

**MONTVILLE TOWNSHIP
BOARD OF ZONING APPEALS MEETING
OCTOBER 6, 2025**

PRESENT

Amanda Dillon, Chairperson
Elayne Siegfried, Vice Chairperson
Bill Montalto
Pat Ryan
J.C. Stouffer

ALSO PRESENT

T. Devanney, Legal Counsel
B. Schwehm, Zoning Secretary
M. Akins Marilyn Smith
M. Brubaker Mike Smith
J. Mullins T. Valore
M. Mullins D. Whittington
M. O'Connor J. Woods
C. Rood T. Woods

HANDOUTS: Draft – Conditional Zoning Certificate – Around the Sun Montessori School
Woodford Commons – Square Footage

- AGENDA:**
1. Public Hearing: Variance #08-25-031 – Tabled 9-15-25 & 9-22-25/
Hillsong Subdivision – Ryan Homes/Section 414.11 & 410.7/284
Square Feet Variance from 1,000 Square Feet Minimum on Ground
Floor for Rosecliff Model Home
 2. Public Hearing: Conditional Zoning Certificate #08-25-033/4797
Sharon Copley Road – Around the Sun Montessori School-First
Christian Church/Section 450, Conditional for Private Preschool &
Kindergarten and Elementary
 3. Public Hearing: Variance #09-25-034/5196 Chippewa Road/Section
410.8/Accessory Building Size

Board Chairperson Amanda Dillon called the Monday, October 6, 2025 meeting of the Montville Township Board of Zoning Appeals to order at 7:00 p.m.

ROLL CALL: Board Member Pat Ryan – Present; Board Member Bill Montalto – Present; Board Member Elayne Siegfried – Present; Board Member J.C. Stouffer – Present; Board Chairperson Amanda Dillon – Present.

Board Chairperson Dillon asked if the meeting had been properly advertised in the paper.

Zoning Secretary Bonnie Schwehm said the meeting had been properly advertised.

Board Chairperson Dillon asked if contiguous property owners had been properly notified.

Zoning Secretary Schwehm said contiguous property owners had been notified.

Board Chairperson Dillon said everyone in attendance should sign in if they had not already done so. Anyone who wished to speak would be sworn in before testifying. The meeting was taped for transcription purposes; therefore, it was important for everyone to state their name

clearly before speaking. As a quasi-judicial body, the Board of Zoning Appeals based its decisions on evidence and not on opinions. The official documentation of the proceedings would be the typed transcripts. She asked for cell phones and other devices to be silenced or turned off during the proceedings.

Board Chairperson Dillon presented the items on the agenda.

None of the Board members planned to abstain from discussing or voting on any of the agenda items.

1. PUBLIC HEARING: VARIANCE – TABLED 9/15/25 & 9/22/25

- Application No.:** 08-25-031
- Applicant:** Ryan Homes
6770 W Snowville Road, Suite 200
Brecksville, Ohio 44141
- Owner:** Tony Valore
Hillsong LLC
23550 Center Ridge Road, Unit 101
Westlake, Ohio 44145
- Zoning District:** R-3, Single-Family Urban Residential District/CD PRD
- Request:** Section 414.11 Dwelling Unit Requirements and Additions/
Section 410.7, Dwelling Unit Requirements
A variance of 284 square feet from the minimum requirement of 1,000 square feet on the ground floor for the following properties:
 - 2737, 2741, 2745, and 2749 Hillsong Drive;
 - 2753, 2757, 2761, and 2765 Hillsong Drive;
 - 2758, 2762, 2766, and 2770 Hillsong Drive;
 - 2773, 2777, 2781, and 2785 Hillsong Drive;
 - 2788, 2792, and 2796 Hillsong Drive; and
 - 2789, 2793, 2797, and 2801 Hillsong Drive.

Board Chairperson Dillon opened the public hearing. The public hearing had been continued on September 15th and September 22nd. She referenced the following new information presented to the Board:

- Photographs of the location and layout for the Rosecliff model homes showing the slope of the hill. Topographical maps showed the configuration for the proposed area. One map showed the layout with foliage, and one map showed it without foliage.

The same types of photographs and topographical maps were provided for the Caroline model home.

- Supplemental memo from Planning and Zoning Director Jeffers dated October 6, 2025.

At the last meeting, a question was raised regarding the finished living area of existing units in Montville Township. The Board received a list showing the Finished Living Area in Square Feet for the Woodford Commons units.

Mr. Mike Akins, Ryan Homes, was sworn in by Board Chairperson Dillon.

Mr. Akins did not know if the Board had an opportunity to review the additional exhibits that were provided. The original application stated the natural topography and the features of the site primarily caused the hardships with meeting the zoning requirements. He hoped the additional exhibits more clearly showed the topography and some of the challenges associated with the site.

Mr. Akins presented the layout for the Rosecliff, which was a 1,700 square feet, two-story home with 716 square feet on the first floor. As Board Chairperson Dillon noted, plans were presented with and without foliage. He thought the foliage was important to consider in the given situation.

