

## YORK TOWNSHIP ZONING COMMISSION

April 7, 2022

The York Township Zoning Commission held their monthly meeting in the York Town Hall/Fire Station Complex on April 7, 2022 at 7:00 pm.

David Hull called the meeting to order at 7:05 pm.

The Pledge of allegiance was said.

### **Zoning Commission members Present:**

David Hull, Guy Roach, Jonathan Steingass, Lowell Wolff and Alternate Kenneth Barco were present. Eric Matyac was unable to attend.

David Hull asked Alternate Kenneth Barco to come forward to be on the Board in the absence of Eric Matyac.

### **Guests Present:**

Stephan Ibos-Zoning Inspector; Colene Conley-York Township Trustee

### **Minutes:**

The Board Members reviewed the proposed minutes from March 3, 2022 meeting. Guy Roach made a motion to approve the minutes with typographical corrections made. Jonathan Steingass seconded the motion. All members voted aye in a voice vote. Minutes approved.

### **Correspondence:**

Steve Ibos gave the Board Members packets for Matthew Motors – a Site Review for May 5, 2022 meeting.

Steve Ibos mentioned Medina County Planning Commission will hold a meeting on April 20, 2022 at 9am regarding an extension for Emerald Run; that currently dead ends at this time. Steve Ibos explained there is a proposal to continue Emerald Run.

### **Old Business:**

No Old Business.

### **New Business:**

Steve Ibos gave Board Members information regarding the zoning of Pergolas and Gazebos. Board Members, Steve Ibos and Colene Conley discuss zoning and permits for Pergolas and Gazebos.

Board Members, Steve Ibos, and Colene Conley also discuss sheds, structures, temporary structures, temporary carports, etc. Guy Roach suggested contacting George Smerigan regarding definition of structures, the requirements, zoning, and permits of structures.

Steve Ibos gave the Board Members information regarding Alternative Energy. Board Members, Steve Ibos and Colene Conley discuss solar panels, accessory buildings, definition and requirements for accessory buildings, also requirements and permits for alternative energy. Steve Ibos stated he will contact George Smerigan for his suggestions.

David Hull explained the Board Members in December of 2020 worked on several changes to the York Township Zoning Resolution; Dorothy Crouch before she left was working with Margaret Russell to record all the changes that were made to the York Township Zoning Resolution.

David Hull stated what Dorothy Crouch and Margaret Russell found out is that some of the changes were not advertised correctly in the Medina County Gazette and not processed through to the York Township Trustees. David Hull explained the changes were forwarded to the Prosecutor's office and to the Medina County Planning Commission.

David Hull stated Dorothy Crouch and the Prosecutor's Office suggested the best thing to do would be to start all over again with the changes to the York Township Zoning Resolution, have a Public Hearing, and re-advertise all the changes in the Medina County Gazette on to the York Township Trustees again.

Guy Roach, David Hull, Steven Ibos explained to the other Board Members and Colene Conley how Dorothy Crouch and Margaret Russell reviewed all of the changes to the York Township Zoning Resolution that were not advertised correctly for the Public Hearing on November 5, 2020.

1. Section 203 Map of Zoning Districts
2. Section 205.15.J Driveways
3. ***Section 306.08.A.2.h Project Review Procedures***
4. Section 306.08.G Procedure after Approval of Preliminary Development Plan
5. Possible addition of Section 306.08.H Final Development Plan Approval
6. ***Possible addition of Section 307.05C.9 Development Plan Requirements***
7. Changes to Section 506.08.D
8. Section 506.08.J Home Occupations.

The *italicized* items were advertised in error; these were not changes or additions to the York Township Zoning resolution.

The Board Members, Steven Ibos, and Colene Conley reviewed all of the proposed changes that should have been made to the York Township Zoning Resolution. The following should have been advertised:

1. Section 203 - Map of Zoning Districts
2. *Section 205.15.A - Driveways*
3. Section 205.15.J - Driveways
4. *Section 306.06.C - Perimeter Building Regulations*
5. *Section 306.06.D - Interior Building Setback/Spacing Regulations*
6. Section 306.08.G - Procedure after Approval of Preliminary Development Plan
7. Addition of Section 306.08.H - Final Development Plan Approval
8. Section 506.08.D – Type 1 Home Occupations
9. Section 506.08.J – Type 1 Home Occupations.

