

**MEDINA TOWNSHIP
BOARD OF ZONING COMMISSIONERS
CON'T OF PUBLIC HEARING
MAY 7, 2013**

PUBLIC HEARING

Chairperson Strogin called the public hearing of the Medina Township Board of Zoning Commissioners to order at 7:00 p.m. Board members Overmyer, Kuenzer, Apana, Szunyog and Strogin were in attendance. Alternate Commission member Johnson and Borrer were also in attendance.

Secretary Ferencz read the recommendation of the Dept. of Planning Services into the public record per the ORC regarding the proposed text amendments.

The proposed zoning text amendments are as follows:

Motion #1: To delete the current wording of Section 706 Non-Conforming Lots in its entirety:

Non-Conforming Lots

~~The lot area, width and frontage requirements established in each of the zoning districts shall apply to all lots, unless such lot was separately owned and was either a parcel of record or included in a recorded land contract at the time this Resolution took effect and cannot practicably be enlarged to comply with the current requirements. Such lots may be used for any activity permitted in that zoning district, provided the lot and buildings comply with all required front, side and rear yard requirements and all other requirements of the applicable zoning district and this Zoning Resolution. Lots which cannot comply with the front, side and rear yard requirements of the applicable district may be considered for a variance by the Board of Zoning Appeals.~~

and replace with the following wording:

Section 706 Non-conforming Lots of Record

A. In any district in which single family dwellings are permitted, a single family dwelling and customary accessory buildings may be erected on any legal lot of record at the effective date of the adoption or amendment of this Resolution, notwithstanding limitation imposed by other provisions of this Resolution, provided all such lots are approved by the Medina County Health Department for on-site sewer and water facilities if applicable. This provision shall apply even though such lot fails to meet the requirements for area or width, or both, that are generally applicable in the district provided that yard dimensions and requirements other

than those applying to area or width, or both, of the lot shall conform to the current regulations for the district in which such lot is located. Variances of requirements listed in this Resolution other than lot area or lot width shall be obtained only through action of the Board of Zoning Appeals as provided in Appendix I.

B. A nonconforming lot or lots of record which do not comply with the area or width or both of the current Medina Township Zoning Resolution may be considered for replat or combination so long as any change in the area, width or both of new nonconforming lots or lots resulting from said replat or combination does not create any lot less compliant with the current legal lot regulations. Any new nonconforming lot or lots created as a result of this section must also comply with conditions as set forth in Section 706 A.

Staff Comments: Paragraph A of the proposed amendment specifies that a legal lot of record that exists at the time that this Zoning Resolution is adopted or amended can be built upon although the lot area and/or width do not meet current zoning requirements as long as it receives Health Dept. approval; however all other current zoning requirements are met. Variances of requirements listed in this Resolution other than lot area or width shall be obtained only through action of the Board of Zoning Appeals.

Paragraph B states that nonconforming lots may be considered for replat or combination as long as it does not create any less compliant lot. It does not require that nonconforming lots be combined or enlarged when practicable, as was required previously.

Chair Strogan stated this new language was being proposed because there are some small lots in the Township, in particular the Weymouth area that are pre-existing, non-conforming lots that were created before zoning was even in existence. Even if someone owned several of these particular lots, the lots would more than likely not be able to be built upon by today's zoning standards. If they tried to combine a lot with another lot, the lot would lose its pre-existing, nonconforming status and would not be able to be built on at all. The intent is to allow two, pre-existing, nonconforming lots to be combined without losing that status, so the result is one larger non-conforming lot. The intent was not to penalize a property owner who has an old lot(s) of record from being able to combine lots and build on the property.

Motion #2: Modify the existing definition of Sign, Temporary, which currently reads:

~~"Sign, Temporary" is a sign or advertising display constructed of cloth, canvas, fabric, plywood or other light material and designed or intended to be displayed, for a short period of time."~~

To now read, "Sign, Temporary" is a sign affixed to a building, structure or placed on the ground constructed of cloth, canvas, fabric, plywood or other material and designed or intended to be displayed for a limited period of time;"

Staff Comment: Staff suggests replacing the word "placed: with "installed."

Louie Tull (2957 Substation) asked what was meant by a "limited period of time? Chair Strogin stated that would be explained further in the text amendment provisions for Temporary Signs.

