




# BOARDS & COMMISSIONS APPLICATION

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

Application Number 225-14

GENERAL	Date of Application <u>5/22/2025</u>
	Property Location <u>1161 Newell Lane, Medina, Ohio 44256</u>
	Description of Project <u>New fence construction on corner lot.</u> <u>Variance request to maintain 8' fence height around side yard 15'+ from public sidewalk parallel to Continental Drive.</u> <u>The current code of 1155.01 Item C residential side yard height limit is 6'.</u>
CONTACT INFORMATION	<b>Applicant</b> Name <u>Lisa Reau</u> Address <u>1161 Newell Lane</u> City <u>Medina</u> State <u>Ohio</u> Zip <u>44256</u> Phone _____ Email _____ <b>Property Owner</b> Name <u>Lisa Reau</u> Address <u>1161 Newell Lane</u> City <u>Medina</u> State <u>Ohio</u> Zip <u>44256</u> 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 checked="" 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 <u></u> Date <u>5/22/2025</u>
OFFICIAL USE	Zoning District <u>R-1</u> Fee (See Fee Sheet) \$ <u>200</u> Meeting Date <u>6/12/25</u> Check Box when Fee Paid <input checked="" type="checkbox"/>

**Z25-14**  
**Newell Lane Fence Height**

Property Owner: Amy Girton  
Applicant: Lisa Reau  
Location: 1161 Newell Lane  
Zoning: R-1 (Low Density 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 property consists of 0.35 acres located on the southwest corner of Newell Lane and Continental Drive. Adjacent properties are zoned R-1 and contain single-family homes.



**BACKGROUND & PROPOSED APPLICATION**

The subject property contains a single-family home on a corner lot. The applicant is proposing an 8 ft. tall fence including a 6 ft. solid lower section and a 2 ft. lattice upper section. The proposed fence is located in the rear yard, side yard, and corner side yard, 20 ft. from the right-of-way.

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

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In side and rear yards, Section 1151.01(c)(1) limits fences to 6 ft. in height, though the height may be increased to 8 ft. when the top 2 ft. are at least 50% open. The proposed fence is therefore permitted in the side and rear yards.

In the corner side yard, between the home and the Continental Drive right-of-way, fences may be 6 ft. in height when located at least 15 ft. from the right of way. The proposed fence is located 20 ft. from the Continental Drive right-of-way, but is proposed at 8 ft. in height including the 2 ft. top lattice section.

### **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 the requested 2 ft. increase in height only includes a decorative lattice.
- The essential character of the neighborhood will not be altered as the fence enhances neighborhood aesthetics and adds privacy.
- The spirit and intent of the zoning requirement will be observed as the variance would support privacy, safety, and visual appeal.

**Lisa Reau**  
**1161 Newell Lane**  
**Medina, Ohio 44256**  
**407-595-7590**  
[LisaHlohinec1@gmail.com](mailto:LisaHlohinec1@gmail.com)

**Date:** May 22, 2025

**To:** Board of Zoning Appeals  
City of Medina, City Hall  
132 N. Elmwood Avenue  
Medina, Ohio 44256

**Variance Request for Fence Height at 1161 Newell Lane – Code Section 1155.01(C)**

Dear Members of the Board,

I am writing to respectfully request a variance from Section 1155.01(C) of the Planning and Zoning Code, which limits residential side yard fencing to a height of 6 feet. I am seeking approval to install an 8-foot-tall fence along the side and rear yards of my corner lot, specifically the portion parallel to Continental Drive.

The proposed fence includes a decorative vertical lattice along the top 2 feet, which maintains a visually appealing design while providing necessary privacy. The solid portion of the fence remains close to the current code height. The added height is essential due to a raised deck surrounding our pool, which results in increased visibility into the yard from the street. A standard 6-foot fence with the top 2 feet being lattice would not adequately address this privacy concern.

The intention behind this request is to enhance both the safety and livability of the property for my daughter and me while also contributing positively to the aesthetic of the neighborhood. The design and materials were chosen specifically to complement the surrounding homes and improve the appearance of this highly visible corner lot.

Unfortunately, I am unable to attend the Board meeting in person. I have asked my fence contractor, **Jacob Zehnder**, owner of **Apollo Fence, LLC**, located at 1332 Sharon Copley Rd, Ste 145, Sharon Center, OH, to attend on my behalf and answer any questions regarding the proposed installation.

I sincerely appreciate your time and consideration of this request, and I apologize for my absence from the meeting. I trust the Board will find that the requested variance honors the intent of the zoning code and brings substantial benefit without detriment to surrounding properties.

Respectfully submitted,

A handwritten signature in black ink that reads "Lisa Reau". The signature is written in a cursive, flowing style.

