



# Community Development Department Receipt

Building, Planning & Economic Development

132 North Elmwood Ave

Medina, OH 44256

(330) 722-9030 [www.medinaoh.org](http://www.medinaoh.org)

[permits@medinaoh.org](mailto:permits@medinaoh.org)



Receipt # Z22-07

February 22, 2022

Paid By: Deanna Bowen

Address: 235 Woodland Dr

Building Division	Fee
Building Permit	#
HVAC Permit	#
Electric Permit	#
Plumbing Permit	#
Fire Supp/ Alarm Permit	#
Demolition Permit	#
Contractor Registration	#
Foreclosure Filing	#
Plan Review Fee	
Zoning Certificate Fee	
B. B. S. Fee	
Miscellaneous	

Planning & Zoning Division	Fee
Sign Permit	#
Variance	\$ 200.00
Code or Map Amendment	
Site Plan	
Conditional Sign Permit	#
Conditional Zoning Certificate	
Plat Preliminary Plan	
Final Plat	
Fence Permit	#
Certificate of Appropriateness	
Open Space	#
Miscellaneous	

Engineering	Fee
Grading Completion Deposit	
Plan Review Fee	
SWP3 Fee	
<b>Total</b>	<b>\$0.00</b>

Economic Development Division	Fee
Job Creation Grant	
Miscellaneous	
<b>Total</b>	<b>\$200.00</b>

**Receipt Total \$ 200.00**

Additional Information:

Variance to allow a nonpermitted daycare use at 728 E Smith Rd in an I-1 (Industrial) zoning district.

CITY OF MEDINA  
132 NORTH ELMWOOD AVE.  
P.O. BOX 703  
MEDINA, OH. 44258-0703

DATE 02/22/2022 TUE TIME 15:51

Payment Method: Cash  Check # 406

Visa/MC  Auth # \_\_\_\_\_

PLANNING \$200.00  
SUBTOTAL \$200.00  
TOTAL \$200.00  
CHECK \$200.00

(330) 725-8861  
**THANK YOU**

Julie 000040 00001



**CITY OF MEDINA**  
Community Development Department  
132 N. Elmwood Ave. Medina, OH 44256  
Phone: 330-722-9023 Fax: 330-764-4385

February 23, 2022

Dear Property Owner,

You are receiving this notice because you are an owner of property adjacent to an application that has been submitted to the City of Medina Board of Zoning Appeals. The Board will hold a public hearing at their next regular meeting regarding the application described below at **7:00 pm on March 10, 2022**. The meeting will be held at City Hall, 132 North Elmwood Avenue, Medina, OH 44256.

**Z22-07:** Deanna Bowen requesting a Use Variance to Section 1141.02 to allow a nonpermitted daycare use at 728 East Smith Road in an I-1 (Industrial) zoning district.

All interested parties are welcome to attend and will be given the opportunity to address the Board during the public hearing portion of the meeting and submit evidence and written comments with respect to the application. In the spirit of ADA compliance, individuals with a disability should contact the Community Development Department at least 72 hours prior to the hearings to request accommodations.

For further information, to submit written comments prior to the meeting, or to request special auxiliary aids please contact:

Andrew Dutton  
Community Development Director  
adutton@medinaoh.gov  
(330) 722-9023  
132 North Elmwood Avenue  
Medina, Ohio 44256

## **Z22-XX Property Owners List 2-23-22**

<b>Owner Name</b>	<b>Address</b>	<b>City</b>
620 E Smith Rd	620 E Smith Rd E-1	Medina, OH 44256
780 East Smith Road LLC	780 East Smith Rd	Medina, OH 44256
Bitskay Rental Property Llc	708 E Smith Rd	Medina, OH 44256
Children's Center Of Medina County	724 E Smith Rd	Medina, OH 44256
Haney Kristine M	692 E Smith Rd	Medina, OH 44256
Jenpire Properties LLC	6160 Stone Rd	Hudson, OH 44236
Madrilejos Tomas A & Alicia M Trustee	930 E Washington St	Medina, OH 44256
McDermott James T	741 E Smith Rd	Medina, OH 44256
McKee Nancy D	3983 Hedgewood Dr	Medina, OH 44256
Peplin Daniel R	731 E Smith Rd	Medina, OH 44256



