

**MEDINA TOWNSHIP  
BOARD OF ZONING COMMISSIONERS  
PUBLIC HEARING/REGULAR MEETING  
AUGUST 15, 2017**

Chairperson Alliss Strogin called the public hearing of the Medina Township Board of Zoning Commissioners to order at 7:03 p.m. Permanent Board members Overmyer, Apana, Borrer, and Strogin were in attendance. Permanent Board member Traynor was absent. Alternate member Mr. Marco Sr. sat in for a full Board. Alternate Commission member Johnson was also present.

Chair Strogin stated at the last Zoning Commission the public hearing on the proposed text amendment had to be tabled because the County Planning Commission (CPC) had not yet received the recommendation of the Zoning Commission. The CPC reviewed the proposed amendment at their August monthly meeting.

The text amendment is as follows:

**Appendix III-Enforcement of Regulations**

- A. Correction Period. All violations shall be corrected within a period of 30 days after the written order is issued, except as specified elsewhere in the Resolution or for a longer period of time as indicated by the Zoning Inspector. Any violations not corrected within a specified time period shall be reported to the County Prosecutor who shall initiate prosecution procedures.

The proposed new wording to read:

**Appendix III-Enforcement of Regulations**

- A. Correction Period. After a written order is issued, all violations shall be corrected within the period of time as specified by the Zoning Inspector based on the nature of the violation. Any violations not corrected within the specified time period shall be reported to the County Prosecutor who shall initiate prosecution procedures.

Section B and C. to remain as written.

Comments of the County Planning Commission read as follows.

The proposed text amendment removes the requirement that zoning violations be corrected within 30 days of the receipt of a written order to make the necessary correction/s. This 30 day correction period is replaced by an unspecified correction time period to be established by the Zoning Inspector.

Standard practice is to allow the Zoning Inspector the discretion to establish the time period for zoning violations to be corrected. Providing the Zoning Inspector this

discretion affords them the flexibility to address correcting zoning violations on a case by case basis.

**RECOMMENDATION:** Staff recommends the Planning Commission APPROVE the proposed text amendment to the Medina Township Zoning Resolution.

The hearing was open to public comment. Dianna Huffman (4025 Remsen Rd.) stated she sent an email to the Zoning Secretary Ferencz suggesting the wording any violations not corrected within the specified time period shall be reported to “legal counsel” who shall initiate prosecution procedures instead of “to the County Prosecutor.”

Chair Strogin asked Mr. Marco Sr. if legal counsel for the Township would have to go to the Prosecutors office to move forward with prosecution procedures. Mr. Marco Sr. stated legal counsel cannot prosecute; it would have to be handled by the Prosecutor’s office. Chair Strogin then asked if legal counsel had to take it to the Prosecutor’s office for it to get to court. Mr. Marco Sr. responded, no. He added if the Zoning Inspector wanted to initiate prosecution procedures he/she would refer it to the Prosecutor’s Office for action. The Township’s legal counsel could be there went it went to court but it was not a requirement.

Mr. Toba Coss (Fastsigns Medina) asked, could the Zoning Inspector require same day repair; and who has the authority to decide what it takes to resolve the issue? Could a zoning inspector make unreasonable demands because the time frame is undefined? Secretary Ferencz stated then that individual could appeal the decision of the zoning inspector. Chair Strogin interjected that was probably why the 30 day time frame was in the existing wording, however some individuals abuse the leniency in time. She added the existing zoning inspector has been with the Township 18 yrs. so she is experienced on how to handle time frames for abatement of violations. Mr. Coss stated he was not worried about the current zoning inspector but was concerned if a zoning inspector had a spat with someone they could make unreasonable demands for compliance. Chair Strogin stated there was always the appeal process if one wants to challenge the decision of the zoning inspector.

Chair Strogin stated the CPC also stated the standard practice is to allow the Zoning Inspector to establish the time period to abate a zoning violation.

Mr. Marco Sr. added it states right there that it is not per the arbitrary discretion of the zoning inspector but based on the nature of the violation.

Hearing no further comments the public portion of the hearing was closed.

Mr. Overmyer made a motion to approve the proposed text amendment to Appendix III A. Correction period as proposed. It was seconded by Mr. Apana.

ROLL CALL-Overmyer-yes, Apana-yes, Marco Sr.-yes, Borrer-yes, Strogin-yes.

The public hearing was closed at 7:19 p.m.

### **REGULAR MEETING**

Chairperson Alliss Strogin called the regular meeting of the Medina Township Board of Zoning Commissioners to order at 7:19 p.m. Permanent Board members Overmyer, Apana, Borrer, and Strogin were in attendance. Permanent Board member Traynor was absent. Alternate member Mr. Marco Sr. sat in for a full Board Alternate Commission member Johnson was also present.

The minutes from the Commission's July 19 2017 meeting were approved as written. Chairman Strogin stated the Commission was a recommending board only. The Trustees would have final approval on all site plan/signage requests. Their next meeting will be August 24, 2017 at 7:00 p.m.

