



CITY of MEDINA
Board of Zoning Appeals
Regular Meeting Minutes
August 10, 2023

Meeting Date: August 10, 2023

Meeting Time: 7:00 PM

Present: Kyle Funk, Bert Humpal, Mark Williams, Andrew Dutton (Community Development Director), Sarah Tome (Administrative Assistant)

Absent: Robert Henwood and Paul Roszak

Approval of Minutes

Mr. Williams made a motion to approve the minutes from July 13, 2023 as submitted.

The motion was seconded by Mr. Funk.

Vote:

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

The Court Reporter swore in all attendees.

Applications

1.	Z23-14	Robert Chordar	850 Walter Road	VAR
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Mr. Dutton stated the property was located on the east side of Walter Road and included a four-story apartment building on the north side of the property and administrative offices for Medina Metropolitan Housing Authority (MMHA) to the south side. He noted that the site was located in a transitional area between single-family residential to the south, institutional uses to the north, and commercial to the east. Mr. Dutton stated that the MMHA office building included an upper level, which was at grade from Walter Road, and a lower level which was at grade to the rear of the site. He added that the proposal did not include any significant changes to the exterior of the building or site. Mr. Dutton stated that the applicant was requesting to locate an "Emergency Housing Facility" in the current MMHA office building. He noted that the Planning Commission had previously approved a Conditional Zoning Certificate for the use.

Mr. Dutton stated that plans incorporated the following proposed uses within the building:

- A lower level with a women's room, a family room, a day room, a kitchen, a locker room, and bathroom facilities. The level also included a staff break room and locker room.
- An upper level with 3 men's rooms, a day room area, a laundry room, and bathroom facilities. The level also includes offices, a reception area, a conference room, and a waiting room.

Mr. Dutton stated that the applicant was requesting an Area Variance to 1153.04(a). He noted that this section of the Zoning Code referred to transitional housing and included the following regulation:

- (7) Such developments should be located on major thoroughfares or at intersections of major and/or collector thoroughfares.

He added that the site on Walter Road was not a major thoroughfare or collector, so the variance was necessary. Mr. Dutton stated that the applicant had indicated the following regarding the Standards for Variances and Appeals:

- The variance was not substantial as the site was near government services, commercial uses, and residential uses.
- The essential character of the neighborhood would not be substantially altered as the site was currently MMHA office space serving a similar clientele and the area contained a mix of uses.
- The proposed use was not feasible through any other method than the subject variance.
- The spirit and intent of the zoning requirement would be maintained as the proposal would provide occupants of the facility access to government service, employment, and shopping.

Present for the case was Skip Sipos, Executive Director of Medina Metropolitan Housing Authority, 850 Walter Road, and Robert Chordar of TCA Architects, 430 Grant Street in Akron.

Mr. Humpal opened the public hearing.

The City of Medina Mayor, Dennis Hanwell, stated that the Board of County Commissioners and the Housing Authority had been working on this for numerous years. He noted that the Salvation Army, churches, MMHA, and a variety of other groups were all trying to help those in need, but there was not a coordinated effort between them. He stated that, in 2021, there was an earmark in the State Budget that permitted a study to be done for a Medina County Housing Network coordinated community plan. Mayor Hanwell stated that three areas of need in Medina County were identified:

1. A homeless shelter.
2. Permanent supportive housing, which was being taken care of on Lafayette Road.

3. Affordable housing within the City, which Habitat for Humanity was working on plans for.

Mayor Hanwell noted that the Planning Commission had reviewed this proposal earlier in the evening and had passed it unanimously. Mayor Hanwell stated that Habitat for Humanity and MMHA had considered a partnership for a shelter at the Habitat property off of Lafayette Road. He added that the location was far away from the services that the facility's users would need. Mayor Hanwell stated that the proposed location was close to services and potential job opportunities for its visitors.

Mr. Williams thanked MMHA for their efforts, noting that he had been a part of Operation Homes for many years and this was a much-needed facility. He asked what was the source of the temporary residents. Mr. Sipos stated that people were able to present themselves at the facility 24/7, 365 days of the year. He added that law enforcement, family members, and churches also send those in need to MMHA.

Mr. Humpal inquired if the proposed facility was adequate for Medina County. Mr. Sipos stated that it was, noting that they had done a study to determine the proper size and location of the facility.

