

**MEDINA TOWNSHIP
BOARD OF ZONING APPEALS
PUBLIC HEARING
MAY 18, 2011**

Vice Chair West called the public hearing of the Medina Township Board of Zoning Appeals to order at 7:49 p.m. Board members West, Becker were present. Alternate board member Mike Stopa sat in for a quorum. Vice Chair West introduced the Board members and explained the public hearing procedure to those present.

Variance Requests

Zeleznik variance request-4130 Fenn Rd.

Vice Chair West reviewed the application. The applicant is Michael R. Zeleznik. The property requiring the variance-4130 Fenn Rd. Present Zoning-UR-Non PUD. Previous Requests-No. Variation Requested: Section 403.3 (F) Rear Yard Setback-40 ft. Need a variance of 5'6". The explanation for the variance request: By adding to the back of the existing structure joining an addition to the current barn, the correlation to the eye will be pleasing and not notices and will not take away from the aesthetics of the property. An 8' overhead door to match present doors on the barn that exist today to face into our property having a visual of the door will allow for better security of the property and its contents.

The applicant and property owner Mr. Michael Zeleznik was sworn in. Vice Chair West asked Mr. Zeleznik if he was waiving his right to be heard in front of a full 5-member board and instead would adhere to the decision of the simple quorum sitting this evening? Mr. Zeleznik responded yes he would accept the decision of the 3-member board. Mr. Zeleznik went on to state that the 5'6" rear yard setback variance he was requesting was not the entire 30 ft. of the rear of the barn. The 5'6" is only 10 ft. of the rear of the barn because of the angle of the property. He continued he would be adding on to the existing barn in a uniform manner so it would be consistent in the material and nature of the existing structure. There would be another door added to the west side to be able to move tractors and lawn equipment in and out.

Mrs. Strogan Chair of the Zoning Commission was sworn in. She asked why wouldn't the applicant want to put the addition in front of the barn where the driveway is located? Mr. Zeleznik responded on half of the garage is a special slider door which opens from the ground to the ceiling. The cost to extend the front of the barn would be 3x greater than to add on to the rear of the barn. The addition to the barn is just for getting tractors and lawn equipment out not to store an automobile.

Mr. Becker and Mr. Stopa stated they understood the reason for the variance request.

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The Board then reviewed the Duncan Factors.

1. Will the property yield a reasonable return or a beneficial use without the variance request? The Board stated yes and the applicant gave an explanation as to why the addition was being proposed to the front of the barn instead of the rear.
2. Is the variance substantial? The Board stated it was on the edge of substantial.
3. Whether the essential character of the neighborhood would be substantially altered or adjoining property owners suffer a substantial detriment if the variance is granted? The Board stated no.
4. Will the granting of the variance adversely affect the delivery of governmental services? The Board stated no.
5. Did the property owner purchase the property with the knowledge of the zoning restrictions? The Board stated yes.
6. Whether the problem can be solved by some other manner other than the granting of the variance? The Board stated yes but at substantial additional expense.
7. Does the granting of the variance uphold the spirit and intent of the Zoning Resolution? The Board stated yes.

Mr. Becker made a motion to approve a 5'6" rear yard setback variance for the construction of an addition to the existing barn to be located at 4130 Fenn Rd. It was seconded by Mr. Stopa.

ROLL CALL-Becker=yes, Stopa=yes, West=yes.

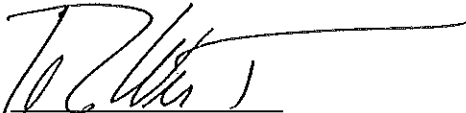
Meeting Minute Approval

The April 20, 2011 meeting minutes were tabled as there was not a quorum present from that meeting this evening for approval.

Having no further business before the Board, the hearing of Board of Zoning Appeals was officially adjourned at 8:00 p.m.

Respectfully Submitted,

Kim Ferencz
Zoning Secretary



William West, Chairman