

## YORK TOWNSHIP ZONING COMMISSION

January 5, 2023

The York Township Zoning Commission held their monthly meeting in the York Town Hall/Fire Station Complex on January 5, 2023 at 7:00 pm.

David Hull called the meeting to order at 7:00 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 the meeting.

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

### **Guests Present:**

Steve Ibos-Zoning Inspector; Roger Mittler-Board Member for the York Township Board of Zoning Appeals; Richard Hill-Board Member for the York Township Board of Zoning Appeals

### **Minutes:**

The Board Members reviewed the proposed minutes from the December 1, 2022 meeting. Guy Roach made a motion to approve the proposed minutes. Jonathan Steingass seconded the motion. In a voice vote all Board Members voted aye with the exception of Lowell Wolff. Lowell Wolff abstained from voting since he was not at the meeting on December 1, 2022. Minutes approved

### **Organizational Meeting:**

David Hull opened the Organizational Meeting.

Board Members reviewed the York Township Zoning Commission Organizational Meeting guidelines. Lowell Wolff made a motion to approve the York Township Zoning Commission Organizational Meeting guidelines for the year of 2023. Guy Roach seconded the motion. All Members voted aye in a voice vote. Motion approved.

Board Members reviewed the meeting schedule for York Township Zoning Commission for the year of 2023. Jonathan Steingass made a motion to approve the schedule for York Township Zoning Commission for the year of 2023. Lowell Wolff seconded the motion. All Members voted aye in a voice vote. Motion approved.

Chairperson: Guy Roach made a motion to nominate David Hull for Chairperson. Jonathan Steingass seconded the motion. David Hull asked if there are any other nominations. There were no other nominations. David Hull closed the nominations for Chairperson. All Members voted aye in a voice vote. David Hull is Chairperson for 2023.

Vice Chairperson: Guy Roach made a motion to nominate Jonathan Steingass for Vice Chairperson. Lowell Wolff seconded the motion. David Hull asked if there are any other nominations. There were no other nominations. David Hull closed the nominations for Vice Chairperson. All Members voted aye in a voice vote. Jonathan Steingass is Vice Chairperson for 2023.

**Correspondence:**

There was no Correspondence

**Zoning – Steve Ibos**

Steve Ibos explained the York Township Board of Zoning Appeals will have two (2) Public Hearings on January 12, 2023 both are for Wolff Brothers Supply, Inc.

Steve Ibos also explained he received a reply back from the Medina County Department Planning Services with their comments regarding the York Township Zoning Commission’s proposed amendment to Section 205.01 Agricultural Uses.

Steve Ibos stated he contacted George Smerigan to obtain information regarding temporary structures. Steve Ibos explained he is currently working on a violation regarding a large temporary structure. Steve Ibos mentioned according to George Smerigan everything that York Township has regarding wording only allows temporary structures as a temporary solution for construction but still requires a permit to be obtained from the York Township Zoning office and it does require an agreement on how temporary it is going to be, it also states that there could be a bonding that the York Township would ask for to make sure it will be taken down it at the end of the period.

Guy Roach made a motion to reopen the Public Hearing regarding amending Section 205.01 Agricultural Uses. Jonathan Steingass seconded the motion. All Members voted aye in a voice vote. Motion approved.

David Hull asked for any discussion. Board Members and Steve Ibos reviewed the comments from the Medina County Department of Planning Services and the Medina County Prosecutor’s Office regarding amending Section 205.01 Agricultural Uses.

David Hull asked if there are any other comments from the Public. There were no other comments from the Public.

Guy Roach made a motion to close the Public Hearing regarding amending Section 205.01 Agricultural Uses. Jonathan Steingass seconded the motion. All Members voted aye in a voice vote. Motion approved.

Guy Roach made a motion to up date the wording for amending Section 205.01 Agricultural Uses to reflect the changes in wording that was approved by the Medina County Department of Planning Services at their December 2022 meeting and make this a part of the York Township Zoning Resolutions. Jonathan Steingass seconded the motion. All Members voted aye in a voice vote. Motion approved.

