

RECORD OF PROCEEDINGS
MEDINA TOWNSHIP PUBLIC HEARING CONTINUANCE
July 3rd, 2014

The Medina Township Board of Trustees held a Public Hearing continuation on July 3rd, 2014, regarding four (4) proposed Zoning Text Amendment Changes. Vice-Chairman DeMichael called the meeting to order at 6:35 pm with the following Trustees in attendance: Ken DeMichael and Ray Jarrett. Michael Todd was absent. Also in attendance were Fiscal Officer Linda DeHoff, Zoning Inspector Elaine Ridgley and the general public.

Roll Call

Mr. DeMichael asked for a roll call of all members present. Trustees present were Mr. DeMichael and Mr. Jarrett. Mr. Todd was absent.

Zoning Text Amendments Continuance

Mr. DeMichael said that given the circumstances, he would like to continue the Public Hearing to another date. Mr. Jarrett said they have been at this for twelve (12) months and asked the reason for a continuance. Mr. DeMichael said due to the fact that there are just two (2) Trustees here tonight he would like to wait until all three (3) Trustees are available. Mr. Jarrett and Mr. DeMichael agreed that they weren't sure when Mr. Todd would return. Mr. Jarrett said Mr. Todd told him not to table any items unless they had to. Mr. Jarrett said they started the Public Hearings in July 2013. They have all the information back that they requested and he sees no point in waiting. Mr. DeMichael asked him how he plans to move forward. Mr. Jarrett said to go through each text amendment and he would make a motion on each amendment if Mr. DeMichael wanted.

Mr. DeMichael was told there is an issue with one of the text amendments that is holding up a resident building a house. Mrs. Strogin said a resident owns two (2) non-conforming lots and if he combines them under today's legislation he loses the non-conforming status and the two (2) lots together still are not big enough to make a standard lot. The proposal that was made was an amendment that states that if someone combines two (2) pre-existing non-conforming lots, they will not lose their non-conforming status.

Mr. DeMichael would like to come to some compromise by approving Section 706 Non-conforming Lots of Record and continuing the other three (3) since there is some urgency to having this amendment approved.

Mr. DeMichael motioned that we go ahead and vote on motion number one (1) and continue motions two (2), three (3) and four (4) until after the first of the year, the first meeting in January we'll meet at the same time, 6:30pm. Mr. Jarrett asked Mr. DeMichael to repeat the motion because he didn't catch it all. Mr. DeMichael said he would like to make a motion that we vote on Motion one (1) this evening and then continue motions (2), three (3) and four (4) until the first meeting in January, we can meet at 6:30 again. Mr. Jarrett said why 6 six months later because that's a year and a half. Mr. DeMichael said he understands there is no urgency that the other amendments present and being Mr. Todd is not here right now. Mr. Jarrett said we should have public input because this is a public hearing. Mr. DeMichael withdrew his motion.

Sally Gardner (3333 Foskett Road) said she has commented before on the safety issues that they have had in Switzerland and other countries with inflatables breaking loose from their moorings and the Township also would not have any control over the content.

Robin Gray (4074 Remsen Road) asked Mr. DeMichael to elaborate more on why he wants to have the delay for such a long period of time. Mr. DeMichael said there is not such a sense of urgency for the other text amendments. Right now there are just two (2) of us here and there are new owners at Doraty-Kia and he knows Mr. Todd said that it is not about Bill Doraty but it does have something to do with it for him and he would like to give it some time to work itself out. Ms. Gray asked when Mr. Todd would be back and was told they don't know the answer to that. Mr. Jarrett said they have no indication whether it is short term or long term. Mr. DeMichael said continuing the public hearing until the first of the year will safeguard us against a potential long term absence by the third Trustee and that is the other reason.

Mr. DeMichael motioned to make that same motion that we could vote on motion one (1) and continue motions two (2), three (3) and four (4) until January 2, 2015, at 6:30 pm. Mr. Jarrett seconded the motion. Roll call vote: Mr. DeMichael aye Mr. Jarrett no.

Mr. DeMichael said he was offering a compromise so we could vote on motion one(1) and if either one of them vote no on any one of the other amendments they would fall by the wayside and they would have to start the process all over again. Mr. Jarrett asked if Mr. DeMichael meant to go with the first motion and Mr. DeMichael said yes.

Zoning Text Amendments Continuance Con't

Mr. DeMichael motioned again to vote on motion one (1) and continue motions two (2), three (3) and four (4) to January 2, 2015, at 6:30 pm. Mr. Jarrett seconded the motion. Voting aye thereon: Mr. DeMichael and Mr. Jarrett.

Motion Number One (1) – Section 706 Non-Conforming Lots of Record

Resolution No. 07032014-017

Mr. DeMichael motioned to delete the current wording of Section 706 Non-Conforming Lots in its entirety and replace it with the following wording:

Section 706 Non-conforming Lots of Record

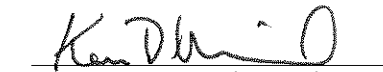
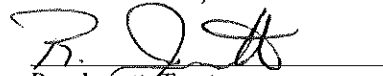
- A. In any district in which single family dwellings are permitted, a single family dwelling and customary accessory buildings may be erected on any legal lot of record at the effective date of the adoption or amendment of this Resolution, notwithstanding limitation imposed by other provisions of this 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 Zoning Board of 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 lot 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 706A.

Mr. Jarrett seconded the motion. Voting aye thereon: Mr. DeMichael and Mr. Jarrett.

Mr. Jarrett said he feels we are handcuffed to approve the other text amendment by continuing to January 2, 2015. He feels we should make it for three months and Mr. DeMichael said he is pretty set on that date.

Mr. DeMichael motioned to adjourn the public hearing (which will be continued to January 2, 2015). Mr. Jarrett seconded the motion. Voting aye thereon: Mr. DeMichael and Mr. Jarrett.


Linda DeHoff, Fiscal Officer


Ken DeMichael, Vice Chairman

Ray Jarrett, Trustee

**MEDINA TOWNSHIP
BOARD OF ZONING COMMISSIONERS
PUBLIC HEARING/REGULAR MEETING
MARCH 19, 2013**

PUBLIC HEARING

Chairperson Strogin called the public hearing of the Medina Township Board of Zoning Commissioners to order at 7:34 p.m. Board members Overmyer, Kuenzer, Apana, Szunyog and Strogin were in attendance. Alternate Commission members Borrer and Johnson were also in attendance.

Chair Strogin stated because the Dept. of Planning Services will not review the proposed text amendments until their April meeting date, this public hearing would have to be continued, as by law the recommendation of the Dept. of Planning Services had to be read into the public record.

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 lot~~s~~ 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.

*** 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;”**

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

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: