



CITY of MEDINA

Board of Zoning Appeals

Regular Meeting Minutes

October 9, 2025

Meeting Date: October 9, 2025

Meeting Time: 7:00 PM

Present: Steve Cooper, Bert Humpal, Logan Johnson, Paul Roszak, Andrew Dutton (Community Development Director), and Sarah Tome (Administrative Assistant)

Absent: Kyle Funk

Approval of Minutes

Mr. Cooper made a motion to approve the minutes from September 11, 2025 as submitted.

The motion was seconded by Mr. Johnson.

Vote:

Cooper	<u>Y</u>	Humpal	<u>Y</u>
Johnson	<u>Y</u>	Roszak	<u>Y</u>
Approved	<u>4-0</u>		

The Court Reporter swore in all attendees.

Applications

1. Z25-26 Eben Selby 455 Lafayette Road VAR

Mr. Dutton stated that, in May of 2024, the applicant received approval for an addition and deck for an existing two-family dwelling and the construction of a 743 sq. ft. detached garage with a concrete driveway. He added that, in May of 2025, the applicant had received revised approval for a larger addition and deck and to change the use of the building to a single dwelling. Mr. Dutton stated that the applicant was requesting a second revision for a single-family dwelling, including the following changes:

- The construction of a one story breezeway addition to attach the garage
- A garage with an increased footprint size of 915 sq. ft. and the inclusion of a second story
- Change of exterior colors from a dark gray to beige and brown

Mr. Dutton stated that Section 1121.05 required a minimum front yard setback of 40 ft. for principal structures in the R-3 District. He noted that the proposed addition was set back 17 ft.

11 in. from the Orchard Lane right-of-way. Mr. Dutton continued that the existing principal structure was located 12 ft. from the Orchard Lane right-of-way, which was a nonconforming condition. He noted that the nonconforming structure could be expanded by up to 50 percent of its footprint, provided the 12 ft. setback was maintained. He added that the previous approvals, which included a detached garage, contained an addition under 50 percent of the existing structure's footprint, and had been permitted to continue the nonconforming 12. ft. setback.

Mr. Dutton stated that the current request entailed a change of the building's footprint from 1,366 sq. ft. to approximately 2,836 sq. ft, a 1,470 sq. ft. increase. He added that, as the addition was over 50 percent of the existing building's footprint, the required 40 ft. setback from the Orchard Lane right-of-way applied.

Mr. Dutton stated that the applicant had indicated the following regarding the Standards for Variances and Appeals:

- The variance was not substantial as the addition and attached garage were not a significant increase in size from the previously approved detached garage.
- The essential character of the neighborhood would not be altered as the lot was oddly shaped and attaching the garage would be an aesthetic improvement.
- The predicament cannot be obviated through a method other than a variance as there were no viable options to attach the garage that were architecturally pleasing.

Present for the case was Eben Selby, 455 Lafayette Road.

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

Mr. Roszak stated that he had no issues with the proposal. All other Board members agreed.

Mr. Roszak made a motion to approve the variance, stating that the essential character of the neighborhood would not be substantially altered, and adjoining properties would not suffer substantial detriment. He added that the variance would not adversely affect the delivery of government services.

Mr. Cooper seconded the motion.

Vote:

Humpal	<u>Y</u>	Johnson	<u>Y</u>
Roszak	<u>Y</u>	Cooper	<u>Y</u>
Approved	<u>4-0</u>		

2.	Z25-27	Crisman Jones	1201 N Court Street	VAR
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Mr. Dutton stated that the property was currently home to the Dragon Buffet. Mr. Dutton indicated that the applicant was proposing to clear the site and construct a new 3,654 sq. ft. convenience store and motor vehicle fueling station. He added that the Site Plan and

Conditional Zoning Certificate applications had been reviewed by the Planning Commission earlier in the evening and conditionally approved.

Mr. Dutton stated that the site had two access drives off of a private street to the rear and did not have direct access to North Court Street. He noted that Section 1145.10(e) of the zoning code limited the width of an access drive at the curb line to 38 ft. Additionally, he added that Section 1153.04(d)(15)(B.), which was a conditionally permitted use regulation, limited the width of an access drive at the property line to 30 ft.

Mr. Dutton stated that a typical access drive configuration had a narrower width at the property line, which expanded to a larger width at the curb line. He added that the site's access drives were off a private street where the property line was equal to the curb line. Mr. Dutton stated that, as such, the access drives had the same widths at both the property line and curb line, with widths of 54 ft. at the south drive and 69 ft. at the north drive.

