



COPLEY TOWNSHIP
Board of Zoning Appeals
VARIANCE APPLICATION

\$500 NON-REFUNDABLE FEE DUE UPON SUBMITTAL

Parcel 1502914

Address/Parcel of Seeking Variance(s): _____

Jennifer Avers and Damon Drummond

Landowner: _____

Jennifer Avers and Damon Drummond

Applicant: _____

2309 Boughton Dr. Rear Akron, OH 44320

Address of Applicant: _____

youpicka2@gmail.com

Email of Applicant: _____

410-441-6509 (Jennifer) 330-524-5998 (Damon)

Telephone of Applicant: _____

Residential

Present Zoning of the Property: _____

Home Occupation Permit 6.01 AA 2.4.7

Section of Code Seeking Variance(s): _____

- If Applicable, include Summit County Health Approval for the Onsite Septic
- Attach Drawing and/or Site Plan Showing Proposed Project

Please Explain the Practical Difficulties or Unnecessary Hardship that Justifies this Application:
Please see the attached paper

How Would the Granting of a Variance(s) Affect the Immediate Neighborhood and Community In General?
Please see the attached paper

List All Contiguous and Adjacent Property Owners (names, address, city and zip code):

Dale Sharp 2321 Boughton Dr. 44320 Tamila Singleton 2309 Boughton Dr. 44320

Nathaniel Berg 2277 Boughton Dr. 44320 (Renter at the above address, Susan Kime)

Owner's Signature: [Signature] Date: 7/26/19

Print Name: JENNIFER AVERS DAMON DRUMMOND

Applicant's Signature: [Signature] Date: 7/26/19

Print Name: JENNIFER AVERS DAMON DRUMMOND

Duncan v. Middlefield – Standards of Practical Difficulty or Unnecessary Hardships

Area Variance:

1. Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the variance;
2. Whether the Variance is substantial;
3. Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance;
4. Whether the variance would adversely affect the delivery of governmental services (i.e. water, sewer, garbage);
5. Whether the applicant purchased the property with knowledge of the zoning restriction;
6. Whether the property owner's predicament feasibly can be obviated through some method other than a variance;
7. Whether the spirit and intent behind the zoning requirements would be observed and substantial justice done by granting the variance.

Use Variance:

1. A substantial and unnecessary injustice;
2. That the application of the terms of the Zoning Resolution completely deprives the owner of all beneficial use of the land, or renders it virtually without value; or
3. That there is unreasonableness within the Zoning Resolution itself.

*****TOWNSHIP USE ONLY*****

Township Official Receiving Application: [Signature]

Date Received: 7/26/19 Fee Received: 500.00

Jennifer Avers and Damon Drummond 2309 Boughton Dr. Rear 44320

Variance application

Please explain the practical difficulties or unnecessary hardship that justifies the application:

Damon is a metal sculptor artist and vintage buyer/seller who is applying for a Home Occupation Permit. Damon has gallery owners and buyers who visit his art studio. Damon sells his work online; does not use our home address in his promotions; does not have/or want a sign for his studio.

We live in a non-traditional, industrial building with a setback of 700 feet. (Formerly Pritchard Dairy) Our main living space is 1400 sqft and is located above garages, as seen in the photo. A portion of the first garage has the main entrance, an office, closet, bathroom and gathering space which is 700 sq feet; it is heated and cooled. The dividing wall in the first garage is drywall.

As a metal sculptor it is necessary Damon work in an environment where he can weld. Concrete, metal and cinder block are the only safe environment for welding and to prevent fires. The portion of our living space we selected for Damon's studio is indicated on the attached photo. It is a garage with concrete, cinderblock and metal walls. It has its own access door for gallery owners and buyers; the highest ceiling for large scale pieces; the closest access to the exterior water spigot; its own heating system; a garage door to move large sculptures in and out; and a 220 power source for welding. The studio space is 800 sqft. It houses his equipment, art samples and a majority of his sculpture parts which are largely metal and vintage parts.

Damon often patinas and rusts parts for his art by aging them in the weather. We are in the process of planning a location/stall in the rear of the property which would conceal these items that need to be weathered.

Clients have also approached Damon about historical car body modifications. Damon has built ratrods in the past and would like the opportunity to take on these unusual clients. This may result in a single client vehicle being parked in our fenced courtyard for 1 to 3 months. The vehicle will be moved in and out of the garage space when he is able to work on it.

Damon's entire income is derived from these sculptures and from the online sale of vintage items we have stored on the property.

The Home Occupation Permit states that his occupation be no more than 50% of the living space. Damon cannot house his metal studio in our living space due to the safety issues this creates. We have 4 garage spaces below our living space. We feel we have selected the safest location for his studio and hope the committee will grant us this home occupation variance so that Damon can continue to make a living without violations.

How would the granting of a variance affect the immediate neighborhood and community in general?

