

**MEDINA TOWNSHIP
BOARD OF ZONING COMMISSIONERS
ORGANIZATIONAL/ CONTINUATION OF PUBLIC HEARING-
DORATY TEXT AMENDMENT/REGULAR MEETING
JANUARY 20, 2009**

Acting Chairperson Alliss Strogin called the organizational meeting of the Medina Township Board of Zoning Commissioners to order at 7:33 p.m. Board members Overmyer, Williams, Jarrett, Erickson and Strogin were in attendance. Alternate Board member Ken DeMichaels was also in attendance.

ORGANIZATIONAL MEETING

Election of Officers

Secretary Ferencz called for nominations for Chairperson.

Mr. Jarrett made a motion to nominate Alliss Strogin as Chairperson of the Zoning Commission for the calendar year 2009. It was second by Mr. Williams. The nominations were closed.

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

Chair Strogin then called for nominations for Vice Chairperson.

Mr. Williams made a motion to nominate Mr. Overmyer as Vice Chairperson of the Zoning Commission for the calendar year 2009. It was second by Mr. Jarrett. The nominations were closed.

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

Set hearing dates/Confirm hearing posting

The Commission stated they would continue to meet on the 3rd Tuesday of the month at 7:30. Posting of the meeting would be placed on the Townhall marquee and The Gazette accordingly. The organizational meeting was closed at 7:38 p.m.

CONTINUATION PUBLIC HEARING

Text Amendment-Bill Doraty 2925 Medina Rd.

Chair Strogin called the public hearing to order at 7:39 p.m. Permanent Board members Strogin, Overmyer, Erickson, Jarrett and Williams were present. Alternate member Ken DeMichaels was also in attendance.

Chair Strogin stated at the Board's last meeting a motion was made to table the public hearing for the proposed text amendment by the applicant Mr. Doraty of Section 603 E. Movement, to allow inflatables without any time frame or restrictions until the Zoning Commission's next regularly scheduled meeting to be held on February 17, 2009 at 7:30 p.m. The proposed language needed to be submitted by the zoning deadline date of January 9, 2009. Secretary Ferencz stated she sent a letter to Mr. Doraty with the motion and the submittal date for the language but nothing was submitted. However, to give Mr.

Doraty due process Secretary Ferencz stated she did put his proposed text amendment on the agenda and even called his office but again did not receive any response. Then a letter dated January 16, 2009 was faxed to the Township which read as follows: "I would like to request that my text amendment meeting be moved to the following month. The holidays created a delay for parties involved on my side and I really need more time. Thank you in advance.-Bill Doraty."

Chair Strogin stated she was contacted by Attorney Mike Larabee who was the attorney hired on behalf of Mr. Doraty and explained the submittal process to him for Mr. Doraty's proposed text amendment.

Mr. Overmyer made a motion to table the public hearing for Bill Doraty as requested until the Commission's next regular monthly meeting on February 17, 2009 at 7:30 p.m. Documentation will need to be received by the deadline date of February 6, 2009 at noon. It was seconded by Mr. Erickson.
ROLL CALL-Overmyer-yes, Erickson-yes, Williams-yes, Jarrett-yes, Strogin-yes.

REGULAR MEETING

Chairperson Strogin called ^{7:30} the regular meeting of the Medina Township Board of Zoning Commissioners to order at 7:30 p.m. Board members Erickson, Overmyer, Jarrett, Williams and Strogin were in attendance. Alternate Board member Ken DeMichaels was also in attendance.

The Zoning Commission minutes from their December 16, 2008 meeting were approved as amended. The Trustees have scheduled site plan reviews to be heard on February 5, 2009 at 6:30 p.m. A letter would be sent to the applicants when the Trustees would hear their site plan/signage requests.

Secretary Ferencz handed out a complete meeting date list for the Zoning Commission, BZA hearings and Trustee monthly meetings. She also handed out the 2009 Zoning Workshop Series by the Dept. of Planning Services as well as the meeting and deadline submittal dates for the County Planning Commission. The color-coded calendar would be forwarded to the board members accordingly.

Lastly Secretary Ferencz announced there would be NO BZA hearing tomorrow evening.

SITE PLANS

Autos Buy Owner-4184 Pearl Rd.

Mr. Thomas Sonnie represented Autos Buy Owner. He stated he would be occupying the former location of Car Toy Store. This property is owned by Mr. William Sporeck. Mr.

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Sonnie stated basically he was an auto consignment store. He would be displaying cars for sale by their owners, administering test drives and placing the information on the car on the internet. Mr. Sonnie continued that the playing field was so uneven for people trading in their automobiles with dealerships so he would be providing an environment for individuals so they could get more of a retail price than a wholesale price for their vehicles.

