

**MEDINA TOWNSHIP  
ZONING BOARD OF APPEALS  
PUBLIC HEARING  
August 17, 2022**

Vice Chair Ostmann called the hearing of the Medina Township Board of Zoning Board of Appeals to order at 7:05 p.m. Permanent members Gray, Trainer, and Morel were present. Payne and Greene were absent. Vice Chair Ostmann stated the applicant had a right to be heard by a full 5-member Board. A tie vote is a no vote. The applicant stated he would like to move forward with his variance request.

**Vild variance request-2945 Tompkins Rd.**

Zoning Inspector Ridgely read the application into the record. The applicant is Thomas Vild. The street address requiring the variance is 2945 Tompkins Rd. Present Zoning: RR. Previous variance requests: none.

The variance being requested and reason for the request:

Section 401.3.D-100 ft. Minimum Front Yard Depth. Pond will be located 35 ft. from front yard setback. Requesting a 65 ft. variance.

The variance will allow us to install a pond at the front of the property. The land located nearest the front of the property provides an ideal site with a level landscape away from trees and will access to water and power for filtration and aeration purposes.

The side and back of the property are on hill and surrounded by trees. The variance will allow us to install the pond with minimal disruptions, creating a natural aesthetic near the house and further enhancing the property and neighborhood similar to other homes in the area.

ZI Ridgely stated a letter was received from a neighbor regarding the pond. Mr. Morel stated there would be no comment made as that individual was not present this evening and therefore could not be cross-examined.

The applicant, Mr. Thomas Vild was sworn in. I moved to Medina as I thought it was a lovely area. I bought the property with the intention of building a pond on the property as I thought it would be a relaxing way to spend time.

Vice Chair Ostmann stated by looking at the topography map it would be difficult to place it anywhere else on the property. Mr. Morel stated he would rather see a pond than a structure built there. Mr. Traynor stated there were many ponds in the area that were closer than 35 ft. Many of those pre-dated zoning.

Ms. Gray asked if there would be a dam i.e., a roll off area. Mr. Vild stated yes and showed her on the topo map.

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 65 ft. front yard setback to construct a pond 35 ft. from the front yard setback for the property located at 2945 Tompkins Rd. as presented. It was seconded by Mr. Traynor.

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

The variance was granted.

The minutes to the BZA June 15, 2002 hearing were tabled and the minutes to the July 20, 2002 hearing were approved.

Having no other business before the Board the hearing was adjourned at 7:19 p.m.

Respectfully Submitted,

Kim Ferencz  
Zoning Secretary



Bill Ostmann, Vice Chairperson