



# BOARDS & COMMISSIONS APPLICATION

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

Application Number 225-13

GENERAL	Date of Application <u>4-16-25</u>
	Property Location <u>467 Lafayette Rd.</u>
	Description of Project <u><del>Yard Sign</del> Use Variance for Commercial Use</u>
CONTACT INFORMATION	<b>Applicant</b>
	Name <u>Frank Gagliardi</u>
	Address <u>467 Lafayette Rd</u> City <u>Medina</u> State <u>Oh</u> Zip <u>44256</u>
	Phone <u>330-725-2121</u> Email <u>911 Gags@gmail.com</u>
	<b>Property Owner</b>
	Name <u>Same</u>
Address _____ City _____ State _____ Zip _____	
Phone _____ Email _____	
APPLICATION TYPE	Planning Commission <input type="checkbox"/> 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"/>
	Historic Preservation Board Certificate of Appropriateness <input type="checkbox"/> Conditional Sign <input type="checkbox"/>
	Board of Zoning Appeals Variance <input checked="" type="checkbox"/> Appeal <input type="checkbox"/>
APPLICANT SIGNATURE	By signing this application, I hereby certify that: 1) The information contained in this application is true and accurate to the best of my knowledge; 2) 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; 3) I assume sole responsibility for correspondence regarding this application; and 4) I am aware that all application requirements must be submitted prior to the formal acceptance of my application.
	Signature <u>[Signature]</u> Date <u>4-16-25</u>
OFFICIAL USE	Zoning District <u>R-3</u>
	Meeting Date <u>5/8/25</u>
	Fee (See Fee Sheet) \$ <u>200</u>
	Check Box when Fee Paid <input checked="" type="checkbox"/>

## **Z25-13** **Lafayette Road Commercial Use**

Property Owners: Marie Gagliardi  
Applicant: Frank Gagliardi  
Location: 467 Lafayette Road  
Zoning: R-3 (High Density Residential)  
Request: Use variance to Section 1125.02 to allow a non-permitted commercial use

### **LOCATION AND SURROUNDING USES**

The subject site is composed of 0.8 acres located on the north side of Lafayette Road. Adjacent properties are zoned R-3 and contain the following uses:

- North – Single-Family Residential
- East – Single-Family Residential
- South – Single-Family Residential and Office
- West – Single-Family Residential



### **BACKGROUND & PROPOSED APPLICATION**

The property contains a home, large detached garage, and gazebo. The garage was constructed in 2016 as a residential accessory structure and the gazebo was constructed in 2023.

The applicant is proposing to operate a business, Squeegee Clean, out of the home and has indicated the use will include the following characteristics:

- A small office in the southeast corner of the home
- No non-resident employees or customers on the site
- Storage of a work van on the site
- A recently installed freestanding sign near the driveway entrance (a sign permit will be required)
- Business operation until the applicant's retirement

### **SECTION 1125.02 – COMMERCIAL USE**

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Section 1125.02 indicates permitted uses in the R-3 zoning district, which allows single-family detached dwellings. Section 1125.04 allows conditionally permitted uses in the district, which are predominantly residential and public/semi-public.

Section 1125.03 allows home occupations as an accessory use in the R-3 zoning district. The proposed commercial use, as described above, is accessory to the principal single-family residential use on the site. However, the use cannot be considered a home occupation as a sign advertising the commercial use is proposed and there will be visible evidence of the commercial use.

Therefore, the proposed limited commercial use on the site does not comply with Section 1125.02.

### **Standards Applicable to Use Variances (Section 1107.08(i)(1))**

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.

### **Applicant's Responses to Standards for Variances and Appeals**

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

- The variance will not adversely affect the rights of adjacent property owners as the visible evidence of the use has been displayed for years.
- The variance will be consistent with the general spirit of the ordinance as there are other businesses in the area.
- There is no other economically viable use for the property as the area has other businesses and the proposal will not affect neighboring properties.



## 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;

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

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

I have had a sign out there in the same spot for 10-15 years. This is just a nicer sign

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

There has been a sign in this spot for 10-15 years. I don't believe there has been a complaint.

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

There are all different businesses and types of businesses surrounding this property

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

Not sure if I need a permanent variance or not. Plan on retiring and selling the business

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

There are businesses all around my property. This really only affects the neighbor to the south. I have talked to him and he does not have a problem with the sign.



## Andrew Dutton

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**From:** Frank Gagliardi <squeegeemedina@gmail.com>  
**Sent:** Friday, April 18, 2025 7:51 AM  
**To:** Andrew Dutton  
**Subject:** Variance

To whom it may concern,

I am seeking a variance for my business Squeegee Clean. Around 15 years ago I was asked by the surrounding neighbors to help purchase the parcel of land next to me, and continuing on into the backyards of the people on both Baxter and Orchard street. They were worried that the owners at the time, the Koran brothers, were going to put in a multi-family unit.

At the time I was a Cleveland Firefighter, and my second job was window cleaning. I had a van that took up 1/2 of my driveway, and because of that, I had to move a vehicle every time I wanted to take my own car out of the driveway. We had very little money at the time.

We moved out to Medina, a city my wife and I fell in love with, and even after going against the city of Cleveland's residency law, we moved out here not for the city schools, but because we loved the city.

We sent our kids to St. Francis, a Catholic school even though we both worked and that took up quite a bit of our budget. So we bit the bullet, and bought a share of the lot. I thought at the time if the business picked up I could make that lot, a business site. Unfortunately at the time, the city would not let me separate the lots, so it became one larger property. Over the years the business grew, I put up a yard sign, then a larger professional sign. I have had a sign up for 10-15 years. Last year I put up a sign that was no bigger than the sign I had up for years, but it was planted in the ground. I have since been notified from the city that this was not allowed.