# **CITY OF MEDINA**

**Community Development Department**

132 N. Elmwood Ave. Medina, OH 44256  
Phone: 330-722-9023 Fax: 330-764-4385

Medina County Gazette – Legal Advertising  
**Please publish once: February 26, 2022**

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**NOTICE OF PUBLIC HEARINGS  
BOARD OF ZONING APPEALS  
CITY OF MEDINA, OHIO**

The City of Medina will hold a regular meeting of the Board of Zoning Appeals on Thursday, March 10<sup>th</sup>, 2022, 7:00 pm at City Hall, 132 North Elmwood Avenue, Medina, OH 44256. At the meeting, the Board will hold a public hearing on application Z22-07, Deanna Bowen requesting a Use Variance to Section 1141.02 to allow a nonpermitted daycare use at 728 East Smith Road in an I-1 (Industrial) zoning district.

All interested parties may attend and will be given the opportunity to address the Board during the public hearing portion of the meeting and submit evidence and written comments with respect to the application. In the spirit of ADA compliance, individuals with a disability should contact the Community Development Department at least 72 hours prior to the hearings to request accommodations. For further information, to submit written comments prior to the meeting, or to request special auxiliary aids please contact Andrew Dutton, Community Development Director, at [adutton@medinaoh.gov](mailto:adutton@medinaoh.gov), (330) 722-9023, or 132 North Elmwood Avenue, Medina, Ohio 44256.

**Z22-07**  
**East Smith Daycare Use**

Property Owners: James and Nancy Gowe  
Applicant: Deanna Bowen  
Location: 728 East Smith Road  
Zoning: I-1 (Industrial)  
Request: Use Variance to Section 1141.02 to allow a daycare use

**LOCATION AND SURROUNDING USES**

The subject site is composed of 2.22 acres located on the south side of East Smith Road. Adjacent properties contain the following uses and zoning:

- North – Single-Family Residential and Office (R-2)
- South – Undeveloped (R-1)
- East – Office (R-2)
- West – Industrial (I-1)



**BACKGROUND & PROPOSED APPLICATION**

The existing site includes a building with 22,344 sq. ft. of industrial space and 4,600 sq. ft. of vacant office space. The applicant is requesting to locate a daycare facility in the 4,600 sq. ft. portion of the building. Pickup and drop-off have been proposed in existing parking spaces.

As shown on the above map, the area is a transition between residential, office, industrial uses as well as undeveloped land. In addition, a number of nonconforming office uses exist along East Smith Road.

**REAR SETBACK REQUIREMENTS – SECTION 1141.02**

Section 1133.05 includes a table indicating permitted uses in the I-1 zoning district. A daycare use is not included in the table and is thus not permitted at the subject property.

**STANDARDS FOR VARIANCES AND APPEALS (SECTION 1107.08(i))**

Standards applicable to use variances ("unnecessary hardships"). The applicant shall demonstrate by clear and convincing evidence that all of the following standards have been met in order to find an unnecessary hardship exists so as to justify the granting of a use variance, as determined by the Board:

- A. The variance requested stems from a condition which is unique to the property at issue and not ordinarily found in the same zone or district;
- B. The hardship condition is not created by actions of the applicant;
- C. The granting of the variance will not adversely affect the rights of adjacent owners;
- D. The granting of the variance will not adversely affect the public health, safety or general welfare;
- E. The variance will be consistent with the general spirit and intent of this Ordinance;
- F. The variance sought is the minimum which will afford relief to the applicant; and
- G. There is no other economically viable use which is permitted in the zoning district.

