

**MEDINA TOWNSHIP
ZONING BOARD OF APPEALS
PUBLIC HEARING
JULY 21, 2021**

Vice Chair Morel called the public hearing of the Medina Township Board of Zoning Board of Appeals to order at 7:00 p.m. Permanent members Gray, Morel, Payne and Greene were in attendance. Permanent member and Chair Carey Blakemore was absent. Alternate member Wirz sat in for a full 5-member Board. Alternate member Bill Ostmann was also in attendance.

Korfmacher variance request-4565 Joey's Lane

The application was read into the record. The applicant is Bridgeport Custom Homes, Jason Cassidy. The property owners are Paul & Stephanie Korfmacher. The street address requesting the variance is 4565 Joey's Lane. Present Zoning: SR. Previous variance requests-No. Variation requested and reason: Requesting a 10' front yard depth from 70' to 60'. Section 402.3.D-Minimum Front Yard Depth 70 ft. Requesting a 10 ft. variance.

This lot has steep slope and rear yard and deed restrictions. Trees are going to be too close to house and preserve a danger down the road also prevents owners from having any backyard. Ten feet will allow us to keep a better buffer from trees and help with rear yard. This is a cul de sac lot so house would still be setback further than existing house to the right.

The applicant, Mr. Jason Cassidy from Bridgeport Custom Homes was sworn in. Vice Chair Morel asked about the deed restrictions. Mr. Cassidy stated this development has been done in phases. When it was first built, they wanted buffers between structures so they put in deed restrictions that no trees can be touched or removed. There are four lots still left on Joey's Lane. Most of them have some complications on them like steep grade on the rear. The deed restrictions have become a factor on the depth of a house. He added we (Bridgeport Custom Homes) are under contract for 3 out of the four lots and this lot is the only one we cannot get a house to work within a safe boundary from the trees.

Mr. Cassidy stated he would like to be 30 ft. from the trees but at least would be close to that if this variance is granted. He added he was also concerned with the height of the deck that would be built on the back of the house as it is going to be 16 ft. in height.

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 at 14%

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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 a 10 ft. front yard depth variance for the construction of a home for the property located at 4565 Joey's Lane as presented. It was seconded by Ms. Gray.

ROLL CALL-Greene-yes, Gray-yes, Payne-yes, Wirtz-yes, Morel-yes.

The variance was granted.

The minutes to the Board's May 19, 2021 hearing and June 16, 2021 hearing were approved as written.

Having no further business before the Board, the hearing was adjourned at 7:16 p.m.

Respectfully Submitted.

Kim Ferencz
Medina Township Zoning Secretary



Ed Morel- Vice Chairman