Mr. Akins said topography, particularly on the east side of the property where the homes would be up against the 40-foot subdivision setback, was one of the primary challenges. There was about 7 feet of elevation change from the rear of the building to the 40-foot subdivision setback. Medina County required maintaining a 3 to 1 slope. That slope required 21 feet of grading as shown on the layout.

On the west side of the property, Mr. Akins said the situation was different. The platted dimensions of the properties were challenging. Due to the depth restrictions, he said no builder could build on those platted lots and satisfy the requirements of the zoning code. The depth restrictions were primarily due to the stream that ran through the property, and the limitations related to the stream setback, which he assumed was why those properties were platted with a shallower footprint.

On the south side of the property, Mr. Akins referred to units 52 through 55. He said topography was critical, but it was a downward slope that abutted a wetland to the southeast. The wetland setback limited the amount of grading that could be done; and because of that, the units needed to be held more shallow in order to have a reasonable slope against the wetland setback.

Board Member Montalto asked Mr. Akins to also review the exhibits related to the Caroline model home.

Mr. Akins said the Caroline model home was the next townhome option that would fit within the platted 28-foot wide footprint. The Caroline was about 21 feet deeper than the Rosecliff. The contours did not change; and with the Caroline, all of the grading for the units along the east side of the property would shift into the 40-foot subdivision setback. Using a scale, Mr. Akins said it would shift back about 25 feet and would require clearing all of the trees within the 40-foot setback. He would have concerns about the viability of any trees that remained. Whenever grading occurred that close to large, mature trees, there was a risk that the trees may not survive the stress.

Mr. Akins referred to the shaded area to the east that showed the grading. The Caroline units fit on the properties, but grading would still be done behind the homes to direct water away from the homes to ensure proper drainage during rain events. The volume of water in proximity to the actual living units was a concern.

On the west side of the property, Mr. Akins said the units simply did not fit on the properties. If the depth of the property allowed it, grading would occur in the stream itself – and certainly within the stream setback, as well as the retention basin.

Board Member Montalto thought the Caroline model home was shown to compare and contrast it to the Rosecliff model home.

Mr. Akins said the Caroline was the product that Ryan Homes would need to construct in order to satisfy the zoning requirement. If everything regarding the site itself was taken out of consideration, the Caroline was what Ryan Homes would build. The hardship came from the natural features of the site. They wanted to demonstrate to the Board that Ryan Homes was capable of building a product that satisfied the requirements of the zoning code, but it simply could not be built on the subject site because of the topography and some of the wetland and stream restrictions.

Board Member Siegfried wanted to ensure that Ryan Homes had only two house types that would fit the 28-foot width.

Within its catalog, Mr. Akins said that was correct.

Board Member Siegfried asked Mr. Akins to explain what was meant by within their catalog.

Mr. Akins said Ryan Homes was not a custom builder. Specifically, with the townhome product, availability was limited. He said any builder would face the same limitations as Ryan Homes.

In doing the math, Mr. Akins said a 28-foot wide product needed to be at least 52 feet deep to meet the zoning requirements. If Ryan Homes had a 52-foot deep product to construct on the subject site, the same issues would arise. Slightly fewer trees would be cleared along the east side of the site than with the Caroline; however, the 52-foot unit would still be against the stream setback.

Even though a 52-foot unit would fit on the subject properties, Mr. Akins said it would be within 2 to 4 feet of the rear of the property. There would be no means of egress; and because of the topography, the homes would be garden view and walkouts. From a health and safety standpoint, residents needed to be able to exit the rear of their homes.

To satisfy the zoning requirement, Mr. Akins said the Caroline itself would fit; but there would be no room by which to provide a means of egress. Outside of Ryan Homes, any builder would face the same challenges in order to meet the 1,000 square foot zoning requirement. In their catalog, the Rosecliff and Caroline were the two 28-foot wide attached products built by Ryan Homes, which was why the two exhibits were provided.

Attorney Trina Devanney, legal counsel for the Planning and Zoning Department, asked how many townhome products Ryan Homes had in its catalog.

Mr. Akins could not answer that question. He would be speculating to say how many there were nationally.

If Mr. Akins did not know how many Ryan Homes had, Attorney Devanney found it very hard to believe that the Rosecliff and Caroline were the only two options.

Mr. Akins said he did not know nationally. Ryan Homes built 40,000 homes a year in a number of different markets. He honestly did not know the total number of attached floorplans offered nationally.

Board Member Ryan asked if Ryan Homes had anything in its product line that was wider than 28 feet.

Mr. Akins said to his knowledge, there was not. The other townhomes with which Mr. Akins was familiar were 22 feet and 24 feet wide. He was not familiar with anything currently built by Ryan Homes that was wider than 28 feet.

Board Member Ryan asked if Ryan Homes had another type of home that was the same depth but wider than 28 feet, which may mean attaching three units instead of four units.

Mr. Akins was not familiar with an attached product built by Ryan Homes that was wider than 28 feet.

Board Member Ryan asked when the road was put in.

