

**MEDINA TOWNSHIP
BOARD OF ZONING COMMISSIONERS
REGULAR MEETING
AUGUST 19, 2008**

Chairperson Strogin called the regular meeting of the Medina Township Board of Zoning Commissioners to order at 7:33 p.m. Permanent Board members Jarrett, Williams, Strogin and Overmyer were in attendance. Permanent Board member Gardner was absent. Alternate Board member Robert Erickson sat in for a full Board. Alternate Board member Ken DeMichael was also in attendance.

The Zoning Commission minutes to their July 15, 2008 meeting were approved as amended. The Trustees have scheduled site plan reviews to be heard on September 4, 2008 at 7:00 p.m. A letter would be sent to the applicants when the Trustees would hear their site plan/signage requests.

SITE PLANS

The Mower Shop addition- 3055 Pearl Rd.

Mr. Kerry Illes from Illes Architects and Mr. Ken Peters owner represented the Mower Shop. Mr. Illes stated that the Mower Shop wanted to put on an addition but per the drawing submitted, no matter where they would want to expand they need a variance. Therefore, they would need to be denied by the Zoning Commission as they were on the BZA agenda tomorrow evening. Chair Strogin asked if they would be going after a 0-lot line. Mr. Illes stated that was correct. The addition as proposed would not be detrimental to the neighbors and added that they had the approval of the adjoining neighbor to the south. He added that it would be far less of an issue to build a firewall on the south side of the property as proposed.

Chair Strogin stated that per the code the minimum side yard setback required is 20 ft. of which 5 ft. has to be landscaped. She asked if the complete variance was requested for tomorrow evening before the BZA. Mr. Illes stated he did not know. Secretary Ferencz stated that it was only for the 20-ft. side yard setback. Chair Strogin stated that the complete variance needed to be addressed at the BZA hearing tomorrow evening.

Chair Strogin asked if there would be landscaping in front of the addition. Mr. Illes stated they would do the best they can and added that they would be removing some of the trees. The majority of the addition would be visible from the side and not the front. Regarding the trees, Mr. Peters stated he knew some of them were his but...Chair Strogin interjected that the tax map drawing regarding the property lines can be off as much as 10-12 ft. Mr. Peters stated he did not believe the property lines were off by that much but they were definitely not accurate.

Mr. Peters added that if or when he got to build the addition, he was going to have the property surveyed. Chair Strogin responded that Mr. Peters better if he was putting a building on a 0-lot line.

Mr. Jarrett asked if the existing warehouses were on a 0-lot line on the rear line setback. Mr. Peters stated he believed he obtained variances to build that building as well. Chair Strogin asked the Zoning Inspectors to look that up for the BZA hearing tomorrow evening.

Chair Strogin then asked Mr. Peters, due to the tax map drawing regarding the property lines, if the existing equipment parking was his property. Mr. Peters stated he honestly did not know. Chair Strogin stated if the parking was not on his property it would need to be moved.

Mr. Overmyer made a motion to deny the addition for the Mower Shop, as it does not comply with the side yard setback requirement of 20 ft. of which 5 ft. is to be landscaped as presented. It was seconded by Mr. Williams.

ROLL CALL-Overmyer-yes, Williams-yes, Erickson-yes, Jarrett-yes, Strogin-yes.

Mr. Peters stated that the reason the addition is being built is due to theft he has experienced at his business. The last incident occurred 6 weeks ago; he had \$50,000 worth of merchandise stolen. He added he did not have the money to build the addition but would have to come up with it somehow, as this is the third or fourth theft at his property. By building this addition, the equipment currently outside could be in a secured building. He concluded that if he continued to have such theft committed at his business he was afraid he would lose his insurance coverage, which was a real concern. Chair Strogin suggested Mr. Peters let the BZA know why the addition was being proposed.

First Baptist Church ground sign-3646 Medina Rd.

Mr. Kerry Illes from Illes Architects represented First Baptist Church. He stated they wanted to erect a new 32 sq. ft. identification ground sign as a result of the 175th anniversary of the Church. They want to upgrade the sign from wood to a masonry structure. The sign will be placed a minimum from 10 ft. from the road right of way.

Chair Strogin stated that for the audience information the majority of Medina Township property was north on Rt. 18 however in front of the Church there is a slight "V" in the property lines and the entrance, some of the parking, and the Church's sign was located in Medina Township.

There were then questions by the Commission as to the height of the sign per the drawing submitted. Mr. Illes stated it was 13 ft. Chair Strogin stated the height of the sign could only be 10 ft. in height. Mr. Jarrett asked what the symbol was above the address on the

sign. Mr. Illes responded it was a symbol of the Church. Chair Strogin read the zoning code on ground signs, which read, "One freestanding on the ground type business name sign per parcel upon which a business building is located may be erected except in the case of a corner lot where one sign may be placed in the front yard facing each thoroughfare. Such sign shall not exceed thirty-two (32) square feet in the area per side, and the overall height of the sign shall not be more than ten (10) feet from grade level at the site of the sign. No such sign shall be located closer than ten (10) feet to the road right-of-way nor closer than twenty (20) feet to any side yard. The placement of such ground sign shall be located in the required landscaping or buffer strip, if one is required."

