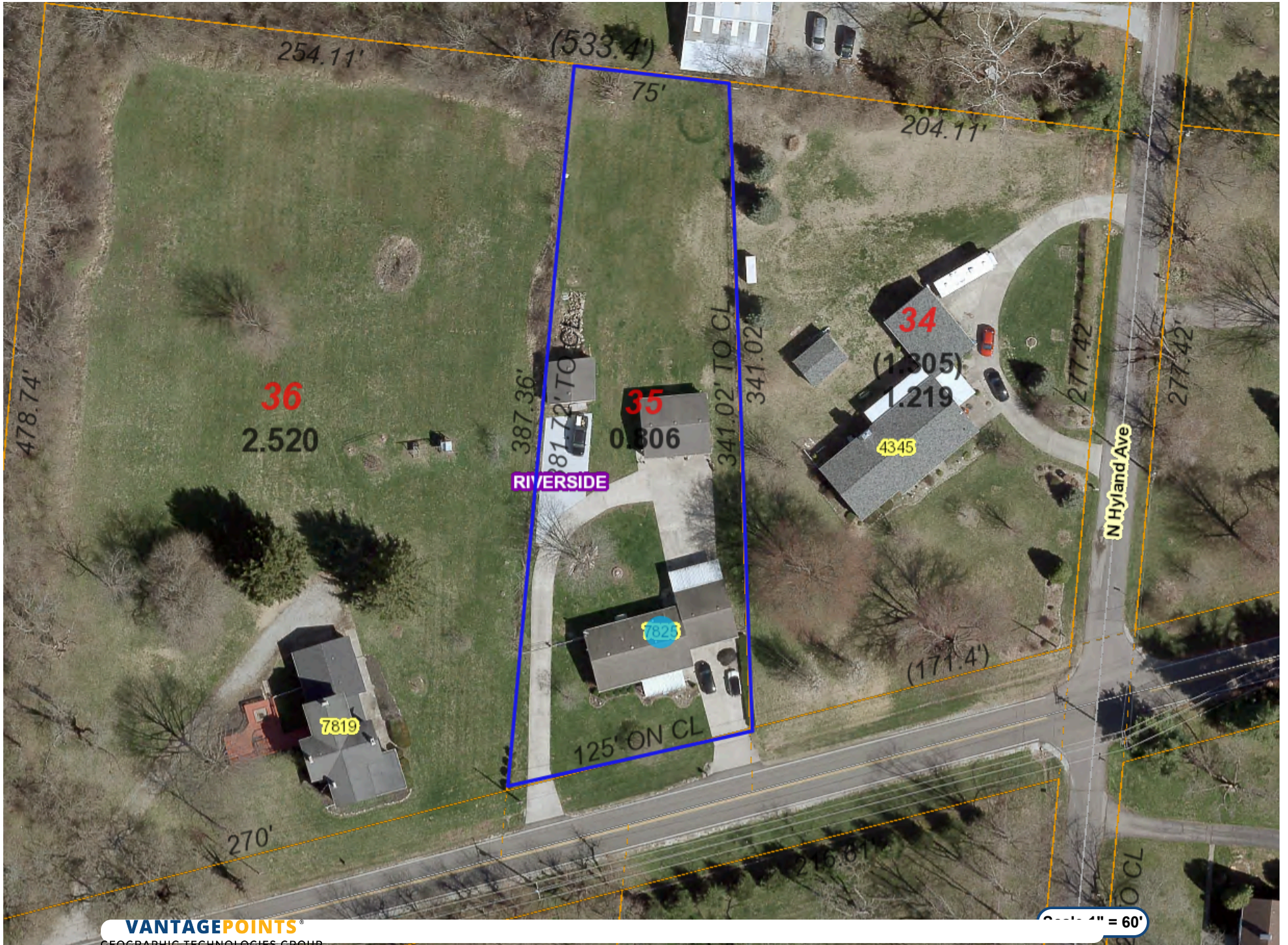
4. Whether the proposed development design, site arrangement, and/or anticipated benefits of the proposed development justify any deviation from the design standards found herein.

No, the applicant has not offered an alternative. The vehicles and equipment will need to be stored offsite in a rental space or arrangements made to utilize the existing structures if the waiver is not granted.

