

YORK TOWNSHIP BOARD OF APPEALS
February 21, 2008

The York Township Board of Zoning Appeals held their monthly meeting in the York Town Hall/Fire Station Complex on February 21, 2008 at 7:30pm.

Board Members Present:

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

Guests Present:

Colene Conley-Trustee, David Hull-Chairperson Zoning Commission, Bill Pavlick-Trustee, Rick Monroe-Trustee, Dorothy Crouch-Zoning Inspector, Patti Ginta, Lisa Burlison, Dennis Fenske, Robert Bacik, Jerry Burlison, Bryan Black-AODK, Inc, Jeff Allen, Margaret Bacik, Ken Barco, and Debbie Bacik.

The Board reviewed the proposed minutes from the January 10, 2008 workshop and the minutes from the January 17, 2008 meeting. Minutes were approved.

Correspondence:

The Board received a letter from the Office of the Prosecuting Attorney of Medina County, Ohio. The letter is notifying the Board of James R Bennett's resignation.

Dorothy Crouch also presented a letter from William Thorne, Assistant Prosecutor, from Office of the Prosecuting Attorney, Medina County, Ohio. The letter is in regard to Time for Perfecting an Appeal from a Decision of a Township Board of Zoning Appeals.

Public Hearing: York Methodist Church –Conditional/variance-nonconforming size

Mary Lenarth read the legal ad as printed in the February 5, 2008 edition of the Medina County Gazette. The York Methodist Church, 6566 Norwalk Road, Medina, Ohio 44256 are asking for a variance request to Amend the Conditional Use number 088-06 under Section 308.02.B.07 and Section 506.04 due to change in building plans and Amend Variance #089-06 under Section 603.01 due to enlarging square footage.

William Schultz swore in Bryan Black-AODK, Inc. Architect representing York Methodist Church. Bryan Black explained to the Board the new drawings of the addition to the York Methodist Church. The Board reviewed and discussed each Duncan Factor.

William Schultz swore in Dorothy Crouch. Dorothy Crouch asked the Board to clarify the Duncan Factors. Roger Mittler noted that Duncan Factor number two (2) - Is the variance substantial? Roger Mittler asked the Board if the three hundred-five (305) feet variance is substantial? (This is what The York Methodist Church is asking for in the current variance.) The board voted no. William Schultz swore in Jeff Allen. Jeff Allen and Bryan Black explained to the Board that the changes are needed in the basement due to the mechanical room which will be housing the heating and air-conditioning. The changes were also needed to make the handicap ramp ADA complaint. Roger Mittler made a motion to grant the variance request from York United Methodist Church, 6566 Norwalk Road, Medina, Ohio 44256 to Amend the Conditional Use number 088-06 under Section 308.02.B.07 and Section 506.04 due to change in building plans and Amend Variance #089-06 under Section 603.01 due to enlarging square footage per drawings supplied dated December 7, 2007. Alverta Moehle seconded the motion. Role vote: Roger Mittler-aye, Norman Hinman-aye, Alverta Moehle-aye, and William Schultz-aye. Motion granted. William Schultz stated that the members of the Board that made visitation to all of the properties in the Public Hearings today were Roger Mittler, Norman Hinman, Alverta Moehle and William Schultz.

Public Hearing: Jerry and Lisa Burlison-Variance

Mary Lenarth read the legal ad as printed in the February 5, 2008 edition of the Medina County Gazette. Jerry and Lisa Burlison of 2825 Erhart Road, Medina, Ohio 44256 are asking for a variance request from Section 301.6 of the York Township Zoning Resolution to add a garage to the front of the house with a set back from the street right-of-way of ninety-four (94) feet instead of the required one hundred (100) feet. William Schultz swore in Jerry and Lisa Burlison.

William Schultz asked Jerry and Lisa Burlison to explain the plans for their home and the new garage. The Board reviewed and discussed each Duncan Factor. The Board also took into consideration the neighborhood, the mixed uses and current setbacks. Roger Mittler made a motion to grant the variance request from Jerry and Lisa Burlison of 2825 Erhart Road, Medina, Ohio 44256 (parcel number 45-05A-01-009) for a variance from Section 301.6 of the York Township Zoning Resolution to add a garage twenty-two (22) feet wide by twenty-four (24) feet deep to the front of the house with a set back from the street right-of-way of ninety-four (94) feet instead of the required one hundred (100) feet per supplied drawing dated February 21, 2008. Alverta Moehle seconded the motion. Role vote: Roger Mittler-aye, Norman Hinman-aye, Alverta Moehle-aye, and William Schultz-aye. Motion granted.

Public Hearing: Dennis Fenske-Variance

Mary Lenarth read the legal ad as printed in the February 5, 2008 edition of the Medina County Gazette. Dennis J Fenske 6508 Wolf Road, Brookpark, Ohio 44142, power of attorney for Helen Ribovich owner of 4152 Marks Road, Medina, Ohio 44256 (parcel number 045-05D-10-011 and parcel number 045-05D-10-002) is requesting a variance from Section 301.03A and Section 301.04.A of the York Township Zoning Resolution. The request is to clear and sell parcel as a buildable lot with available assessments. Said lot has frontage of one hundred forty-five (145) feet instead of the required two-hundred (200) feet and combined total of 1.16 acres instead of the required two and one tenth (2.1) acres. William Schultz swore in Dennis J Fenske. William Schultz asked Dennis Fenske to explain the plans for the property. Dennis Fenske stated that the buildings are in poor condition and before any one would get injured he would like to clear the lot off, plant grass, leaving the trees and put it up for sale as a buildable lot. William Schultz asked if anyone in the audience had any questions. William Schultz swore in Robert Bacik. Robert Bacik stated that he did not want a development to go in on Marks Road. Roger Mittler explained that a Planned Unit Development has already been approved. The Board reviewed and discussed each Duncan Factor. Roger Mittler made a motion to grant the variance request from Dennis J Fenske 6508 Wolf Road, Brookpark, Ohio 44142, power of attorney for Helen Ribovich owner of 4152 Marks Road, Medina, Ohio 44256 (parcel number 045-05D-10-011 and parcel number 045-05D-10-002) (to be combined) for a variance from Section 301.03A and Section 301.04.A of the York Township Zoning Resolution. The combined parcel will have a frontage of one hundred forty-five (145) feet instead of the required two-hundred (200) feet and a total of 1.16 acres instead of the required two and one tenth (2.1) acres. Roger Mittler explained to Dennis Fenske that if the variance would be granted the parcels must be combined. Alverta Moehle seconded the motion. Role vote: Roger Mittler-aye. Roger Mittler based his vote due to the fact that the house was built between the years of 1956 and 1957 and in 1962 the zoning for York Township required the front footage of a lot to be one-hundred twenty (120) feet and three-quarters (3/4) of an acre. This parcel was bigger than the York Township Zoning Codes when the home was built. Norman Hinman-aye. Norman Hinman based his vote for the same reason Roger Mittler gave. Alverta Moehle-aye. Alverta Moehle based her vote for the same reason Roger Mittler gave. William Schultz-aye. William Schultz based his vote for the same reason Roger Mittler gave. Motion granted.

New Business: William Schultz passed out general guidelines for meeting agenda.

Roger Mittler recommended that in the next workshop the Board limit the Public Hearings to two (2) per meeting. The meeting was adjourned at 9:50pm..