*The property is located in a transitional area containing a variety of residential, commercial/office, and industrial uses in the vicinity. The property can be used for commercial/office, and industrial uses without a variance, however, the section of the building being considered is not suitable for an industrial user.*

*As the majority of nonresidential uses in the area are as intense or more intense than the proposed use, the daycare would not appear to have adverse impacts. Public health, safety and general welfare will not be affected and the community will have an additional daycare option.*

STANDARDS APPLICABLE TO USE VARIANCES ("UNNECESSARY HARDSHIPS")

The applicant shall demonstrate by clear and convincing evidence that all of the following standards have been met in order to find an unnecessary hardship exists so as to justify the granting of a use variance, as determined by the Board:

A. The variance requested stems from a condition which is unique to the property at issue and not ordinarily found in the same zone or district;

There is a major need for daycare facilities. This is a great location and pushed back off the road in a safe area.

B. The hardship condition is not created by actions of the applicant;

The location is no longer used for industrial use. The frontage of the property is zoned Commercial in a mixed-use area.

C. The granting of the variance will not adversely affect the rights of adjacent owners;

No adverse affect to the adjacent owners, because the area is already zoned for mixed use.

D. The granting of the variance will not adversely affect the public health, safety or general welfare;

No. It could potentially help the area greatly by providing a much needed service with a operator with 12 years experience.

E. The variance will be consistent with the general spirit and intent of this Ordinance;

Yes. This is a perfect location for a variance. The warehouse adjacent to location is strictly storage with one operator a low traffic. This variance is reasonable.

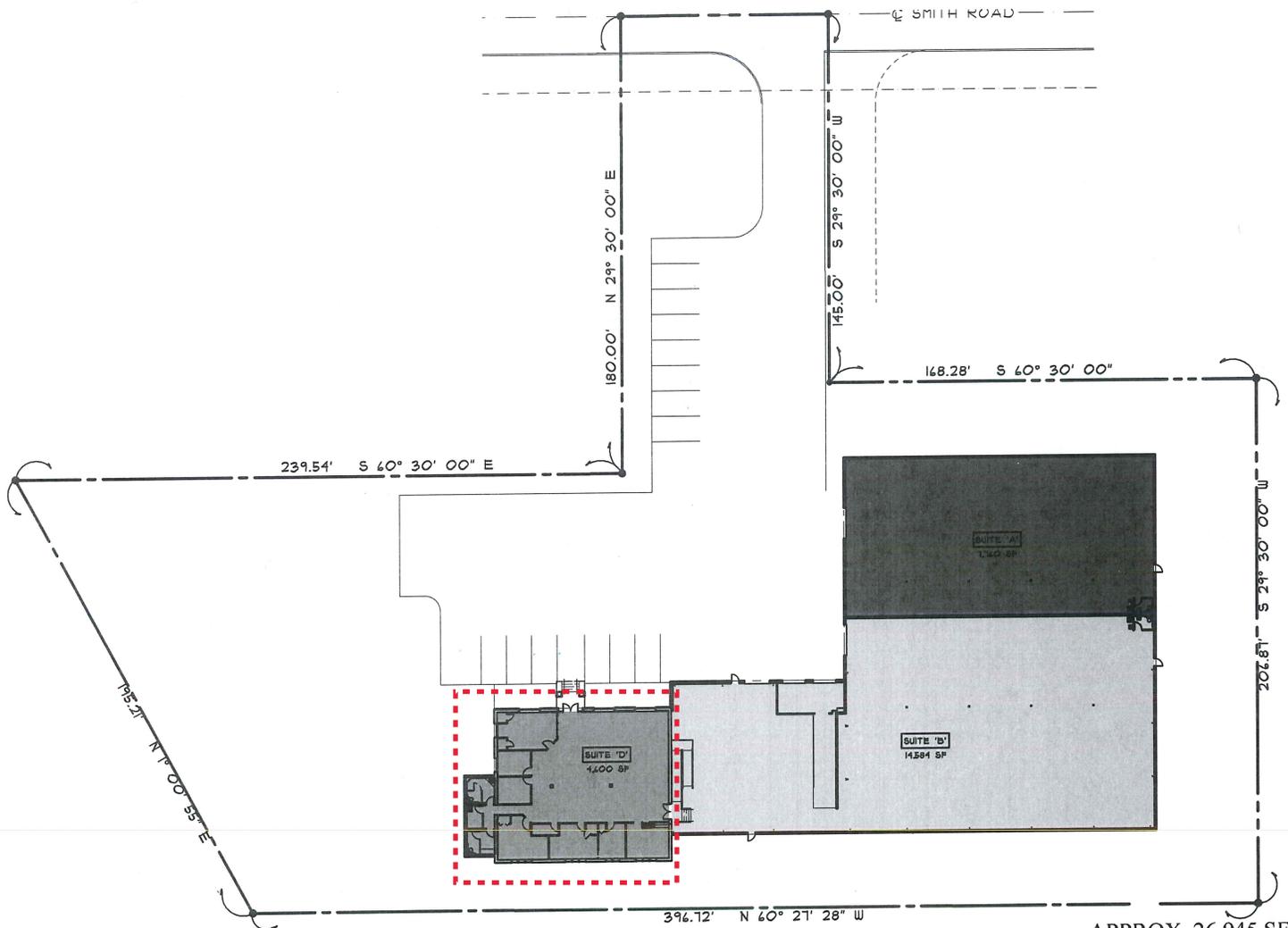
F. The variance sought is the minimum which will afford relief to the applicant; and

