

City of Medina

Planning Commission

Case No. P24-26

Applicant: John Potter

Subject Property: 322 West Smith Road, Medina, Ohio

Final Decision and Conclusions of Fact

The Planning Commission (hereinafter the “Commission”) of the City of Medina, Ohio (hereinafter the “City”), makes the following conclusions of fact in support of its final decision in the above-referenced case.

After the hearing of all evidence and arguments of the interested parties in this matter at a quasi-judicial administrative hearing held at a public meeting of the Commission on November 14, 2024 (hereinafter the "Commission Hearing"), and considering the standards set forth in the City of Medina Codified Ordinances (hereinafter the “Code”), the Commission has granted approval of an application for a two-family home in the Transition Corridor Overlay District (hereinafter the “TC-OV”) at 322 West Smith Road.

The Commission’s conclusions of fact supporting its decision are:

1. The Subject Property is known as 322 West Smith Road in the City of Medina, Ohio, Medina County PID#: 028-19C-05-121, and is comprised of approximately 0.1309 acres (hereinafter the "Property").
2. A single-family residence was previously located on the Property. The structure experienced a fire in 2018 and was demolished in 2019 per City of Medina Building Permit records.
3. The Property is currently owned by Brian and Elizabeth Vanderpool who purchased the Property in 2021, per the Medina County Auditor.
4. The Property is located in the "C-2 Central Business" zoning district as described in the City of Medina Planning and Zoning Code and Zoning Districts Map, adopted pursuant to Chapter 1113 of the Code.
5. Applicant John Potter (hereinafter the "Applicant") requested development of the Property for a two-family dwelling. The Applicant submitted an application to the Commission for a new principal structure in the TC-OV and a use variance to Code Section 1135.03 to allow a prohibited two-family residential use and an area variance to Code Section 1135.06 to allow a principal structure in the rear yard setback, Code Section 1135.08(a) to allow parking in the front yard, and Code Section 1135.13(c)(1) to allow a vinyl exterior exceeding the maximum permitted to be reviewed by the City of Medina Board of Zoning Appeals.

6. Code Section 1116.10(c) states: “The criteria contained in the Overlay District Development Guidelines shall be used by the Planning Commission to guide their decision”. The TC-OV development guidelines encompass ten pages located in the Appendix of the Part 11 of the Code, Planning and Zoning Code. Applicable sections of the appendix are as follows:

TCOV.2 General Design Regulations.

The Planning Commission will use these regulations in their review of development applications in areas designated as Transitional Corridor Overlay Districts on the official zoning map of the City. Diagrams and photos have been provided to help illustrate the design principles being recommended.

The Planning Commission shall have the authority to interpret and apply these regulations on a case by case basis and have no binding authority to consider a previous decision or case when making decisions on individual cases that may be in front of them for review and approval.

TCOV.3 Site Development.

- (c) The height and scale of each new building shall be compatible with existing surrounding buildings.
- (d) New buildings should have setbacks consistent with surrounding established patterns.

TCOV.6 Location, Orientation, Size, and Shape of Buildings.

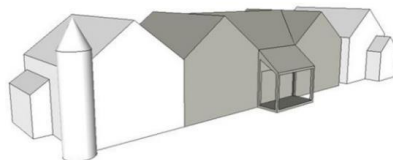
- (b) New and remodeled buildings should be compatible with their surroundings. Architectural style, bulk, shape, massing, scale, and form of new and remodeled buildings and the shape between and around buildings should be consistent with the character of the area and be in harmony with neighboring buildings.
- (c) The front of the buildings should not exceed fifty (50) feet in horizontal length. A minimum of sixty percent (60%) of the front building façade shall consist of windows, doorways, awnings, etc., in order to break up the visual mass of the structure.

TCOV.8 Building Materials and Appurtenances.

- (a) The architectural character and exterior building materials of new and remodeled buildings should be harmonious with surrounding buildings in color and texture, proportion, scale, patterns and opening sizes and shapes.

TCOV.9 Building and Lot Aesthetics.

- (b) Scale.
 - (1) Consider relating the size and proportion of new structures to the scale of adjacent buildings. Although much larger than its neighbors in terms of square footage, the building shown below maintains the same scale and rhythm as the existing buildings.



