

MEDINA TOWNSHIP

ZONING BOARD OF APPEALS PUBLIC HEARING

June 18, 2025

Chair Blakemore opened the public hearing at 7:00 p.m. Permanent members Blakemore, Greene, Payne, Gray, ~~Greene~~, and Ostmann were in attendance. Alternate members, Traynor and McElyea were not present. ^{Sr}

UPBEAT ORTHODONTICS- 4992 Foote Rd.

Secretary Farnsworth read the application into the record. The applicant is David Aulger. The street address requiring the variance is 4992 Foote Rd for UPBEAT ORTHODONTICS. Present Zoning: BL. Previous variance requests: Unknown.

The variance being requested and reason for the request: Section 404.3 (C) minimum front yard depth of 100' to reduce to 86'. Section 404.3 D.I.B. minimum side yard depth of 25' to reduce to 14'.

- A. Corner lot and excessive setback of 100' results in small amount of buildable area and existing building takes up most of that.
- B. Corner lot
- C. Front yard depth reduction will not be noticeable.

Ms. Daleann Featherham was sworn in. Mr. Jeff Stevenson was sworn in. Mr. Stevenson stated he is the designer and builder, and Ms. Featherham is purchasing the building. They will be renovating and adding a 1,608' addition for 8 dental chairs and a lab. Ms. Featherham also stated she wants to move here because of the location is close to the schools. An orthodontist is different than a dentist and kids come before and after school hence the need for depth. The depth will allow for a clinic and the parents to be able to come back to the clinic. With the equipment you need the size too. The addition is to be able to have an onsite lab. This will also allow for privacy and dividers between chairs. Mr. Stevenson stated that all the material will match the current building.

Mr. Payne asked what will be removed for this addition. Mr. Stevenson replied grass.

Having no further comments from 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 no and 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 no lab or as many chairs.
7. Does the granting of the variance uphold the spirit and intent of the Zoning Resolution? The Board stated yes.

Ms. Gray made a motion to approve the front yard 14ft. variance and side yard 11ft. set back for UPBEAT ORTHODONTICS located at 4992 Foote Rd. as presented. It was seconded by Mr. Greene.

ROLL CALL- Gray=yes, Greene=yes, Ostmann=yes, Payne=yes, Blakemore=Yes

The variance was granted.

Joe Lazor- 3662 Hunting Run Road

Secretary Farnsworth read the application into the record. The applicant is Evergreen Woodcraft Steve Keiper. The street address requiring the variance is 3662 Hunting Run Road for Joe Lazor Present Zoning: UR-PUD. Previous variance requests: No.

The variance being requested and reason for the request: Section 403.04 (D) (4) 10' side yard setback. Current deck 3'4" from property line. Requesting 6'8" variance for deck, structure, and hot tub.

- A. Corner lot makes side setback difficult.
- B. Deck and hot tub were existing when purchased.
- C. Drainage swale is functional property division agreed by both neighbors.

Chair Blakemore read a letter from the neighbors into record.

To whom it may concern,

Giovana and I are the owners of 4740 Lake Forest Trail, Medina. We share the property line with Joe and Shawna Lazor of 3662 Hunting Run Rd., Medina. Joe notified me that when his contractor attempted to get a permit they were told the pavilion deck structure was less than the required 10 ft. setback from the property line for Medina Township. The structure that is 4 ft.

from the property line sits on the edge of a gully over 30 ft. wide that is used for drainage. Both residents have maintained this area with large boulders and stone.

We understand that the technical property line is closer to the pavilion deck structure that was built by the original owners but feel that the gully is the functional division. We have no problems or restrictions for the deck and pavilion structures as is. We understand the upper deck they are trying to extend off their kitchen will be over 40 ft. from the technical property line and is also not a concern.

Thank you,

Philip and Giovanna O'Toole
4740 Lake Forest Trail Medina, OH. 44256

Steve Keiper and Joe Lazor were both sworn in. Mr. Lazor stated that the deck is starting to rot. The HOA said a variance was never made for the current deck. Nothing will be changing just adding rock and stone to look nice. The HOA will not allow anything to be done until a variance is received. Mr. Lazor handed out a picture of the current deck to the Board.