Mr. Akins deferred to Mr. Valore.

Mr. Tony Valore, 23550 Center Ridge Road, Westlake, Ohio, was sworn in by Board Chairperson Dillon.

Mr. Valore said it had been a five-year journey to get all of the approvals and finally get it recorded. The concrete for the road was down in August 2024. By the time they were done with the utility companies and everything that went on in today's world, they were where they now were.

If they went narrower, Mr. Valore said it would be necessary to go deeper to meet the zoning code, which would not work.

Board Member Ryan was thinking wider – not narrower.

Mr. Valore said the property width was not there to do that.

Board Member Ryan said the width was not there for the proposed number of units. Was losing one unit out of four in a cluster/group a possibility? When the road went in, she asked if Mr. Valore realized he only had a certain distance to the buffer.

Mr. Valore said the roads went in as given to them by Ryan Homes in knowing that was the product they were trying to promote and sell. He said it was driven by them.

Board Member Ryan went back to her question at the September 22nd meeting. She asked if he was aware at that point, or previously, that the minimum square footage on the first floor had to be 1,000 square feet.

Mr. Valore said, "No." He was not aware.

Mr. Valore referred to the homes in Woodford Commons being less than 1,000 square feet. He wondered if that was why the homes were referenced.

During the previous meeting, Board Member Dillon said a question was asked about the other properties where homes were less than 1,000 square feet on the first floor.

Mr. Valore said, "Right." Woodford Commons was at the entrance to the Hillsong Subdivision.

Board Chairperson Dillon said on Wexford Court, the two properties were larger than 1,000 square feet on the first floor. Eight properties were listed, and four of the eight had less than 1,000 square feet on the first floor. The other four were greater than 1,000 square feet on the first floor.

Mr. Valore said the conditions were different for Woodford Commons. The subject property had a 65-foot fall from the high side to the low side. It was interesting in the beginning and challenging as they went through it – and that was how they got to where they were. They still thought it would fit into market. He thought Attorney Devanney referenced that when she talked about different markets.

Attorney Devanney said everyone had been talking in absolutes but some of the information on the absolutes was missing. She just wanted that other information.

Board Member Ryan thought the location of the road was pretty much a given, and there was only so much space to the rear property line. In a way, did they create their own difficulty?

Mr. Valore said their engineer worked with Medina County, and the product kept going around and around until it ended up where it currently was.

Board Member Ryan said that was Medina County.

Mr. Valore said everything they did with Montville Township went through Medina County for approvals.

Board Member Ryan said Medina County did not do zoning.

Mr. Valore knew that.

Board Member Ryan said that was why things usually started with the township.

For a matter of clarification, Mr. Akins said he represented the homebuilder, which was the party that applied for the variance. Mr. Valore developed the site. Ryan Homes, the applicant, did not create the site, the grading, etc. Ryan Homes was before the Board as the homebuilder trying to work with the site conditions.

Board Member Ryan had a hard time believing, as Attorney Devanney said, that there were only two products in all of Ryan Homes that would fit on the subject property.

Taking Ryan Homes out of it, Mr. Akins said the properties were 28 feet wide. A measurement of 28 feet by 52 feet would meet the zoning requirement. Ryan Homes showed that a 42-foot product would be at the absolute limit of the 40-foot subdivision setback. That 42-foot product had 716 square feet on the first floor.

If Ryan Homes had a product that fit the 28-foot wide property, Mr. Akins said it would require clearing the trees within the 40-foot subdivision setback on the east side boundary and would require grading within that boundary.

For the sake of discussion, Mr. Akins said the same hardship would exist if that product existed. In order to meet the zoning requirement on the subject property as it dimensionally existed, clearing would be required, which was discussed at the last meeting and could not be done. In fact, trees were mandated to be added to the east side of the property. Grading within the existing stream setback would still be required. Outside of what was available in Ryan Homes' catalog, Mr. Akins said the site conditions and hardships still existed.

Board Member Stouffer asked what happened first. The property lines? Or the houses? Ryan Homes said it was confined by the width of 28 feet. Was that constraint given to Ryan Homes?

Mr. Akins said Ryan Homes was aware of the 28-foot width.

Board Member Stouffer asked who made the property lines.

Mr. Akins said that would have been Suhail, the engineer that worked with Mr. Valore.

Mr. Valore said Suhail worked with him and Ryan Homes.

Board Member Stouffer thought the constraints started with the width of 28 feet and was why there were only two products that fit. He thought the Board should maybe direct its questions to whoever made the property lines.

Board Member Stouffer asked for clarification regarding the Rosecliff photograph and the 28-foot measurement.

Mr. Akins said the red line where the man was standing was essentially the rear wall of the proposed Rosecliff building. An onsite measurement was taken, and it was 28 feet from the rear wall to the 40-foot subdivision setback. In rough math, there was about 5 feet behind the structure itself to the bottom of the swale that would drain water away. It was then necessary to climb back up 7 feet, and the required ratio put it right against the subdivision setback.

