

YORK TOWNSHIP ZONING COMMISSION

October 5, 2023

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

Eric Matyac called the meeting to order at 7:00 pm.

The pledge of allegiance was said.

Zoning Commission members Present:

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

Guests Present:

Steve Ibos-zoning Inspector/Township Administrator; Heidi Lester; Derek Lester; Chris Music

Minutes:

The Board Members reviewed the proposed minutes from September 9, 2023, meeting. Guy Roach made a motion to approve the proposed minutes. Lowell Wolff seconded the motion. All members voted aye in a voice vote. Minutes approved.

Correspondence:

There was no Correspondence.

Zoning: Steve Ibos –

Steve Ibos explained the York Township Newsletter will be going out including the opt out information regarding Rumpke waste removal information.

Steve Ibos gave brief up-date regarding road work being completed in the Township; foundation work on the York Town Hall; trainings offered by OTA; Site Reviews coming up for the York Township Zoning Commission; and Public Hearings coming up for the York Township Board of Zoning Appeals.

Steve Ibos also mentioned George Smerigan is working on updating the York Township Comprehensive Plan. Steve Ibos mentioned George Smerigan is planning on attending the York Township Zoning Commission meeting on November 2, 2023.

Lowell Wolff asked Steve Ibos about the lighting at Wolff Brothers Supply, Inc. Lowell Wolff asked if the lighting could be lowered or put in different bulbs that would not be as intense. Lowell Wolff asked about the lighting on the West Side of the new warehouse. Steve Ibos and Board Members discussed the lighting at Wolff Brother Supply, Inc. the increased traffic and the arborvitaes that are to be planted. Steve Ibos stated he will need to look up the latest plan for Wolff Brothers Supply, Inc.

Eric Matyac asked if there are any other questions or comments for Steve Ibos. There were no other questions or comments for Steve Ibos.

Old Business:

Eric Matyac asked if there is any Old Business. There was no Old Business.

New Business:

Eric Matyac asked if there was any New Business.

Derek Lester explained he attended the York Township Board of Zoning Appeals meeting that was held on September 14, 2023, regarding a Bed and Breakfast request for a conditional use certificate and a request for Recreational Use for a conditional use certificate. Derek Lester also explained he felt at least seventy-five (75%) percent if not better of the adjoining property owners were in opposition of the conditional use certificates.

Derek Lester stated the Public Hearing did not get too far because there was a lot of arguing and nobody knew what to say from the Board Members because the public had very specific questions regarding rezoning of the properties. Derek Lester continued to explain that the adjacent neighbors are very concerned about trespassers, safety, lawsuits, etc.

Board Members, Steve Ibos, Derek Lester, Chris Music, and Heidi Lester discuss the York Township Zoning Regulations and how the zoning is handled.

Steve Ibos explained the Public Hearing that was held on September 14, 2023, by the York Township Board of Zoning Appeals was not for rezoning the property; it was for the possibility of obtaining conditional use permits.

Eric Matyac asked for a motion to discuss 4545 Erhart Road. Guy Roach made a motion to discuss 4545 Erhart Road.

The Board Members, Steve Ibos, Derek Lester, Chris Music, and Heidi Lester read and discussed Section 505 along with the Duncan Factors.

Guy Roach also suggested Derek Lester, Chris Music, and Heidi Lester to read Section 505.F.

Guy Roach explained if you look at the zoning map a great quantity of the township is zoned R-1. Guy Roach went on to explain with in R-1 you have farming, agritourism; there is some broad use within R-1. Guy Roach stated in the York Township Comprehensive Plan the York Township Zoning Commission has been trying to keep York Township as rural as possible.

Derek Lester felt the Board Members did not seem like they were concerned about the adjoining property owners.

Steve Ibos explained he refers to the York Township Zoning Resolution and the Medina County Prosecutor's office. Steve Ibos also referred to Section 506.02.

Board Members and Steve Ibos stated maybe the York Township Zoning Commission needs to review Section 505 and the possibility of tightening it up.

Guy Roach asked how big the proposed Bed and Breakfast was. Steve Ibos stated it is two (2) bedrooms.

Steve Ibos stated he reached out to the Fire Department; the Bed and Breakfast falls under a certain type of lodging code per the State of Ohio Code; there is nothing that would dictate how many occupants they are allowed to have; it would be limited to the room size.

Chris Music stated he called the Fire Chief and left several messages. Chris Music expressed his concerns regarding fire concerns, including animals in the basement and the exit.

The Board Members, Steve Ibos, Derek Lester, Chris Music, and Heidi Lester discuss agritourism.

Eric Matyac referred to Section 301.2.A.5; Section 206.4 and Section 301.2.B regarding home occupations.

Chris Music asked once a conditional use is approved how difficult it is to get it revoked. Steve Ibos referred to the motorcycle racetrack on West Smith, it was approved long time ago, when residents challenged it when the property was sold, the residents lost the challenge; it remained a motorcycle racetrack.

Heidi Lester asked if the Bed and Breakfast conditional use certificate and the request for Recreational Use for a conditional use certificate get approved at next week's meeting is it done, and the Nagle's can do what ever they want within the York Township Zoning Resolution? Heidi Lester asked what the next step is for the Nagle's if the Bed and Breakfast conditional use certificate and the request for Recreational Use for a conditional use certificate get denied.

Steve Ibos and Eric Matyac answered it then it goes to the Medina County Court.

Chris Music stated the Nagle's could try to go through the Ohio State Code for agritourism. The Board Members, Steve Ibos and Derek Lester, Chris Music, and Heidi Lester discuss the possibility of agritourism.

Eric Matyac asked if there is a motion to close the discussion for 4545 Erhart Road.

Derek Lester of 7696 Stone Road made a motion to close the discussion for 4545 Erhart Road. Chris Music of 7880 Stone Road seconded the motion. Eric Matyac asked for a vote; all in favor of closing discussion stated aye. All present voted aye. Eric Matyac asked if there was any opposition. There was no opposition. Motion is approved, discussion is closed. Motion passes.

Eric Matyac asked if there was any other New Business.

Steve Ibos suggested to the Board Members that they might want to add to the future Agenda to review R-1 District to see if there would be anything they would like to change. Lowell Wolff stated he thinks it would be good to go through the R-1. The Board Members agreed to look at that in the future. Steve Ibos stated he has come across several questions or problems in the R-1 District. Eric Matyac stated he thinks that would be a good idea. Steve Ibos made a motion to open discussion regarding Article V; Section 301.2.B. Guy Roach seconded the motion.

Eric Matyac stated the Board Members are now in discussion.

Eric Matyac asked for a motion to table the discussion for Article V; Section 301.2.B. Guy Roach made a motion to table to the discussion for Article V; Section 301.2.B. Lowell Wolff seconded the motion. All members voted aye in a voice vote. Discussion is tabled.

Guy Roach asked Steve Ibos if he would send the Board Members an email regarding his ideas and problems he has run into regarding Article V; Section 301.2.B. Steve Ibos said he would. Guy Roach thought this would be helpful for future discussion.

Adjourn:

Lowell Wolff made a motion to adjourn the meeting at 8:15 pm. Guy Roach seconded the motion. All members voted aye in a voice vote. Meeting adjourned.

Eric Matyac, Chairperson – in the absence of
David Hull and Jonathan Steingass

Mary Lenarth, Secretary