



CITY of MEDINA
Board of Zoning Appeals
Regular Meeting Minutes
December 14, 2023

Meeting Date: December 14, 2023

Meeting Time: 7:00 PM

Present: Bert Humpal, Paul Roszak, Mark Williams, Andrew Dutton (Community Development Director), and Sarah Tome (Administrative Assistant)

Absent: Kyle Funk and Robert Henwood

Approval of Minutes

Due to the attendance of only two members who were present at the November 9, 2023 meeting, approval of minutes was postponed to the next meeting.

The Court Reporter swore in all attendees.

Applications

1. Z23-21 David Pontia 1035 West Smith Road VAR

Mr. Dutton stated that the property was located on the north side of West Smith Road and surrounding properties were all zoned Industrial. He noted that the site currently contained a 74,800 sq. ft. Drug Mart warehouse building with access off of West Smith Road and with loading docks on the north side of the building. Mr. Dutton stated that the applicant was proposing a 75,000 sq. ft. warehouse addition to the east side of the existing building. He added that Section 1145.09(a)(3)(A.) of the Zoning Code stated that:

Paved parking areas and drives shall extend from the street right-of-way to the rear of the building. Parking areas or drives beyond the rear of the building do not have to be hard surfaced. Compacted gravel, concrete or asphalt may be utilized behind the rear of the building.

Mr. Dutton stated that the application proposed a fire access drive between the proposed addition and the street right-of-way. He added that the access drive was gravel and did not comply with Section 1145.09(a)(3)(A.). Mr. Dutton stated that the fire access drive was located approximately 270 ft. from the West Smith Road right-of-way. He noted that the Fire Department had indicated that gravel was an acceptable surface for the fire access drive and that the drive must have a width of at least 24 ft. Mr. Dutton stated that the applicant had indicated the following regarding the Standards for Variances and Appeals:

- The variance was not substantial as the gravel drive was located at a great distance from West Smith Road and would not have a visual impact.

- The essential character of the neighborhood would not be altered and adjoining properties would not be affected as the surrounding area was industrial.
- The installation of a gravel drive was more economical for the project and the drive would only be used by the Fire Department in an emergency situation.

Present for the case was Dave Pontia of Pontia Architecture, 39 East Main Street, Suite 101, New Albany. Mr. Pontia stated that the proposed gravel access drive was to provide access for the Fire Department to get to the fire main. He added that this was not a required drive and could be eliminated if necessary. Mr. Pontia stated that there was currently gravel on site that and the proposed drive would not be all that visible from West Smith Road.

Mr. Humpal opened the public hearing. There were no questions or comments from the public.

Mr. Humpal inquired as to the company’s plans for plowing the gravel drive when it snows. Mr. Pontia stated that he did not believe Drug Mart intended to plow the gravel drive when it snowed. Kristy Carter with Drug Mart, 211 Commerce Drive, stated that there were no plans to maintain the drive. She reiterated that the drive was to provide access for the Fire Department in the event of an emergency.

Mr. Williams made a motion to approve the variance, stating that the variance was not substantial, the essential character of the neighborhood would not be substantially altered, and significant justice would be done towards the spirit and intent of the Zoning Code by granting the variance.

Mr. Roszak seconded the motion.

Vote:

Humpal	<u>Y</u>	Rozsak	<u>Y</u>
Williams	<u>Y</u>		
Approved	<u>3-0</u>		

Adjournment

Having no further business, the meeting was adjourned.

Respectfully submitted,

Sarah Tome

Bert Humpal, Chairman