To add a definition- "Sign, Inflatable" is a static air or gas filled structure.

Staff Comment: Definition would be clearer with a comma after the word "static."

Motion #3: To delete Section 605 K-Portable Signs in its entirety:

~~K. Portable Signs-No portable or temporary sign, including a sign on a temporarily placed vehicle for advertising purposes, shall be placed on the front or face of a building or on any premises, except in the following instances for no more than 14 days and shall be at least ten (10) feet from any road right of way.~~

- ~~1. Going out of business sale or grand closings.~~
- ~~2. Grand Openings.~~
- ~~3. Public or institutional events.~~

~~Such signs shall require a deposit in the amount as shown on the schedule of fees, Appendix V, given to the Zoning Inspector by the business advertising the event or the director in the case of a public or institutional event. Failure to remove the portable sign on the 15th day results in forfeiture of deposit to the Township.~~

and replace with the following:

Section 605

K. Temporary Signs-Shall be limited to one temporary sign per property, not to exceed 32 sq. ft. including a sign placed on vehicles for advertising purposes, which may be placed on a building or on any premises for not more than 14 days, three (3) times per calendar year (Jan.1st-Dec. 31st). The sign shall be at least 10 ft. from any road right of way except as otherwise specified in this code. The 14-day periods may be contiguous if the property owner so desires.

Staff Comments:

- 1. This amendment corrects previous wording that was not content neutral.*
- 2. A vehicle sign, required to be considered the one allowable temporary sign per property, does not meet the above definition for "Sign, Temporary."*

3. *The dictionary definition for "premises" is, "a tract of land with the buildings thereon." It is not clear what is meant by the use of the words "any premises" in the first sentence as it relates to the permitted location for a temporary sign. "Anywhere on the premises may be the intent? In the alternative, this is a regulation concerning duration rather than location. The reference to location could be omitted.*
4. *In the last sentence, Staff suggests replacing the word "contiguous" with consecutive."*

Motion#4: To add the following Section under 605 Accessory Signs Requiring A Permit

N. Inflatable Signs

1. Inflatable signage shall only be permitted in commercial districts. Movement of all or any part of an inflatable sign is prohibited.

2. Frequency:

Inflatable signs shall be limited to one per property and limited to maximum of 28 days per calendar year (Jan. 1st-Dec.31st).

3. Inflatable signs shall require a permit secured by a deposit with the zoning inspector in the amount shown on the "schedule of fees" appendix V. Failure to remove the inflatable sign within 24 hrs. of the expiration of the permit shall result in the forfeiture of the deposit to the Township.

4. Location:

a. All inflatable signs are to be ground-mounted. They are prohibited from rooftops.

Staff Comment: Ground-mounting an inflatable sign will most likely involve guy wires or other means of securing the inflatable sign. Suggest including regulations as to location of wires and/or other method of securing the sign for safety purposes.

b. Inflatable signs shall be set back from any road right of way and property lines a minimum of 10 ft. plus the height of the sign. (Ex. A 14 ft. tall inflatable would be set back 24 feet).

c. Inflatable signs and their components placed in parking lots shall not reduce the number of available parking spaces below the required minimum.

d. Inflatable signs shall not be placed so as to hinder access by emergency vehicles or services.

- e. No inflatable sign shall be placed within 660 feet of a Federal Interstate.

Staff Comments: Not permitting an inflatable sign within 660 feet of an Interstate appears to be overly restrictive especially since at a maximum height of 14 ft. and mounted on the ground it would be difficult to be seen from the Interstate.

5. Size:

- a. Height shall be measured vertically from the ground to the inflatable sign's highest point; width shall be measured horizontally as the distance between the inflatable sign's widest points. Area shall be determined by multiplying the inflatable sign's height times its width.
- b. Inflatable signs shall not exceed 14 feet in height, nor shall they exceed 75 square feet in area.

Staff Comments: Inflatable signs are not two-dimensional. A more appropriate size limitation may be volume; height x width x depth.

Staff Recommendation: Approval with modifications.

Mr. Gene Kraus (4123 Monterey Dr. does the limitation of inflatables in commercial districts apply to political and/or campaign signs? Chair Strogan stated no, the courts have stated those type of signs cannot be regulated regardless of what district they are located in. They can also be placed in the road right of way as long as they don't obstruct the line of sight.