Mr. Akins said the geometry and hard setbacks with the wetlands to the south; the stream to the west; and the subdivision setback to the east had an effect.

Board Member Ryan asked if there was another product that was wider than 28 feet and not as deep as the Rosecliff. She realized that would mean a re-plat.

Mr. Akins could only speak from his personal experience. He had been with the company almost 23 years. He had built townhomes all over Ohio for the last 18 years, and he was not familiar with an existing product like that. He could not definitively say that it did not exist; but from his experience, he was not familiar with a wider product that would allow Ryan Homes to satisfy the zoning requirement. In his experience, he had never encountered one.

Once the product got that wide, Mr. Akins said it really became more conducive to a single-family. Once the product got 30 feet wide, the attached product no longer made sense for the market and the cost structure. Mr. Akins said it could exist, but he was not familiar with it. At 30 feet or greater, a standalone single-family product became more conducive and would be looked at in the majority of cases.

Board Member Ryan asked about standalone cluster homes that did not have much yard and were footprinted. However, she knew that would not fit on a 28-foot wide lot.

Mr. Akins knew it was challenging, but he was there as the homebuilder. He did not plat the property; he did not record it; he did not design it. Ryan Homes did not own the property, but the property would eventually be purchased from Mr. Valore when a home was sold and built. He did not think it would be appropriate for him, as the homebuilder, to speak to re-platting the property. It was just not within his scope. As the applicant for the variance, Ryan Homes was in front of the Board as the homebuilder with the property as it had been delivered to them.

Board Member Ryan thought it sounded like the 28-foot lots were derived with some consultation with Ryan Homes based on a product Ryan Homes had.

Mr. Akins said there was consultation to ask how wide their townhomes were.

Mr. Valore said a single-family unit would have a side yard setback, which he thought was a minimum of 5 feet on each side, or 10 feet total. The 28-foot lot would then become 18 feet. If it was not for the rise behind the units and the wetlands and the fall to the creek on the other side of the street, the current discussion would not be taking place.

Board Member Montalto asked if any of the implications from shrinking the footprint of the units would be passed onto the consumer/homeowner. The variance application referenced selling the properties for approximately \$375,000. By shrinking the footprint, did the consumer get less product? The consumer would obviously get a smaller footprint, but Board Member Montalto wondered if there were any cost implications to the consumer/homeowner or if it was a straight price per square foot.

Mr. Akins was a construction person; but in general, market valuations were done to understand the housing needs in a given market and to see how they could serve that need. Comps were done within school districts, etc. A simple cost per square foot did not determine price – it was really driven by the market. Mr. Akins was not sure if that answered Board Member Montalto's question.

Board Member Montalto said it did. He was just considering if a consumer would be getting less of a value with the smaller homes.

Mr. Akins appreciated the question. He thought consumers would not get less value because the same product had been done in surrounding municipalities. A lot of data showed Ryan Homes what the market was willing to pay, and they had very close comparisons as examples. It was not a simple equation where cost per square foot determined price. The intent was to serve the market.

Board Chairperson Dillon asked for clarification with respect to the location of the stream.

Mr. Akins referred to the layout and pointed out the centerline of the stream. The stream flowed from north to south. The parallel lines following the stream were the 25-foot stream setback lines, which were intended to protect the stream itself. The setback kept grading, etc. from introducing sediment into the stream.

Mr. Akins referred to the retention basin with a buffer area on the west side. To the far south in the woods, there was a wetland with a 75-foot setback for protection.

Board Chairperson Dillon opened the hearing to the public.

Mr. Mike Smith, 5336 Windfall Road, was sworn in by Board Chairperson Dillon.

Mr. Smith said in the back, Mr. Akins commented that the smaller unit would be within 5 feet of the swale.

Mr. Akins said it would be within approximately 5 feet.

Mr. Smith wondered what happened when homeowners decided to build a deck. How might that affect the swale, etc.?

As a general rule, Mr. Akins said Ryan Homes communicated to its homeowners that the flow of water could not be impeded in any way by any future additions, whether a deck, patio, fence, etc. A permit would be needed with approval from Montville Township and Medina County.

Mr. Akins said Mr. Smith brought up a very good point. It was very important for that area to remain open and free-flowing.

In the past, Board Chairperson Dillon said items such as that had been included and clearly communicated to the homeowners in the deed restrictions. She asked if Ryan Homes would be following that practice.

Mr. Akins said they would be. If the deed restrictions had not been recorded, they would be recorded within days. He said that information would be in the declarations for the homeowners' association (HOA).

Attorney Devanney said the HOA documents had to come through Montville Township for approval.

Mr. Akins said, "Okay."

Board Chairperson Dillon thought Mr. Akins was saying that the HOA declarations would be recorded as part of the deed restrictions.

Mr. Akins said that was correct, and it would state that homeowners needed to have all of the necessary approvals for decks, patios, etc.

Ms. Marilyn Smith, 5336 Windfall Road, was sworn in by Board Chairperson Dillon.