Chair Blakemore asked what will be changing in the picture. Mr. Lazor said we are not changing anything only increasing the deck by 12 ft. by not by the property line. Chair Blakemore asked if the HOA did not catch this. Mr. Lazor replied no, the variance request is for the existing deck that is not changing.

ZI Ridgley was sworn in. Zi Ridgley stated the hot tub needs to be put in the variance. Chair Blakemore asked what hot tub. ZI Ridgley stated it sits in the setback. Ms. Gray asked if the hot tub is on the deck. Mr. Lazor replied that the hot tub is under the roof section of the deck and they will be putting a new hot tub along with redoing the deck.

Having no further comments from 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 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.

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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 take down the deck.
7. Does the granting of the variance uphold the spirit and intent of the Zoning Resolution? The Board stated yes.

Ms. Gray made a motion to approve the side yard 6 ft. 8 in. set back for existing deck and hot tub for Joe Lazor located at 3662 Hunting Run Rd. as presented. It was seconded by Mr. Greene. ROLL CALL- Gray-yes, Greene-yes, Ostmann-yes, Payne-yes, Blakemore-Yes

The variance was granted.

Mark Valentino- 2722 Matthew Lane

Secretary Farnsworth read withdrawal letter into record.

Hello,

I would like to withdraw my current variance request as I have opted to go with a smaller shed.

Here is a copy of my HOA approval letter which approves a storage shed at my property pending the approval of Medina Township. Do I need to seek an additional approval as this letter is not size specific and grants authority based on the townships approval?

Thank you,
Mark Valentino

James Leo- 4400 Joeys Lanes

Secretary Farnsworth read the application into the record. The applicant is James J. Leo. The street address requiring the variance is 4400 Joeys Lane for James Leo. Present Zoning: RR. Previous variance requests: No.

The variance being requested and reason for the request: Section 401.3D 100' required minimum front yard depth (Regal Brooke). Shed will be located 36' exclusive of the right of way. Requesting a 64' variance.

Property Explanation:

The property is a corner lot. The property side where the shed would be located (Regal Brooke) is on a cul-de-sac shared by two houses and my own.

When the house was built, the setback was 80 feet but was later changed to 100 feet.

Unique to this property, the backyard is mostly wooded with a narrow lawn area and a drop off and stream on one side. This limits the build area. The variance location would not materially impair the purpose of the resolution as the shed would still be and nestled in a wooded area at the side of the property, which would largely cover and hide the shed from the roads, both Joeys Lane (front) and Regal Brooke (side). Furthermore, the property is mounded up and slopes downward from the front and side of the house. The shed would be at a lower elevation than the road and would be further hidden by the slope of the property.

James Leo was sworn in. Mr. Leo read a letter from the HOA into record.

Dear Mr. Jim Leo,

Per our email exchange, this is confirmation that the River Trace Landowners Association Board has reviewed your proposed shed for your home at 4400 Joeys Lane and confirmed they are in accordance with the Landowners Association Plat Restrictions.

Before proceeding, please contact Elaine Ridgley from the Medina Township Zoning department so they can review the placement of the shed on your property. You may need to obtain a zoning permit or a county permit before installing the shed on your property. If needed, please email us a copy of the township zoning permit or the county permit once you receive approval.

Sincerely,
River Trace LOA Board

Chair Blakemore asked about the setback being 80' previously but now is 100'. Mr. Leo replied that the change happened after he purchased. Chair Blakemore stated you will need the variance no matter what. Mr. Payne asked how big the shed will be. Mr. Leo replied 10ft. wide 16ft. long, and 10ft. high. Mr. Payne asked if there was anywhere else to put the shed. Mr. Leo replied with the creek and the slope no and it will be hidden on the side here. Chair Blakemore asked what it will be hidden from. Mr. Leo replied the road. Mr. Payne asked if the area was wooded behind the house. Mr. Leo replied yes and a small patch of lawn by walk out basement. He continued that 3 sides have woods and the creek behind his property. Mr. Payne asked if it could go behind the house. Mr. Leo replied it would be more noticeable behind the house. Chair Blakemore commented you do not want it behind the house. Mr. Leo stated correct, I want it on the side. Chair Blakemore asked if the neighbors are ok with it. Mr. Leo replied as far as he knows yes. Mr. Leo also stated he planted trees and will be adding more.

