

Sent Mel Sent Mel

**MEDINA TOWNSHIP
ZONING BOARD OF APPEALS
PUBLIC HEARING
April 19, 2023**

Chair Blakemore opened the public hearing at 7:00 p.m. Permanent members Blakemore, Gray and Greene were in attendance. Permanent members Payne and Morel were absent. Alternates Ostmann and Traynor sat in for a full board.

Albrecht variance request- 3831 Granger Rd.

Secretary Ferencz read the application into the record. The applicant is Mr. Thomas Albrecht. The street address requiring the variance is 3831 Granger Rd. Present Zoning: SR to RR. Previous variance requests: none.

The variance being requested and reason for the request: Section 401.3D required Minimum Front Yard Depth-100 ft. Deck will be 49 ft. from front yard depth.

House was built in 1942 and is pre-existing and non-conforming to today's zoning. With today's current zoning no deck will be able to be attached to any side of the house due to the distance of the house to the right of way. The new deck will be on the back of the house and will wrap around approximately one third of the west side of the deck. In 2002, the minimum front yard depth was increased from 80 ft. to 100 ft. which is increasing the requested variance by 20 ft. Also the house is in the Suburban Rural District, but due to not being connected to sewer it defaults to the Rural Residential, which the minimum front yard depth is 100 ft. instead of the 80 ft. for Suburban Residential which also increases the requested variance by 20 ft. I have been investing in this historic house in Medina Township that was an eyesore and had an exterior in disrepair that I would like to continue to improve and in turn make our Township a better place to be in the process.

The applicant, Mr. Thomas Albrecht was sworn in. He stated he grew up in Medina Township on Hamilton Rd. and passed this house every day on his way to school. He added he felt this was a house that deserved to be upgraded and has done much work to it as the photos attached show. The deck will be a great addition to the house. We plan to be here a long time and have a family here. The deck would not go any closer to the road than the house.

Chair Blakemore asked how far the house is from the road right of way. Mr. Albrecht responded, the house is approximately 35-40 ft. from the road right of way.

Mr. Greene stated the reason this property has to follow the RR regulations was because it was not connected to sewer, so the front yard setback is 100 ft.

Ms. Stroger, Chair of the Zoning Commission was sworn in. She stated this property was pre-existing, non-conforming use which can be increased up to 35 ft. without a variance. Since the deck would not be any closer to the road right of way than the house is; she saw no reason to deny the variance.

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 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, but that means no deck.
7. Does the granting of the variance uphold the spirit and intent of the Zoning Resolution? The Board yes.

Mr. Greene made a motion to approve a 51 ft. area variance for a deck to be constructed 49 ft. from the front yard setback for the property at 3831 Granger Rd. as presented. It was seconded by Mr. Ostmann.

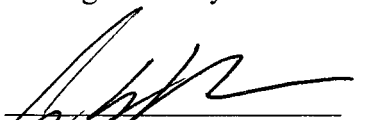
ROLL CALL-Greene-yes, Ostmann-yes, Gray-yes, Traynor-yes, Blakemore-yes.

The variance was granted.

The minutes to the BZA March 15, 2022, hearing were approved as written. Having no other business before the Board the hearing was adjourned at 7:14 p.m.

Respectfully Submitted,

Kim Ferencz
Zoning Secretary


Carey Blakemore, Chairman