So I am asking for a variance, to make the property, what I had intended all along. I put up a garage that houses a couple vehicles, I have a small 10 x 12 ft. office in my house that I use for the business. There are no employees that work on sight, no customers on sight. The office is located in the front right corner of my house.

I am not sure how many more years I will do this for. I had planned to finally retire at age 65, but that has snuck up on me, and I will be 65 this year. I understand there is a way to make the property semi-commercial, in which the majority of the property is still a residence. I am hoping this would be a possibility for the remaining time I continue with my business.

Frank Gagliardi



# Medina County Auditor GIS



4/4/2025, 10:38:23 AM

Parcel Number (Label)

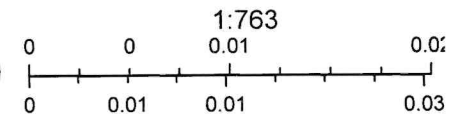
Medina Parcel Dimensions (Label)



Medina Parcels

World\_Hillshade

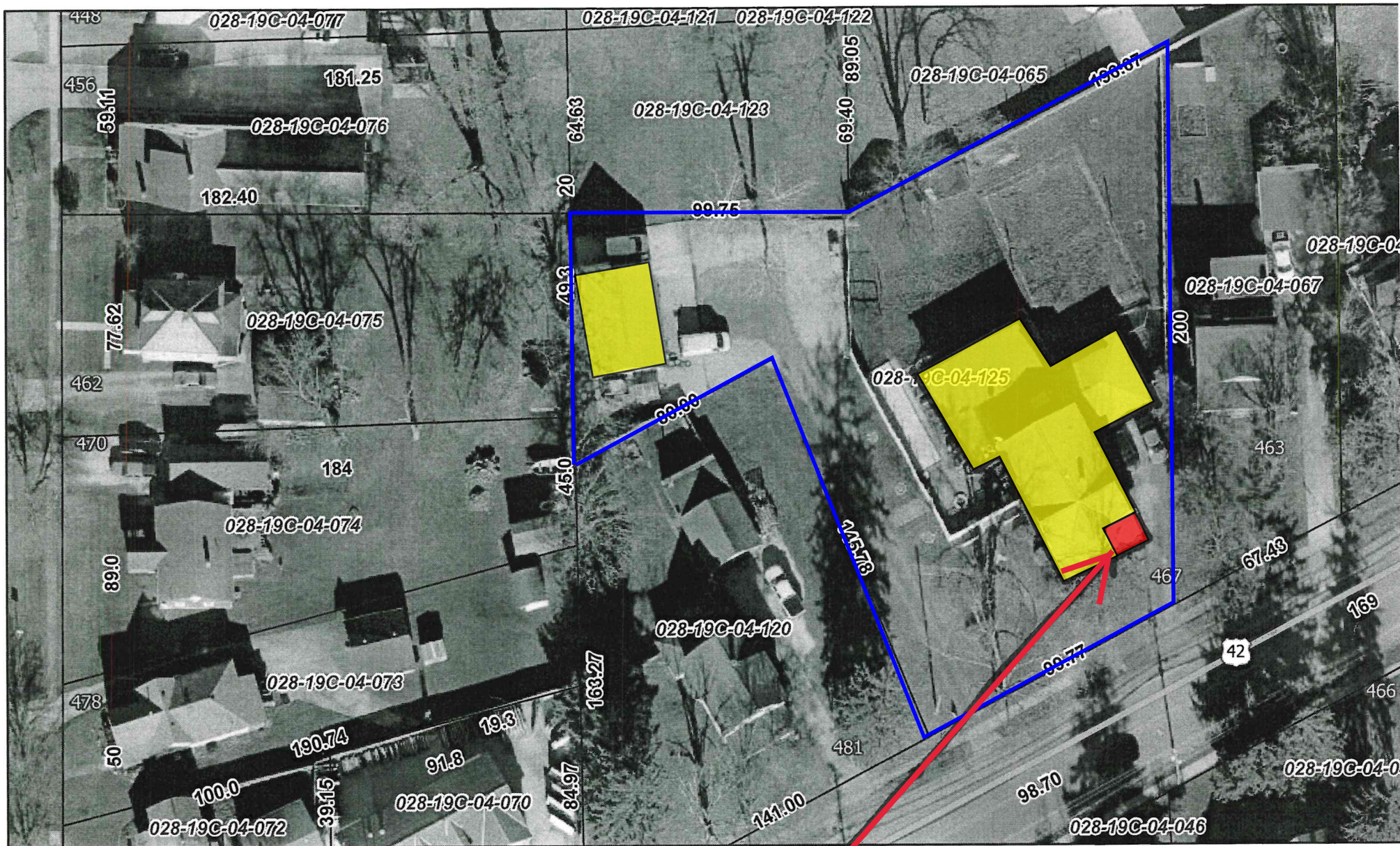
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Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © Of contributors, and the GIS User Community, Sources: Esri, Maxa USGS, NGA, NASA, CGIAR, N. Robinson, NCEAS, NLS, Geodastatyselsen, Rijkswaterstaat, GSA, Geoland, FEMA, Interr



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4/4/2025, 10:38:23 AM

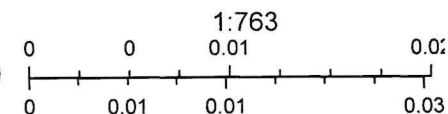
Parcel Number (Label)

Medina Parcel Dimensions (Label)

☐ Medina Parcels

World Hillshade

10' x 12'  
Office



Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community, Sources: Esri, Maxar, Airbus, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Interpol





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Business Across  
the Street