Ms. Smith was the property owner directly to the east. The scariest part for her was hearing they may cut in an additional 21 feet. She said there was not enough room there. When the road went in, it was unfortunate that the size of the buildings was not taken into account.

Ms. Smith said the proposed cookie cutter buildings put things in a bind. It was almost like putting a square peg into a round hole. The road was in; and per the zoning requirements, the property could not support what Ryan Homes wanted to build.

Ms. Smith thought it was an unfortunate situation. Being the closest property owner, it was really going to impede on everything they had going on there. She could see decks

being built really close to her property. She knew decks would go through zoning, but the decks would really encroach into her privacy and land.

Ms. Smith reiterated that it was an unfortunate situation. She was not sure what the answer was or how it should be resolved.

Mr. Akins said Ms. Smith's perspective did not enable her to see the layout to which he referred during his presentation. He positioned the easel in a manner that Ms. Smith could see the plan. He assumed Ms. Smith was referring to the 40-foot subdivision setback. The primary objective was to maintain that buffer.

Mr. Akins identified the location of Ms. Smith's property to the east. Ryan Homes was sensitive to her comments. If he lived there, he would feel the same way. All of the engineering work was done in an effort to leave the 40-foot buffer untouched and to provide separation between the project and Ms. Smith's property.

Ms. Smith thanked Mr. Akins and said she understood. Perhaps, the four-unit buildings were not the best use for the property now that the road was in and everyone could see it. She understood the project was platted for 28-foot wide properties. As the Board mentioned, she thought single-family attached clusters or re-platting the property with three attached 40-foot wide units might be a better use.

Ms. Smith knew that would derail the whole plan; but again, it was fitting the proposed units on a property that was not conducive to the proposed four attached units.

No one else asked to testify, and Board Chairperson Dillon closed the public portion of the hearing. The Board reviewed the Duncan Factors.

MOTION: Board Member Montalto moved to approve Variance Application 08-25-031 submitted by Ryan Homes at 6770 West Snowville Road, Suite 200 in Brecksville, Ohio 44141 for properties in the Hillsong Subdivision, a Controlled Density, Planned Residential Development, in the R-3, Single Family Urban Residential District, off of Montville Drive in Montville Township, Medina County, Ohio. The properties are owned by Hillsong LLC, Tony Valore, at 23550 Center Ridge Road, Unit 101, in Westlake, Ohio 44145.

A maximum variance of 284 square feet from the minimum requirement of 1,000 square feet on the ground floor is approved from Section 414.11, Dwelling Unit Requirements and Additions, and Section 410.7, Dwelling Unit Requirements, for the following properties: 2737, 2741, 2745, and 2749 Hillsong Drive; 2753, 2757, 2761, and 2765 Hillsong Drive; 2758, 2762, 2766, and 2770 Hillsong Drive; 2773, 2777, 2781, and 2785 Hillsong Drive; 2788, 2792, and 2796 Hillsong Drive; and 2789, 2793, 2797, and 2801 Hillsong Drive. The variance will allow the ground floor of the Rosecliff model attached dwelling units to be 716 square feet.

SECOND: Board Member Siegfried

ROLL CALL:

- Board Member Siegfried: Approved. She said there was a great deal of information before the Board. She thought all of the Board's questions had been answered as best they could be. Due to the need to protect the wetlands and the setbacks for the riparian and wetlands, the ability to expand the type of homes found and available in Montville Township, and the challenging topography of the property, she voted to approve.
- Board Member Stouffer: Approved. He agreed with what Board Member Siegfried said. He appreciated the applicant coming back and doing a presentation with all of the topography and more thoroughly explaining what was going on and the restrictions. He appreciated the applicant bringing a scale; the Board did not see that very often. Understanding all of the restrictions, he thought it was a tough site to work with.
- Board Member Montalto: Approved. He concurred with his partners on the Board. It seemed like it had been a long journey for Mr. Valore and Ryan Homes. He appreciated all of the information and everyone's patience with the questions, managing through it, and coming back that night.
- Board Member Ryan: Disapproved. Based on what she heard, she was not in favor of the blanket variance. She believed somewhere there was another product or layout that was possible and a better use of the property.
- Board Chairperson Dillon: Approved. She noted there were constraints. She apologized for taking a minute to chide, but she thought the variance probably could have been addressed if the applicant had come to the previous meeting prepared. The Board was asked to consider topography, but the Board was provided nothing with topography. While the Board appreciated that they were very prepared that night, she wished the matter had been taken seriously, and they originally came prepared.

That would also mean doing their homework and understanding the limits and constraints of the properties as well. It seemed like they had been surprised several times in the process. She thought that was a bit disheartening for the Board. If they were partnering in this community and going to be working within this community, she thought they should understand the constraints of the zoning code as well.

She understood there were property constraints with the topography and the wetlands and some of the water issues. While it did not necessarily sound like the earth was turned over looking for everything else, with those many challenges and the intent of expanding the type of housing offered within Montville Township, she too voted to approve.

Motion Approved: 4 – Ayes; 1 – Nay; 0 – Abstentions.