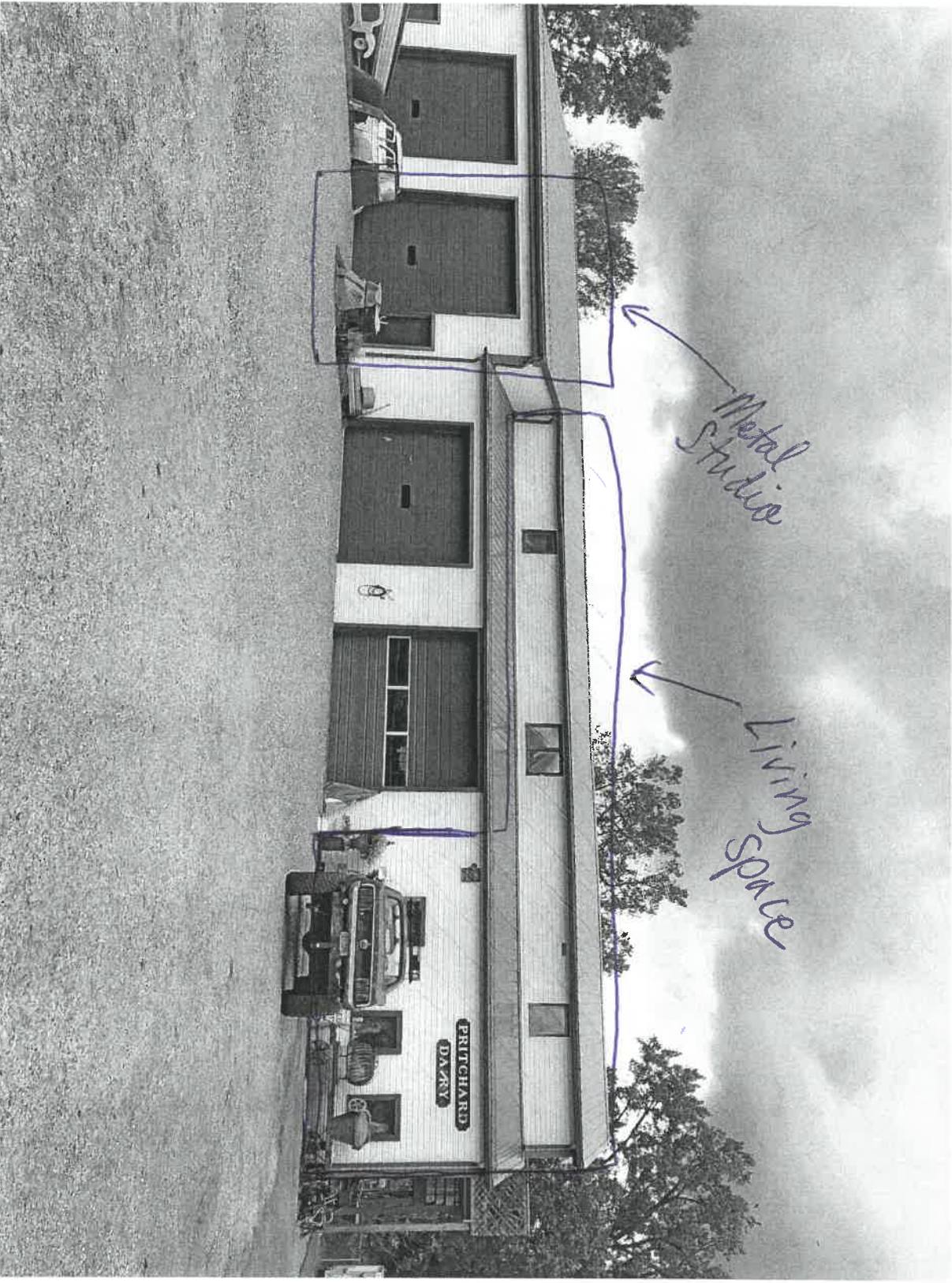
Because of our unique location, Damon's studio will not have a direct impact on the functioning of our dead end street. Our set back is 700 feet. His equipment cannot be heard further than 150 feet from his studio with the garage door open. (We tested this) We do not need to make any construction modifications to the property. We are landlocked. The traffic on our private drive, which has an easement with the adjacent property owners, is limited. We have approximately 2 art buyers/gallery owners per month and an average of one pick-up per week of online vintage sales. Granting the variance will not change what we have been doing.

Our plan in the next 9-12 months is to install privacy screen to a portion of our chain link fence to limit visibility into our courtyard and install the rusting station.

Our plans in the next 2-3 years include purchasing a commercial property to open a store front where we can sell vintage items, his metal sculptures and Jennifer's paintings and ceramics. Jennifer is a high school art teacher. Damon is well known in the metal artist and vintage buying/selling community having sold art internationally, published internationally and

has several appearances on local TV, Discovery Channel and History Channel. His previous business venture was The Bomb Shelter in Akron. Since we live in Copley we are considering this area for our business. We hope you will let us thrive here and grant us the freedom to create and contribute to Copley. We are a unique asset to this area and we hope you feel the same.

We invite the committee to our home if you need further visual or spacial understanding.



Metal Studio

Living Space

FRITCHARD DAIRY



Akron

1502914

1503310

1504453

P321
GARAGE

1502913

1503308

1503309

BOUGHTON DR

SCHOCALOG RD

.25 mi

BOUGHTON
FARMS