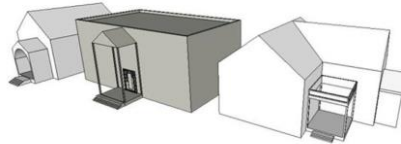
- (2) Avoid buildings that in height, width or massing violate the existing scale of the area. The new building shown here disrupts the scale and rhythm of the

streetscape.

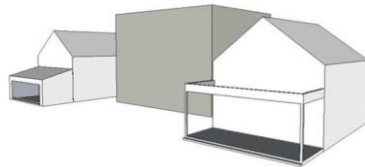


(e) Setback.

- (1) Consider maintaining the architectural façade lines of streetscape by locating front walls of new buildings in the same plane as facades of adjacent buildings. If existing setbacks vary, the new building should conform to historic siting patterns.

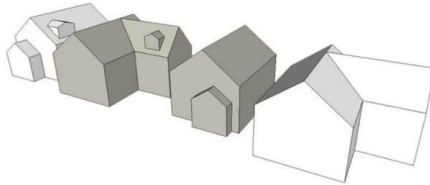


- (2) Avoid violating the existing setback pattern by placing new buildings in front of or behind the historic façade line. Avoid placing buildings at odd angles to the street unless in an area where diverse siting already exists.

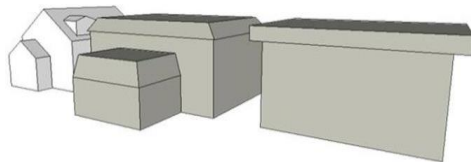


(f) Sense of Entry.

- (1) Consider articulating the main entrances to the building with covered porches, porticos and other pronounced architectural forms.



- (2) Avoid facades with no strong sense of entry. Side entries or entries not defined by a porch or similar transitional element result in an incompatible "flat" first floor façade.



7. Code Section 1113.07, "Infill Development Standards", states the following:

- (a) Compatibility. All new single and two family residential development shall reflect, complement, and preserve the nature and character of existing adjacent residential development.
- (b) Building Placement and Mass. All new homes shall conform in street orientation and massing to adjacent homes.
- (c) Harmonious Aesthetics. The following is a list of objectives to achieve infill development that is characteristic of the existing structures:

- (1) New infill development shall be compatible with the neighboring structures in terms of proportion, size, mass and height.
 - (2) Similar materials, colors, architectural details and roof pitch shall be used on all sides and on all structures on the site and shall be harmonious with adjacent properties.
 - (3) The creation of a vertical canyon effect between structures shall be minimized. For instance, when a one story structure is proposed next to a two story structure, the space between the two buildings shall increase as wall height increases.
 - (d) Any improvement which is determined by the Planning Director to be in conflict with this section shall be forwarded to the Planning Commission for review.
- 8. The Commission was provided relevant information regarding the request including, but not limited to:
 - a. A staff report from the City of Medina Community Development Department.
 - b. A site plan and exterior building elevations submitted by the Applicant.
- 9. Andrew Dutton, City of Medina Community Development Director, testified under oath at the Commission Hearing that:
 - a. Though zoned C-2 (Central Business), residential uses existed in the area on the south side of West Smith Road.
 - b. The proposed two-family residence included a side-by-side, two-story configuration with three-bedroom, 1,635 sq. ft. units.
 - c. The proposed use of the Property for a two-family residence would require use variance approval from the Board of Zoning Appeals to Code Section 1135.03.
 - d. The proposed rear yard setback would require area variance approval from the Board of Zoning Appeals to Code Section 1135.06.
 - e. The proposed parking in the front yard would require area variance approval from the Board of Zoning Appeals to Code Section 1135.08(a).
 - f. The proposed use of vinyl siding on the side of the structure facing the right-of-way would require area variance approval from the Board of Zoning Appeals to Code Section 1135.13(c)(1).
 - g. The Community Development Department recommended approval of application P24-26 as submitted with the condition that the project shall receive variance approval from the Board of Zoning Appeals to Code Section 1135.03 regarding use, Code Section 1135.06 regarding the rear yard setback, Code Section 1135.08(a) to allow parking in the front yard, and Code Section 1135.13(c)(1) regarding the use of vinyl facing the right of way.