5. Whether the applicant has incorporated other design measures that exceed the minimums of the requirement and compensate for non-compliance with the requirements to be waived (net beneficial effect).

No, the applicant has not incorporated in other design measures to compensate for noncompliance. The structure will be positioned in the rear of the property behind existing landscape screening and other structures.





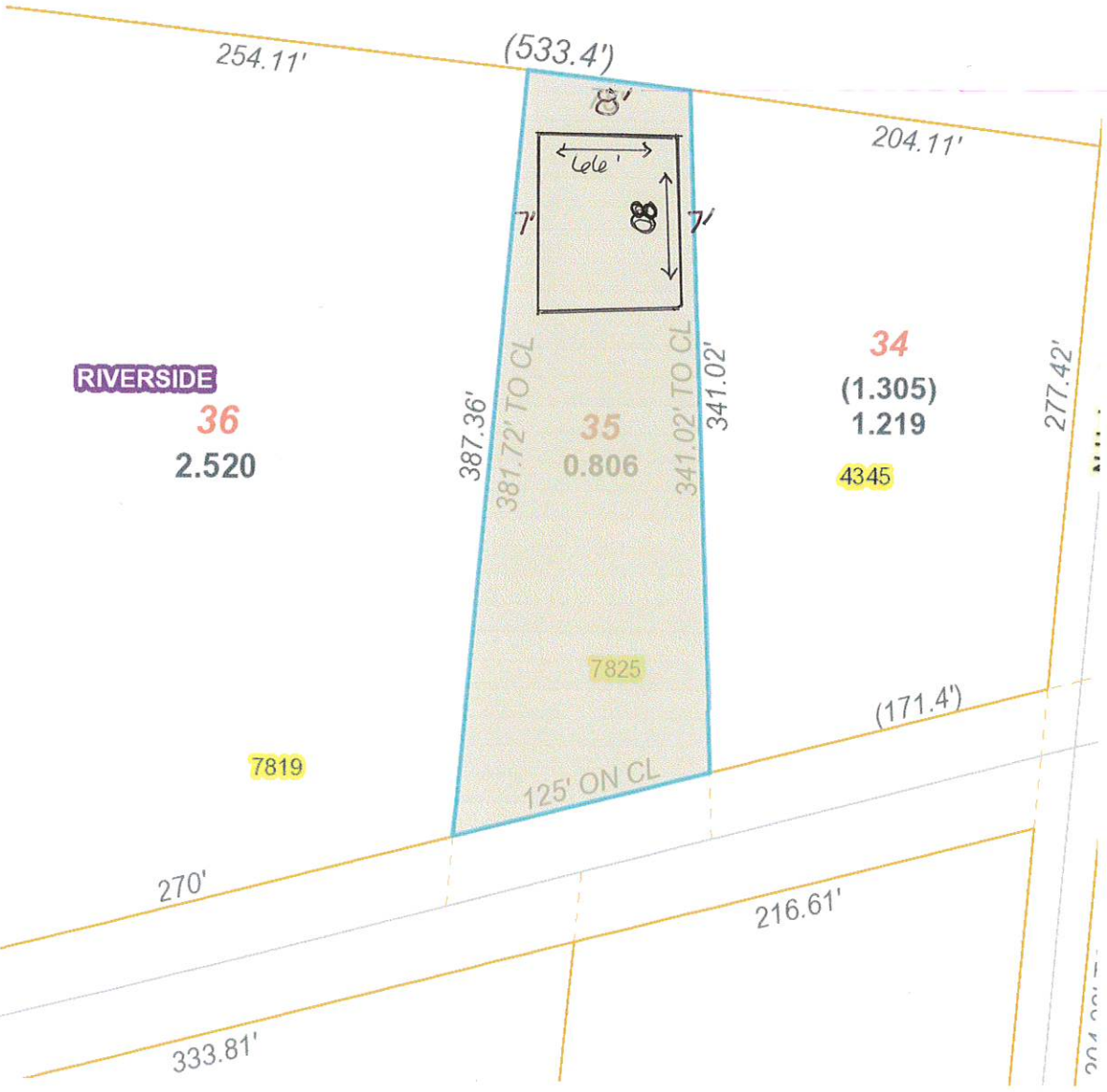


253.37'

37
(3.110)
3.023

4385

253.37'



BACK of PROPERTY 75'

BACK of Pole Barn.