Mr. Akins thanked the Board and said he appreciated the Board’s time over the last few meetings.

After confirming the Board did not require her services for the remainder of the meeting, Attorney Devanney excused herself.

2. PUBLIC HEARING: CONDITIONAL ZONING CERTIFICATE

- Application No.:** 08-25-033
- Applicant:** Around the Sun Montessori School, Inc.
4797 Sharon Copley Road
Medina, OH 44256
- Owner:** First Christian Church
4797 Sharon Copley Road
Medina, OH 44256
- Zoning District:** Community Business
- Request:** Chapter 450, Conditional Use Regulations
Conditional use for a private preschool, including kindergarten, ages 2 ½-6; and elementary, grades 1-6.

Board Chairperson Dillon opened the public hearing and read/referenced the following:

- Application #08-25-033, which included a statement regarding the application history; an aerial of the property and surrounding area; and an advertisement for the school.
- Memo from Planning and Zoning Director Jeffers dated September 26, 2025 regarding the subject conditional use.

A copy of the draft conditional was provided as a handout.

Ms. Melissa Brubaker, Around the Sun Montessori School, was sworn in by Board Chairperson Dillon.

Having been there for over twenty years, Ms. Brubaker said the school was established in the community. They continued to have a full enrollment for their preschool classes. The elementary program did not serve a grand number of children. Traffic flow and the number of families served had not changed much.

Ms. Brubaker thought the church came to them in 2019 with space that was not being used. The church knew families had expressed interest in an elementary school. When asked, they jumped on the opportunity to use the space. At that time, a couple of parents went through Montessori training and taught for five years. Their families grew, and they left. Ms. Brubaker currently had two new Montessori trained teachers.

Ms. Brubaker never had more than twelve students in the elementary program. Children six to twelve years old used three small spaces that were open to one another.

Board Member Siegfried thought the school launched into the older children in 2020. She asked if there had been any traffic complaints since then.

Ms. Brubaker was not aware of any complaints – none had been brought to her attention.

Mr. Doug Whittington, Trustee Chairperson, First Christian Church, was sworn in by Board Chairperson Dillon.

Mr. Whittington said the church had a wonderful relationship with the school for twenty-plus years. The school's growth came naturally. The space downstairs had only been used for Sunday school. Storage rooms with tables and chairs were cleaned out, which enabled the school to grow with elementary students. With the growth, they had not noticed any traffic issues, congestion, or adverse effects on the church or surrounding community.

Board Member Montalto thought the elementary program began in 2020.

Ms. Brubaker confirmed that was correct.

Board Member Montalto thought the elementary program recently came to the attention of Montville Township.

Ms. Brubaker simply did not realize there was a conditional use permit, and she did not realize adjustments needed to be made when the change was made. It was in the same building, and no physical changes were made. They still served about the same number

of families. A lot of the elementary students had siblings in the preschool program. It was about the same amount of traffic coming through. In the fall of 2020, a lot of other things were happening.

Board Member Ryan asked if there were currently twelve elementary students.

Ms. Brubaker currently had seven elementary students.

Board Member Ryan thought the maximum capacity was fifteen elementary students.

Ms. Brubaker said that was correct.

Board Member Ryan asked about the number of younger children.

Ms. Brubaker said total enrollment was 51 students, which meant there were 44 children in the preschool program. However, they were not all there at the same time. There was a morning and an afternoon class, and some students stayed all day.

Board Member Ryan lived at the other end of State Route 162 near State Route 57. She never noticed any additional traffic from the school. There was additional traffic on State Route 162, but it was not from the school.

Board Chairperson Dillon opened the hearing to the public. No one asked to testify, and the public portion of the hearing was closed.

MOTION: Board Member Ryan moved to approve Conditional Zoning Certificate Application #08-25-033 submitted by Around the Sun Montessori School, Inc., 4797 Sharon Copley Road in Medina, Ohio 44256 for a private preschool, including kindergarten, ages 2 ½-6; and elementary, grades 1-6, per Chapter 450, Conditional Use Regulations. The property is owned by First Christian Church, 4797 Sharon Copley Road in Medina, Ohio 44256 and is located in the Community Business District.

SECOND: Board Member Stouffer

ROLL CALL:

Board Member Montalto: Approved.

Board Member Ryan: Approved, since there was a maximum that could be accommodated in the building.

Board Member Stouffer: Approved.

Board Member Siegfried: Approved.

Board Chairperson Dillon: Approved. Upon review and consideration, it looked like it was a minor extension of the existing one.

Motion Approved: 5 – Ayes; 0 – Nays; 0 – Abstentions.

3. PUBLIC HEARING: VARIANCE

Application No.:	09-25-034
Applicant/Owner:	Terry S. Woods and Jackie Rickert Woods 5196 Chippewa Road Medina, OH 44256
Zoning District:	Rural Residential
Request:	Section 410.8, Accessory Use Regulations A variance of 937 square feet from the maximum allowed 663 square feet for a storage building to allow a storage building that is 40 feet by 40 feet (1,600 square feet) with a 400 square feet lean-to on the north side of the building.