Mr. Apana asked if there was a conflict of holiday inflatables and the inflatable signs being talked about this evening? Chair Strogan stated no, and again read a letter from Mr. Thorne from the Prosecutor's Office

RE: Inflatables-Residential District

"As I understand your concern, the issue deals with the necessity to have a permit to put up an inflatable sign within a residential district. Inflatable sign arguably including inflatable Santa Claus', etc. As I previously advised, I do not believe that such devices fall within the definition of signs, which include basically any device, which is intended or used to attract attention to any object, product, place, activity, person, institution, organization or business. I think the Christmas displays, Halloween displays, etc. are simply that, displays to celebrate the holiday, not intended to attract attention to the person's home or activity in the home, etc."

Mr. Doraty (3755 Weymouth Woods Dr.) asked the date of the letter? Chair Strogin stated December 3, 2012.

Mr. Dave Sherba (2880 Interstate Dr.) asked if there were any studies done to come up with the duration of 28 days per year for an inflatable sign and if not, what was the basis for the 28 days. Chair Strogin stated currently temporary signs are permitted for 14 days. Inflatables are proposed to be considered temporary signs. By doubling the amount of time for such a sign, the Commission felt that was sufficient.

Mr. Overmyer stated there were no studies done, the Commission came up with the duration during several workshops and meetings.

Mr. Sherba asked if there were any studies done to prohibit inflatable signs from rooftops and to only permit them on the ground? Mr. Overmyer stated not permitting inflatable signs on rooftops was in conformance with the existing regulations as there are no rooftop signs of any kind permitted in Medina Township.

Mr. Sherba stated temporary signs currently are permitted to be renewed every 14 days. Will inflatable signs be permitted to be renewed every 28 day as well? Chair Strogin stated no, the code has been proposed to allow a temporary sign a maximum of 28 days per calendar year (Jan. 1-December 31st). An inflatable sign is proposed to be considered a temporary sign.

Mr. Sherba asked if there were any studies done regarding the height and size of an inflatable? Any safety studies, professional studies, or studies from other communities?

Mr. Overmyer stated the dimensions for an inflatable was based on The Golden Mean. It was determined by multiplying the maximum permissible height of the structure (14') by the Golden Mean (0.6180) to arrive at the most esthetically pleasing width -- in this instance 5.348 feet. The 14' height was then multiplied by this width to create a square footage of 74.87 which was rounded to 75 square feet. The Golden Mean has been an established architectural value for more than 2,500 years and is employed here to avoid creating arbitrary values for overall size.

Per the workshop minutes, regarding the height, Mr. Overmyer stated that "Inflatables are commercial devices intended to attract attention from motorists and passers-by. A colorful structure more than twice as tall as the average man is sufficient to accomplish this end without transgressing into the realm of excessive. In other words, a 14-foot tall structure allows an enterprise to shout but prohibits it from screaming."

Chair Strogin stated the 14 ft. height is also the size of inflatables that are sold at Wal-Mart and Home Depot.

Mr. Baach (3838 Weymouth Woods Dr.) stated we all have special interests and either this is a representation of the community or it is not. Mr. Baach stated he went and visited

Mr. Sherba's business which is an inflatable sign company located in the same business park where he worked. Mr. Baach urged the Commission to go visit this business. There are a lot of people working there and paying taxes. Mr. Baach stated Mr. Doraty is a quality individual and whatever the decision may be it will affect his business.

Mr. Baach stated the Township had an election for Trustee approximately two years ago and Mr. DeMichael recognized the controversy going on right now over inflatables. This is this Commission against Mr. Doraty. During the election there were inflatables all over the community. The election was about inflatables versus a named incumbent politician that was on the Commission. Mr. DeMichael won every voting area of the community. If that isn't a statement of what the community wants... You had a referendum before you whether you want to recognize it or not. There is another election coming up this November and we will see where this goes.

Mr. Baach stated he walked into Mr. Sherba's business where they did not know him from Adam and treated him like somebody they wanted there. I suggest the Commission and Trustees take a lesson from the business community.

Mr. Apana stated he resented some of the comments made by Mr. Baach. There is a difference between an elected official and an independent board. The Commission is considering what is in the best interest of the entire community regardless of the election. The Commission is charged with what zoning should be in Medina Township. We don't look at the election and say we will kowtow to that.

