

**MEDINA TOWNSHIP  
BOARD OF ZONING APPEALS  
PUBLIC HEARING  
MAY 20, 2009**

**PUBLIC HEARING**

Vice Chair West called the public hearing of the Medina Township Board of Zoning Appeals to order at 7:30 p.m. Board members West, Karson and DeMichael were present. Alternate members Steve Euse and Linda DeHoff sat in for a full Board. Vice Chair West introduced the Board members and explained the public hearing procedure to those present.

**Variance Requests**

**Madachik variance request-3357 Granger Rd.**

Vice Chair West reviewed the application. The applicant was Paul Madachik. The property requiring the variance-3357 Granger Rd. Present Zoning-RR District. Previous Requests-None. Variation Requested: Section 401.3D Front Yard Depth-100 ft. exclusive of the road right of way. Front yard Depth needed-80 ft. Variance needed-20 ft. to construct a porch and steps.

The reason for the variance request:

When the home was built the setback requirement was 80 ft. This has changed to 100 ft. Under the original law, I would not need this variance. I need the zoning board to approve a variance to the original 80-ft. for me to add a front porch to my home.

A letter was received that was in support of the variance request. (See file).

The applicant, Mr. Madachik was sworn in. Mr. Madachik stated currently on the front of the house there is a 5-ft. concrete porch. The current setback from the front of the house is 95 ft. With the original setback of 80 ft. it met the requirements. Now the front yard setback is 100 ft. and the existing porch is not in compliance. Mr. Madachik stated he would like to remove the existing porch and replace it with a porch and a 5-6 ft. staircase. Landscaping would also be incorporated.

Mr. Euse asked if this would be a covered porch? Mr. Madachik stated yes there would be a roof over the porch.

Mrs. Karson stated the house next to the Madachik's also sat closer to the street. Mr. Madachik stated yes and that was the individual who sent the letter in support of the variance. He added the individual sent in a letter because they were in support of the improvement he wanted to make to his home.

Mr. Madachik asked if the Board approved the variance and within their discretion; that they consider that the need for this variance was not something he created and therefore should be some reduction in the \$275.00 variance fee. Mr. Madachik stated he realized there was a cost involved in having 5 individuals in the decision process but his

improvement would add value to the community and was not a result of any actions on his part but the fact that the setback was changed by the Township.

Vice Chair West stated to waive fees you might not as well charge at all and to change fees is a difficult process. Vice Chair West stated he did not believe this Board had the authority to waive fees and added he did not think it would be appropriate for this situation where a variance is involved but appreciated Mr. Madachik's comments.

The Board then reviewed the Factors.

1. Will the property yield a reasonable return or a beneficial use without the variance request? The Board stated yes.
2. Is the variance substantial? The Board stated it was a 20% variance.
3. Whether the essential character of the neighborhood would be substantially altered or adjoining property owners suffer a substantial detriment if the variance is granted? The Board stated no, as the residence next to this property is closer to the street.
4. Will the granting of the variance adversely affect the delivery of governmental services? The Board stated no.
5. Did the property owner purchase the property with the knowledge of the zoning restrictions? The Board stated whether the property owner was aware of them or so they are deemed to be aware of them.
6. Whether the problem can be solved by some other manner other than the granting of the variance? The Board stated it would be reasonably difficult to put a porch with steps on the home.
7. Does the granting of the variance uphold the spirit and intent of the Zoning Resolution? The Board stated yes given all of these factors to be considered.

Mr. Euse made motion to grant a 20-ft. front yard setback variance for the property located at 3357 Granger Rd. for the purpose of the construction of a covered porch and steps. It was seconded by Mrs. Karson.

ROLL CALL-Euse-yes, Karson-yes, DeMichael-yes, De Hoff-yes, West-yes.

The variance request was granted.

### **Minutes**

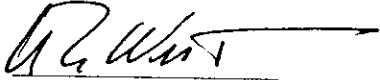
No minutes were approved as there was not a quorum present this evening of members who were in attendance at the September and November meetings.

Having no further business before the Board, the hearing of Board of Zoning Appeals was officially adjourned at 7:44 p.m.

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Respectfully Submitted,

Kim Ferencz  
Zoning Secretary

A handwritten signature in black ink, appearing to read "W. West", with a long horizontal stroke extending to the right.

William West, Vice Chairman