10. Gregory Happ, representing the owner of an adjacent property at 328 West Smith Road, Christopher Kalina, stated at the Commission Hearing that:
 - a. His client objected to the location of a two-family residence on the Property.
 - b. The proposal would create a congested area and limit access to the rear of his client's property.
 - c. A drainage pipe was located on his client's property and his client felt that the proposed two-family residence would prevent the city from performing maintenance on the pipe.
 - d. Other two-family residences in the area were located on larger lots than the Property.
 - e. A single-family residence was previously located on the Property and the Property should be used for a single-family residence.
 - f. His client's property had issues with stormwater in the past and his client felt that the proposed two-family residence would lead to further issues.
11. Carrie Kalina testified under oath at the Commission Hearing that a stormwater pipe ran from a catch basin to the creek on her property at 328 West Smith Road.
12. Based on all of the forgoing Paragraphs 1 through 11, the testimony of the witnesses, and the exhibits submitted and accepted at the Commission Hearing, the Commission found the application complied with the TC-OV Development Guidelines located in the Appendix of the Part 11 of the Code, Planning and Zoning Code, and Code Section 1113.07, "Infill Development Standards", and approved the application with the following conditions:
 - a. Shutters shall be installed beside the windows on the front building elevation.
 - b. Shake siding shall be installed in gabled areas on the front building elevation.
13. The adoption of these Conclusions of Fact constitutes the final decision of the Commission in this case.

APPROVED BY:

Motion of the City of Medina Planning Commission on March 13, 2025.

Confirmed: _____

Rick Grice,
Chair of the Planning Commission

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CITY OF MEDINA PLANNING COMMISSION

CASE P24-26

322 WEST SMITH ROAD

- - -

Transcript of Proceedings held on Thursday,
the 14th day of November, 2024, before the
City of Medina Planning Commission, commencing
at approximately 6:00 p.m., as taken by
Makenzie J. Sabo, RPR, Notary Public within and for
the State of Ohio, and held in Medina City Hall,
132 North Elmwood Avenue, Medina, Ohio 44256.

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MEDINA COURT REPORTERS
209 North Broadway Street
Medina, Ohio 44256
(330) 723-2482
office@crmedina.com

1 APPEARANCES:

2 Rick Grice, Chairman,
3 Nathan Case, Member,
4 Bruce Gold, Member,
5 Monica Russell, Member,
6 Paul Rose, Member.

7 City of Medina Planning and Community
8 Development Department,
9 Andrew Dutton, Community Development Director,
10 Sarah Tome, Administrative Assistant.

11 Applicant:

12 David Wascak, Property Owner.
13 David Leach, The Cornice Company.

14 Also present:

15 Gregory W. Happ, Esq.
16 on behalf of Christopher and Carrie Kalina.

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1 (Whereupon, all persons in attendance
2 were previously placed under oath by the
3 notary.)

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5 PROCEEDINGS

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7 CHAIRMAN: Next item on the
8 agenda is Case 24-26. This is for the property
9 of 322 West Smith Road - this is in the TC-OV
10 district - for new construction.

11 Andrew.

12 MR. DUTTON: (Displaying case
13 packet.)

14 We're at the property on the south side of
15 West Smith Road. As you can see, it's zoned
16 C-2; however, there are a number of residential
17 uses. It's the south side of West Smith Road.
18 Across the street will be Lager Heads Brewery
19 and Tap Room.

20 So the applicant is proposing to construct
21 a duplex on the vacant lot. The lot previously
22 had a single-family home, which was demolished
23 in 2018.

24 As you can see here on the site plan, it's
25 a side-by-side. Each unit is a 1,635 square

1 feet, two-story structure.

2 So the property is zoned C-2, which does
3 not allow residential uses, so the applicant
4 will need to apply for a variance to Section
5 1135.03 to -- for a use variance for a
6 two-family residential use. As I noted, the
7 adjacent properties, some are single-family
8 residential, some are duplexes.

9 Again, as it's zoned C-2, that's also
10 subject to development standards which are more
11 commercial in nature, so the site plan does not
12 meet a couple of those standards. One is the
13 rear yard setback, which is fifty feet. The
14 proposed rear yard setback is fourteen feet,
15 five inches.