This variance will allow operator to move into a larger space to have more room to bring children of our community and extend the educational opportunities in a safe environment.

G. There is no other economically viable use which is permitted in the zoning district.

The need for daycare is higher then the need for office space at this time and in this location.





728 East Smith Road, Medina, Ohio

APPROX. 26,945 SF

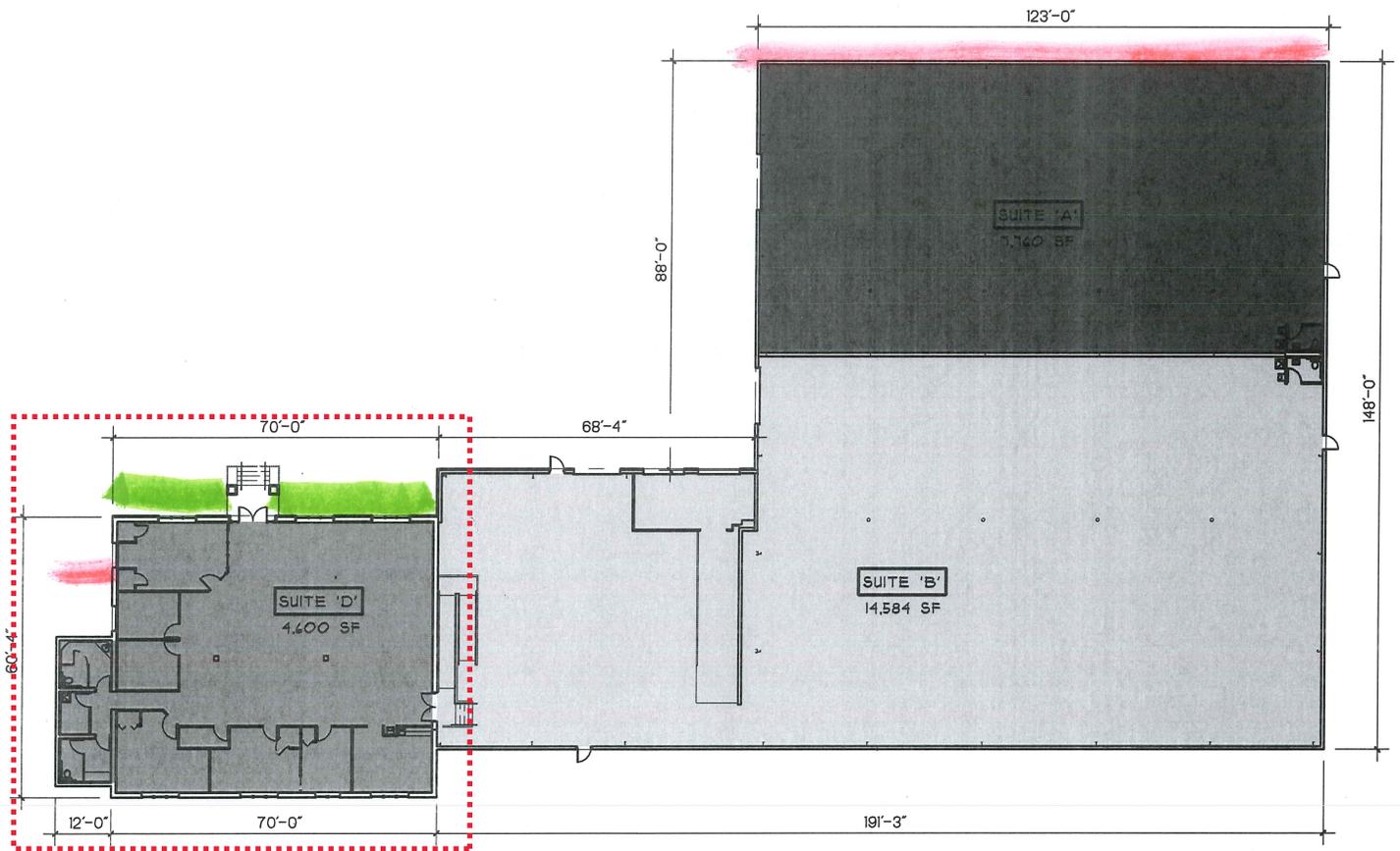
**620 CONSTRUCTION**

620 East Smith Road, Medina  
 330-722-0620 / fax 330-722-3210



← F. Smith Road →

-munch/smaller shrubs  
-Trees