Mr. Illes stated he would like approval for the sign this evening; therefore he would like to request the Commission approve the ground sign not to exceed 10 ft. in height and if the Church wanted to pursue a variance they would apply before the BZA at a future date.

Mr. Jarrett questioned if the symbol above the address constituted a logo. If it does, then the sign exceeds the 32-sq. ft. requirement. The Commission stated the logo is considered signage. Mr. Illes responded that he would remove the logo from the sign.

Mr. Overmyer made a motion to approve the ground sign for First Baptist Church at 3646 Medina Rd. not to exceed 32-sq. ft. and 10 ft. in height (logo above the address is to be removed) and to be located 10 ft. from the road right of way. It was seconded by Mr. Jarrett.

ROLL CALL-Overmyer-yes, Jarrett-yes, Williams-yes, Erickson-yes, Strogin-yes.

Mr. Illes initialed the 10-ft. height requirement modification and the removal of the logo on the site plan.

Bullies BBQ-4055 Pearl Rd.

Mr. Robert Sutton from One 1 Hospitality represented Bullies BBQ. Mr. Sutton submitted a letter from Gennon F. Mattingly the Vice President/CFO of Tumbleweed giving him permission to represent Tumbleweed. The letter also stated they would allow a smoker on the patio.

Mr. Sutton addressed the Commission. He stated that Bullies BBQ would be locating in the former location of Tumbleweed. Bullies BBQ is subletting from Tumbleweed who is subletting from Stonegate Corners. It would be a family friendly restaurant serving barbeque chicken, ribs and burgers. They will focus on carry-out and possibly delivery. Mr. Sutton stated he hoped to be open by October 1.

Chair Strogin stated she spoke to fire Chief Crumley about the outdoor smoker to be added to the patio. Mr. Sutton stated that the smoker would have a 2-ft. clearance otherwise it would have to be stacked. He added that he did not have the smoker yet but

would comply with the clearance required by the Fire Chief or the smoker would be stacked. Chair Strogin then asked if Mr. Sutton had talked to the Health Dept. and if so what their comments were. Mr. Sutton stated yes he received his permit, and the Health Dept. had no issues.

Mr. Jarrett asked about signage. Mr. Sutton stated he could not get the entire signage package together in time for this evening's meeting but did present preliminary drawings to the Commission regarding the signage. Mr. Sutton stated the signage was not finalized but would come back before the Commission for signage approval.

Mr. Overmyer made a motion to approve the change of use for Bullies BBQ located at 4055 Pearl Rd. There was no signage approved at this time. It was seconded by Mr. Erickson.

ROLL CALL-Overmyer-yes, Erickson-yes, Williams-yes, Jarrett-yes, Strogin-yes.

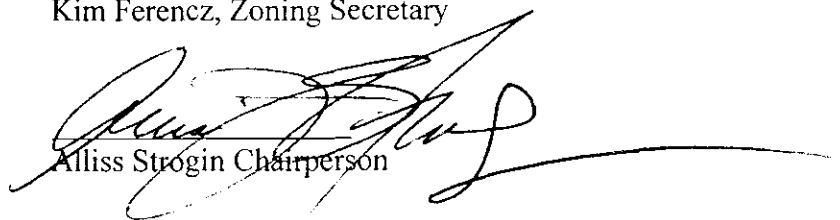
MISC.

Mr. Williams asked about the nuisance property (tall grass and weeds) on Cynthia Dr. ZI Ridgely stated the house is in foreclosure and Countrywide Home Loans has the property now. It has been impossible to get a hold of them or for Countrywide to return calls. They say they will send someone out to mow but that does not seem to happen. ZI Ridgely added that this has been referred over to Pros. Office who also has sent numerous letters that have been unaddressed. Secretary Ferencz stated she went through the same situation with Countrywide in Copley Township. The Trustees have to pass a Resolution for the removal of grass and noxious weds. There is a tedious hearing process that has to take place. Once that is completed and all of the proper authorities contacted and there is still no action, the Trustees can cut the grass/remove the weeds and then the cost to do so can be assessed on the property owner's taxes. Chair Strogin suggested that since a Resolution would need to be passed by the Trustees first, that Mr. Williams bring this up to the Trustees at their meeting.

Having no further business before the Board, the meeting was officially adjourned at 8:26 p.m.

Respectfully Submitted,

Kim Ferencz, Zoning Secretary


Alliss Strogin Chairperson