Mr. Funk stated that his parents were teachers and that one of this father's students had been homeless. He added that that student was now his adopted brother, so he was very excited for this proposal. Mr. Funk asked what was being done to address youth homelessness, as this facility appeared to be for adults. Mr. Sipos clarified that this facility would take men, women, children, and pets. He noted that pets were often a barrier to those in need of shelter.

Mr. Williams made a motion to approve the variance to Section 1153.04(a)(7), to allow a transitional housing use not located on a major thoroughfare. Mr. Williams added that the cause for the variance could not be feasibly obviated by other means and that the essential character of the neighborhood would not be substantially altered.

Mr. Funk seconded the motion.

Vote:

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

Mr. Dutton stated that a large industrial building was located on the site with the following users:

- CT Crates – A 16,800 sq. ft. industrial use
- MK Airsoft – A 32,000 sq. ft. commercial recreation use
- Common Ground – A 40,000 sq. ft. indoor market with over 50 vendors including retail and food service. In addition, there was also commercial recreation space with 4,000 sq. ft. for rock climbing and 3,400 sq. ft. for axe throwing.

Mr. Dutton noted that a smaller industrial building near North State Road was also located on the site, and was occupied by The Dog Wizard. Mr. Dutton stated that the site had two separate access drives on North State Road without a permanent sign presence for the large industrial building. He noted that the north drive was planned as an exit only and the south drive was planned as an entrance only. Mr. Dutton stated that the applicant proposed to have an exit sign and an entrance sign at their respective drives, which were considered instructional signs.

Mr. Dutton stated that Section 1147.14(b) of the Zoning Code allowed ground signs in the I-1 District, per the following: “One permanent ground sign, not exceeding forty (40) square feet in area and six (6) feet in height, for each nonresidential building”. He added that the applicant was requesting the following sign variances regarding the above section:

- **Number of Ground Signs** - Three ground signs were proposed including the Dog Wizard sign, Multi-Tenant sign, and Common Ground sign. The site was composed of two separate properties, which would allow for only two ground signs. The requirement did not apply to the proposed enter and exit signs.
- **Ground Sign Area** - The proposed Common Ground sign was 75 sq. ft. in area, which exceeded the maximum ground sign area of 40 sq. ft. By code, the area of a ground sign included the background and frame. The proposed Common Ground sign incorporated a significant frame area, which was included in the size calculation.
- **Sign Height** – The proposed Multi-Tenant sign was 8 ft. in height, which exceeded the maximum ground sign height of 6 ft.

Mr. Dutton noted that the temporary MK Airsoft sign and the truck would be removed from the property. Mr. Dutton stated that the applicant had indicated the following regarding the Standards for Variances and Appeals:

- Conforming signs would not be visible to motorists as the entry and exit drives were not observable from each other.
- There were obstructions, including a building and trees, between the entries, which blocked visibility.
- The character or appearance of the building, lot, or neighborhood would not be adversely impacted as the signs would match the existing entryway.
- The variance was consistent with the spirit and intent of the ordinance as the signs would be utilized to identify the property and tenants.

Mr. Humpal asked if any variances had been granted at a prior date for signage at this site. Mr. Dutton stated that the only permanent sign on the site was for The Dog Wizard.

Present for the case was Mike Brock, owner of 220 and 226 North State Road. He stated that the twelve largest tenants would be placed on the multi-tenant sign. Mr. Brock stated that the Common Ground sign was actually 40 sq. ft. in area, but that the frame made it bigger. He added that, with the size of the building and property, they needed a larger sign to match.

Mr. Humpal opened the public hearing. Curtis Perkins, 5604 Lafayette Road, stated that he wanted to commend Mr. Brock on the work he had put into the property. Mr. Curtis recommended that the Board approve the variance.

Mr. Williams stated that he had been to Common Ground and that he thought the signs were a vast improvement. He added that clarifying the entrance and exit, especially with the size of the property, was important.

Mr. Williams made a motion to approve the variance to Section 1147.14(b), stating that a sign that exceeded the allowable height or area standards would be more appropriate in scale given the size of the premises and that the exception would not adversely impact the character or appearance of the neighborhood.

Mr. Funk seconded the motion.

Vote:

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

Adjournment

Having no further business, the meeting was adjourned.

Respectfully submitted,

Sarah Tome

Bert Humpal, Chairman