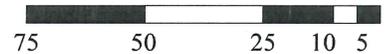


728 East Smith Road, Medina, Ohio

BUILDING 26,945 SF

**620 CONSTRUCTION**

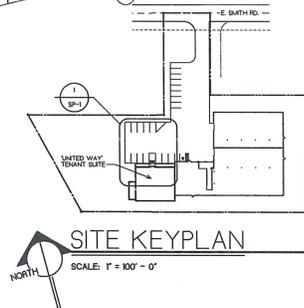
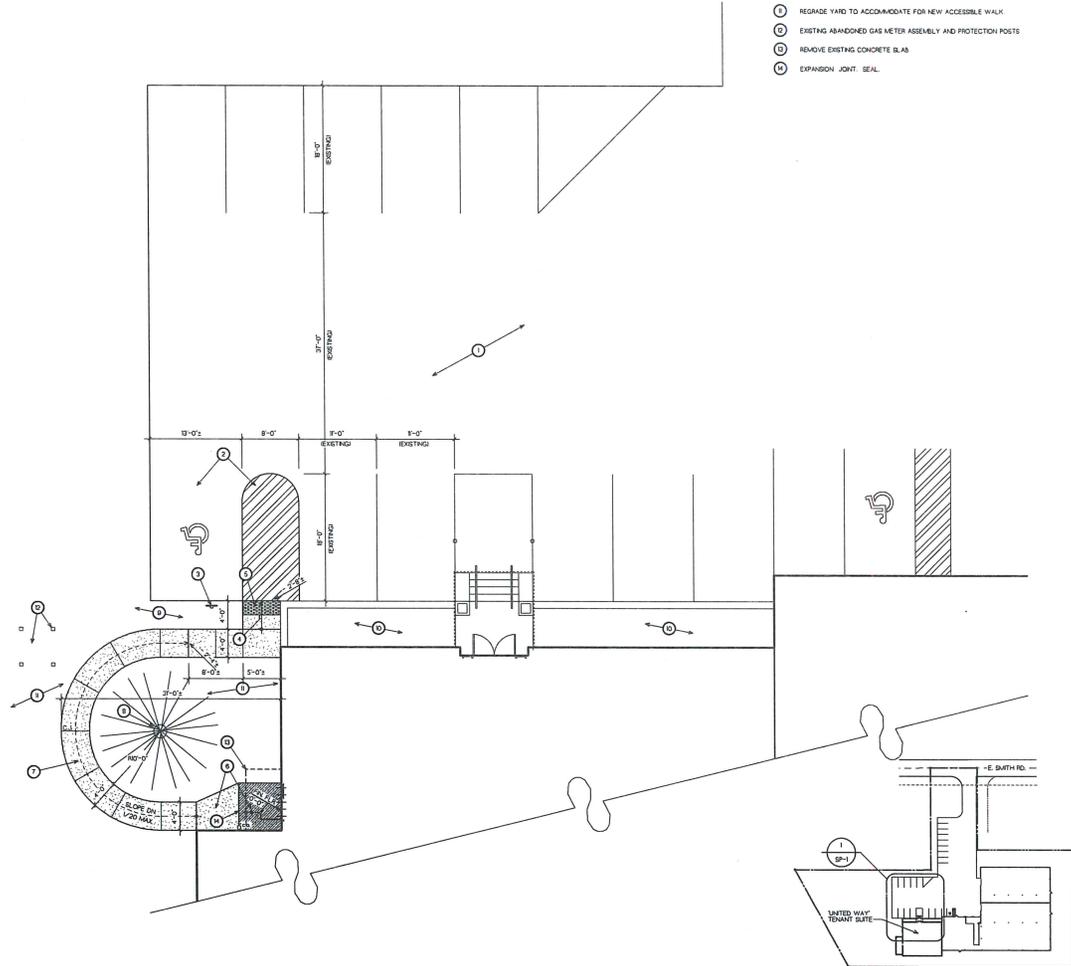
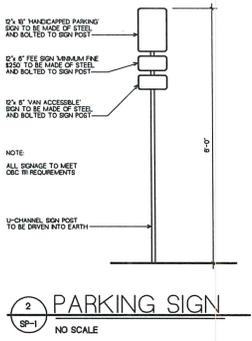
620 East Smith Road, Medina  
330-722-0620 / fax 330-722-3210



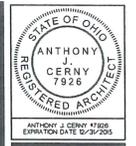


**SITE PLAN NOTES**

- ① EXISTING PAVED PARKING
- ② CONVERT EXISTING (G) PARKING SPACES INTO ACCESSIBLE PARKING SPACE 1. A/B/E
- ③ ACCESSIBLE PARKING SIGN. REFER TO DETAIL 2/SP-1
- ④ CURB RAMP, SLOPE DOWN 1/2" MAXIMUM
- ⑤ PROVIDE TACTILE WARNING STRIP
- ⑥ CONCRETE ACCESSIBLE WALK ADJACENT TO SIDE ENTRY. 4" CONCRETE WITH 6/8" 18" X 18" W/FF ON COMPACTED PORTULACA FILL. PLACE OVER 5'-0" WALKWAY OF 7" 20S MATCHED AREA AND PER TO FLOOR SLAB WITH 4# 8" BOWTIE @ 24" SLOPE 1/4" = 1". 2" MAX.
- ⑦ 4" X 4" CONCRETE ACCESSIBLE WALK. 4" CONCRETE WITH 6/8" 18" X 18" W/FF ON COMPACTED PORTULACA FILL. RAMP DOWN MAXIMUM 1/2".
- ⑧ EXISTING TREE TO REMAIN
- ⑨ LANDSCAPE AREA
- ⑩ EXISTING LANDSCAPE PLANTER
- ⑪ REGRADE YARD TO ACCOMMODATE FOR NEW ACCESSIBLE WALK
- ⑫ EXISTING ABANDONED GAS METER ASSEMBLY AND PROTECTION FOSTS
- ⑬ REMOVE EXISTING CONCRETE SLAB
- ⑭ EXPANSION JOINT SEAL



