

**MEDINA TOWNSHIP
ZONING BOARD OF APPEALS
PUBLIC HEARING
May 18, 2022**

Vice Chair Ostmann called the hearing of the Medina Township Board of Zoning Board of Appeals to order at 7:06 p.m. Permanent members Gray, Morel and Greene were in attendance. Alternates Ostmann and Traynor were also present.

Meluch variance request-2855 Aaron Drive

Secretary Ferencz read the application into the record. The applicant is Brian Meluch. The street address requiring the variance is 2855 Aaron Dr. Present Zoning: UR-PUD. Previous variance requests: none.

The variance being requested and reason for the request:

Section 403.4.D.5-Minimum Side Yard Setback-10 ft. Shed will be 3 ft. from east property line. Requesting a 7 ft. variance.

Section 403.4.D.4-Minimum Rear Yard Setback-10 ft. Shed will be 3 ft. from North property line. Requesting a 7 ft. variance.

- A. Sloped yard makes locating difficult. Area of flat space within fenced area used by child.
- B. Slope yards are common in this development and sheds are located in a variety of places for access, including similar clearances. See attached photos.
- C. Will not impair the purposed of the Resolution.

Secretary Ferencz stated attached was a letter from the Windfall Heights Homeowners Association stating they have approved the request for Mr. Meluch to build the shed.

The applicant, Mr. Brian Meluch was sworn in. Mr. Meluch handed out letters from his adjoining neighbors stating that they have no objection to his plan to build a shed.

Mr. Meluch began by stating he and his wife purchased the house 3 yrs. Ago. We have three dogs so I had to put up a fence. I was able to locate 3 of the pins as the previous owner left a bunch of building materials and other natural debris at the back of the property line.

Mr. Meluch continued we ended up building the fence and where we want to build the shed...anything on the inside of the fence is sloped so it would be difficult to build and keep a ramp to have access to it having to be 10 ft. off the property lines. There are existing trees and landscaping so the only flat spot is on the back side of the fence. The fence would still on my property. There is a single access gate to the back so I can access the shed. It appears that existing sheds have been placed anywhere and everywhere that is flat and accessible.

Mr. Morel asked the size of the shed. Mr. Meluch 10'x12'. He added he wanted a larger shed but because of the fence but any shifting of the shed would have put it in the fence. I

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had to go with a smaller shed in order to do maintenance and not encroach into the common area. Where the shed would be placed is not next to a property owner but close to the common area behind me.

Mr. Morel asked the height of the shed. Mr. Meluch stated 8-10 ft. A single-story shed. Mr. Morel stated he did not want to see a shed taller than 12 ft. Mr. Morel asked the height of the fence. Mr. Meluch stated it is a 3-4 ft. chain-link fence. Mr. Meluch added he still has more debris to clean up and to get grass to grow.

Ms. Strogan, Chair of the Zoning Commission was sworn in. She asked why the shed could not be built behind the garage. Mr. Meluch stated that is where the patio is located.

Hearing no further comments, 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 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 variances. 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. Morel a motion to approve a 7 ft. side yard setback-10 ft. from east property line. and a 7 ft. rear yard setback for the construction of a 10x12 ft. variance as presented.

It was seconded by Mr. Traynor.

ROLL CALL-Morel-yes, Traynor-yes, Gray-yes, Greene-yes, Ostmann-yes.

The variance was granted.

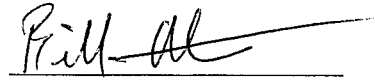
The minutes to the BZA April 20, 2022 hearing were approved as written.

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

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Respectfully Submitted,

Kim Ferencz
Zoning Secretary

A handwritten signature in black ink, appearing to read "Bill Ostmann", written over a horizontal line.

Bill Ostmann, Vice Chairman