



CITY of MEDINA
Board of Zoning Appeals
June 9, 2022

Meeting Date: June 9, 2022

Meeting Time: 7:00 PM

Present: Robert Henwood, Bert Humpal, Chris O’Connell, Mark Williams,
Andrew Dutton (Community Development Director), Sarah Tome (Administrative Assistant)

Absent: Brandilyn Fry, Paul Roszak

Approval of Minutes

Mr. Henwood made a motion to approve the minutes from May 12, 2022 as submitted.

The motion was seconded by Mr. Williams.

Vote:

Henwood	<u>Y</u>
Humpal	<u>Y</u>
O’Connell	<u>Y</u>
Williams	<u>Y</u>
Approved	<u>4-0</u>

The Court Reporter swore in all attendees.

Old Business

There was no old business to be discussed.

New Business

1. Z22-16 Alana Stockman 620 East Smith Road VAR

Mr. Dutton stated that the applicant was requesting a use variance to Section 1141.02 to allow a daycare in an I-1 (Industrial) zone. He noted that the site included a building with 94,860 sq. ft. of industrial and office space. Mr. Dutton stated that the applicant was requesting to locate a daycare facility in the 5,280 sq. ft. “Suite F”, located in the northeast corner of the building. He continued that an outdoor play area would be located to the east in an existing green space and that pickup and drop-off were proposed in existing parking spaces. He noted that the Board of Zoning Appeals approved a similar variance in March of 2022 for a Daycare use at 728 East Smith Road, which was directly to the east of the subject property.

Present for the case was Alana Stockman, owner of Stockman Learning Center, 131 North East Street. Ms. Stockman stated that she was operating a daycare in a space of around 1,000 sq. ft., but she had outgrown the space. She stated that the proposed site had previously housed a facility for special needs adults. Ms. Stockman noted that this previous facility left a footprint that was perfect for a daycare, since there were nine classrooms, multiple bathrooms, and was handicap accessible.

Mr. Williams inquired into the status of the previously approved daycare. Mr. Dutton stated that the daycare was not open yet, but would be opening soon.

Mr. O'Connell asked if buses from the Medina City Schools would be going to the daycare. Ms. Stockman stated that there would be no buses coming to the site and the daycare only used vans to transport their attendees.

Mr. Humpal opened the public hearing. Troy Gerspacher of Gerspacher Real Estate, 5164 Normandy Park Drive, stated that trying to fill 5,000 sq. ft. of office space was difficult, especially when attached to an industrial park. Mr. Gerspacher stated that he thought a location within walking distance to lower-income neighborhoods was good for a daycare.

Mr. Henwood made a motion to approve the variance with the limitation that it be for this specific tenant. Mr. Henwood stated that the variance would not alter the essential character of the area and would not adversely affect the delivery of government services.

Mr. O'Connell seconded the motion.

Vote:

Henwood	<u>Y</u>
Humpal	<u>Y</u>
O'Connell	<u>Y</u>
Williams	<u>Y</u>
Approved	<u>4-0</u>

3. Z22-18 Carlin Vandendiessche 600 West Liberty Street VAR

Mr. Dutton stated that the applicant was requesting an area variance to Sections 1145.04(g) and 1145.09(b) to allow parking within the front setback and without a visual barrier. Mr. Dutton noted that the site contained Root 18 CrossFit, which incorporated small gravel parking lots in the front and rear of the building. He stated that the applicant was proposing a 1,840 sq. ft. front addition and the improvement and expansion of the parking area to the rear of the building. He added that the applicant had received site plan approval from the Planning Commission earlier in the evening with the condition that he also received a variance from the Board of Zoning Appeals. Mr. Dutton stated that the proposed site would have a one-way counterclockwise circulation with ingress just south of the existing building and egress across from the future Little Fox Bakery. Mr. Dutton noted that the proposed parking area would not alter the character of the area, as the majority of parking lots in the vicinity did not meet the required front setback or screening requirements. He added

that, since the lot is long and narrow, the only feasible way to have parking was for it to be within the setbacks.

Present for the case was Carlin Vandendriessche, owner of Root 18 CrossFit, and Patrick Vandendriessche 3770 Granger Road. Carlin Vandendriessche stated that their current parking lot was not the safest and the proposed parking lot would clean up the property and would be safer.

