



**CITY of MEDINA**  
**Board of Zoning Appeals**  
**Regular Meeting Minutes**  
**May 11, 2023**

Meeting Date: May 11, 2023

Meeting Time: 7:00 PM

Present: Brandilyn Fry, Robert Henwood, Bert Humpal, Paul Roszak, Andrew Dutton (Community Development Director), and Sarah Tome (Administrative Assistant)

Absent: Mark Williams

**Approval of Minutes**

Mr. Roszak made a motion to approve the minutes from April 13, 2023 as submitted.

The motion was seconded by Ms. Fry.

Vote:

Fry	<u>Y</u>	Henwood	<u>Y</u>
Humpal	Y	Roszak	<u>Y</u>
Approved	<u>4-0</u>		

The Court Reporter swore in all attendees.

**Applications**

1. Z23-07 Brian Midock 830 North Court Street VAR

Mr. Dutton stated that the applicant was requesting an Area Variance to Section 1145.04(a) to allow fewer drive through stacking spaces than permitted. He noted that the site currently had access from a shared drive to the east and a partial ingress/egress easement with the property to the south.

Mr. Dutton stated that the Planning Commission tabled Site Plan and Conditional Zoning Certificate approval due to architectural issues, which did not affect with the variance request.

Mr. Dutton stated that the applicant was proposing to add two additional drive through lanes, modify parking to the rear of the building, and alter exterior building elevations. He noted that Section 1145.04(a) included a table which stated that banks must have 4 stacking spaces for drive through lanes. Mr. Dutton added that the applicant had indicated 3 total drive through lanes on the east side (rear) of the building each with 3 stacking spaces, which was less than required by Section 1145.04(a).

Present for the case was Brian Midock of La Macchia Group, 157 North Milwaukee Street, Milwaukee, Wisconsin. Mr. Midock stated that, since the pandemic, a lot of Premier Bank's traffic had gone to using the drive-through. He added that mobile banking limited the number of people who visited the bank in person, so he believed that the drive throughs would never have more than nine cars in line at any time.

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

Mr. Roszak made a motion to approve the variance, stating that variance was not substantial, the essential character of the neighborhood would not be substantially altered, and the adjoining properties would not suffer substantial detriment due to the variance.

Ms. Fry seconded the motion.

Vote:

Fry	<u>Y</u>	Henwood	<u>Y</u>
Humpal	Y	Rozsak	<u>Y</u>
Approved	<u>4-0</u>		

2.        Z23-08                Bob Vokac                                144 North Court Street                                VAR

Mr. Dutton stated that the applicant was requesting an Area Variance to Section 1153.04(a)(39)(A.) to allow outdoor dining adjacent to a bar without food service. He stated that Wrecking Crew Brew Works was proposing to designate an 18.5 ft. x 25 ft. area on the north side of the building for the dining area, which would occupy two existing parking spaces. Mr. Dutton added that the patio area would be enclosed by planter boxes connected by rope and incorporated black furniture and festoon lighting.

He noted that the applicant had received Conditional Zoning Certificate approval from the Planning Commission earlier in the evening with the condition that the patio shall only be open until 11 pm to comply with the City's noise ordinance. Mr. Dutton stated that the applicant had indicated the following regarding the Standards for Variances and Appeals:

- The inclusion of an outdoor dining area would be a more beneficial use for the business and would be a substantial opportunity to add additional seating capacity.
- The essential character of the neighborhood would not be substantially altered and the outdoor dining area would be utilized by many customers from the neighborhood.
- Food service was not available at this time but was possible in the future.
- Wrecking Crew Brew Works had not had issues with neighbors in the past and would address any issues that arose in the future.

Present for the case was Bob Vokac, 235 West Liberty Street.

Mr. Humpal opened the public hearing. Rick Kirby, 246 West Friendship Street, stated that he loved the idea. He added that he felt that Wrecking Crew Brew Works was a great neighbor and that he was in favor of the patio.

Mr. Humpal asked about outdoor dining within the required building setbacks. Mr. Dutton stated that in the C-2 zoning district, the building setback requirement was 0 ft., so there was no issue with setbacks in this instance.

There was a discussion as to whether or not the variance should be limited to this business or a time frame be set for food service. Mr. Vokac stated that they were in the process of expanding Wrecking Crew Brew Works and were planning on adding a kitchen. Mr. Vokac stated, while he could not give a specific time line, he would be fine with a two-year time limit to the variance.

Ms. Fry made a motion to approve the variance to Section 1153.04(a)(39)(A.) with the following conditions:

1. The variance shall be limited to the current ownership.
2. Food service shall be established within a two-year period.

Ms. Fry stated that the variance was not substantial and was in keeping with the spirit and intent of the Zoning Code.

Mr. Roszak seconded the motion.

Vote:

Fry	<u>Y</u>	Henwood	<u>Y</u>
Humpal	Y	Roszak	<u>Y</u>
Approved	<u>4-0</u>		

### **Adjournment**

Having no further business, the meeting was adjourned.

Respectfully submitted,

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Sarah Tome

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Bert Humpal, Chairman