

YORK TOWNSHIP BOARD OF APPEALS

January 11, 2018

The York Township Board of Zoning Appeals held their monthly meeting in the York Town Hall/Fire Station Complex on January 11, 2018 at 7:00pm.

Richard Hill called the meeting to order at 7:05 pm.

The pledge of allegiance was said.

Board Members Present:

Christine Barnes, Ronald Fabich, Richard Hill, Roger Mittler, Todd Supeck, and Alternate Chris Kosman were present.

Guests Present:

Dorothy Crouch-Zoning Inspector, Jim O'Connor- Pulte Homes

Public Hearing: Pulte Homes – Extension of Temporary Sign, continued

Richard Hill asked Mary Lenarth to read the legal ad for the Public Hearing.

Mary Lenarth read the legal ad as published in the November 29, 2017 edition of the Medina County Gazette, to consider a variance request from Pulte Homes of Ohio, LLC for a sign from Section 404.B.2 of the York Township Zoning Resolution. The sign variance request is regarding extending the time frame for a temporary sign for two (2) more years for the Forest Creek development. The sign is currently located on the Northwest corner of Marks Road and Daintree Lane.

Richard Hill asked Jim O'Connor with Pulte Homes to explain his application.

Jim O'Connor stated he felt at the last meeting the Board Members, Dorothy Crouch and himself had a good discussion regarding the temporary sign and would like to continue the discussion.

Jim O'Connor explained comments at the last meeting from Board Members were that the Pulte Homes sign is hard to see. Jim O'Connor went on to explain the Pulte Homes sign is not to stand out, it is a simple place card for Pulte Homes, a new home subdivision, an important distinction.

Jim O'Connor stated the variance request is to extend the time frame for the temporary sign for twenty-four (24) months; he would like to change the time frame to twelve (12)

months. Jim O'Connor feels by the end of the twelve (12) months Pulte Homes will have completed a significant portion of the sales.

Jim O'Connor explained how important signage is to drive-by traffic to bring customers into the Pulte Home Store or model home, a unique business.

Jim O'Connor stated the York Township Zoning Resolution stops people from creating big huge commercial businesses signs in a residential neighborhood.

Jim O'Connor explained selling new homes is like a retail business and dependent on customers coming to Pulte Home Store or model home.

Jim O'Connor also explained Pulte Homes feels it is very important and wants to show the customers these are Pulte Homes, not just new homes.

Jim O'Connor stated when the York Township Zoning Resolution was created did anyone contemplate if a development would be larger; being one-hundred, seventeen (117) unites as Shale Creek or Forest Creek, no one in northeast Ohio can sell one-hundred, seventeen (117) unites in twenty-four (24) months.

Jim O'Connor explained the attention needs to be "Pulte Homes" not "Forrest Creek".

Roger Mittler asked Jim O'Connor what is more important to have the four (4') foot x eight (8') foot sign or the small sign that is put up every weekend.

Jim O'Connor explained a combination of both signs.

Board Members, Dorothy Crouch and Jim O'Connor reviewed the York Township Zoning Resolution and Pulte Home signs, big and small.

Todd Supeck stated in the last meeting comments were made that the sign was difficult to see. Todd Supeck does not feel the sign is obtrusive, not detrimental to the community, it is just a four (4') foot by eight (8') foot sign, not blocking anyone's view. Todd Supeck does not have a problem with the Pulte Homes sign.

Dorothy Crouch stated the York Township Zoning Commission is reviewing the York Township Zoning Resolution Section 404.B.2; regarding development signs.

Todd Supeck feels Pulte Homes is making an investment in York Township community; the sign is not detrimental to the community and feels he would like to extend the time for the Pulte Home sign.

Todd Supeck made a motion to accept the variance request from Pulte Homes of Ohio, LLC for a sign from Section 404.B.2 of the York Township Zoning Resolution. The sign variance request is regarding extending the time frame for a temporary sign for twelve (12) months or one (1) more year for the Forest Creek development. The sign is currently located on the Northwest corner of Marks Road and Daintree Lane. Christine Barnes seconded the motion.

Richard Hill asked if there were any other questions or comments. There were no other comments.

Roll vote: Christine Barnes-aye; Ronald Fabich-aye; Richard Hill-nay; Roger Mittler-nay explaining he does not feel it is the York Township's responsibility to help a private company keep their sales up by extending the period of time for their sign; Todd Supeck-aye. Motion approved.

Minutes:

The Board reviewed the proposed minutes from the December 14, 2017 meeting. Todd Supeck made a motion to approve the minutes with typographical corrections made. Roger Mittler seconded the motion. All members voted aye in a voice vote. Minutes approved.

Organizational Meeting:

The Board Members discussed the Policy and Procedures for 2018.

It was decided to keep the Policy and Procedures as they were from 2017. (Exhibit A) Todd Supeck made a motion to retain the 2017 Policy and Procedures for 2018. Roger Mittler seconded the motion. Roll vote: Christine Barnes-aye, Ronald Fabich-aye, Richard Hill-aye, Roger Mittler-aye, and Todd Supeck-aye. Motion approved.

Roger Mittler suggested rotating Chairperson and Vice Chairperson by seniority.

Roger Mittler nominated Todd Supeck for Chairperson. Todd Supeck declined.

Roger Mittler nominated Ronald Fabich for Chairperson. Ronald Fabich declined.

Chris Barnes nominated Richard Hill for Chairperson. Richard Hill accepted. Todd Supeck seconded the motion. Roll vote: Christine Barnes-aye; Ronald Fabich-aye; Richard Hill-aye; Roger Mittler-aye Todd Supeck-aye. Motion approved.