Illumination of the parking lot was discussed. Mr. Dutton stated lighting was shown on the west side of the lot, away from residences. Mr. O'Connell inquired into the construction of the new parking lot. Carlin Vandendriessche stated that the parking lot would be asphalt or concrete. Mr. Henwood asked if the parking lot opened directly onto the street. Patrick Vandendriessche stated that there would be concrete wheel stops between the street and the parking lot.

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

Mr. Henwood made a motion to approve the variance, as the essential character of the neighborhood would not be altered, the adjoining property owners would not suffer substantial detriment if the variance was granted, and it would not adversely affect the delivery of government services.

Mr. O'Connell seconded the motion.

Vote:

Henwood	<u>Y</u>
Humpal	<u>Y</u>
O'Connell	<u>Y</u>
Williams	<u>Y</u>
Approved	<u>4-0</u>

4. 222-19 Elmwood Court Apartments LLC 135-145 Lafayette Road VAR

Mr. Dutton stated that the applicant was requesting an area variance to Section 1147.10(I) to allow two new 15 sq. ft. signs to be located on the south and west sides of a fence. Mr. Dutton stated that signs were previously located on the south, east, and west faces of the fence. He noted that staff was unable to locate any sign permit or variance submittal for the previous signs. Mr. Dutton stated that construction of conforming ground signs on the site was not feasible due to the site's configuration and location of fencing. He added that in order to locate conforming ground signs on the site, fencing, the carport, or parking would need to be removed. Mr. Dutton stated that due to their location, the fencing signs essentially functioned as freestanding signs. Additionally, he noted that previous three signs located on the fencing were displayed for a number of years without issues.

Present for the case was Craig Sturgill, 445 West Liberty Street and Troy Gerspacher of Gerspacher Real Estate, 5164 Normandy Park Drive. Mr. Sturgill stated that the three signs had been there since

2015. Mr. Sturgill added that one of the signs was being eliminated, while the other two would be replaced. Mr. Gerspacher stated that his company had purchased the property in 2015. Mr. Gerspacher explained that they had done a complete renovation and added the carport. He stated that there had been no other logical place to put the signs.

It was established that the proposed signs would be exactly the same size as the ones currently on the fence. Mr. Williams acknowledged the work Mr. Gerspacher had done on the property, but expressed regret that the Board had granted the variance for the fence, as it blocked the view at the intersection. Mr. Gerspacher noted that they had opened the fence some to increase visibility. Mr. Williams stated that his only hesitation would be blocking more of the view, but he noted that there should be no problem if they were replacing like for like.

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

Mr. O'Connell made a motion to grant the variance, stating that construction of a conforming sign would obstruct the vision of motorists or would otherwise endanger public health and that a conforming sign would be blocked from the sight of passing motorists due to the carport.

Mr. Williams seconded the motion.

Vote:

Henwood	<u>Y</u>
Humpal	<u>Y</u>
O'Connell	<u>Y</u>
Williams	<u>Y</u>
Approved	<u>4-0</u>

4. Z22-20 Mike Hollamon 117 North Huntington Street VAR

Mr. Dutton stated that the applicant was requesting an area variance to Section 1113.05(l)(2)(A.)(3.) to allow a reconstructed accessory building within the side yard setback. He stated that the applicant was proposing to remove the existing 337 sq. ft. detached garage and construct a 448 sq. ft. detached garage in its place. Mr. Dutton noted that the proposed garage would maintain the same 2.2 sq. ft. setback from the north property line. He stated that the proposed accessory building would result in a minor increase of 2 ft. from the existing nonconforming condition on the site. Mr. Dutton added that a neighbor's shed had a 0 ft. setback from the property line.

Present for the case was Mike Hollamon, 117 North Huntington Street. Mr. Hollamon stated that the garage was in a failing condition. He stated that he wanted to remove this structure and replace it with a more solidly built structure that would last. Mr. Hollamon added that building a larger garage would not affect his neighbors or change the view from the street.

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

Mr. Williams made a motion to grant the variance based on the fact that the variance was not substantial, and the essential character of the neighborhood would not be substantially altered.

Mr. O'Connell seconded the motion.

Vote:

Henwood	<u>Y</u>
Humpal	<u>Y</u>
O'Connell	<u>Y</u>
Williams	<u>Y</u>
Approved	<u>4-0</u>

Adjournment

Having no further business, the meeting was adjourned.

Respectfully submitted,

Sarah Tome

Bert Humpal, Chairman