Mr. Dutton indicated that the application also required a variance to Section 1147.14(d). He noted that both the east and south facades of the canopy faced streets and were considered building frontages. He added that the north facade of the canopy was not considered a building frontage and could not have a building sign. He noted that the applicant had proposed a 22.9 sq. ft. "Meijer" wall sign on the north facade of the canopy.

Mr. Dutton stated that the applicant had indicated the following regarding the Standards for Variances and Appeals:

- In order to yield a reasonable return and allow a beneficial use, a wider driveway was necessary to allow safe ingress and egress for larger vehicles, such as fuel trucks, and ensure the business could operate efficiently and safely.
- The variance was not substantial as the increased width was driven by unique site conditions, operational needs of a fueling station, and was not excessive.
- The essential character of the neighborhood would not be substantially altered and the wider driveways would improve traffic flow with no detriment to adjoining properties.

Present for the case were Crisman Jones of Meijer, 2350 Three Mile Road NW in Grand Rapids, Michigan, and Brian Smallwood of Woolpert, 1203 Walnut Street in Cincinnati. Mr. Jones stated that the width of the drives was for deliveries, as the same trucks were used to stock both the convenience store and main store.

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

Mr. Cooper inquired as to the projected vehicle traffic that would be generated by the gas station. Mr. Smallwood stated that he anticipated 25-45 additional trips at peak times. He noted that while the proposed convenience store and motor vehicle fueling station would capture some additional traffic from Court Street, the vast majority of customers would be Meijer store customers as well.

Mr. Humpal asked how many fuel deliveries they expected in a week. Mr. Smallwood stated that he anticipated one or two deliveries.

Mr. Cooper noted that the four way stop to the southwest of the site had a lot of traffic. There was a discussion regarding making the southern access drive right out only. Mr. Smallwood stated that they would be willing to do so and would consult the City Engineering Department on the signage.

There was a discussion as to the photometric plan for the site in the context of the North Court Corridor. The applicants agreed to work with the city and the Police Department to determine the best light levels for the site.

After further discussion, Mr. Roszak made a motion to approve the variance for the driveway width and the additional sign, stating that the variance was not substantial, and the essential character of the neighborhood would not be substantially altered.

Mr. Johnson seconded the motion.

Vote:

Johnson	<u>Y</u>	Rozsak	<u>Y</u>
Cooper	<u>Y</u>	Humpal	<u>Y</u>
Approved	<u>4-0</u>		

3. Z25-28 Darren Hesson 221 South Elmwood Avenue VAR

Mr. Dutton stated that the applicant was requesting to construct 33.5 linear feet of 8 ft. tall wooden fence between the home and the detached garage. He noted that the public parking lot to the south was under consideration for redevelopment to increase the size of the lot.

Mr. Dutton stated that Section 1155.01(c)(1) indicated a maximum fence height of 6 ft. in the side and rear yard for properties in residential zoning districts. He noted that the fence height could be increased to 8 ft. when the top 2 ft. were 50 percent open. Mr. Dutton stated that the applicant had proposed a solid 8 ft. tall privacy fence in the side and rear yard. He noted that solid fences in the adjacent P-F zoning district to the south were permitted to be 8 ft. in height.

Mr. Dutton stated that the applicant had indicated the following regarding the Standards for Variances and Appeals:

- The variance was necessary to allow a beneficial use of the property as the home's back door was elevated and screening was necessary from the adjacent parking lot.
- The variance was not substantial as the fence would only enclose a back patio facing a parking lot.
- The essential character of the neighborhood would not be altered as adjacent property owners had no issues with the fence.

Present for the case was Sara Hesson, 221 South Elmwood Avenue. Ms. Hesson stated that her main reason for the increased fence height was so that people could not see into her kitchen from the parking lot. She noted that the property had previously contained a deck with a 6 ft.

fence that had given them the necessary height, but the deck had been removed and replaced with a stamped patio.

Mr. Humpal opened the public hearing. There were no questions or comments from the public. There was a discussion as to the grading change between the subject property and the public parking lot, as well as landscaping that was proposed to be included in the parking lot redevelopment.

Mr. Humpal stated that the public parking lot to the south was owned by the Medina City Development Corporation, of which he was a nonvoting member of the Board.

After discussion, Mr. Roszak made a motion to approve the variance, stating that the essential character of the neighborhood would not be substantially altered, and granting the variance would not adversely impact the delivery of government services.

Mr. Cooper seconded the motion.

Vote:

Rozsak	<u>Y</u>	Cooper	<u>Y</u>
Humpal	<u>Y</u>	Johnson	<u>Y</u>
Approved	<u>4-0</u>		

Adjournment

Having no further business, the meeting was adjourned.

Respectfully submitted,

Sarah Tome

Bert Humpal, Chairman