Mr. Apana asked if Mr. Baach was at the Comprehensive Land Use Open House? Mr. Baach stated no, he was out of town trying to create jobs for the community. Mr. Apana stated the community spoke there too and almost everyone he talked to wanted to keep Medina Township the way it is. The survey that has come in as part of the Comprehensive Plan states that very thing and that is something that needs to be considered as well.

Mr. Baach asked if Mr. Apana was familiar with that survey? Mr. Apana stated he was. He asked if he would call it statistically representative? Mr. Apana stated it was mailed to everybody but not everybody chose to respond. Mr. Baach stated there was an individual who went around and encouraged people in a certain sector of the community to respond? Mr. Apana stated he was not aware of that. Mr. Baach stated then Mr. Apana was quoting something he had no knowledge about its validity. The voters were not going door to door helping others fill out the survey. What you are upset about is all wet. You need to listen to the voters of the community.

Ms. Szunyog stated three of the five Commission members sitting now were not on the Zoning Commission when this whole process started. We are just looking at the end of it. She added she did not think Mr. DeMichael's election was an election about inflatables. Mr. Baach interjected he felt Ms. Szunyog should recuse herself from voting if she was

not willing to go back and look at the issue from the beginning. Ms. Szunyog stated the Commission turns over and it was unusual to have this extended process. The newer members did not arrive at this board with the past experience of dissention. The Commission looks at what is presented before them. We are all fair people. Mr. Baach stated Ms. Szunyog must be under a rock not to have seen this dissention. Ms. Szunyog responded she could not see how the three newer members of the Commission could be accused of whatever Mr. Baach was accusing the entire Commission of.

Chair Strogan stated the Commission is not against Bill Doraty. We are against having our rules violated. When the Commission makes a rule for the Township we cannot look at how it affects one person. We need to consider how it will affect the entire community.

Mr. Baach stated the person who will be affected took a seedy hotel and turned it into a reputable business and the man deserves a bit of common courtesy. I have heard what goes on at these meetings and I am ashamed to be part of this community.

Mr. Kraus stated there was an election and Mr. DeMichael won. There is an implication that perhaps could be drawn from that election. The fact that we are here this evening to consider changes to the regulations that would permit inflatables under certain circumstances and are consistent with the rest of the zoning code bear witness to the fact that the will of the people was being honored in that respect. The Commission has responded to the initiative of the Trustees and others to say if the community wants inflatables we want to make sure they are consistent with all the other things within the code. I commend the Commission for the steps they have taken. They are not responsible for a single individual or business but the entire community.

Mr. Tom Borrer (3747 Watkins Rd.) We have a community north of Medina Township where Mr. Sherba owns a business. I read that community's code and it does not say anything about prohibiting inflatables from rooftops and does not say anything about time limitations. Why in less than 5 miles do we write a completely different code?

Mr. Apana stated other communities in Medina County, besides the one Mr. Sherba's business is in, do not permit inflatables. Mr. Borrer stated that community reacted to that particular businesses presence. Mr. Borrer stated he failed to see the consistency of permitting temporary signs 3x a year for 14 days and only permitting inflatable signs a maximum of 28 days a year. Mr. Borrer stated he has heard this is not Medina Township versus one business but visualizing I-71 there are 2 businesses on the east side and maybe 4 on the west side that fall under the 660 ft. of an interstate requirement. Section 4.E. is a direct exclusion of Mr. Doraty's business. You have effectively eliminated the businesses in Medina Township along I-71 from having an inflatable.

Mr. Borrer continued he read the ODOT documents and there is nothing in there that prohibits inflatables except that a business might have to apply to the State for a permit.

If the code passes as drafted, Mr. Doraty cannot even have an inflatable in his parking lot. That is spot zoning.

Chair Strogin responded this is not spot zoning. The document the Trustees drafted as a starting point for the Commission was 600 ft. The Highway Beautification Act of 1965 (which has had many amendments to it) provides incentives to states to control outdoor advertising within 660 ft. of the Interstate Highway system. Such states that volunteer for the program receive a bonus of ½ of 1% of the federal highway construction costs on segments of interstate highways... Chair Strogin stated the federal government would need to give approval for any outdoor advertising within the 660 ft.

