

**MEDINA TOWNSHIP
BOARD OF ZONING APPEALS
PUBLIC HEARING
June 17, 2015**

REGULAR MEETING

Vice Chairperson Cary Blakemore called the meeting of the Board of Zoning Appeals to order at 7:32pm. Permanent Board members West, Gray and Blakemore were present. Alternate Matt Payne sat in for Mike Stopa and Boris Williams sat in for Ed Morel. The Board members were introduced and Vice Chair Blakemore explained the procedure to all those present.

Bill Arnold, 3178 Hamilton Rd., Medina OH

Vice Chair Blakemore reviewed the application. Vice Chair Blakemore asked Secretary Shoemaker to read the request into the record.

Applicant: Bill Arnold, 3178 Hamilton Rd., Medina OH 44256 216-513-0376

Owner of property: Same

Present Zoning: RR

Previous Variances requested: none

Variance requested: Section 401.3 D Minimum 100' front yard depth. I want to put pond in at the lowest elevation where it is always wet & unusable. Half the trees are dead because of this. It will allow me to keep bigger healthier trees. 100' required front yard depth. Pond will be 64' from front yard setback. Requesting 36' variance.

The Reason: A) It would make it harder for the fire dept. to reach if the pond was needed for a fire. This location is always wet and swampy and breeds mosquitos. Putting the pond there should help alleviate this problem, and look natural. Like it was there all along. B) The lay of the land with its natural slopes make this an excellent location to put a pond. The maturity of the trees and foliage also makes this a very good location. C) There is no reason this location would be detrimental to the public interest. It would be still well off the road yet should only enhance the area with its natural look and appearance.

Vice Chair Blakemore swore in Mr. Arnold. Mr. Arnold explained that he tried to put a garden in the past and didn't work. With other neighbors redoing their yards, he is getting more runoff. There are four to five acres that drain into this general area. Mr. Arnold purchased this lot 22 years ago and it is a wooded lot. He would rather not cut down the trees and put the pond where it fits naturally.

Ms. Strogan, ZC Chair, was sworn in. She explained the setback is 100 feet because it is a corner lot and both sides are considered frontage for sight issues. Mr. Arnold has to go to

the CPC to have the plan for the pond approved and get a permit certified by the county before he can get a permit from Medina Twp. zoning inspector.

Ms. Gray asked how big the pond will be. Mr. Arnold said about ½ acre. She then asked if it would be damned. Mr. Arnold said it would have to be damned on the south and east sides mostly but he is not an expert and that's what the contractor would determine. Ms. Gray asked how deep the pond would be and if it would be stocked. Mr. Arnold said about 10 to 12 feet and yes it will be stocked.

The Board then discussed 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 agreed 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 agreed yes.
6. Whether the problem can be solved by some other manner other than the granting of the variance? The board agreed yes, he could make a smaller pond.
7. Whether the granting of the variance upholds the spirit and intent of the Zoning Resolution? The Board agreed yes.

Mr. West made a motion to approve the variance request for a 36' front yard depth variance on the Frantz Rd. side of 3178 Hamilton Road for the sole purpose of installing a pond. Robin Gray seconded the motion.

ROLL CALL: West – yes, Gray – yes, Payne – yes, Williams– yes, Blakemore– yes.

Approved plans were signed by Vice Chair Blakemore and a copy given to the applicant.

Bill West made a motion to approve the minutes from January 21, 2015 Medina Township Board of Zoning Appeals organization and meeting minutes as presented.

ROLL CALL: West– yes, Payne – yes, Gray – yes, Williams– abstain, Blakemore– yes

Ms. Strogin explained to the board members that zoning commission is reviewing changes to the zoning book. Certain text amendments that will prevent people from having to come to the board of zoning appeals.

With nothing further before the Board, the meeting of the Board of Zoning Appeals was officially adjourned at 7:52 pm.

Respectfully Submitted,

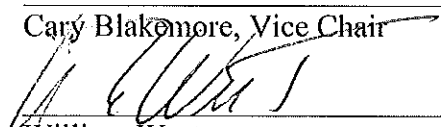
Laurie Shoemaker
Zoning Secretary

Ed Morel, Chairman

Date

Cary Blakemore, Vice Chair


Date



William West,



Date

 (Ed Morel and Cary Blakemore were absent for July 15, 2015 meeting, Bill West sat in as Chairman) – note added 7-15-15