

YORK TOWNSHIP BOARD OF APPEALS
September 18, 2008

The York Township Board of Zoning Appeals held their monthly meeting in the York Town Hall/Fire Station Complex on September 18, 2008 at 7:30pm.

William Schultz called the meeting to order at 7:30pm.

Board Members Present:

William Schultz, Alverta Moehle, Roger Mittler, Eric Squire, and Alternate Todd Supeck were present at the meeting. Norman Hinman was unable to attend.

Guests Present:

Kathy Gibbons; Dorothy Crouch-Zoning Inspector; Elizabeth Skelley; Jonathan Skelley, David Skelley, David Hull-York Township Board of Commission, Chairperson; Elizabeth Wilson; and Rick Monroe-Trustee.

Minutes:

Today's meeting is being taped for the use of the York Township Board of Appeals Secretary.

The Board reviewed the proposed minutes from the August 21, 2008 meeting. Alverta Moehle made a motion to approve the minutes. Eric Squire seconded the motion. Role vote: Alverta Moehle-aye; William Schultz-aye; Eric Squire-aye, Roger Mittler-aye and Todd Supeck-aye. Minutes were approved.

Correspondence:

None.

Public Hearing: (Skelley-Home Occupation)

Mary Lenarth read the legal ad as printed in the September 4, 2008 edition of the Medina County Gazette. David, Elizabeth and Jonathan Skelley of 5415 Spieth Road, Medina, Ohio 44256 are requesting to operate a home business under York Township Zoning Resolution Section #506.08 and Section #301.02.B.8.

William Schultz swore in David Skelley. David Skelley explained the landscaping business, only vehicles are parked on the property.

Roger Mittler asked who owns the business.

William Schultz swore in Jonathan Skelley. Jonathan Skelley stated that he owns the business and he has one (1) or two (2) employees.

Roger Mittler read Section #506.08 stating that only a resident of the property could operate the business. Roger Mittler stated that if Jonathan Skelley was to leave the

premises the business is to leave also. David Skelley made it quite clear that he knew that when Jonathan Skelley leaves so does the business.

Todd Supeck asked Jonathan Skelley if the employees come to the property to pick up the equipment. Jonathan Skelley stated that he is the only one that operates the equipment. Each piece has a different purpose.

David Skelley stated that usually most of the equipment is stored in the barn. Almost all of the equipment is in the barn during the winter. The barn protects the equipment from the elements of the weather.

William Schultz asked if the employees come in and out of the property. Jonathan Skelley stated that he usually asks his employees to meet him on the site. This works better so that Jonathan Skelley does not have to pay extra insurance.

Eric Squire asked Jonathan Skelley what hours he keeps in the summer. Jonathan Skelley stated that he usually starts at a reasonable time in the morning and tries to stop about 5:00pm to 6:00pm.

William Schultz asked Jonathan Skelley what kind of equipment he has. Jonathan Skelley stated that he has two (2) trailers and three (3) vehicles.

Roger Mittler stated that the trailers are considered a vehicles and Jonathan is only allowed to have a total of five (5) vehicles on the property.

William Schultz swore in Dorothy Crouch. Dorothy Crouch asked David Skelley how far off of the road his house is located. David Skelley stated the house is about two-hundred (200) feet from the road.

William Schultz stated you can hardly see the home from the road.

William Schultz asked if there were any questions from the audience.

William Schultz swore in Elizabeth Wilson. William Schultz asked Elizabeth Wilson, neighbor to the Skelley's, if she had any problems with Jonathan Skelley's business. Elizabeth Wilson said at this time she has no problem with the business.

Roger Mittler made a motion to grant a conditional home occupation to operate a landscaping business to Jonathan Skelley, (stated owner of Skelley's Outside Service) of 5415 Spieth Road, Medina, Ohio 44256. This is under York Township Zoning Resolution Section #506.08 and Section #301.02.B.8. The conditional home occupation is to be reviewed in one (1) year (September 18, 2009) for residency compliance. Todd Supeck seconded the motion. Roll vote: William Schultz-aye, Alverta Moehle-aye, Roger Mittler-aye, Eric Squire-aye, and Alternate Todd Supeck-aye. Motion approved.

Old Business:

William Schultz would like to set up a specific day and time for a visitation to the property of an applicant for a variance or home occupation. This was discussed by the Board.

William Schultz made a motion to add to the Board of Appeals Policy and Procedure Discussion under **Section G. Board, Number 3. Section G. Number 3** is now to read: All Board of Zoning Appeals members should be required to make a visitation to the property of an applicant for a variance or home occupation. The visitation is to be in groups of not more than two (2) Board Members to the property of an applicant for a variance or home occupation. **The visitation is to be on the Saturday before the meeting in the morning. The Zoning Inspector or Secretary will notify the Board of the date. Roger Mittler and Todd Supeck start the visitation at 8:30am; Eric Squire and Norman Hinman will visit at 9:00am; and William Schultz and Alverta Moehle will visit at 9:30am.** Alverta Moehle seconded the motion. Role vote: William Schultz-aye; Alverta Moehle-aye; Roger Mittler-aye; Eric Squire-aye; and Todd Supeck-aye. Motion approved.

William Schultz made note to the previous meeting on August 21, 2008 that he would like to add to the Board of Appeals Policy and Procedure Discussion - **During a Public Hearing if the Board has received a letter or e-mail regarding the Public Hearing the Board may choose to disregard the correspondence. Due to the fact that the correspondence cannot be cross examined.**

Adjourn:

Alverta Moehle made a motion to adjourn the meeting at 8:10pm. Roger Mittler seconded the motion: Role vote: William Schultz-aye; Alverta Moehle-aye; Roger Mittler-aye; Eric Squire-aye; and Todd Supeck-aye. Motion approved.

William Schultz-Chairperson

Mary Lenarth- Secretary

SUMMARY OF PUBLIC HEARING FOR SKELLY-HOME OCCUPATION
September 18, 2008

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Mary Lenarth – Secretary