Todd Supeck nominated Ronald Fabich for Vice Chairperson. Ronald Fabich accepted. Roger Mittler seconded the motion. Roll vote: Christine Barnes-aye; Ronald Fabich-aye; Richard Hill-aye; Roger Mittler-aye Todd Supeck-aye. Motion approved

Correspondence:

Richard Hill asked if there are any training sessions scheduled for Board Members to attend for their yearly requirements. Dorothy Crouch answered she has not heard of any training sessions or workshops scheduled.

Dorothy Crouch explained the York Township Zoning Commission has been asking about training sessions and asked if a Board Member would attend Medina County Planning Commission meeting, could that be considered a training session. Dorothy Crouch said you could learn a lot by attending a Medina County Planning Commission meeting.

Dorothy Crouch stated she would ask the York Township Trustees about attending a Medina County Planning Commission meeting or other township's zoning meetings, if that could qualify for a training session

Board Members and Dorothy Crouch reviewed the possibility and benefits of attending Medina County Planning Commission meetings.

Board Members and Dorothy Crouch reviewed the York Township Zoning Resolution regarding temporary development signs.

Dorothy Crouch explained the York Township Zoning Commission is working on the re-codification of the York Township Zoning Resolution.

Old Business:

None

New Business:

None

Adjourn:

Richard Hill adjourned the meeting at 7:50pm

Richard Hill, Chairperson

Mary Lenarth, Chairperson

2018

(EXHIBIT A)

York Township Board of Appeals

Approved January 11, 2018

For the year of 2018

Policy and Procedures

A. Regular Meetings: Regular meetings of the Board of Appeals will be held the second Thursday of each month at 7:00 p.m. unless other wise provided. All meetings will be held at the York Township Hall/Fire Station Complex, located at 6609 Norwalk Road.

- 1) No more than two (2) hearings will be considered at a regular meeting.
- 2) Board members are to sign in for Board meeting, site visits, and classes attended.

B. Special and Emergency Meetings: Special meeting of the Board of Appeals will be held at the call of the Chairman, the Board of Appeals, two (2) members of the Board of Appeals, or the Zoning Inspector. The call for a special meeting shall specify the date, time location and purpose of the meeting. Unless otherwise stated, special meetings will be held at the same location as regular meetings. All legal requirements for these meetings will apply.

C. Alternate:

- 1) Alternate will be seated if a Board member is not present at roll call.
- 2) Board Member will not be seated in place of Alternate for a second hearing if continued and present pursuant to **a)** below.
 - a)** An Alternate or Board Member cannot be seated for a continued meeting the original of which they have missed.

3) Board Member should notify Chair/Vice Chairperson before the meeting if they will abstain from voting so Alternate can be seated.

D. Secretary:

- 1) Minutes of previous meeting shall be provided with Board packet one week in advance of regular meeting
- 2) Agenda is to be provided to the Board and available to the public at every meeting.

E. Seating at the Board of Zoning Appeals meetings: There are three designated sitting areas:

- 1) The Board area at the front of the meeting room. This area is limited to BZA Board members that are hearing or voting at the meeting. Any non voting Board members of the BZA or alternates not involved in the voting will not be seated in this area.
- 2) Secretary/Zoning Inspector table. This area located at the north side of the room.
- 3) Audience seating. This area is in front of the BZA.
- 4) A table is to be placed in front of the BZA Board for applicant and applicant's council

F. Opening Meeting Comments:

- 1) The taping of the meeting is for the use of the Secretary to refer to and keep accurate minutes for the BZA. Tapes may be destroyed forty (40) days after the minutes are approved.
- 2) All persons in attendance must sign in.
- 3) People wishing to testify before the Board must be sworn in; give their name and current address. They must speak either from the table in front of the Board or from the podium. Testimony will be limited to 3 minutes per person.
- 4) Any testimony or questions will be directed to the BZA not to people in the audience. The BZA will redirect any pertinent questions.
- 5) The BZA may request that conversations or discussions not directed to the BZA be limited.
- 6) During a Public Hearing if the Board has received correspondence regarding the Public Hearing the Board will disregard the correspondence. Due to the fact that the correspondence cannot be cross examined.
- 7) The Board reserves the right to go into caucus during public meetings.

G. Board:

- 1) Board of Zoning appeals members are required to attend at least one updated training each year when available through the Prosecutors Office, Medina County Planning Services or our own BZA. Per Resolution by Township Trustees.
- 2) Clear and exact (to scale) drawings need to be presented to the Board of Zoning Appeals before the visitation and meeting so they can be reviewed.
- 3) All Board of Zoning Appeals members should be required to make a visitation to the property of an applicant for a variance or home occupation. The visitation is to be in groups of not more than two (2) Board Members to the property of an applicant for a

variance or home occupation. The visitation is to be on the Saturday before the meeting between the hours of 8:00am and 11:00am. If a Board member cannot make the appointed time it is the Board members responsibility to contact the applicant to schedule a visitation. The Zoning Inspector or Secretary will notify the Board of the date.

4) Applicant will be asked by Chairperson/Vice Chairperson if they will accept the Board if there is not a full Board present. Note: If there is only a Board of four (4) members and there is a tie vote two (2) and two (2) the result automatically goes to a no vote. **(This should be read to the Applicant)**

5) The Board of Appeals will be furnished with a calendar of the up coming year's scheduled meetings dates. If there is a special meeting or a cancelled meeting the Board will be notified by the Chairperson, Vice Chairperson, Secretary, or Zoning Inspector.

6) The minutes of the Board of Zoning Appeals are not final until they have been approved by the Board with a roll call vote and can be amended before the Board's roll call vote.

7) BZA board members should notify the Chairperson, Vice Chairperson or the Township Office if they are unable to attend the meeting so the Alternate can be contacted and seated in their place.