The *italicized* items should have been in advertised and were not.

The Board Members after much discussion decided since all of the changes have already been approved by the Medina County Planning Commission at their October 7, 2020 meeting, that it is not necessary to send it to them again.

Originally all of these proposed changes were made and noted between Board Members and the legal representation of George Smerigan. Please note Exhibit A.

The Board Members will review the changes if everything is ready, make a motion to have a Public Hearing then forward the changes on to the York Township Trustees.

David Hull asked for any other New Business.

Colene Conley mentioned upgrades to the York Town Hall and other various items in the York Township.

**Adjourn:**

Guy Roach made a motion to adjourn the meeting at 9:30 pm. Lowell Wolff seconded the motion. All members voted aye in a voice vote. Meeting adjourned.

---

David Hull, Vice Chairperson

---

Mary Lenarth, Secretary

# Exhibit A

## **AMEND SECTION 203 MAP OF ZONING DISTRICTS TO READ AS FOLLOWS:**

### **Section 203 Map of Zoning Districts**

The districts or zones and their boundary lines are indicated upon a map entitled "Zoning District Map of York Township, Medina County, Ohio," an accurate copy of which ~~as of, September 5, 2002~~, together with all notations, references, and other matters shown thereon is hereby attached to and made a part of this Resolution. The original map shall be maintained in the office of the York Township, and shall show all amendments or changes made hereafter thereon. The copy attached is for general reference purposes only. The original map must be examined to confirm, the attached maps, continued accuracy on and after the date indicated thereon.

## **AMEND SECTION 205.15 DRIVEWAYS TO READ AS FOLLOWS:**

### **205.15 Driveways**

The following general driveway requirements apply to all districts or zones. Specific requirements provided for elsewhere in this Zoning Resolution may also apply and shall be in addition to these requirements.

- A. Driveways shall be installed before construction of buildings can begin. This installation will consist of an all weather driving surface capable of holding construction, emergency, and passenger vehicles **and with horizontal and vertical alignments to accommodate such vehicles**. An all weather driving surface is a surface such as: gravel, stone, brick, asphalt, or cement.
- B. Driveway widths shall be a minimum of ten (10) feet of all weather driving surface, with an additional three (3) feet of level berm on each side unobstructed to a height of sixteen (16) feet.
- C. The width of the driveway at the road right-of-way shall be in accordance with the standards of the Medina County Engineer.
- D. Permits must be obtained from proper authority, state, county, or township, for road culvert and be installed to their required specifications.
- E. Driveways shall in no manner inhibit or modify the water flow characteristics of adjacent properties.
- F. Driveways shall be a minimum of ten (10) feet from adjoining lot lines.

- G. Driveways shall have a maximum 15 percent (15%) grade.
- H. Driveways longer than three hundred (300) feet shall include a turn-around for use by emergency vehicles not farther than two hundred (200) feet from a dwelling.
- I. Driveways longer than five hundred (500) feet shall include passing lanes at a minimum of every five hundred (500) feet. Passing lanes shall consist of an additional ten (10) feet of width for a length of fifty (50) feet.
- J. A street number identification sign shall be placed at the driveway entrance **of all lots of 2.1 acres or larger**. Minimum sign size shall be six (6) inches by eighteen (18) inches, with reflectorized numerals.
- K. Any driveway serving more than one (1) parcel of land shall meet all County Street Regulations.
- L. Driveway gates shall not exceed six (6) feet in height. Gate support posts and/or columns shall not exceed eight (8) feet in height. Gates shall have a minimum opening of fourteen (14) feet and shall be equipped with a Knox key to accommodate fire fighting equipment. Driveway gates shall not be located closer than ten (10) feet from the edge of the right-of-way.

**AMEND SUBSECTIONS C AND D OF SECTION 306.06 DEVELOPMENT AND SITE PLANNING STANDARDS TO READ AS FOLLOWS:**

- C. Perimeter Building Regulations
  - 1. The minimum setback from an existing **public-street right-of-way** shall be one hundred (100) feet.
  - 2. The minimum setback from the project boundary shall be fifteen (15) feet.
- D. Interior Building Setback/Spacing Regulations
  - 1. The minimum setback from a proposed interior **public-street** right-of-way shall be seventy five (75) feet.
  - 2. The minimum side yard and rear yard setbacks shall be as provided in Sections 301.07 and 301.08.
  - 3. The minimum separation between dwellings shall be thirty (30) feet.

