

**MEDINA TOWNSHIP  
ZONING BOARD OF APPEALS  
PUBLIC HEARING  
MAY 20, 2020**

Chair Morel called the public hearing of the Medina Township Board of Zoning Board of Appeals to order at 7:02 p.m. Permanent Board members Blakemore, Watts, Gray and Morel were present. Alternate member Payne was present to create a full 5-member board.

**Skinner variance request-3400 Church Rd.**

The application was read into the record. The applicants are Bill & Julie Skinner. Address of the property requiring the variance-3400 Church Rd. Present Zoning-RR. Previous variance request(s)-No.

Variance being requested & Explanation of Requested Variances:

Section 401.3 Minimum Side Yard Depth-25 ft. Garage will be 15' from side yard property line. Requesting a 10 ft. variance.

Reasons and Explanation for the variance requests:

- A. If not placed in the area suggested it would make it non-usable
- B. We have a buffer between us and the neighboring property
- C. Suggested placement will make it look like it belongs. Will be sided like the house as well as a similar roof.

The applicant, Mr. Bill Skinner was sworn in. Chair Morel stated he believed there was a previous variance granted for the porch on this property. Ms. Strogan, Chair of the Zoning Commission was sworn in and confirmed that there was variance granted in 1997. Chair Morel asked that the paperwork reflect that there was a previous variance granted.

Chair Morel asked why the garage could not be moved 10 ft. back so it would be in compliance with the code. Mr. Skinner stated the variance request was to build a garage for his cargo trailer. He added he was a wood worker, so this was also a place for him to store his wood. If he moved the garage behind the house, it would be useless to get into it. Mr. Skinner stated the way he proposed the placement of the garage is to drive in straight back. The driveway would be extended 18 ft. so it would be 120 ft. off the center of the road.

Chair Morel asked how large his property is? Ms. Julie Skinner was sworn in. She stated their lot was 1-acre. Mr. Skinnner stated the construction would be a pole building but would be sided just like the house.

**Page 2 BZA May 20, 2020**

Mr. Blakemore asked how far the driveway was from the property line. Mr. Skinner stated it starts off at 15 ft. then its 35 ft. off the corner of the house. It angles out.

Mr. Watts stated he was also interested as to why the proposed garage could not be moved 10 ft. back to be in compliance with the code. Mr. Skinner stated because then he would have to back my trailer into a blind spot. Ms. Skinner stated that there is also a structure behind it so we don't want the drive to be that close to the house.

Mr. Blakemore asked the size of the garage. Mr. Skinner stated 24'x24'-1 story. Approximately 14 ft. in height.

Hearing no further comments by the Board members, the Board considered the Duncan Factors:

1. Will the property yield a reasonable return or whether there is a beneficial use without the variance? 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 stated yes.
7. Does the granting of the variance uphold the spirit and intent of the Zoning Resolution? The Board stated yes. Mr. Blakemore added that in order to make it look aesthetically pleasing this is the best placement for the garage. The rest of the Board agreed.

Mr. Blakemore made a motion to approve a 10 ft. side yard setback variance for the construction of a 24'x 24' 1-story garage for the property located at 3400 Church Rd. as presented. It was seconded by Ms. Gray.

ROLL CALL-Blakemore-yes, Gray-yes, Watts-yes, Payne-yes, Morel-yes.

The variance request was approved.

**Diso variance request-3200 Hamilton Rd.**

The applicants are Jeff and Chelsea Diso. Address of the property requesting the variance is 3200 Hamilton Rd. Present zoning is RR. Previous variance requests- none.

Reasons and Explanation for the variance request:

Section 401.3.E Minimum side yard setback-25 ft. Garage will be 15 ft. from west property line. Requesting a 10 ft. variance.

We are unable to put a garage anywhere else on our property. Our east side is 30.1' to our neighbor and our west side of 58.2' to our neighbor. The west side is currently where we access our garage and will allow us to use our existing driveway. The 10 ft. will provide enough space to allow access to our basement doors with ease.

The applicant, Jeff Diso was sworn in. Mr. Blakemore asked about the sentence "The 10 ft. will provide enough space to allow access to our basement doors with ease." Mr. Diso responded that on the side of the house there is a cellar with two doors. It comes out a decent amount from the house so if we were to come in closer to the house with the garage...also there is an existing sidewalk so to draw the garage in closer would not be practical. Mr. Diso continued that the survey that was on file when he and his wife bought the house said there was 44 ft. on the west side of the property. Last year we had our property re-surveyed and we actually had an additional 14 ft. on the west side. Mr. Diso added, if anyone has been past our house we have done nothing but make improvements to the property and the landscaping. The garage would have the same siding and roofing as the existing house. We are also going to replace the existing garage and man door to match the new proposed garage.