Board Chairperson Dillon opened the public hearing and read/referenced the following:

- Application #09-25-034, which included a memo regarding the variance request; an address slip; a layout of the property and proposed new shop; an aerial of the property and surrounding area; a drawing of the proposed storage building; specifications for the proposed storage building; a series of three photographs of the property and proposed location for the storage building; and a notarized document stating the existing barn would be removed within 90 days of the completion of the new building.
- Memo from Planning and Zoning Director Jeffers dated September 26, 2025 regarding the subject variance request.

Mr. Terry Woods was sworn in by Board Chairperson Dillon.

Mr. Woods presented the most recent layout that showed the new shop 100 feet from the gas well. The distance from the side property line would remain the same.

Board Member Ryan asked if that meant the storage building would be closer to the house.

Mr. Woods confirmed that was correct.

Board Member Montalto thought a variance was only requested for the size of the storage building. None of the setbacks appeared to be an issue. He thought the proposed building would more than meet the 70-foot rear yard setback – even the original layout showed the proposed building would be 80 feet from the rear property line. The side yard setback was 30 feet, and the drawing showed the proposed building at 40 feet from the property line.

Mr. Woods said an inspector from the gas company came out every month. He approached the gas company since there was not a cost effective option to add a driveway to the proposed storage building. The gas company did not have a problem with Mr. Woods using the right-of-way for the gas company as long as it would not be blocked by any means 24/7. The gas company needed to have complete access.

Mr. Woods said the gas company stipulated a 100-foot setback from the gas well in case it would be necessary to bring in heavy equipment. The gas company would need enough room to do whatever needed to be done to the gas well.

Board Member Montalto thanked Mr. Woods for mentioning that because he planned to ask about it. If there were any issues with respect to Mr. Woods using the easement, Board Member Montalto thought that would be between Mr. Woods and the gas company. Board Member Montalto asked about an alternate access point if the gas company prevented Mr. Woods from using the easement.

Mr. Woods proposed an extension off of the existing driveway for a single vehicle to go around the back of the house. However, he would have to be careful because of the septic system.

Mr. Woods referred to the layout and said a paving stone was mistaken for the lid of the septic system.

Board Member Siegfried thought the gas company had a right-of-way to traverse Mr. Woods' property.

Mr. Woods acknowledged that was correct. There were storage tanks behind his house, but the storage tanks were not on his property.

Board Member Siegfried thought it looked like the right-of-way was grass. She wondered what the bed of the right-of-way was made of.

Mr. Woods said there was packed gravel under the grass. A pickup truck was the biggest vehicle he had seen when the inspector came each month. If the gas company brought in heavy equipment, the right-of-way would support it.

Board Member Siegfried said that was what she wanted to know.

Board Member Stouffer asked for clarification regarding the location of the septic system.

Mr. Woods pointed out the location of the paver that he thought was the lid to the septic system. The septic system was actually located on the west side of the property.

Board Member Stouffer asked about the extension from the right-of-way that would go to the proposed storage building.

Mr. Woods would probably add crushed rock to make the extension.

Board Member Stouffer asked if it would be a different surface than what was currently there.

Mr. Woods responded, "Yes."

Board Member Stouffer asked if the gas company was okay with that.

Mr. Woods said, "Yes."

In a way, Board Member Stouffer thought the access drive would be an extension of the gas company's right-of-way.

Board Member Stouffer thought Mr. Woods planned to demolish the existing shed after the proposed storage building was built.

Mr. Woods acknowledged that was correct.

Board Member Stouffer asked what would be done with the underground electrical wire.

Mr. Woods planned to use it for something else; but if that did not work out, it would be removed or essentially cut off.

Board Member Stouffer thought it was important for it to be capped or safely shut off.

If he was not going to use it, Mr. Woods would remove it or dismantle it from the panel box.

Board Member Ryan thought the size of the proposed building was limited to 1% of the square footage of the lot and wondered if the variance of 937 square feet included the existing shed.

A brief discussion ensued and confirmed storage buildings were limited to 1% of the square footage of the lot, and the variance request for an additional 937 square feet did not include the existing shed.

Board Member Ryan said gazebos and other similar structures were considered structures that needed permits and had setback requirements. She wondered if the enclosed building would be 40 feet by 40 feet including the lean-to.

Mr. Woods said the lean-to was included in the proposed 40 feet by 40 feet building.

Board Member Ryan asked how Mr. Woods planned to use the lean-to. Would it be for sitting/open space?

Mr. Woods said it would be. He said there would not be anything unsightly sitting under the lean-to.

Board Member Ryan asked if it would be used as anything such as a carport.

Mr. Woods said, "No." It would not be big enough for that. He mentioned maybe having some chairs and a picnic table.

Since the area of the lean-to was included in the square footage for the building, Board Member Ryan said it could be enclosed. She reiterated that the building could not be used for commercial purposes.

Mr. Woods confirmed it would not be. He did not do side work.

