

**MEDINA TOWNSHIP
ZONING BOARD OF APPEALS
PUBLIC HEARING
June 16, 2021**

Chair Blakemore called the public hearing of the Medina Township Board of Zoning Board of Appeals to order at 7:00 p.m. Permanent members Gray, Blakemore and Greene were in attendance. Morel and Payne were absent. Alternates Watts was absent. Alternate Wirz sat on the Board this evening.

Korfmacher variance request-4565 Joey's Lane

Mr. Greene made a motion to table the variance by Korfmacher variance request until July 21, 2021 hearing. It was seconded by Ms. Gray.

ROLL CALL- Greene-yes, Gray-yes, Wirz-yes, Blakemore-yes.

Sokol variance request-026-06B-31-036 S/I 24 Nichols Rd.

The application was read into the record. The applicant is Mr. Matthew Sokol from Sokol Building Group LTD. The property owners are Jeff Gordecki and Jill Slinwinski. Present Zoning is RR. Previous variance requests-none. The address of the property requesting the variance is PP# 026-06B-31-036. Variation requested: Setback off of Nichols Rd. from 100' to 80' and setback off Tompkins Rd. from 100' to 65' The reason for the variance requests: It's a 2.5 acre lot on Nichols Rd. All other houses in the area are not 100' off of Nichols. To avoid house being placed in the back right corner we are asking to move the 65' off Tompkins which will be the side yard. The house will face Nichols and be 8-' off that street.

A letter was received from M. Sokol Building Group, LTD which read as follows:

As per the new setback of 100' off each right of way, our planned new 2,200 sq. ft. ranch has to be placed on the back corner of a 2.5 acre lot. This leaves 100' frontage off Nichols Rd. which the house will face (see topo) and 100' off Tompkins. This will make the house look out of place on the property. Other houses in the area, mainly next door to the north and the corner hose to the south on Nichols and Tompkins are nowhere near 100' off the street.

To comply and make this house look to confirm with the existing house we are looking to put the house approximately 80' off Nichols, which we want to be the front of the house and 65' off Tompkins at the southwest corner of the house (see topo). Tompkins will be the side yard and we will have the driveway come off there which will be safer traffic wise.

I believe this will make the house fit in and look a lot better on the lot. This will still leave plenty of room for the septic system to be placed on the northeast side of the property.

Thank you for your consideration.

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The applicant, Mr. Matthew Sokol was sworn in. He stated he has been a builder for 42 years and when you have a corner lot you do not have two frontages; one becomes a side yard. To have a 100 ft. setback from Nichols Rd. and Tompkins would make the house out of place with the other houses in the surrounding area. Like I stated in the letter, the house to the south of Tompkins and Nichols is maybe 40 ft. off each street.

Mr. Sokol added his clients would rather have more back yard so it would be safer for pets and children; and also to center the house more on the lot would make it more aesthetically pleasing. We also had to have an area available for a back up septic system in the event that the system fails. The septic would be located in the back right corner because the creek is right there. It would probably be a mound system. Mr. Sokol stated we might put the drive off of Tompkins Rd., but he was not 100% sure. Mr. Sokol concluded that he cannot finalize the topo until we see if these variances are granted.

Chair Blakemore sworn in Ms. Strogan Chair of the Zoning Commission. Ms. Strogan stated this is a corner lot so our zoning; we consider such a lot to have two front yard setbacks. Back around 2012 we changed the setbacks from 80 ft. to 100 ft. When you drive down at street you can tell that the houses that are close to the road have been there a long time. The newer houses had to meet the current 100 ft. setback unless variances were granted.

Mr. Sokol responded we tried to stay as close to the old 80 ft. setback as we could. Chair Blakemore asked what is prohibiting going 15 ft. more on Tompkins? Mr. Sokol said that could happen but if we do the frontage off Nichols...like I said before safety and the location for a back up septic system. My clients would rather have more of a back yard than a large front yard close to the road.

Mr. Greene asked, when you met with your clients did you say if it were you this is where I would build my house on this lot. Mr. Sokol stated based on his years in the business, one usually tries to put a house in the center of a lot. When my clients purchased the lot, they did not know the setback was 100 ft. from each road. We didn't find that out until we drafted the topo.

Mr. Thomas Vild (14197 Newton Rd. Middleburg Heights OH) was sworn in. Mr. Vild stated he owns the lot adjacent to the one Mr. Sokol's clients want to build their home on. He stated he would be building a house on his lot (2945 Tompkins Rd.) sometime this summer. Mr. Vild stated he felt the variance should be granted. It makes sense for the drive to be off of Tompkins Rd. as there really is no traffic on that road. Mr. Vild stated the only concern he had is where the septic system will be located. I don't want my lot disturbed; I own the creek in that area.

Mr. Sokol stated it is ultimately up to Medina County Soil and Water as to where the septic system is located. We can request but it is their decision.

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Ms. Gray asked what the square footage would be for the proposed home. Mr. Sokol answered, 2,200 sq. ft.

Having 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 it was reasonable.
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 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. Greene made a motion to grant two area variance requests by the applicant, M Sokol Building Group LTD. on behalf of the property owners Jeff Gordecki & Jill Sliwinski of Section-401.3D. Minimum Front Yard Depth-100 ft. exclusive of road right of way for the construction of a home on PP# 026-06B-31-036. Variance request is to be setback 80 ft. off of Nichols Rd. (20 ft. variance request) and a 65 ft. off of Tompkins Rd. (35 ft. variance request.) per the application and topo submitted. It was seconded by Ms. Gray. ROLL CALL-Greene-yes, Gray-yes, Wirz-yes, Blakemore-yes.

The variance was granted.

The minutes to the Board's May 19, 2021 hearing had to be tabled as there was not enough Board members present to approve them.

PUBLIC COMMENT

Secretary Ferencz reminded the Board there is a public hearing scheduled for June 21, 2021 at 7:00 p.m. at Heartland Community Church for a zoning map amendment request to rezone PP# 026-06B-12-013 from its current zoning designation of Limited Business

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(BL) to General Business (BG) for the purpose of a Sheetz fueling station and convenient store.

Having no further business before the Board, the hearing was adjourned at 7:50 p.m.

Respectfully Submitted,

Kim Ferencz
Medina Township Zoning Secretary



Carey Blakemore- Chairman