### **SITE PLANS**

#### **Cornerstone Chapel-3939 Granger Rd.**

Mr. Rodney Good represented Cornerstone Chapel. He stated the existing sign on Granger Rd. was in a deteriorating state and could no longer be repaired. Therefore, the Church wanted to erect a new sign to replace the existing sign. It would be roughly the same size (12 sq. ft.) but will be a little lower in height. It would be located on the Granger Rd. side as that is the physical mailing address of the Church.

Mr. Borrer made a motion to approve a ground sign for Cornerstone Chapel located at 3939 Granger Rd. not to exceed 12 sq. ft. as presented. It was seconded by Mr. Overmyer.

ROLL CALL-Apana-yes, Overmyer-yes, Marco Sr.-yes, Borrer-yes, Strogin-yes.

#### **Heart Song Yoga-4087 Medina Rd.**

Mr. Toba Coss from Fastsigns Medina represented Heart Song Yoga signage requests. He stated this was the old medical office site for the Cleveland Clinic. Mr. Coss stated there is one sign by the road (multi-tenant sign). The request is for a 6.25 sq. ft. double-sided tenant panel sign to be placed on the existing identification sign for Heart Song Yoga.

Mr. Apana made a motion to approve a 6.25 tenant panel sign (labeled A) for Heart Song Yoga located at 4087 Medina Rd as presented. It was seconded by Mr. Overmyer.

ROLL CALL-Apana-yes, Overmyer-yes, Marco Sr.-yes, Borrer-yes, Strogin-yes.

The next three requests were for directional signage. Chair Strogin stated there is a large building up front which is extremely visible but as you drive into the property it goes down and then there is another fairly good size building which you only see the first floor. However, you drive around the back there is another whole floor of offices. For someone who has never been to the site it would be a bit confusing.

Mr. Coss stated this sign would be in front of the rear building.

Mr. Borrer made a motion to approve a 1 sq. ft. directional sign (labeled B) for Heart Song Yoga located at 4087 Medina Rd. as presented. It was seconded by Mr. Overmyer. ROLL CALL-Borrer-yes, Overmyer-yes, Apana-yes, Marco Sr.-yes, Strogin-yes.

Mr. Coss stated the next three requests were the existing Cleveland Clinic signs and they would just be re-facing them. These signs are down and back in the lower level.

Mr. Apana made a motion to approve an identification sign (labeled C) not to exceed 4 sq. ft. for Heart Song Yoga located at 4087 Medina Rd. as presented. It was seconded by Marco Sr.

ROLL CALL-Apana-yes, Marco Sr.-yes, Borrer-yes, Overmyer-yes, Strogin-yes.

Mr. Coss stated the 4<sup>th</sup> directional sign is located at the bottom of the hill immediately left.

Mr. Overmyer made a motion to approve a directional sign (labeled D) not to exceed 4 sq. ft. for Heart Song Yoga located 4087 Medina Rd. as presented. It was seconded by Mr. Marco Sr.

ROLL CALL-Overmyer-yes, Marco Sr.-yes, Apana-yes, Borrer-yes, Strogin-yes.

Regarding the last signage request, Mr. Borrer stated this sign should be a wall sign at the entrance of the building. Mr. Coss stated this is an existing sign and it would just be refaced to reflect Heart Song Yoga. They did not want to add anymore signage to the site. It keeps costs down for the tenant to use the existing signage.

Mr. Overmyer made a motion to approve a directional sign (labeled E) for Heart Song Yoga located at 4087 Medina Rd. not to exceed 4 sq. ft. as presented. It was seconded by Mr. Marco Sr.

ROLL CALL-Overmyer-yes, Marco Sr.-yes, Apana-yes, Borrer-yes, Strogin-yes.

**W.D. Wright-5041 Victor Dr.**

Mr. Morgan Faunce from Gerspacher Real Estate Group was present to represent W.D. Wright. He stated this business is a staffing company for highway road projects.

Mr. Overmyer made a motion to approve the change of use for W.D. Wright to be located at 5041 Victor Dr. as presented. It was seconded by Mr. Apana.

ROLL CALL-Overmyer-yes, Apana-yes, Borrer-yes, Marco Sr.-yes, Strogin-yes.

**Multi-Tenant Building-4184 Pearl Rd.**

There was no one present to represent the signage request for the multi-tenant building to be located at 4184 Pearl Rd.

Mr. Overmyer made a motion to table the signage request for the multi-tenant building to be located at 4184 Pearl Rd. due to a lack of representation. It was seconded by Mr.

Borrer-yes.

ROLL CALL- Overmyer-yes, Borrer-yes, Apana-yes, Marco Sr.-yes, Strogin-yes.

**MISC. BUSINESS**

Having no further business, the meeting was adjourned at 8:00 p.m.

Respectfully Submitted,

Kim Ferencz, Zoning Secretary

  
Alliss Strogin Chairperson