PLOTTED: 3/16/2005



**ARCHITECTURAL DESIGN STUDIOS INCORPORATED**

Architecture  
Preservation  
Graphics  
Planning  
Interior Design

620 E. Smith Road  
Medina, Ohio 44256  
330.3723.6975

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**620 CONSTRUCTION**

Commercial  
Leasing  
Storage  
Construction

620 E. Smith Road  
Medina, Ohio 44256  
330-722-6620/330-722-3210

TENANT DRAWINGS FOR:

**UNITED WAY**  
728 EAST SMITH ROAD  
MEDINA, OHIO 44256

THESE DRAWINGS AND DESIGN ARE THE EXCLUSIVE PROPERTY OF ARCHITECTURAL DESIGN STUDIOS. THEY ARE INTENDED FOR CONSTRUCTION ONLY AT THE SITE INDICATED. UNAUTHORIZED REPRODUCTION OF THE DOCUMENTS DESIGN IS PROHIBITED.

MARCH 2005  
#15017

**SP-1**

NO SCALE  
ISSUED FOR PERMIT



IN ACCORDANCE WITH OHIO BUILDING CODE  
(O.B.C.) SECTION 1004.1.1  
THE MAXIMUM OCCUPANT LOAD FOR THIS  
SPACE IS POSTED AS FOLLOWS

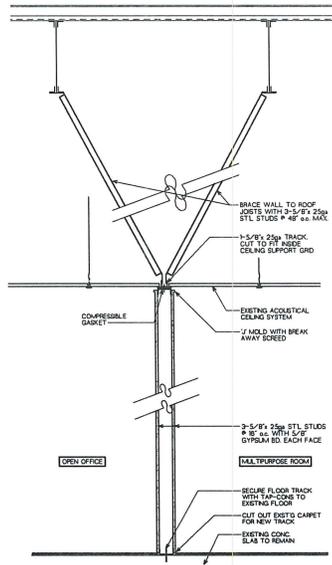
## Multipurpose Room Occupancy Limit

# 49

THIS SIGN SHALL NOT BE REMOVED OR  
DEFACTED IN ACCORDANCE WITH  
ORC CHAPTER 3781 & 3791

**Posting Plaque** - The above plaque shall be fabricated from a metal or plastic and shall incorporate vinyl cut lettering. The plaque shall be a minimum of 8" wide and shall maintain the proportions shown. The sign shall be located in a prominent, permanently affixed to the structure.

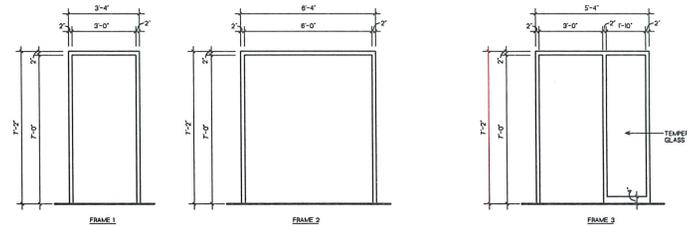
4 POSTING PLAQUE DETAIL  
A-51 NO SCALE



9 WALL SECTION  
A-51 SCALE: 3/4" = 1'-0"



2 DOOR TYPE  
A-51 SCALE: 3/8" = 1'-0"



1 FRAME TYPES  
A-51 SCALE: 3/8" = 1'-0"

DOOR SCHEDULE									
NO	DOOR			FRAME			REMARKS	HDWR	
	SIZE	MATL	TYPE	MATL	TYPE	HEAD			JAMB
1	3'-0" x 7'-0" x 1-3/4"	SCWD	A	HM	1				A
2	PR 3'-0" x 7'-0" x 1-3/4"	SCWD	A	HM	2				B
3	3'-0" x 7'-0" x 1-3/4"	SCWD	A	HM	1				C
4	3'-0" x 7'-0" x 1-3/4"	SCWD	A	HM	3				C
5	3'-0" x 7'-0" x 1-3/4"	SCWD	A	HM	1				C
6	3'-0" x 7'-0" x 1-3/4"	SCWD	A	HM	1				D