Mr. Borrer stated a steeple is a sign and the Township allows steeples on rooftops.

Mr. Johnson (3298 Foskett Rd.) stated as a business owner he believes in advertising. But if you put a banner on your building to advertise a special and it is there all the time, people are going to go blind to it. I like the fact that there is a limitation for turnover, but not necessarily the duration proposed. A temporary sign, regardless if it is an inflatable should be used for a certain purpose, i.e. specials, sales, holidays and that needs turnover.

Ms. Jarrett (3757 Foskett Rd.) stated she witnessed a heart shaped inflatable on Mr. Doraty's business around February, which had a large tear in it and was flapping rapidly in the high winds that occurred that day. Mr. Doraty did take it down but she was worried that the inflatable could have ripped off the tethers and blown onto the Interstate or even Rt. 18 and caused a serious if not fatal accident. She added she believed that was probably another reason for the federal government restriction for outdoor advertising in the Highway Beautification Act.

Ms. Jarrett continued that she was concerned as to where such inflatables were manufactured and the quality of the materials that would be used. That is a safety concern of inflatables on the rooftops of businesses.

Mr. Sherba stated he has been in the inflatable business for 31 yrs. and could appreciate Ms. Jarrett's comments. There has been an inflatable on Mr. Doraty's roof for 4-5 yrs. now and there has never been an incident. The inflatables are tethered down with aircraft graded cables. Mr. Sherba stated he has never had an insurance claim in 31 yrs. He added he imported 150,000 inflatables a year in addition to making 2500 at his Brunswick facility. Regarding the foreign product, it is as good as what is made in Brunswick. It is the same as cars, there are some foreign brands that are better than a GM product. Accidents happen everyday, to good people and is part of life. I have never had an insurance claim regarding any inflatable I have placed on a roof.

Mary Ann Vann (4615 Nettleton Rd.) stated she has lived in Medina Township for 51 yrs. when it was a rural township. You cannot keep it that way. Life is full of changes, some good and some bad and you can't stop change. I like Mr. Doraty's inflatables. I think they are cute and I like to see what he is going to put on his roof next. Ms. Vann

stated the inflatables should reflect the team mascots of the County. Maybe there could be a game made out of with the businesses i.e. find the bee or the hornet etc. Mr. Doraty is a homegrown boy and does a lot for the kids at Medina High School. Ms. Vann stated she would like to see something done with the park named after her sister, Rita Holt. She thanked all those present this evening to present dialogue on this issue.

Chair Strogin responded the issue is when the Township makes a change to the zoning it does not affect just one person it affects the entire community. Change it inevitable but we can try to control it. While one business may put up "cute" inflatables that cannot be guaranteed for all. Signs must be content neutral and the Township cannot regulate what is said or represented by such a sign. Chair Strogin stated under oath in court, Mr. Sherba stated he made a 60 ft. tall penis for a customer. How "cute" would that be on the roof a business?? Mr. Sherba also testified he made a large pile of poop for another business. As soon as something objectionable goes up residents will call the Township wanting it to be taken down and the Township would have no control.

Mr. Doraty again argued about inflatables being permitted in a residential district with no regulations. Chair Strogin again stated inflatables in a residential district are not signs they are a means to celebrate a holiday. Mr. Doraty stated what was wrong with calling attention to a business? Chair Strogin stated nothing. However there are plenty of ways to advertise and the court agreed that as long as there are various means of advertising available to a business, a community has the right to prohibit inflatables.

Mr. Doraty stated he would like to display his inflatables like those in the residential district are allowed to do. He stated that the only thing the federal court ruled on is right now the Zoning Resolution as written does not permit inflatables in the business district. In the residential district anyone can put up an inflatable so there could be thousands of them and the Township has no controls over that. Yet you want to control me. You say inflatables will clutter up the business district but any resident can put up an inflatable and clutter up the residential district.

Mr. Overmyer commented that all the residents in the Township putting up an inflatable was very remote. However, there is a competitive measure for businesses in any community.

Mr. Doraty stated if the Commission makes inflatables 14 ft. in height and ground mounted there will be plenty more of them in the business district. The economics of the current inflatable make it highly unlikely that all the businesses would go out and do what he did and put an inflatable on the roof.