60' Wide

80' Deep.

GARAGE DOOR

12' x 12'

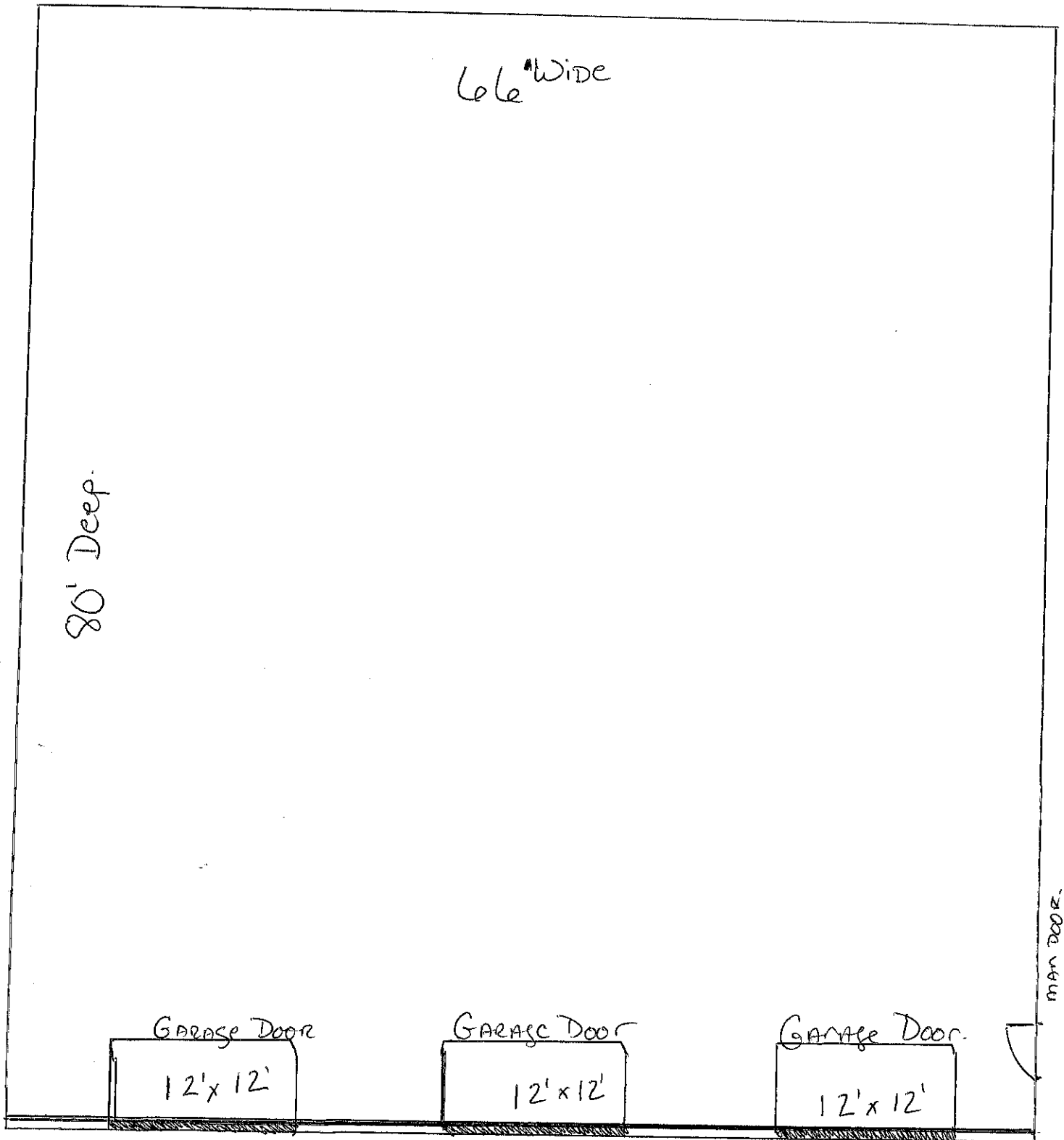
GARAGE DOOR

12' x 12'

GARAGE DOOR

12' x 12'

MAN DOOR





Front of Subject Site



Adjacent Property Across Union Schoolhouse



Adjacent Property to the West



Adjacent Property to the East



Existing Accessory Structures



Waiver Area: Rear Yard