If Mr. Woods sold the property, Board Member Ryan thought new owners should be told the building could not be used for commercial purposes.

Board Member Ryan had seen that happen.

Board Chairperson Dillon said a note could be added to the motion that the storage building could not be used for commercial purposes.

The Board discussed and agreed to add a note to the motion stating that the existing shed had to be removed.

As a new resident, Mr. Woods wanted to do things right. His wife was from Medina, which was why he was now in Medina.

In South Carolina, Mr. Woods built a 24 feet by 25 feet shop, which he thought would be the dream. Mr. Woods realized he made a mistake the day he moved all of his equipment into the building. It was too small, and he did not want to do that again. That was why he was asking for permission to do things right. He would like to have a place to work on his vehicles.

Board Member Siegfried wondered if 90 days would give Mr. Woods enough time to move everything from the existing shed into the new storage building once it was built.

Mr. Woods said there would be no use for the existing building once he moved everything into the new building.

Board Chairperson Dillon wondered if Mr. Woods would want to tear down the shed once it started to snow.

Mr. Woods would do what needed to be done, or he would get someone to do it.

Board Member Stouffer asked if Mr. Woods planned to build the storage building this year.

As long as temperatures did not stay 28 degrees for a long period of time, Mr. Woods said his builder could pour concrete. If winter beat him to it, Mr. Woods would have to wait until spring; but the variance was the first step.

Board Chairperson Dillon opened the hearing to the public.

Mr. Michael Mullins, 5210 Chippewa Road, was sworn in by Board Chairperson Dillon.

Mr. Mullins was Mr. Woods' neighbor directly to the west. He was in attendance to show support for the proposed building. He did not have anything against it.

Mr. Woods indicated his neighbor to the west and his neighbor to the east were both in attendance. He also met with his other neighbor who did not have an issue with the proposed building. When they asked about noise, Mr. Woods said he would stop by 9:00 p.m. – they would not hear air tools, hammers, etc. He questioned if his neighbors would even hear the tools; but he respected his neighbors.

Ms. Jessica Mullins, 5210 Chippewa Road, was sworn in by Board Chairperson Dillon.

Ms. Mullins expressed her support and did not think the building would have any negative effects on the community. From her property right next door, she could not even see back there. She had a 6-foot fence and highly doubted that she would see it unless she peeked over there.

Ms. Molly O'Connor, 5186 Chippewa Road, was sworn in by Board Chairperson Dillon.

Ms. O'Connor was the neighbor on the other side and also came to show support. She was totally fine with it. Everything was cleaned up, and the grass was cut. She thought it would just add value to the neighborhood. She did not see any detriment to anyone who lived there.

Board Member Dillon thanked everyone for attending the meeting.

Board Member Stouffer asked if Mr. Woods planned to put a light on the side of the proposed building that faced his house.

Mr. Woods thought he would probably put up a light.

Board Member Stouffer referred to the neighbor directly across the street and wondered how close that neighbor was to the street.

Mr. Woods said that neighbor was quite a distance away.

Board Member Stouffer wanted to ensure there would not be any light pollution from the light on the proposed storage building.

Board Chairperson Dillon closed the public portion of the hearing, and the Board reviewed the Duncan Factors.

The Board discussed amending the motion to state that the lean-to was included in the 1,600 square feet, the existing shed would be removed within 90 days, and the building would not be used for commercial purposes or living quarters.

MOTION: Board Member Montalto moved to approve Variance Application 09-25-034 submitted by Terry S. Woods and Jackie Rickert Woods at 5196 Chippewa Road in Medina, Ohio 44256 for a variance of 937 square feet from the maximum allowed 663 square feet for a storage building, per Section 410.8, Accessory Use Regulations. The variance will allow a storage building that is 40 feet by 40 feet that is 1,600 square feet, which includes a 400 square foot lean-to on the north side of the building. For clarification, the 400 square foot lean-to is included in the 1,600 square feet. The property is located in the Rural Residential District, and the applicant states that the existing shed will be removed within 90 days of construction of the new building. The building cannot be used for commercial or living quarters.

SECOND: Board Member Stouffer

ROLL CALL:

Board Member Stouffer: Approved.

Board Member Siegfried: Approved.

Board Member Ryan: Approved.

Board Member Montalto: Approved.

Board Chairperson Dillon: Approved, upon consideration of the lot layout, neighborhood, proposed design of the building, and its use. She thanked the applicant for seeking out his neighbors and being a good neighbor.

Motion Approved: 5 – Ayes; 0 – Nays; 0 – Abstentions.

ADJOURNMENT:

MOTION: Board Member Stouffer moved to adjourn the October 6, 2025 Board of Zoning Appeals meeting.

SECOND: Board Member Siegfried

A collective oral vote was taken.

Motion Approved: 5 – Ayes; 0 – Nays; 0 – Abstentions.

The October 6, 2025 meeting of the Montville Township Board of Zoning Appeals was adjourned at 8:34 p.m.

Respectfully submitted,

Bonnie Schwehm
Zoning Secretary

Signature _____
Chairperson

Date _____