

YORK TOWNSHIP BOARD OF APPEALS
April 19, 2007

The York Township Board of Zoning Appeals held their monthly meeting in the York Town Hall/Fire Station Complex on April 19, 2007 at 7:30pm

William Schultz called the meeting to order at 7:35pm.

Board Members Present:

Pete Ricci, William Schultz, Roger Mittler, Alverta Moehle, were present at the meeting. William Pavlick was unable to attend.

Guests Present:

Penelope J. Fabich, 6800 Wolff Road, Medina; Ron Fabich, 6800 Wolff Road, Medina; Tony and Connie Brooks, 7797 Stone Road, Medina; Eric Squire, 6659 Norwalk Road, Medina; Michael Metrick, 6790 Wolff Road, Medina; Norman Hinman – Zoning Commission alternate member; Rick Monroe – Trustee; David Hull – Zoning Commission Chairperson; Dorothy Crouch, Zoning Inspector.

Election of Officers:

Roger Mittler nominated William Schultz as Chairperson and Alverta Moehle as Vice-Chairperson, Pete Ricci seconded the motion. All members voted aye in a voice vote.

Minutes:

The minutes for today's meeting are being taped for the use of the York Township Board of Appeals Board. The board reviewed the minutes from December 21, 2006 meeting. Alverta Moehle motioned to approve the minutes as written, Pete Ricci seconded the motion. All members voted aye in a voice vote.

Public Hearing (Tony Brooks – variance request):

William Schultz swore in Tony Brooks of 7797 Stone Road, Medina, Ohio 44256.

Mary Lenarth read the legal ad as printed in the April 4, 2007 edition of the Medina County Gazette. Tony Brooks is requesting a variance from Section 301.07 of the York Township Zoning Resolution to build a barn five (5) feet from the property line instead of the required fifteen (15) feet.

Tony Brooks presented the plans for the barn, due to the location of the septic and other buildings on the property.

William Schultz swore in Norman Hinman of 4137 Beck Road, Medina, Ohio 44256 Norman Hinman suggested to Tony Brooks to make the barn smaller and move it closer to the house. Tony Brooks stated that it would be too close to the septic and too close to the house; they would not be able to turn around.

William Schultz swore in Dorothy Crouch, Zoning Inspector. Dorothy Crouch confirmed with Tony Brooks which property is his.

Tony Brooks explained his reasons for building this size of barn. Mr. Brooks has also checked with his neighbors on each side of him, they do not object to his barn. Tony Brooks questioned how the fifteen (15) feet set back was decided on.

William Schultz swore in David Hull, Zoning Commission Chairperson. David Hull stated that the set backs were made for safety issues so that the Fire Department could fight fires and avoid having a fire jump from one building to another.

There was much discussion with the Board and Tony Brooks.

David Hull made mention that the Duncan Factors needed to be reviewed.

The Duncan Factors were reviewed and upon the review of the Duncan Factors four (4) came out not to be significant and three (3) were. Roger Mittler is basing his motion to the variance on the Duncan Factors.

Roger Mittler made a motion to grant a variance to Tony Brooks, 7797 Stone Rd, Medina, Ohio 44256 to the section 301.07 of the York Township Zoning Resolution. The request is to build a barn five (5) feet from the property line instead of the required fifteen (15) feet, due to the location of the septic and other buildings on the property. The barn will be built according to the drawings submitted with the Zoning Application. Pete Ricci seconded the motion. Role Vote: Pete Ricci-yes, William Schultz-no, Alverta Moehle-yes, Roger Mittler-yes. Motion granted.

New Business:

William Schultz made mention that on March 22, 2007 Roger Mittler, Alverta Moehle and William Schultz attended the Medina Board of Appeals training session.

Public Hearing (Michael E. Metrik – conditional home occupation):

Mary Lenarth read the legal ad as printed in the April 4, 2007 edition of the Medina County Gazette. Michael E. Metrik is requesting to operate a home business under York Township Zoning Resolution Section #506.08 and Section #301.02.B.8. The applicant is requesting to park a commercial vehicle and complete paper work from his home.

William Schultz swore in Michael E. Metrick of 6790 Wolff Road, Medina, Ohio 44256. Michael Metrick presented his plans to do paperwork out of one room in his home and park one truck with a boom on his property.

Roger Mittler asked Michael Metrick if he was planning to build a fence to hide the truck. Michael Metrick was thinking to plant tall shrubs to hide the truck.

William Schultz swore in Ron Fabich of 6800 Wolff Rd, Medina, Ohio 44256. Ron Fabich expressed his concerns for how many and what kind of vehicle would be allowed.

Roger Mittler read what is allowed for a home occupation under Section #506.08. Type 1 Home Occupation.

William Schultz swore in Penelope J. Fabich of 6800 Wolff Rd, Medina, Ohio 44256. Penelope Fabich expressed her concerns for the type and how many vehicles would be allowed.

Dorothy Crouch asked Michael Metrik how long he is going to have his second truck on his property. Michael Metrik said it would be gone in two (2) months. The second truck is being used to hold debris from his addition and would not be staying. Once the addition is done the truck would be gone.

David Hull stated the board can put restrictions on a conditional use for a home occupation.

William Schultz swore in Richard Monroe of 3311 Lester Road, Medina, Ohio 44256. Richard Monroe expressed his concern of a make-shift fence. Michael Metrick stated that he would be planting arborvitae instead of a make-shift fence.

William Schultz stated that the truck being used for Michael Metrick's occupational must be parked in a specific area.

Roger Mittler made a motion to grant the request for a conditional home occupation application from Michael E. Metrick 6790 Wolff Rd, Medina, Ohio 44256. The request is to operate a home business under York Township Zoning Resolution Section # 506.08 and Section #301.02.B.8. The applicant is requesting to park one (1) commercial vehicle and complete paper work from his home, with the following conditions:

1. To plant and maintain (in case any of them die) four (4) foot arborvitae on four (4) foot centers to extend from the existing garage, sixteen (16) feet to the south and twenty-four (24) foot to the east. The planting must be completed sixty (60) days from today, April 19, 2007.
2. No debris is to be brought to the property from work sites.
3. No storage of materials from work sites on the property.

William Schultz seconded the motion. Role vote: Peter Ricci-yes, William Schultz-yes, Alverta Moehle-yes, Roger Mittler-yes. Motion granted.

Old Business:

William Schultz asked Dorothy Crouch if Mr Mark Haury had replanted his trees. Dorothy Crouch said that he had not replanted the trees as of this date.

Adjourn:

Alverta Moehle made a motion to adjourn the meeting at 9:10pm, Roger Mittler seconded the motion. All members voted aye in a voice vote. The meeting was adjourned.

William Schultz, Chairperson

Mary Lenarth, Secretary