16 And another one of the requirements states
17 that there can't be parking in the front yard.
18 Obviously there's parking in the driveway
19 leading up to the garage doors, similar to the
20 other homes on the south side of the street.

21 You also see a riparian setback there on
22 the site plan. The home is partially within
23 that; however, that is a recommendation, that's
24 not a codified requirement to be outside of the
25 setback for the riparian setback, so no

1 variance is needed for that.

2 You just have a floor plan. It's
3 side-by-side in nature, one-car garage on the
4 first floor, and a bath -- half-bath on the
5 first floor of each unit, and then three
6 bedrooms, and a full bath on the second
7 story.

8 The exterior of the building will
9 be vinyl-sided, the front will be a
10 board-and-batten look, and then on the sides
11 will be a horizontal vinyl siding. There's
12 also some black metal roof entryways over the
13 doors and an asphalt shingled roof.

14 So here are the two adjacent homes. So the
15 top one will be to the right if you're facing
16 the lot, and the bottom will be the left, so we
17 have a single-family home and a two-family
18 home. The top one is obviously older and
19 probably added on over the years; the bottom
20 one was built in the '90s.

21 So in this area we really don't have a
22 consistent architectural character, and we have
23 the five single-family or two-family homes on
24 that side of the street, but they're all rather
25 different, built in different times and

1 different styles.

2 So we have the infill development standards
3 and the TC-OV standards, which we're looking at
4 here, that basically ask it to not stick out
5 and be in line with the other buildings. So
6 basically the looks and the setback are
7 similar to the buildings on the south side of
8 West Smith Road there.

9 The other item is, as I noted, we have some
10 commercial-leaning standards. One is in the
11 C-2 district. A building can't have a side
12 facing a street which is more than fifteen
13 percent vinyl. Basically the entire side
14 facing Smith Road is vinyl in this situation,
15 so that's a separate variance request made to
16 the Board of Zoning Appeals.

17 So staff recommends approval of
18 Application P24-26 as submitted with the
19 condition that the project shall receive
20 variance approval from the Board of Zoning
21 Appeals to Section 1135.03 regarding use,
22 1135.06 regarding the rear yard setback,
23 1135.08(a) to allow parking in the front yard,
24 and Section 1135.13(c)(1) regarding the use of
25 vinyl facing the right-of-way.

1 Thank you.

2 CHAIRMAN: Okay. Thank you.

3 Gentlemen, good evening. If we could have
4 your name and address and any comments you'd
5 like to add.

6 MR. WASCAK: Dave Wascak;
7 196 Marko Lane, Brooklyn Heights, Ohio.

8 No further comments.

9 MR. LEACH: David Leach;
10 The Cornice Company, 3200 West Market Street,
11 Suite 6, Fairlawn, Ohio 44333.

12 CHAIRMAN: Okay.

13 MR. LEACH: I have no further
14 comments either.

15 CHAIRMAN: Okey dokey.

16 Anybody with us this evening have any
17 comments?

18 MR. HAPP: (Indicating.)

19 CHAIRMAN: Yes, sir.

20 MR. HAPP: Greg Happ.

21 CHAIRMAN: If you'd go to a
22 microphone, give us your name and address and
23 anything -- thank you, sir. Just make sure the
24 green button -- the green light's on.

25 MR. HAPP: Yes, sir.

1 My name is Greg Happ, and I'm an attorney
2 and I represent the Kalinas that own the house
3 adjacent to it, to the west of that -- it's
4 the -- on that map would be to the left. And
5 he wants to object that you're trying to put a
6 duplex on a lot that for a hundred years had
7 been a single-family residence. It creates a
8 really very-congested area that you can't
9 access the back of his house with that much of
10 an area.

11 There's a -- I believe it's a twelve-inch
12 City-maintained pipe that runs to a catch basin
13 in the northwest side of Mr. Kalina's lot, that
14 runs straight back to the creek. If you --
15 there's no way the City is going to be able to
16 get in there if there's something wrong with
17 that twelve-inch pipe to correct it the way
18 they have this designed. It's just too big of
19 a place for a very small lot.

