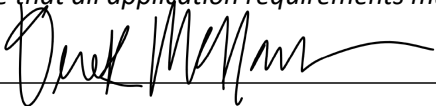




# BOARDS & COMMISSIONS APPLICATION

132 North Elmwood Avenue  
330-722-9038  
www.medinaoh.org

Application Number **Z25-10**

GENERAL	Date of Application _____
	Property Location _____
	Description of Project _____
	_____
CONTACT INFORMATION	<b>Applicant</b>
	Name _____
	Address _____ City _____ State _____ Zip _____
	Phone _____ Email _____
	<b>Property Owner</b>
	Name _____
	Address _____ City _____ State _____ Zip _____
	Phone _____ Email _____
APPLICATION TYPE	<b>Planning Commission</b> Site Plan <input type="checkbox"/> Conditional Zoning Certificate <input type="checkbox"/> Code or Map Amendment <input type="checkbox"/>
	Preliminary Plan <input type="checkbox"/> Final Plat <input type="checkbox"/> Conditional Sign (EMC/Shopping Ctr) <input type="checkbox"/> TC-OV <input type="checkbox"/> Other <input type="checkbox"/>
	<b>Historic Preservation Board</b> Certificate of Appropriateness <input type="checkbox"/> Conditional Sign <input type="checkbox"/>
	<b>Board of Zoning Appeals</b> Variance <input type="checkbox"/> Appeal <input type="checkbox"/>
APPLICANT SIGNATURE	<i>By signing this application, I hereby certify that:</i> 1) <i>The information contained in this application is true and accurate to the best of my knowledge;</i> 2) <i>I am authorized to make this application as the property owner of record or I have been authorized to make this application by the property owner of record;</i> 3) <i>I assume sole responsibility for correspondence regarding this application; and</i> 4) <i>I am aware that all application requirements must be submitted prior to the formal acceptance of my application.</i>
	Signature  _____ Date _____
OFFICIAL USE	Zoning District <b>R-3</b> _____
	Meeting Date <b>5/8/25</b> _____
	Fee (See Fee Sheet) \$ <b>200</b> _____
	Check Box when Fee Paid <input checked="" type="checkbox"/>

## **Z25-10**

### **Norwegian Wood Fence Height**

Property Owner: Thomas and Patricia Mullikin  
Applicant: Derek McNamara  
Location: 955 Norwegian Wood  
Zoning: R-3 (High Density Urban Residential)  
Request: Area variance to Section 1151.01(c)(1) to allow a fence taller than permitted in the front yard

#### **LOCATION AND SURROUNDING USES**

The subject site is 0.53 acres located on the west side of Norwegian Wood Drive. Adjacent properties contain the following uses and zoning:

- North – Single-Family Residential (R-3)
- East – Single-Family Residential (R-3)
- South – Single-Family Residential (R-3)
- West – Industrial and Vacant (I-2)



#### **BACKGROUND & PROPOSED APPLICATION**

The subject property contains a single-family home on the south side of the property and a detention basin on the north side of the property. A storm water pipe outlets into the detention basin, which detains water after rain events and slowly drains. The applicant is proposing a 6 ft. tall wood privacy fence along the north, west, and east property lines.

#### **FENCE HEIGHT (SECTION 1151.01(c)(1))**

Section 1151.01(c)(1) limits fences to 3 ft. in height in a front yard. In side and rear yards, fences are permitted to be 6 ft. in height which may be increased to 8 ft. in height when the top 2 ft. are at least 50% open.

The proposed solid 6 ft. tall fence is partially located in the front yard, approximately 4 ft. from the Norwegian Wood Drive right-of-way.

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

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Factors applicable to area or size-type variances ("practical difficulty"). The applicant shall show by a preponderance of the evidence that the variance is justified, as determined by the Board. The Board shall weigh the following factors to determine whether a practical difficulty exists and an area or size-type variance should be granted:

- A. Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the variance;
- B. Whether the variance is substantial;
- C. Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer substantial detriment as a result of the variance;
- D. Whether the variance would adversely affect the delivery of governmental services (e.g., water, sewer, garbage);
- E. Whether the property owner purchased the property with knowledge of the zoning restrictions;
- F. Whether the property owner's predicament feasibly can be obviated through some method other than a variance; and/or
- G. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting a variance.

**APPLICANT'S RESPONSES TO STANDARDS FOR VARIANCES AND APPEALS**

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The applicant's responses to the Standards for Variances and Appeals include but are not limited to the following:

- The variance is not substantial as a 3 ft. tall fence would be permitted, but would be insufficient to secure the area from neighboring children.
- The essential character of the neighborhood will not be substantially altered as the fence will not block the view of any home and will not affect the necessary use of the property.
- Government services will not be affected as gates will provide access to the easement area of the property.

**FACTORS APPLICABLE TO AREA OR SIZE-TYPE VARIANCES ("PRACTICAL DIFFICULTY")**

The applicant shall show by a preponderance of the evidence that the variance is justified, as determined by the Board. The Board shall weigh the following factors to determine whether a practical difficulty exists and an area or size-type variance should be granted:

A. Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the variance;

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B. Whether the variance is substantial;

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C. Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer substantial detriment as a result of the variance;

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D. Whether the variance would adversely affect the delivery of governmental services (e.g., water, sewer, garbage);

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E. Whether the property owner purchased the property with knowledge of the zoning restrictions;

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F. Whether the property owner's predicament feasibly can be obviated through some method other than a variance; and/or

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G. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting a variance.

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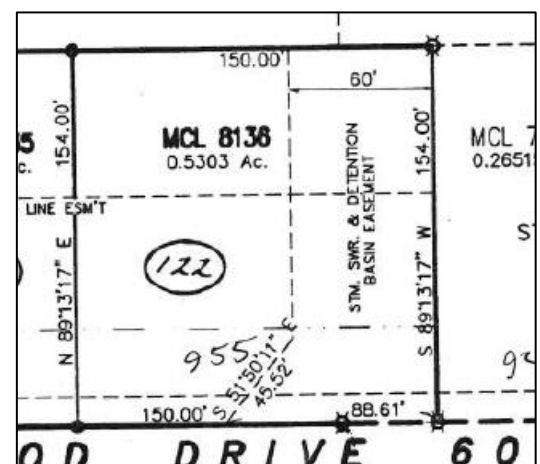
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Tom Mullikin  
tomm@oamequipment.com  
955 Norwegian Wood Dr  
Medina, OH, 44256-3518  
(216) 644-6815

**Wood fence installation**

- Install 444' of 6' tall wood privacy style fencing
- All panels custom built on site(no prebuilt panels)
- Select grade #1 2x4's
- #1 treated 4x4 fence posts
- 1 1/16" thick pickets (dog ear style)
- All posts set 36" below grade and encased in 160lbs of concrete (gate posts set in 320lbs of concrete)
- All of the dirt hauled away from post hole digging
- Install three 10' wide gates and one 5' wide gate using galvanized 4x4 square steel for the posts and galvanized steel for the frames (galvanized posts and frames painted gloss black)
- Use heavy duty adjustable hinges, double drop rods, drop rod holders, and heavy duty latch.





Basin





Basin