Mr. Sonnie had a letter from the property owner Mr. Sporck which stated that Mr. Sonnie was authorized to be Mr. Sporck's representative in reference to the front building at 4184 Pearl Rd. before the Zoning Commission this evening. Mr. Sonnie would be renting the front building.

Mr. Sonnie stated regarding the operation of his business, he would offer 4 packages for individuals who want to sell their vehicles. He added he would be taking the cars off the streets and curbs and putting them up for sale on his lot which was across from Wal-Mart where thousands of vehicles drive by daily.

Mr. Sonnie stated that once an individual comes to negotiate on a car purchase that is when the owner would be called in. He added that is dangerous to have people come to your personal residence to purchase a car you want to sell. It is also expensive to list a car in the newspaper. That was where he would come in. He would check for a valid driver's license, insurance, get a deposit, etc. Mr. Sonnie stated he came up with this unique idea and would be selling franchises. His contracts would be reasonable and on a sliding scale so if he did not move your car he would be losing money. If a car is under \$3,000.00 he would offer a special package or if an individual needs to sell it "part-time" i.e. put it on his lot 2 days a week and drive it the other time back and forth to work etc; there will be a package for that type of sale. Regardless of the package the vehicle would be listed on three internet sites including his own, "Autos Buy Owner."

ZI Ridgely asked how many cars would Mr. Sonnie have on his lot? Mr. Sonnie stated there were 28 spaces available for the display of cars and 5 additional spaces for customer parking. Chair Strogan asked if Mr. Sonnie would be displaying any cars inside the building? Mr. Sonnie stated he did not believe so. If it snows he would put the cars inside the garage for easy access in and out. However, Mr. Sonnie stated he may use the inside of the building to display motorcycles as his intent is to sell anything on wheels so that would include boats, ATV's, etc.

ZI Ridgely stated there was a dumpster on the property and asked Mr. Sonnie if he would be using the dumpster? Mr. Sonnie stated he really could not see that he would use the dumpster. He added at this point he would probably have the dumpster removed but right now there were still items from the Car Toy Store he was getting rid of. ZI Ridgely said she asked because the zoning code states that the dumpster must be moved or screened. Chair Strogan asked if Mr. Sporck was leasing the dumpster to Mr. Sonnie? Mr. Sonnie

stated he personally was not paying for the dumpster. Chair Strogin reiterated that if the dumpster was going to remain it needed to be enclosed.

ZI Ridgley stated for Mr. Sonnie's knowledge that balloons, pennants and banners were not permitted to be used for advertising purposes to attract attention to his site. Mr. Jarrett asked what Mr. Sonnie was going to do when he ran out of spaces to display cars? Mr. Sonnie responded he would only display 28 cars.

Mr. Overmyer made a motion to approve the existing change of use for Autos Buy Owner to be located at 4184 Pearl Rd. as presented. It was seconded by Mr. Williams.

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

Mr. Sonnie stated he was also requesting signage. Mr. Sonnie continued that he would just be changing the face plate on the existing ground sign and incorporate landscaping around the base of the sign. ZI Ridgley asked what Mr. Sonnie was going to do with the ~~the~~ existing wall sign on the building? Mr. Sonnie stated ~~it~~ would cut it off with a sawsall. He added he got the majority of decals off the windows but lost two windows in the process. Fire Chief Crumley interjected that per code, before Mr. Sonnie "removed" the wall sign the power had to be eliminated all the way back to the building. Mr. Sonnie stated the wall sign lettering was not lit but he would make sure and all electrical would be eliminated all the way back to the building.

Regarding window signage, Chair Strogin stated the zoning code permitted up to 20% of the window space to be covered with signage. Mr. Sonnie stated he did not intend on using window signage. ZI Ridgely stated that the wall sign needed to be removed before the business was open for operation.

Mr. Jarrett made a motion to approve a ground sign for Autos Buy Owner not to exceed 32-sq. ft. as presented. It was seconded by Mr. Erickson.

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

United Baptist Church-2920 Pearl Rd.

Mr. Andrey Shevchenko Secretary for the United Baptist Church and Debra Kaplan Commercial Realtor for NAI Cummings represented the buyer of the property; Medina Baptist Church. This is the former site of the Purple Lotus. Mr. Shevchenko stated the existing building has three sections and the United Baptist Church wants to use the entire building for the Church.

Chair Strogin stated the Purple Lotus consisted of two separate lots one had the business on it and the other had a residence on it. Mr. Shevchenko stated they were purchasing both parcels and the residence would remain as a residence.