The proposed Amendment is to Section 205.01 Agricultural Uses as written below:  
Section 205.01 Agricultural Uses - To the extent exempted under Ohio Revised Code Section 519.21, nothing contained in this Resolution shall prohibit the use of any land for agricultural purpose or the construction or use of buildings or structures incidental to the use ~~of~~ *for* agricultural purposes of the land upon which said buildings or structures are located. No Zoning Certificate shall be required for such agricultural use, building or structure. *“However, the construction, installation and/or addition of an agricultural building or structure may be requested for the legal parcel owner to sign a statement confirming the building or structure will be used for agricultural purposes. If the approve agricultural building or structure is no longer used for agricultural purposes as stated in the Ohio Revised Code Section 519.21, the legal parcel owner is required to obtain a zoning certificate confirming compliance with the current Zoning Resolution.”* The main farm dwelling and any accessory buildings used in connection with the dwelling, however, shall conform to the regulations contained in this Resolution.

David Hull mentioned this motion now forwards the proposed Amendment to Section 205.01 Agricultural Uses to the York Township Trustees.

David Hull asked Steve Ibos if he has an update regarding the York Township Comprehensive Plan. Steve Ibos mentioned George Smerigan will be coming to the York Township Zoning Commission meeting scheduled for February 2, 2023. Steve Ibos also mentioned he has invited the York Township Trustees and the York Township Board of Zoning Appeals to the February 2, 2023 meeting.

Board Members and Steve Ibos discuss how to proceed with updating the York Township Comprehensive Plan and gathering information to give to George Smerigan.

Steve Ibos discussed various things going on in York Township.

**Old Business:**

Kenneth Barco made a motion to pull Section 206.02 Accessory Buildings/Temporary Buildings off the table. Guy Roach seconded the motion. All Members voted aye in a voice vote. Motion approved.

Kenneth Barco explained to everyone in attendance why the Board Members are discussing Accessory Buildings/Temporary Buildings. Kenneth Barco feels the Temporary Buildings should be regulated just like any other building in the Zoning Resolution.

Kenneth Barco explained he was asked to write something up to move the discussion over to Section 205 Regulations Applicable to All Districts or Zones; to exempt some of the smaller structures from meeting the Zoning Regulations. Kenneth Barco goes on to explain the Zoning Regulations have been excluding buildings that are less than one-hundred forty-four (144) square feet.

Kenneth Barco is suggesting creating Section 205.19 Accessory Building/Structure with and area of one-hundred forty-four (144) square feet or less vs. creating Section 205.19 Accessory Building/Structure with and area of less than two hundred (200) square feet or less. Kenneth Barco stated he wanted to make it equal for all residential properties through out all of York Township. Kenneth Barco explained Medina County is doing their building permits on two hundred (200) square feet or less.

Kenneth Barco is also suggesting changing Section 702.01 Zoning Certificate required from; Before commencing any activity, construction, change the use of, or altering any buildings, or changing the use of any premises, an application shall be made to the Zoning Inspector for a Zoning Certificate to; ***Except as specifically provided in other Sections of this Resolution*** before commencing any activity, construction, change the use of, or altering any buildings, or changing the use of any premises, an application shall be made to the Zoning Inspector for a Zoning Certificate.

David Hull asked for any discussion. Board Member and Steve Ibos discuss changes to Section 702.01.

David Hull asked the Board Members and Steve Ibos to discuss Section 205.19 Accessory Building/Structure. Board Members discussed number of accessory buildings.

Guy Roach made a motion to create Section 205.19 Accessory Building/Structure with and area of one-hundred forty-four (144) square feet or less. Accessory Building/Structure incidental to residential use that are one-hundred forty-four (144) square feet or less in area shall not require a zoning certificate provided such building complies with all building setbacks and height limitations for buildings or structures within the particular district in which they are located. Jonathan Steingass seconded the motion. In a voice vote all Board Members voted aye with the exception of David Hull. David Hull abstained.