Mr. Overmyer stated the Zoning Commission sets the dress code for the community. Mr. Doraty interjected that the Zoning Commission is suppose to do what the public wants. He commented that the Commission is never going to agree to what I want. I am

passionate about inflatables and the Commission is not. Mr. Doraty asked, why don't we put this on the ballot and let the voters decide what they want for this community?

Mr. Overmyer stated the Commission is only going to make a recommendation to the Trustees. The Trustees will have the final say. Mr. Doraty asked Mr. Overmyer if he was willing to help him as a business owner. Mr. Overmyer stated one of the reasons Mr. Doraty is located in Medina Township is because the Township has been an economically sound community for the last 30 yrs. One of the reasons it has been sound is because of the Zoning Commission. He added personally he did not see how inflatables benefit the community but the Commission has compromised by drafting this proposed language to allow inflatables in some manner in the Township. Everyone is allowed to put up all sorts of holiday decorations.

Mr. Sherba stated the penis inflatable and pile of poop inflatable he made was created for a world-renowned artist. It was for a museum. Mr. Sherba stated he was going to be in New York's Central Park with another piece this weekend. It will be 80 ft. and 120 ft. long. He then asked, Are you going to allow 14 ft. tall content neutral inflatables? Chair Strogin stated that was what was being proposed. Mr. Sherba continued that apparently the Commission is not concerned about a 14 ft. tall inflatable penis. Chair Strogin stated the size does matter the content cannot be controlled.

Mr. Hull (3605 Foskett Rd.) stated he has lived in Medina Township 30 yrs. and has seen his share of changes. He stated he felt this conversation was ridiculous over a stupid inflatable. He added he liked seeing the inflatable, and so did his wife and his children. What is the harm in inflatables? Is somebody being physically hurt? Mr. Hull concluded that it appeared Mr. Doraty is being singled out.

Mr. Apana stated from what he is hearing it appears to be an issue of Mr. Doraty vs. the Zoning Commission and that was not the case. He then apologized if he made any abrasive comments as that was not his intention. He stated that the Commission needed to figure out what is in the best interest of Medina Township. Mr. Doraty interjected that he was never asked what was in the best interest of his business and again suggested this issue be put on the ballot.

Mr. Joseph (3866 Remsen Rd.) stated he has lived in Medina Township for 20 yrs. He stated neither he nor his family have a problem with Mr. Doraty's inflatables. We actually enjoy it. Mr. Doraty does a lot for the high school kids and for the community. Mr. Joseph stated he understood about rules and regulations but it is ridiculous how much money has been spent defending against an inflatable. He concluded he owned a business in Ravenna Township and intend to move the business because of the sign limitations.

Chair Strogin stated Ravenna Township has rules and asked Mr. Joseph if he abides by them? He responded yes. Chair Strogin stated the point is you may not agree with the

rules but you follow them. There are individuals in Medina Township that do not follow the rules and feel that is perfectly o.k. One cannot chose what rules one will not follow. If there was that kind of chaos the majority of rules would be almost worthless. People usually do not go out intentionally and break the law. Mr. Joseph asked what the people could not vote on this issue and see what the community wants?

Chair Strogin continued that there was a survey sent out to every household as part of the Comprehensive Land Use Update, and the results were overwhelmingly that the people wanted less signs and not to really have much more business in the Township.

Mr. Joseph asked how many surveys were sent back? Chair Strogin stated 25% which was a fairly significant return. Mr. Bach stated that was tainted because there was a special interest person out to a certain group to solicit returns. Mr. Bach stated Ms. Gray said in an open meeting...Ms. Gray stated that was not true.

Sandra Bilek (3414 Hamlin Rd.) stated personally she did not have a problem with Mr. Doraty's inflatables however, she had a problem with what Mr. Doraty said earlier that he is probably one of the only businesses that could afford to put up such an inflatable. If every business had the money to put up an inflatable and did then there would be all these inflatables and Mr. Doraty's would not be so novel anymore. Ms. Bilek continued that we live in a Township which is zoned and that is a good thing. I don't like people who feel they are above the law and do whatever they want. We should follow the rules.

Regarding putting this issue on the ballot, Ms. Bellock stated Medina Township does not have home rule. If Mr. Doraty wanted he could have asked for that question to be placed on the survey i.e. home rule in Medina Township.