20 There are duplexes on that lot, but
21 they're much bigger lots. This is only a
22 very small single-family residence lot, it
23 should remain a single-family residence for
24 one -- one structure for a family. That had
25 been there for a hundred years until they

1 demolished it.

2 And we would just put our objection in,
3 because either that or there has to be some
4 type of easement created and a swale between
5 the two buildings to catch all the runoff,
6 because this is not planned for a basement,
7 this is planned for a slab. Mr. Kalina's
8 home, or house, is -- has a basement. All
9 this additional water is going to flood his
10 basement if they -- if they go forward with
11 this plan.

12 So we would object at this time. We don't
13 believe that it meets your standards when they
14 present it, that it conforms to the design
15 of -- the proportion to the rest of the
16 neighborhood, because you're trying to put a
17 duplex on a single-family, which has always
18 been a single-family unit, and for that reason
19 we would insist the Board reject this
20 application.

21 CHAIRMAN: Thank you,
22 Mr. Happ.

23 Anyone else?

24 (No verbal response.)

25 CHAIRMAN: Okay. Questions

1 by members of the Commission.

2 MR. GOLD: Andrew, can you
3 pull up a Google view of the area.

4 MR. ROSE: While he's doing
5 that, can I ask a question?

6 CHAIRMAN: Sure.

7 MR. ROSE: Okay. Thank you.

8 Mr. Happ, why does the owner believe that
9 the water is going to go into his basement?

10 MR. HAPP: I'm sorry? I --

11 MR. ROSE: Why does the
12 current owner, your -- you're represent -- the
13 person you're representing, why do they believe
14 that all the water is going to go into their
15 basement? Do they have a current water problem
16 in their basement?

17 MR. HAPP: They have had in
18 the previous. And if you don't create a swale
19 between the two buildings, you're going to have
20 that water. That's why they have a basin
21 there. And that now you're getting the side
22 yard only - what? - five feet because the size
23 of this building.

24 MS. RUSSELL: I have a
25 question.

1 | Are you -- you said there was a pipe.

2 MR. HAPP: Yes. There's
3 a -- there's a catch basin up near the
4 street --

5 | MS. RUSSELL: Hm-hm.

6 MR. HAPP: -- on the
7 north -- northwest side of Mr. Kalina's. He
8 gave the City permission to run it -- to run a
9 pipe - I believe it's a twelve-inch - a huge
10 pipe that runs back to the creek that drains
11 that whole area.

12 MS. RUSSELL: Okay. But is the
13 pipe located on his property then?

14 MR. HAPP: It's on
15 Mr. Kalina's property but very close and
16 adjacent to the property line.

17 MS. RUSSELL: Was there an
18 easement created for it at that time?

19 MR. HAPP: I'm not sure if
20 there's --

21 MS. RUSSELL: I'd be a little
22 surprised --

23 MR. HAPP: The City

24 maintains -- the City maintains the pipe.

25 MS. RUSSELL: Well, I guess

1 I -- that one is a little confusing, because if
2 he allowed the City to put the pipe on his
3 property, that doesn't mean anyone has a right
4 to access the neighboring property to maintain
5 that pipe unless there was an easement granted
6 by both of the property owners.

7 MR. HAPP: I realize that.

8 MS. RUSSELL: Okay. But we
9 don't know if that was the case or not.

10 MR. HAPP: But I think that
11 because they're building such a big home on
12 that lot, you're not going to be able to
13 access --

14 MS. RUSSELL: Well --

15 MR. HAPP: If you had a
16 single-family, it would be a lot smaller.

17 MS. RUSSELL: I hear what
18 you're saying, but they wouldn't have the right
19 to go over that property anyway unless they had
20 an easement agreement.

21 But I guess I don't quite see how that
22 would impact our decision, because somebody
23 else's ability to access this property if they
24 didn't have a legal right to do it I don't
25 think would go into our --

1 MR. HAPP: I think that's an
2 issue for the City --

3 MS. RUSSELL: -- our
4 discussion.

5 MR. HAPP: -- how are they
6 going to maintain this pipe that they've
7 inserted into that area.

8 MR. DUTTON: And I would -- I
9 mean, this is our City GIS which catalogs all
10 our catch basins, and I would disagree that
11 there's -- based on this, there is not a pipe
12 running back to the creek.

