

YORK TOWNSHIP BOARD OF APPEALS

February 8, 2024

The York Township Board of Zoning Appeals held their monthly meeting in the York Town Hall/Fire complex on February 8, 2024.

Ronald Fabich called the meeting to order at 6:30 pm.

The Pledge of allegiance was said.

Board Members Present:

Christine Barnes, Colene Conley, Ronald Fabich, Jessica Gerspacher, Richard Hill, and Alternate Rachel Nagle were present.

Guests:

Kenneth Barco-York Township Zoning Commission Board Member, David Hull-York Township Zoning Commission Board Member, Ted Wolff-representing Wolff Brothers Supply, Inc., Quintin Balentine.

Ronald Fabich explained since the Board Members have minutes from three (3) meetings to review the Board Members will move to the Public Hearing.

Richard Hill recused himself from the Public Hearing due to a conflict of interest.

Ronald Fabich asked Rachel Nagle to come forward to be on the Board.

Public Hearing – Wolff Brothers Supply, Inc. – adding one sign.

Ronald Fabich opened the Public Hearing for Wolff Brothers Supply, Inc.

Mary Lenarth to read the Legal Ad as published in the January 23, 2024, edition of the Medina Gazette. The York Township Board of Appeals will hold a public hearing February 8, 2024 at 6:30 P.M. at the York Township Fire Complex 6609 Norwalk Rd. to consider a variance request from Ted Wolff on Behalf of Wolff Brothers Supply, Inc. 6078 Wolff Road, Medina, Ohio (parcel # 045-05B-07-021) the variance is from the York Township Zoning Resolution: Article VI; Sign Regulations; Section 404.A.4 Signs Permitted in Residential Districts and Section 405.A.3 Signs Permitted in Non-residential Districts. Wolff Brothers Supply, Inc. is requesting one (1) new driveway sign to change the traffic flow to the new warehouse expansion driveway for freight delivery drivers.

Ronald Fabich stated he will now swear in anyone wishing to speak tonight. Ronald Fabich swore in Ted Wolff and Quintin Balentine.

Ronald Fabich asked Ted Wolff to explain his application for the new sign for Wolff Brothers Supply, Inc.

Ted Wolff explained the purpose of the sign is to safely get the traffic off the road and into the correct drive. Ted Wolff explained the difficulty the truck drivers have entering the correct drive, maneuvering the large trucks on the road and the safety issues.

Ted Wolff described the sign and location of the sign.

Colene Conley asked Ted Wolff to explain the history of Wolff Brother Supply, Inc. and how the conditional use permit started. Ted Wolff explained briefly the history of Wolff Brothers Supply, Inc.

Colene Conley stated she would like to know the total history of Wolff Brothers Supply, Inc. Mary Lenarth stated there is a large file in the York Township office for Wolff Brothers Supply, Inc.

David Hull also explained the size of Wolff Brothers Supply, Inc.

Christine Barnes asked what the sign will be made of. Ted Wolff stated the sign will be very nice and professionally done.

Jessica Gerspacher asked if the sign will have lights on it. Ted Wolff answered it will not have lights.

Rachel Nagle asked Ted Wolff what is the actual dimensions of the sign, there are three different sets of dimensions on the application. Rachel Nagle just wants to clarify what the actual dimensions are. Rachel Nagle also wanted to understand the code, referring to Section 405.A.3 Signs Permitted in Non-Residential Districts and Section 404.A.4 and Section 404.A.1 Signs Permitted in Residential Districts. Rachel Nagle explained the sizes of the signs. Rachel Nagle suggested good size for the sign would be twenty (20) inches x forty-two (42) inches and forty-eight (48) inches tall. Ted Wolff agreed.

Rachel Nagle asked how big the existing sign is for Wolff Brothers Supply, Inc. Ted Wolff stated he does not know, it has been there, has never measured it, it does have lights by it, always has.

Ted Wolff stated the existing sign is getting to look a little weathered.

Board Members, Ted Wolff, David Hull, and Quintin Balentine discuss the fact that Wolff Brothers Supply is asking for a second sign from the one they already have, the traffic flow and safety hazards.

Board Members and David Hull discuss this request being a variance vs. a conditional use.

David Hull, Board Members, Ted Wolff, Quintin Balentine discuss updating the original sign for Wolff Brothers Supply, Inc. (not changing the size of the sign) adding the address.

Ronald Fabich asked if there is any other discussion regarding the second sign for Wolff Brothers Supply, Inc.

There was no further discussion.

Ronald Fabich explained for a variance the Board Members are required to go through a Duncan Factor Worksheet from Medina County. There is seven (7) different questions that need to be answered and the York Township Board of Zoning Appeals will read and discussed the Duncan Factors out loud.

Board Members review and discuss the Duncan Factors. The Board Members worksheet for the Duncan Factors will be kept in Wolff Brothers Supply, Inc. file for this variance.

Ronald Fabich asked for a motion and reminded the Board Members when they vote on the motion to please refer to at least three (3) of the factors that swayed your decision.