Mr. Erickson asked about number of parking spaces? Mr. Shevchenko stated currently they have 95 members. They have counted 40-46 vehicles at their services. Mr. Shevchenko stated there were 60 parking spaces shown on the plan. Chair Strogin stated that per the Zoning Resolution it states for Churches or places of assembly one parking space per 4 seats.

Fire Chief Crumley interjected that the Church would constitute a change of use group at the Medina County Building Dept. Architectural drawings would most likely need to be submitted to them and the use will determine what the Church's occupancy load will be. Once the use is classified it will determine the number of parking spaces that would be required.

Ms. Kaplan stated the current occupancy capacity for the Church is 95. ^{This} ~~The~~ will take up approximately 60% of the building. The other 40% will be used for bible school and other aspects of a church. Fire Chief Crumley stated all those other "aspects" of the Church would affect the use category as determined by the Medina County Building Dept.

Chair Strogin asked how often the Church would be open? Mr. Shevchenko stated probably 3 days a week. Chair Strogin stated per the zoning Resolution the Church would only need 25 spaces and 60 would be provided. Chief Crumley interjected that a Church can fall into multiple use groups and it was important for the applicant to get with the Medina County Building Dept. to see what changes, modifications, or upgrades would be required before the applicant purchases the property.

Mr. Shevchenko stated they would use the whole building for worship and if they had to remove a firewall and put an extra beam across to make the access bigger then they would do that. He added as a side note he did construction and knew there may be some modifications that may have to be made to the building. Fire Chief Crumley stated that if the Building Dept. requires architectural drawings make sure the architect reviews Chapter 34 of the Building Code, which addresses an existing structure.

Mr. Shevchenko stated he just wanted to make sure they could use the entire building for a Church otherwise it would not make sense to purchase the building. Chair Strogin stated there are two entities working at the same time. The Medina Township Zoning Commission determines if the proposed use is a permitted use in that particular zoning district in the Township. The Medina County Building Dept. classifies the use per the State Building code and they are in charge of stating what changes, modifications etc. would need to be made to the building if any from a structural, perspective.

Mr. Overmyer made a motion to approve the existing change of use at 2920 Pearl Rd. for United Baptist Church as presented. It was seconded by Mr. Williams.
ROLL CALL-Overmyer-yes, Williams-yes, Jarrett-yes, Erickson-yes, Strogin-yes.

Mr. Shevchenko and Ms. Kaplan stated they were also before the Commission this evening to request signage for the Church. Mr. Shevchenko stated it would just be a face change of the existing 75 sq. ft. identification sign.

Mr. Jarrett asked if there was a variance granted for height and distance from the road right of way for the existing identification sign? Chair Strogin stated the height of the sign from the ground to the top of the sign is allowed to be 20 ft. Regarding the right of way the requirement is 20 ft. and ZI Ridgley stated that what was written on the permit that was issued for the sign. Mr. Jarrett stated the figures were hard to read on the plan.

Mr. Erickson asked if landscaping would be incorporated around the sign? Mr. Shevchenko stated yes there are treated wood timbers and flowers planted inside the timber area but it was not shown on the plan.

The issue was then discussed that the Purple Lotus had an existing 75 sq. ft. id sign because there were multiply businesses inside the building itself. Would this sign be permitted for the Church? The Commission agreed that the Church could have multiple uses in it such as worship services, bible study; youth groups activities, etc. so they had no issue with the Church using the existing 75 sq. ft. identification sign.

Mr. Overmyer made a motion to approve the use of the exiting 75 sq. ft. identification sign not to exceed 20 ft. in height for United Baptist Church to be located at 2920 Pearl Rd. as presented. It was seconded by Mr. Erickson.

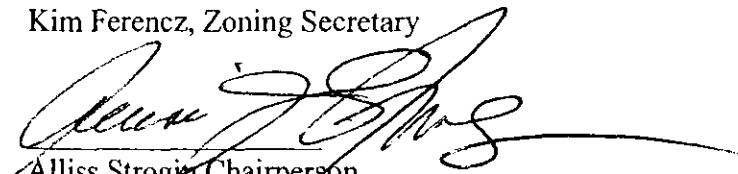
ROLL CALL-Overmyer-yes, Erickson-yes, Williams-yes, Jarrett-yes, Strogin-yes.

The Commission thanked Sally Gardner for her service to the Township and her membership on the Zoning Commission.

Having no further business before the Board, the meeting was officially adjourned at 8:37 p.m.

Respectfully Submitted,

Kim Ferencz, Zoning Secretary



Alliss Strogin Chairperson