13 So this is the spot of the house, this is
14 the catch basin he's referencing, which goes
15 north to Smith. It doesn't go all the way back
16 to the creek according to this, which was put
17 together by the Engineering Department, so I'm
18 not sure why there would be an access issue.

19 MR. HAPP: I'd be glad to
20 call Ms. Kalina to the stand and she can
21 testify where they put the pipe.

22 MR. DUTTON: Well, I mean, in
23 any event, it's not on the subject property, so
24 I don't know what it has to do with this
25 application.

1 MR. ROSE: Based on what you
2 just said, Andrew, could you bring that picture
3 back, please.

4 MR. DUTTON: (Complying.)

5 MR. ROSE: Thank you.

6 Is this a catch basin? Is that what that
7 "CB" means?

8 MR. DUTTON: Yeah, all the
9 blues.

10 That's probably --

11 MR. ROSE: Okay. So there's
12 one on his property.

13 MR. DUTTON: So that's
14 probably -- that's probably --

15 MR. ROSE: It's tied into
16 the stormwater system.

17 MR. DUTTON: That's probably
18 in the street, the one in front of his
19 property, because of the reconstruction on
20 West Smith.

21 MR. ROSE: Okay. So all the
22 stormwater goes into the stormwater system that
23 we, at least since 2000, have been working on
24 improving.

25 MR. DUTTON: Hm-hm.

1 MR. ROSE: Okay.

2 CHAIRMAN: Okay. Anything
3 else, Mr. Happ?

4 MR. HAPP: Yes. Ms. Kalina.

5 CHAIRMAN: And if you'd give
6 us your name and address as well. Thank you.

7 MS. KALINA: Carrie Kalina. I
8 live at 4773 Forest Grove, Brunswick Hills, and
9 this is regarding the West Smith property.

10 We were told that there's a pipe, it does
11 run from the street all the way back to the
12 creek, and the City does come and maintain it,
13 and after everything, you know, after all the
14 construction that was going on, on West Smith,
15 they were told -- we were told that they were
16 going to come back and access the back of the
17 property and clean anything out.

18 CHAIRMAN: But just to --
19 but the pipe is on your property?

20 MS. KALINA: Yes.

21 CHAIRMAN: Or that parcel.

22 MS. KALINA: Yes.

23 CHAIRMAN: Okay.

24 Andrew, I know -- I think I know the
25 answer to this, but obviously the

1 Engineering Department will look into
2 stormwater drainage.

3 MR. DUTTON: Yeah. With any
4 new structure of this size, they're going to
5 look at where the water is going and require a
6 survey and elevation points to make sure it's
7 not going where it shouldn't be going.

8 CHAIRMAN: Right, right.
9 Okay.

10 MR. GOLD: Question. How is
11 this new structure going to cause additional
12 water to flow onto that property?

13 MR. HAPP: Anytime you have
14 that much roof space on an -- even if you have
15 gutters on it, you're going to still -- and
16 much paving they're going to do for the front
17 entrance, you're going to get a runoff.

18 But I don't want you just to get hung up
19 on the pipe. What we're objecting to is
20 putting a duplex on a single-family lot where
21 there has always been a single-family, and that
22 they're trying to overbuild for what is --
23 should be proportionate to the rest of the
24 community; a single-family unit, not a double
25 unit.

1 MR. GOLD: We have many
2 properties --

3 MR. HAPP: That's the
4 objection.

5 MR. GOLD: I -- I would beg
6 to differ. We have many properties that have
7 duplexes on smaller lots. We have some in that
8 neighborhood.

9 MR. CASE: And the footprint
10 is only forty-four by forty-six.

11 MR. GOLD: Yeah. It's not
12 very large at all.

13 Gutters will take care of the water that's
14 being shed off the roof, there's no doubt about
15 that. The rest, if I'm not mistaken, is
16 pitched towards the street, so the runoff will
17 occur towards Smith Road. So I don't see how
18 that's going to affect the neighboring
19 property.

20 MR. CASE: If anything, I
21 think it would lessen the water on the
22 neighbor's property, because everything off of
23 the roof would go in the gutters, which would
24 go to the storm, and everything else is pitched
25 toward the front yard and the backyard after

1 the build, so the neighbors will actually see
2 considerably less water.