ZI Ridgley stated she walked the property, and it is thick and a stream of water. It is a perfect place for the shed. There is a large drop off. His whole yard is downhill. You will not see the shed from the road.

Having no further comments from the Board members, the Board considered the Duncan Factors.

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1. Will the property yield a reasonable return or whether there is a beneficial use without the variance? The Board stated yes, need the variance with the drop off or for the side would still need one.
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 potentially 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.

Ms. Gray made a motion to approve the 64' front yard setback variance for a 10'x16'x10' shed for James Leos located at 4400 Joeys Lane as presented. It was seconded by Mr. Ostmann. ROLL CALL- Gray-yes, Ostmann-yes, Greene-yes, Payne-no, Blakemore-yes

The variance was granted.

The Villas at Hidden Lakes Phase 1- PN-026-06C-14-002

Secretary Farnsworth read the application into the record. The applicant is Ben Weirnerman. The street address requiring the variance is PN-026-06C-14-002 for The Villas at Hidden Lakes Phase 1. Present Zoning: UR. Previous variance requests: N/A.

The variance being requested and reason for the request: Section 4043.4 (D) minimum front yard depth. Front yard building setback relief for (5) units out of (97) total units proposed on Reagan Pkwy. The concrete patios of Building B10 encroach on the 50' front yard setback which complies with Medina Townships Zoning Resolution. However, the requested variance(s) would allow us to build roof coverings over each patio. The covered patios are more desirable to tenants and more aesthetically pleasing, as they help to break up the otherwise "flat" back building façade.

- A. This variance request is minimal-impacting only 5 of 97 units (5.2%) and reducing the front yard setback from Reagan Pkwy. ROW by 2'-9"(min) to 6'10" (max) going from 50'0" to 43'2" (13.67%). Variance approval will greatly improve streetscape aesthetics

from Reagan Pkwy. And is dually beneficial to the proposed community, as well as, Medina Township. Variance denial will only negatively impact the community aesthetics and streetscape.

- B. Subject property has many environmental features (streams, wetlands, ponds, topography) that we have been mindful to preserve to the best of our ability. These features “constrict” the property in terms of size and ability to push or pull buildings away from setbacks.
- C. The variance request will not materially impact the purpose of the resolution and is minimal in nature. The purpose of the variance is to improve building façade aesthetics along Reagan Pkwy. Which is heavily traveled. The 50’ front yard setback is rather excessive for a 25 MPH street and we believe the requested setback reduction will not negatively impact the Township nor the residents which reside within the subject dwelling units.

Amanda Dick was sworn in. Ms. Dick stated that the application should be 87 units not 97. 5 units on Building B10 only. The 1st unit is 6’10” and the other 4 are 2’9”. The covered patio will provide shade and break up for the road. People like the covering. The rest of the units will be covered or screened as well.

Chair Blakemore asked if the building can be moved back. Ms. Dick responded no. We are trying not to go into wetlands or the roads. This is the most popular style building. Ms. Gray asked with Reagan Pkwy being a busy road are they going to be too close to the road for children or bike even? Ms. Dick responded there will be 47’ from 4 units and 1 will be 43’ from the road. The road is also 25 MPH. Chair Blakemore asked if this is only for 5 units. Ms. Dick responded yes only 5 units on this building. Mr. Ostmann asked if the site plan has been approved. Ms. Dick replied yes.

Having no further comments from 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 no.
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.

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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.

Ms. Gray made a motion to approve only 5 of the 6 units for building B10 6'10" front yard setback for patio covers variance for The Villas at Hidden Lakes Phase 1 located at PN-026-06C-14-002. as presented. It was seconded by Mr. Greene.

ROLL CALL- Gray-yes, Greene-yes, Ostmann-yes, Payne-yes, Blakemore-Yes

The variance was granted.

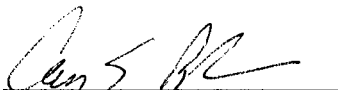
ZI Ridgley stated that in November Kamis submitted a variance but asked for it to be tabled. She will be sending them a final notice for next months meeting and if he does not want to do that he will have to reapply.

The minutes to the BZA May 21, 2025, hearing was approved as written.

Having no other business before the Board the hearing was adjourned at 8:04 p.m.

Respectfully Submitted,

Stephanie Farnsworth
Zoning Secretary


Cary/Blakemore, Chairperson