**Lisa Reau**

**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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# New 8' Fence

(Variance request to maintain 8' fence height along Continental Drive)

## New 8' x 24' Concrete Drive





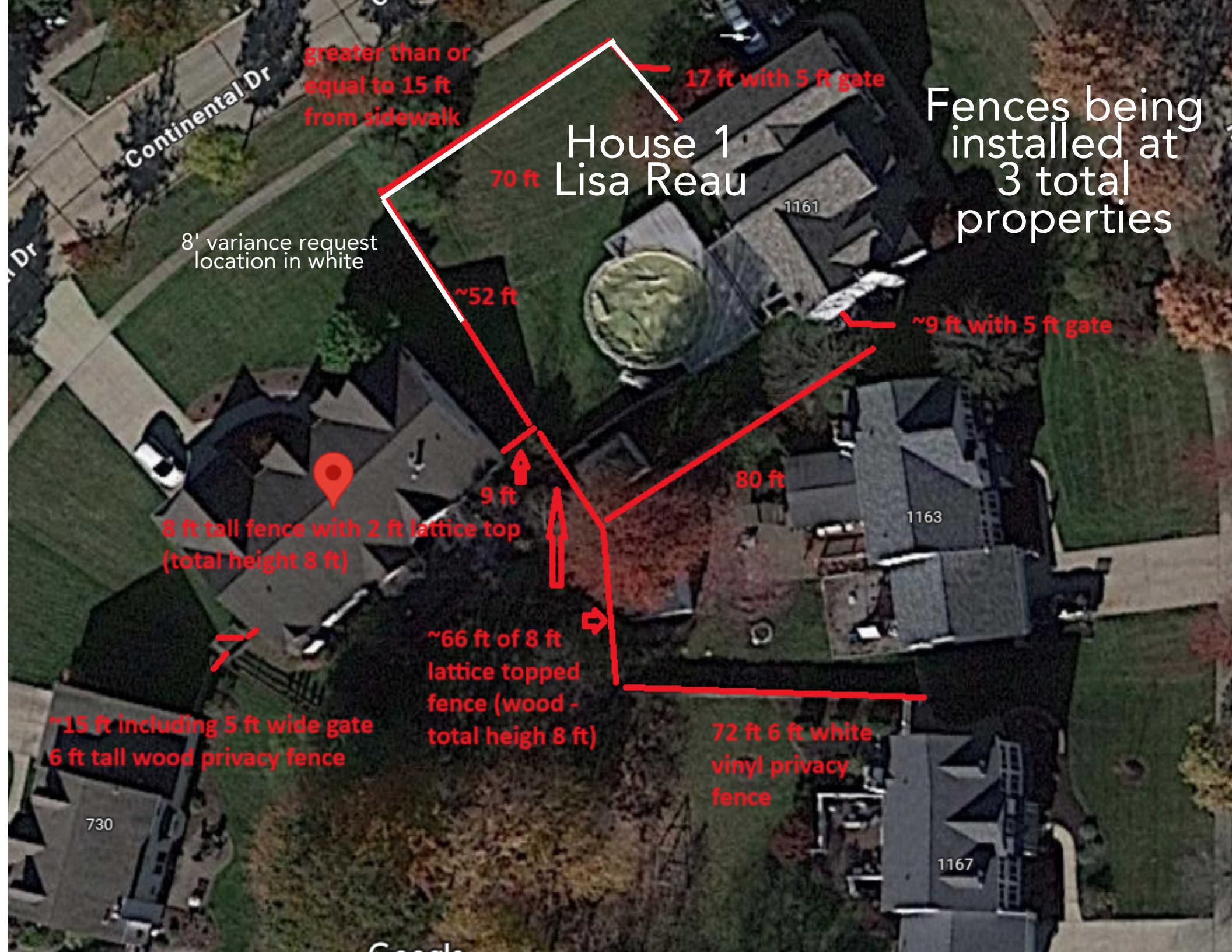
# 8' Cedar Lattice-topped Fence



## 8' transition to 6' Fence







Continental Dr

greater than or  
equal to 15 ft  
from sidewalk

17 ft with 5 ft gate

Fences being  
installed at  
3 total  
properties

House 1  
Lisa Reau

8' variance request  
location in white

70 ft

1161

~52 ft

~9 ft with 5 ft gate

80 ft

1163

9 ft

8 ft tall fence with 2 ft lattice top  
(total height 8 ft)

~66 ft of 8 ft  
lattice topped  
fence (wood -  
total height 8 ft)

72 ft 6 ft white  
vinyl privacy  
fence

~15 ft including 5 ft wide gate  
6 ft tall wood privacy fence

730

1167