3 MR. ROSE: And it is a
4 brand-new stormwater system. We replaced it
5 when we put the road in here the last
6 twenty-four months.

7 CHAIRMAN: Okay. Anything
8 else?

9 (No verbal response.)

10 CHAIRMAN: Okay. Other
11 questions by members of the Commission?

12 MR. CASE: I actually do
13 have one.

14 I know we don't have much of a standard
15 because it is a C-2 development, but you do
16 have board and batten from ground to
17 gable-tops. Is it at all possible to mix that
18 up a little bit and try to blend with the
19 community and give it a little bit more of a
20 historic idea, maybe shake in the gables and
21 some shutters so it mixes with the colonial
22 and --

23 MR. LEACH: Yeah. What we --
24 yeah. What we were proposing, we were going to
25 add some wood elements with the columns at the

1 porch --

2 MR. CASE: Hm-hm.

3 MR. LEACH: -- and then
4 around. If shakes or shutters are something
5 that you'd like us to do, that's something
6 that --

7 MR. CASE: I think shake in
8 the gables would make sense and then shutters
9 because it matches both your neighbors on each
10 side.

11 MR. LEACH: Okay. I think
12 that's very doable to do that.

13 We had different colors of board and
14 batten, but we can propose that and we can send
15 it to the Building Department for review.

16 But yeah, we can add shutters to the
17 building if that's something you want; and then
18 shake siding, we can work something in that way
19 just to make sure it fits.

20 MR. CASE: It's just one of
21 those weird things. Historically board and
22 batten would never be in the gable because it
23 gets too much heat and it would expand. That's
24 why they always did the shake, so that --

25 CHAIRMAN: Okay. Anything

1 else by members of the Commission?

2 MR. DUTTON: We were just
3 talking about the front elevation, correct?

4 MR. CASE: Just -- just the
5 front elevation.

6 MS. RUSSELL: I would move to
7 approve the application subject to the staff
8 recommendations on Page 5 of the report, which
9 is that the project receive the variance
10 approval from the Board of Zoning Appeals
11 regarding the use, the rear yard setback, and
12 to allow parking in the front yard and use of
13 vinyl facing the right-of-way.

14 MR. GOLD: Second.

15 CHAIRMAN: I have a motion
16 and a second.

17 Mr. Rose.

18 MR. ROSE: Do you want to
19 include Mr. Case's recommendations?

20 MS. RUSSELL: However you would
21 like to word that, I think you can.

22 MR. CASE: With the addition
23 of shutters on the windows and vinyl shake in
24 the gable --

25 MR. ROSE: Area.

1 MR. CASE: -- in the gable
2 area.

3 MS. RUSSELL: What he said.
4 Incorporate what Nathan said.

5 MS. TOME: It will probably
6 be easier.

7 Who seconds Nathan's correction or
8 modification?

9 MR. GOLD: I will second --
10 my motion includes the amendment that Mr. Case
11 has brought forward.

12 MS. TOME: Okay, perfect.

13 CHAIRMAN: Any other
14 discussion?

15 (No verbal response.)

16 CHAIRMAN: Roll call.

17 MS. TOME: Grice?

18 CHAIRMAN: Yes.

19 MS. TOME: Rose?

20 MR. ROSE: Yes.

21 MS. TOME: Russell?

22 MS. RUSSELL: Yes.

23 MS. TOME: Case?

24 MR. CASE: Yes.

25 MS. TOME: Gold?

1 MR. GOLD: Yes.

2 MS. TOME: Motion carried.

3 CHAIRMAN: Thank you. This
4 will be on the Board of Zoning Appeals at
5 seven o'clock here.

6 (Case concluded.)

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CERTIFICATE

I further certify that said hearing was held at the time and place specified in the above case and was concluded on the 14th day of November, 2024.

IN WITNESS WHEREOF, I have hereunto set my hand
and affixed my seal of office at Medina, Ohio this
28th day of February, 2025.

Makenzie J. Sabo

Makenzie J. Sabo, RPR
and Notary Public within and for
the State of Ohio.
My commission expires 09/19/28.