**AMEND SECTION 306.08 PROJECT REVIEW PROCEDURES BY AMENDING  
SUBSECTION G AND ADDING SUBSECTION H TO READ AS FOLLOWS:**

- G. Procedure after Approval of Preliminary Development Plan
1. After the preliminary development has been approved by the Zoning Commission, the applicant shall proceed to process the development for **County subdivision** approval in accordance with the Medina County Subdivision Regulations.
  2. ~~The York Township Zoning Commission shall be kept informed of any significant changes or modification of the preliminary plan recommended to be made by the Medina County Planning Commission.~~
  32. The Final ~~Development Plan~~ subdivision plat and **development plans** approved by the Medina County Planning Commission, together with all documents and agreements relating to the use and preservation of the open space, homeowners association, street design, dedications, restrictive covenants, maintenance agreements and/or conservation easements, and all required deposits and fees shall be ~~approved by the Chairman of Zoning Commission and the Township Trustees prior to being filed for record with the Medina County Recorder.~~ submitted to the Zoning Inspector for Final Development Plan approval by the Township Trustees.
- H. Final Development Plan Approval
1. ~~The Township Trustees may attach, such conditions to the approval of a Final Development Plan as may be reasonably required by the public health, safety and welfare, deemed appropriate to carry out the purposes and intent of this Zoning Resolution, and consistent with the implementation of comprehensive, strategic, or area plans adopted by the Township. The Township Trustees shall act upon each Final Development Plan submitted within sixty (60) days of receipt of a complete application and development plan provided. However, that said time period may be extended by the Trustees with the consent of the applicant.~~
  2. Upon approval of a Final Development Plan by the Township Trustees, the Township Trustees shall endorse the final subdivision plat for filing with the Medina County Recorder.
  3. A performance bond or other financial guarantee as approved by the Township Trustees and the Township's legal counsel shall be placed on deposit with the Township to ensure that the landscaping, hard surfacing of private

streets, drives and parking areas, improvements within public rights-of-way or easements, water lines, sanitary sewer lines, storm sewers, and surface water drainage, and other improvements integral to the proposed project shall be installed in conformity with approved plans. Such bond or guarantee shall be in an amount equal to the cost of the construction of the improvements, based on an estimate certified by the applicant's design engineer and approved by the Township, and shall be for a period not to exceed two (2) years and provide for the complete construction of the improvements within that period. Where performance guarantees are provided to other public agencies, such as the Medina County Sanitary Engineer or the Medina County Engineer, for certain improvements, such arrangements shall be deemed to meet the requirement of this provision for such improvements so that no dual bonding or guarantee of specific improvements is required.

**AMEND SECTION 506.08 TYPE 1 HOME OCCUPATIONS TO READ AS FOLLOWS:**

**506.08 Type 1 Home Occupations**

- A. No person who is not a resident of the premises may utilize said property for parking any commercial vehicle or equipment, or may participate in any activity related to the business on site as an employee or volunteer.
- B. No commercial equipment, process, materials, or chemicals shall be used which create noise, vibrations, smoke, dust, odor, heat, glare, X-rays, radiation, or electrical disturbances which are offensive to a person of ordinary sensibility.
- C. Not more than twenty-five percent (25%) of the gross floor area of the dwelling, nor more than twenty-five percent (25%) of any single lot or parcel shall be devoted to any use related to the business activity.
- D. No activity involved in the business ~~other than the parking of commercial equipment~~ shall be visible from any public way or adjacent property.
- E. The external appearance of the building on the property and the property itself, shall not be altered in such a way that a non-residential appearance inconsistent with the area is created.
- F. Not more than one (1) sign no larger than six (6) square feet of a design consistent with residential use shall be allowed on the premises indicating the activity-taking place thereon.

- G. The activity conducted must be clearly incidental and subordinate to the use of the premises for residential purposes.
- H. No traffic shall be generated by such use in greater volume or intensity than would normally be expected in the neighborhood.
- I. No commercial equipment or commercial motor vehicle shall be parked outside.
- J. The maximum gross weight of ~~each~~ any piece of commercial equipment or vehicle used as part of a home occupation shall not exceed forty thousand (40,000) pounds.