

**MEDINA TOWNSHIP  
BOARD OF ZONING APPEALS  
PUBLIC HEARING  
SEPTEMBER 17, 2008**

Vice Chairman William West called the public hearing of the Medina Township Board of Zoning Appeals to order at 7:30 p.m. Permanent Board members West and Karson were present. Permanent Board members Morel, Becker and Dufala were absent. Alternate Board member John Bostwick sat in for a quorum. Alternate Board member Steve Euse was also absent.

**CONTINUANCE**

**The Mower Shop Variance Request- 3055 Pearl Rd.**

Since this agenda item was tabled from last month the application did not need to be re-read into the record.

Mr. Kerry Illes from Illes Architects represented Mr. Ken Peter's owner of the Mower Shop. Mr. Illes was sworn in. Vice Chair West informed Mr. Illes that there was only a three member Board present this evening and he could table this request until there was a full Board present. Mr. Illes stated he wanted to go forward with the variance request this evening. Mr. Illes then addressed the Board and stated that at last month's hearing, the Board requested that the property be surveyed so they could consider the variance request based on exact information. Mr. Illes presented a copy of the completed survey. The survey shows there is more room from the existing office building and the warehouse building to the property line than they originally thought. Mr. Illes continued that as a result they re-designed the building, which would now be a little wide, a little shorter, and a little smaller in square footage than originally proposed. Also, instead of building right to the property line they have stayed 5 ft. off the property line. Mr. Illes added he felt they made the situation better than originally proposed a month ago. Therefore the request was for a 20-ft. side yard setback variance as the requirement is 25 ft.

Mr. Illes also produced a picture of the property that he took today. He stated that if the Mower Shop was allowed to proceed with the addition, the fence would remain for additional security and the warehouse addition would be built behind it. Regarding the building elevation, the south elevation is 10 ft. shorter, the west elevation is 5 ft. wider and the overall size of the building is 110 ft. less; and as previously stated will be 5 ft. from the property line. This revision would also allow the property owner to have a choice in building materials as a completely masonry structure would now not be required.

Mrs. Strogan, Chair of the Zoning Commission was sworn in. Mrs. Strogan stated the code calls for a 25-ft. side yard setback with 5 ft. of it to be landscaped. Unless the applicant could put in some type of landscaping, this would need to be addressed as well. Mr. Illes stated that there were large mature trees in that area, and did not see how

landscaping could be accommodated or that it would thrive under the trees. The Board stated they could address that issue in their motion.

The Board then reviewed the Duncan Factors.

1. Will the property yield a reasonable return or can there be a beneficial use without the variance request? The Board stated yes.
2. Is the variance substantial? The Board stated yes.
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.
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 yes.
6. Whether the problem can be solved by some other manner other than the granting of the variance? The Board yes it is always possible but is it practical.
7. Does the granting of the variance uphold the spirit and intent of the Zoning Resolution? The Board stated yes.

Mr. Bostwick made a motion to grant a 20-ft. side yard setback variance on the south side of the property; of as well as relief from the 5 ft. landscaping requirement for the construction of an addition for the Mower Shop located at 3055 Pearl Rd. as presented. It was seconded by Mrs. Karson.

ROLL CALL-Bostwick=yes, Karson=yes, West=yes.

**MISC.**

Secretary Ferencz gave out information on the OPC Conference to be held on November 14 2008 in Westlake, Ohio.

**MINUTES**

Approval of the BZA's August 20, 2008 meeting minutes had to be tabled.

Having no further business before the Board, the hearing of Board of Zoning Appeals was officially adjourned at 7:42 p.m.

Respectfully Submitted,

Kim Ferencz  
Zoning Secretary



William West, Vice Chairman