Chair Morel asked about moving the proposed garage further back to the rear. Mr. Disco stated because the property drops off so drastically in the rear we would need to bring in a bunch of fill. We need to bring in fill where we are proposing to build as well. The garage will be a 1-story building 24 wide by 32 deep. We want the depth so we can get rid of the existing shed.

Mr. Blakemore asked how much do the cellar doors stick out from the side of the house. Mr. Diso said approximately 6-7 ft. Mr. Blakemore then asked, How many feet do you need to still access those doors. Mr. Diso responded 8-10 ft. Mr. Blakemore stated then even with a 5 ft. variance you could still build the garage and be far enough away. Instead of being 20 ft. from your house you would be 15 ft. Mr. Diso stated that really was not true because there was an existing sidewalk and landscaping.

Chair Morel stated what Mr. Blakemore was stating that a variance of a lesser amount would be more favorable for the Board to consider. After some discussion, Mr. Diso stated he felt he could still build the garage with an 8 ft. variance.

Mr. Watts asked what was happening to the existing garage. Mr. Diso stated it was an attached garage and would remain for more living space.

Hearing no further comments by the Board members, the Board considered the Duncan Factors:

1. Will the property yield a reasonable return or whether there is a beneficial use without the variance? 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 stated yes.
- 7 Does the granting of the variance uphold the spirit and intent of the Zoning Resolution? The Board stated yes.

Mr. Blakemore made a motion to approve an 8 ft. side yard setback variance to construct a 24x32 1-story garage for the property located at 3200 Hamilton Rd. as presented. It was seconded by Ms. Gray.

ROLL CALL-, Blakemore-yes, Gray-yes, Watts-yes, Payne-yes, Morel-yes.

The variance was granted.

**Lough variance request-4903 Fenn Rd.**

The application was read into the record. The applicant is Barbara Lough. Address of the property requesting the variance-4903 Fenn Rd. Present zoning is SR.

Previous variance requests-none.

Reasons and Explanation for the variance requests:

Section 402.3 F- Minimum rear yard setback-35 ft. Shed will be located 10 ft. from the property line. Requesting a 25 ft. variance.

I have a large swale in my yard and if I came in 35 ft. from the rear yard line shed will be in the swale. I do not have neighbors at the rear or east of my property.

The applicant Barbara Lough was sworn in. Chair Morel asked how far back Ms. Lough cut her lawn. Ms. Lough stated all the way back to the property line. She stated the swale has gotten worse since the Medina Twp. Police Dept. moved in next door. They built a rather large pole barn and the rainwater now really runs down our property line. She added she would have to address the water issue in the next year or two.

Ms. Lough continued that the proposed location is the highest point of the property where the shed can be built. She added it was not decided if the shed would be placed on an angle or straight back if that made any difference to the Board.

Mr. Blakemore stated the location of the shed was quite a distance from the house. Ms. Lough stated she truly had no other place to put it. If the shed were moved closer it would be a real eyesore for the neighbors. The swale makes it impossible to put it anywhere else. Chair Morel agreed and added that is why he asked how far back the lawn was cut.

Mr. Blakemore asked the size of the shed. Ms. Lough stated 12'x24' and it would be 1-story.

Hearing no further comments by the Board members, the Board considered the Duncan Factors:

1. Will the property yield a reasonable return or whether there is a beneficial use without the variance? 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.

**Page 6 BZA May 20, 2020**

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 stated yes.
7. Does the granting of the variance uphold the spirit and intent of the Zoning Resolution? The Board stated yes.

Mr. Blakemore made a motion to approve a 25 ft. rear yard setback variance to construct a 12'x24' one-story shed for the property located at 4903 Fenn Rd. as presented. It was seconded by Ms. Gray.

ROLL CALL- Blakemore-yes, Gray-yes, Payne-yes, Watts-yes, Morel-yes.

The variance was granted.

The minutes to the Boards public hearing for February 19, 2020 and March 18, 2020 were approved as written.

Having no further business before the Board, the meeting was adjourned at 7:47 p.m.

Respectfully Submitted,

Kim Ferencz, Zoning Secretary

  
\_\_\_\_\_  
Ed Morel, Chairperson