

## **YORK TOWNSHIP BOARD OF APPEALS**

**July 13, 2023**

The York Township Board of Zoning Appeals held their monthly meeting in the York Town Hall/Fire complex on July 13, 2023.

Chris Kosman called the meeting to order at 6:30 pm.

Chris Kosman stated this meeting is being taped for transcription purposes only.

The Pledge of allegiance was said.

Chris Kosman explained everyone wishing to speak needs to be sworn in, first as a group then individually.

Sworn in and wishing to speak was Joe Burgoon of 8691 Wadsworth Road Suite 100, Wadsworth; Bob Schmidt 5935 Wolff Road, Medina; Steven Beard, 11414 Smith Road Medina.

### **Board Members Present:**

Christine Barnes, Richard Hill, Roger Mittler, and Alternate Jessica Gerspacher, Chris Kosman, were present. Ronald Fabich was unable to attend tonight's meeting.

Chris Kosman asked Jessica Gerspacher to join the Board Members in the absence of Ronald Fabich.

### **Guests:**

Steve Ibos-Zoning Inspector/Township Administrator; David Hull-York Township Zoning Commission Board Member; Kenneth Barco- Township Zoning Commission Board Member; Joe Burgoon; Fred Neumeister; Melita Neumeister; Carolyne Beard; Steven Beard; Bob Schmidt; Jackie Schmidt.

### **Minutes:**

The Board Members reviewed the proposed minutes from the March 9, 2023, meeting. Roger Mittler made a motion to approve the proposed minutes. Jessica Gerspacher seconded the motion. Roll Vote: Christine Barnes-aye; Richard Hill-aye; Jessica Gerspacher-aye; Roger Mittler-aye; and Chris Kosman-aye Minutes approved.

### **Public Hearing: Robert and Jacquelyne Schmidt-variances**

Chris Kosman asked Robert Schmidt to explain his need for the variance.

Robert Schmidt explained he has a piece of property that he added too about forty (40) some years ago. Robert Schmidt went on to explain his daughter and son-in-law (Carolyne and Steven Beard) would like to build a house on the property.

Robert Schmidt stated when he bought the property it was about two hundred (200) feet frontage, now the Zoning Resolution requires two-hundred fifty (250) feet frontage. Robert Schmidt also stated to fit the two (2) existing buildings in they need a twenty-five (25) feet variance.

Chris Kosman, in reviewing the map of the property noticed there is fifteen (15) feet off the property lines. Joe Burgoon began to speak. Roger Mittler asked Joe Burgoon to identify himself to the Board Members. Joe Burgoon explained he is the surveyor for Robert Schmidt.

Joe Burgoon explained the map of the property, trying to be as compliant as possible with the lot split.

Chris Kosman stated all his questions have been answered.

Chris Kosman asked Board Members if they had any questions.

Roger Mittler stated he does not have any questions.

Richard Hill asked if the two (2) buildings are viable. Steven Beard answered yes, one (1) is a garage and the other is a storage building.

Chris Kosman asked what the building closer to the road was. Steven Beard answered it is a garage.

Chris Kosman asked if there were any other questions. There were no other questions.

Chris Kosman read and explained the Duncan Factors and how the Board Members complete and file the Duncan Factors.

The Board Members were given time to fill out and review the Duncan Factors.

Steve Ibos stated he received a note from the Fire Chief, Jason Creamer, that he has no issues with this variance.

Roger Mittler made a motion to grant the variance requested from Robert A. Schmidt and Jacquelyne R. Schmidt of 5935 Wolff Road, Medina, Ohio 44256 (Parcel # 045-05B-08-003). The request is for a variance from section 301.04 Minimum Lot Width at Building Line, sub-Section A – The minimum lot width at the building line for a single-family dwelling shall be two hundred fifty (250) feet. Also, a variance from Section 301.05 Minimum Lot Frontage at Street, sub-Section A. The minimum lot frontage at street line for a single-family dwelling shall be two hundred fifty (250) feet. The variance is for a two hundred twenty-five (225) foot frontage versus the two hundred fifty (250) feet that is required today in the York Township Resolution.

Richard Hill seconded the motion.

Roll vote: Christine Barnes voted yes based her decision on all seven (7) Duncan Factors Richard Hill voted yes referring to the Duncan Factors; the lot had sufficient frontage before the Zoning Resolution changed and will not change the area at all.

Roger Mittler voted yes, basing his decision on Duncan Factor #2, #3, #4, #7.

Jessica Gerspacher voted yes, basing her decision on Duncan Factor #3, #4, #5, #7.

Chris Kosman voted yes, basing his decision on Duncan Factor #3, #5, #7.

Chris Kosman gathered up the responses to the Duncan Factors and stated the variance is granted.

**Correspondence:**

There was no Correspondence.

**Zoning – Steve Ibos**

Steve Ibos mentioned at the last York Township Trustee meeting the Trustees approved amendments to the York Township Zoning Resolution; Section 205.19 Accessory Building/Structure with an area of one-hundred forty-four (144) square feet or less and Section 702.01 Zoning Certificate required.

Steve Ibos gave an update regarding Woodside Preserve; he has been working with Medina County and Pulte Homes regarding the punch list.

Steve Ibos mentioned a lot of things are being pushed down to York Township from Medina County. Steve Ibos is now the road inspector.

Steve Ibos stated they are working on replacing culverts in preparation for roads in York Township to be resurfaced.

Steve Ibos mentioned he has a couple of variances that are out there but has not received the applications as of this date.

Steve Ibos mentioned George Semerigan was unable to attend the July 6, 2023, York Township Zoning Commission meeting.

Steve Ibos explained once the York Township Zoning Commission has completed a draft copy of the York Township Comprehensive Plan, there will be a review with the York Township Trustees, York Township Zoning Commission and York Township Board of Zoning Appeals. Steve Ibos stated the next step would then be to have the public view the proposed York Township Comprehensive Plan. The Board Members, Steve Ibos and David Hull briefly discussed the next steps to completing the York Township Comprehensive Plan.

Steve Ibos mentioned the violations he has been working on.

Steve Ibos mentioned York Township now has their own Maintenance Crew.

Roger Mittler asked Steve Ibos if he was responsible for lining up roadside mowing. Steve Ibos answered he is now the York Township Administrator.

Board Members, Steve Ibos and David Hull discussed roadside mowing.

David Hull mentioned the Erhart/York Township Fire Department is putting a levy on the ballot for November 2023, if they can get final approval.

Board Members, Steve Ibos, and David Hull discuss the Erhart/York Township Fire Department levy and the Mallet Creek sewage problems.

David Hull also mentioned part of the Woodside Preserve issue is when they sold all the open space to Buckeye Conservancy; David Hull looked up the document from 2021, where there was an easement to them to maintain the conservation development. Board Members, Steve Ibos, and David Hull discuss Woodside Preserve and the Buckeye Conservancy along with the HOA.

**Old Business:**

Chris Kosman asked if there was any Old Business.

Richard Hill stated he was able to attend the training that Liverpool Township offered last month. Board Members and David Hull discuss the training session.

**New Business:**

Chris Kosman asked if there is any New Business.

There was no New Business.

**Adjourn:**

Jessica Gerspacher made a motion to adjourn the meeting at 7:30 pm. Richard Hill seconded the motion. All members voted aye in a voice vote. Meeting adjourned.

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Chris Kosman, Chairperson

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Mary Lenarth, Secretary