Jessica Gerspacher made a motion to allow Wolff Brothers Supply, Inc. the additional new driveway sign to change the traffic flow to the new warehouse expansion driveway for freight deliveries in the dimensions agreed upon with Ted Wolff the size of the sign is to be twenty (20) inches x forty-two (42) inches and forty-eight (48) inches tall with the address. The variance granted is for (parcel # 045-05B-07-021) from the York Township Zoning Resolution: Article VI; Sign Regulations; Section 404.A.4 Signs Permitted in Residential Districts and Section 405.A.3 Signs Permitted in Non-residential Districts.

Rachel Nagle seconded the motion.

Roll vote: Christine Barnes voted aye based her decision regarding Duncan Factors #2, #3, #4, #6.

Ronald Fabich voted aye based his decision on Duncan Factor #2, #3, #7.

Jessica Gerspacher voted aye based her decision on Duncan Factor #2, 3, #5, #7.

Colene Conley voted aye based her decision on Duncan Factor #1, #3, #4, #5.

Rachel Nagle voted aye based her decision on Duncan Factor #1, #3, #7.

Variance for Wolff Brothers Supply, Inc. is granted.

Ted Wolff thanked the Board Members for all of their suggestions.

Ronald Fabich thanked Ted Wolff for his cooperation.

David Hull stated when the maintenance guy came for the last variance for Wolff Brothers Supply, Inc. he mentioned that there is an idea of the new warehouse is to allow contractors to come after hours and access through the side doors. David Hull asked Ted Wolff if that is true? Ted Wolff answered is meant for emergency pick-up there is a little unit there.

Minutes:

Ronald Fabich moved on to the December 14, 2023 minutes.

Rachel Nagle mentioned, in looking over the minutes for December 14, 2023 she noticed she appealed the minutes the Board Members said it has been over thirty (30) days so Rachel Nagle was not able to appeal them. Rachel Nagle stated in reality as soon she received them from Steve Ibos within two (2) or three (3) days she sent Steve Ibos a note. Rachel Nagle also stated there seems to be procedure a timing issue. Rachel Nagle stated she does not agree with the process that other people have moving forward to be able to appeal the minutes because it was within two (2) to three (3) days. Rachel Nagle stated it was definitely within the time frame, for future reference. Rachel Nagle suggested streamlining some things to make sure this does not happen, because this is inaccurate.

Ronald Fabich mentioned whoever applies for something, if they do not agree with the decision they have thirty (30) days from the days from the date of the Public Hearing. Rachel Nagle thought this is in regards to the minutes not being accurate, this is not the decision. Rachel Nagle explained the process does not seem too accurate and would like the Board Members keep an eye on this for the future so that no one else has a problem.

Ronald Fabich asked if there was anything else regarding December 14, 2023 minutes. Christine Barnes stated her name is spelled wrong. Mary Lenarth corrected the misspelling of Christine Barnes's name. Ronald Fabich made a motion to approve the minutes as corrected. Colene Conley seconded the motion. Roll vote: Christine Barnes-aye; Ronald Fabich-abstain; Jessica Gerspacher-abstain; Colene Conley-aye; Rachel Nagle-abstain, Richard Hill-aye. Minutes approved

Ronald Fabich moved on to the January 9, 2024, minutes.

Colene Conley made a motion to approve the minutes from January 9, 2024 with typographical corrections that were noted. Jessica Gerspacher seconded the motion. Roll vote: Christine Barnes-aye; Ronald Fabich-aye; Jessica Gerspacher-aye; Colene Conley-aye; Rachel Nagle-abstain, Richard Hill-aye. Minutes approved

Ronald Fabich moved on to the January 11, 2024, minutes

Jessica Gerspacher made a motion to approve the January 11, 2024 minutes with the typographical corrections that were noted. Ronald Fabich seconded the motion. Roll vote: Christine Barnes-aye; Ronald Fabich-aye; Jessica Gerspacher-aye; Colene Conley-aye; Rachel Nagle-aye, Richard Hill-aye. Minutes approved

Correspondence:

Colene Conley gave the Board Members a signed letter from a concerned resident regarding Wolff Brothers Supply, Inc. Board Members, Mary Lenarth and David Hull discussed how the letter should be handled. It was decided to give the letter to Steve Ibos and the letter should be given to the York Township Trustees also.

Old Business:

Ronald Fabich mentioned the only thing he would like to mention is the Board Members are not completely done with the York Township Board of Appeals Policy and Procedures for 2024. Ronald Fabich stated the Board Members had questions regarding quorum, majority, and caucus vs. deliberation.

Ronald Fabich suggested the Board Members should complete the York Township Board of Appeals Policy and Procedures for 2024. Colene Conley stated Heidi Carroll stated she would meet with Ronald Fabich to go over the questions he has. Richard Hill suggested having Heidi Carroll come to the next meeting scheduled for March 14, 2024 and should Steve Ibos receive a request for a Public Hearing then the Board Members will pick another date to meet with Heidi Carroll before March 14, 2024. Ronald Fabich stated he will call Heidi Carroll if she would do that for us.

Ronald Fabich asked if there is anything else.

There was no further discussion

New Business:

There was no New Business.

Adjourn:

Jessica Gerspacher made a motion to adjourn the meeting at 8:30 pm. Rachel Nagle seconded the motion. All members vote aye in a voice vote. Meeting adjourned.

Ronald Fabich-Chairperson

Mary Lenarth-Secretary