Mr. Borrer stated the return address on the survey was some small town in Pennsylvania so he was sure there were many individuals who threw it away without ever opening it.

Mr. Sherba stated if the proposed language passes, there are going to be a blossom of such inflatables in the business district. Mr. Doraty pays a lot of money for his inflatables. He pays that money because the product is strong and durable and professionally maintained. Mr. Sherba stated in his professional opinion an inflatable on the roof was safer than one on the ground. There is the potential for vandalism, mischief and trip hazards and potential electrical hazards because the inflatables have to have a constant air blower on if inflatables are ground mounted only. Again Mr. Sherba reiterated he has been in this business 31 yrs. and knew what he was talking about.

An unidentified individual asked who would enforce the 14 ft. height requirement if this language was passed? Chair Strogin stated that would be the job of the zoning inspector.

Mr. Kraus asked that the meeting get back on track to discuss the merits and the demerits of permitting inflatables in the Township apart from the past experience the Township

has had with inflatables. This is not about what Mr. Doraty has done. The question is are inflatables something we want to include in the zoning code. Not how it will affect one business.

Mr. Joseph said he wants to see more tax revenue for the Township. If inflatables on a roof are bringing in more business for the Township... We need more police, better roads, and snowplowing for the elderly.

Mr. Apana stated it was just as important to find out why all but one community in Medina County do not permit inflatables. That is an issue as well to be considered.

The Commission will make a recommendation to the Trustees. Once that is done it will be certified over to the Trustees who then will set a public hearing of their own. The Trustees can modify the recommendation of the Commission, accept the recommendations of the Commission or deny them entirely.

Mr. Johnson stated right now inflatables are not permitted in the business district. Right now there is only one inflatable. If inflatables are allowed that may become an eyesore. Chair Strogin stated that is another issue the Commission has to consider as part of this proposal.

Mr. Gallo (3503 Hamilton Rd.) stated he has lived in the Township a long time. He added he was not a sign guy. If one had a good product one would be found without extra signs. The law is the law and until the law is changed it needs to be followed.

Chair Strogin stated there was an issue with outdoor signage in the business districts and especially along the Rt. 18 corridor in the 1980's with all sorts and types of different signage. The Township did modify the signage code and neared them with the surrounding communities of Montville, Granger, and Sharon so there will not be any disparity as to where a business would locate. Any change that is made to the current code will be around for a long time so any modification needs to be considered carefully.

Mr. Joseph stated things change. Mr. Overmyer stated change can come with controls and limitations.

It was then commented by an unnamed individual that there is an inflatable up now so what happens if the code is changed? Will it be enforced then? Chair Strogin stated enforcement is the job of the zoning inspector. If someone violates the code and it needs to be handled legally it has to have the Trustees backing to move it forward with the Prosecutor's Office.

Chair Strogin called for anyone to speak who had not had the opportunity to do so. There was no response. She then closed the public comment portion of the public hearing at 9:15 p.m. Chair Strogin stated the public hearing would need to be continued for the

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Commission to deliberate and take the recommendation of the CPC and the comments made this evening all into consideration.

The Commission members felt since there was only one agenda item as of this date, they would continue the public hearing to their regular May monthly meeting date.

Mr. Overmyer made a motion to continue the public hearing on the proposed text amendments until May 21, 2013. Regular Meeting scheduled for 7:30 p.m. with continuation of public hearing to take place immediately following. It was seconded by Ms. Szunyog.

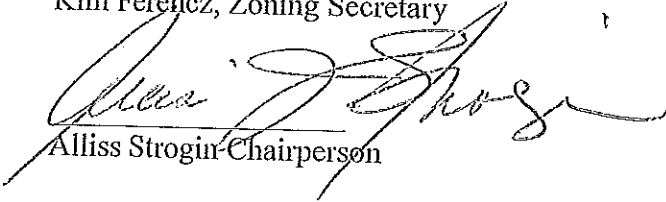
ROLL CALL- Overmyer-yes, Szunyog-yes, Apana-yes Kuenzer-yes, Strogin-yes.

The public hearing was recessed at 7:55 p.m.

Having no further business before the Board, the meeting was officially adjourned at 9:50 pm.

Respectfully Submitted,

Kim Ferencz, Zoning Secretary


Alliss Strogin-Chairperson