The Board Members decided to change Section 702.01 Zoning Certificate required from; Before commencing any activity, construction, change the use of, or altering any buildings, or changing the use of any premises, an application shall be made to the Zoning Inspector for a Zoning Certificate to; ***Except as specifically provided in other Sections of this Resolution*** before commencing any activity, construction, change the use of, or altering ***the footprint of*** any buildings, or changing the use of any premises, an application shall be made to the Zoning Inspector for a Zoning Certificate

The Mary Lenarth, Board Members, and Steve Ibos discuss deadlines and public hearings for the Medina County Planning Commission.

Guy Roach resend the motion for creating Section 205.19 Accessory Building/Structure with and area of less than one-hundred forty-four (144) square feet or less. Jonathan Steingass also stated he would resend his motion.

David Hull asked if there was anything else the Board Members would like to discuss. ‘

Guy Roach made a motion to remove required fencing for private pools/ponds from further discussions. Lowell Wolff seconded the motion. All members voted aye in a voice vote. Motion approved.

**New Business:**

David Hull asked for New Business.

Roger Mittler explained while they were on vacation they talked to people in that area that explained the problems they are having with Air Bed and Breakfast and short term rentals along with partiers coming in causing problems. Roger Mittler suggested since the York Township Zoning Commission will be working on the York Township Comprehensive Plan it would be a good idea to address Air Bed and Breakfast and short term rentals.

Board Members, Steve Ibos, Richard Hill, and Roger Mittler discuss Air Bed and Breakfast and short term rentals.

Roger Mittler would like the Board Members to look at Section 301.12 Rear Lot Development Requirements. Roger Mittler, Richard Hill, Steve Ibos and Board Members discuss Rear Lots.

Roger Mittler explained there have been two (2) property owners that have homes that were zoned Industrial in the past and wanted to either add on to their home or built a new home on the property and needed to come to the York Township Board of Zoning Appeals for a variance due to zoning regulations. Roger Mittler, Richard Hill, Steve Ibos, Board Members discuss the changes over the years in York Township and zoning problems because of the changes.

**Adjourn:**

Guy Roach made a motion to adjourn the meeting at 9:30pm Jonathan Steingass seconded the motion.

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David Hull, Chairperson

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Mary Lenarth, Secretary

## EXHIBIT A

### York Township Zoning Commission Organizational Meeting Guidelines

January 5, 2023

**1. Regular meetings:** Regular meeting of the Commission will be held the first Thursday of each month at 7:00pm. Unless otherwise provided, all meetings will be held the York Township Hall/Fire Station Complex, located at 6609 Norwalk Road.

The clerk shall give notice of the regular meetings by posting a copy of this resolution on the bulletin board at the Township office and notify the Medina Gazette. If the date, time or location of a regular meeting is changed, notice of the change shall be posted as provided in this section at least three (3) days prior to the meeting.

**2. Special and emergency meetings:** Special meeting of the Commission will be held at the call of the Chairman, or the Vice Chairman, or two members of the Commission. The call for a special meeting shall specify the date, time, location, and purposes of the meeting. Unless otherwise provided, special meetings will be held at the same location as regular meetings.

The Clerk shall give notice of the date, time, location, and purposes of a special meeting other than an emergency meeting by posting in the same location(s) as provided for posting notice of regular meetings. Notice shall be posted as far in advance of the meeting as practicable, but not less than twenty-four (24) hours prior to the meeting.

If there is sufficient time to provide twenty-four (24) hours notice, the Clerk shall give notice of an emergency meeting in the same manner as notice of a non-emergency special meeting. Otherwise, notice of an emergency meeting is not required.

**3. Alternate:** An alternate shall be asked by the Chairman to be seated with the Commission if there is a vacancy at the beginning of the meeting. If a regular Commission member arrives later than fifteen (15) minutes after the meeting began the alternate will remain the voting member. If the regular members arrives earlier than fifteen (15) minutes after the meeting began they can replace the alternate as the voting member if a public hearing or site plan review has not begun. Only a member that has heard all testimony can vote.

**4. Meeting minutes:** Every effort shall be made to provide minutes of the monthly meeting to the Board members one week in advance of the next scheduled regular meeting.