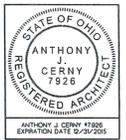
  

HARDWARE SCHEDULE			
SET	QTY.	DESCRIPTION	REMARKS
A	1-1/2 PR	Butts, type BB, Hager #BB1279, or equal	
	1	Lockset, entrance type, ICC/ANSI A117.1 compliant lever handle	
B	1	Closer, Door-O-Matic SC-70 DS heavy duty or equal, parallel arm mount, dead stop, ICC/ANSI A117.1 compliant	
	1 PR	Butts, type BB, HAGER #BB1279, or equal	
	1 PR	Lockset, entrance type, ICC/ANSI A117.1 compliant lever handle	
C	1 PR	Abrazul	
	1 PR	Flush Bolts	
D	1-1/2 PR	Butts, type BB, Hager #BB1279, or equal	
	1	Lockset, entrance type, ICC/ANSI A117.1 compliant lever handle	
	1	Passage latcheset, ICC/ANSI A117.1 compliant lever handle	
	1		

**NOTES:**

- All keying shall be in accordance with Owner/Tenant requirements.
- Hardware style, finish, and manufacturer shall match existing.
- Provide door silencers on all hollow metal frames.
- The Contractor shall provide wall mounted door stops at all doors swinging into a wall or similar object.

PLOTTED 4/7/2015



**ARCHITECTURAL DESIGN STUDIOS INCORPORATED**

Architecture  
Preservation  
Graphics  
Planning  
Interior Design

620 E. Smith Road  
Medina, Ohio 44256  
330.9723.06975

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**620 CONSTRUCTION**

Commercial  
Locking  
Storage  
Construction

620 E. Smith Road  
Medina, Ohio 44256  
330-722-4620 330-722-2110

TENANT DRAWINGS FOR:  
**UNITED WAY**  
728 EAST SMITH ROAD  
MEDINA, OHIO 44256

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APRIL 2015 #15017

A-5.1





## Andrew Dutton

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**From:** Kungli, Kris L. (GRC-FDE0)[Peraton Inc.] <kris.l.kungli@nasa.gov>  
**Sent:** Thursday, March 10, 2022 11:57 AM  
**To:** Andrew Dutton  
**Subject:** Z22-07 Questions and concerns to the Board of Zoning Appeals department for the meeting

Andrew Dutton, Community Development Director

Hello Andrew. I stopped by to ask you a few questions yesterday (Tuesday, 3/9/2022) about the Z22-07 proposed variance at 728 E. Smith Rd. I am providing questions and concerns to the Board of Zoning Appeals department. I will still try to make it to this evening's meeting. Please provide a copy to the Board members.

The following consists of concerns, history, and questions for the board and the applicant that is requesting a variance to be allowed at 728 E Smith Road, are as follows.

Concerns:

Our neighborhood has had a noticeable increase in traffic, emergency vehicles, and noise, since the assisted living facility, The Avenue, was added to our neighborhood. We are concerned about the increased traffic that a Daycare would bring with it if the variance is approved. With the current zoning of I-1. For example, The United Way was a good fit for our mostly residential neighborhood. It was a small office business with minimal employees and daily traffic.

Recent History:

Just a few years ago. We had a tenant that rented the house at 738 E. Smith. The renter tried to turn it into a Day Care which included traffic, noise, and problems at all hours of the day and night. And eventually the tenant was evicted. Due to this experience, we are hesitant for another daycare to be permitted in our neighborhood.

Before QDRO moved into the property at 780 E Smith. The Board did not approve a daycare facility at 780 E. Smith to co-exist in our R-2 neighborhood.

Questions for the Applicant:

- 1) What are the proposed hours of operation?
- 2) How many employees will be on staff? Current and future growth?
- 3) How many children maximum will this property house? Current and future?
- 4) Where will the proposed outdoor playground area be located?

Thank you,

Kris Kungli  
800 E. Smith Rd.