

**RECORD OF PROCEEDINGS
MINUTES OF PUBLIC HEARING
MARCH 4TH, 2010**

The Medina Township Board of Trustees held a public hearing at the Medina Township Hall on March 4th, 2010. President Todd called the meeting to order at 7:00 pm with the following Trustees in attendance: Michel D. Todd, Sarah Gardner and Ray Jarrett. Also in attendance were the Fiscal Officer, Police Chief, Fire Chief, Zoning Inspector and the general public.

Roll Call

Mr. Todd asked for a roll call of all members present. Trustees present were Mr. Todd, Mrs. Gardner and Mr. Jarrett.

Pledge

Mr. Todd led the Pledge of Allegiance.

Section 605 1. Holiday Inflatable Displays

Mr. Todd explained that the reason for the public hearing was regarding the addition of a new Section to Article VI. Sign Regulations entitled **Section 605 1. HOLIDAY INFLATABLE DISPLAYS**.

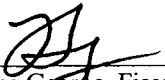
Mr. Todd motioned to temporarily pass the chairmanship of the Board to the Vice-Chair due to the fact he will be abstaining from this issue. Mr. Jarrett seconded the motion. Voting aye thereon: Mr. Todd, Mr. Jarrett and Mrs. Gardner.

Kim Ferencz, Zoning Board Secretary, read all the documents regarding this issue. Mr. Doraty stated his case for the zoning change request. Comments were made by the general public for and against the proposal.

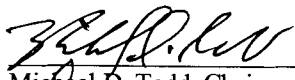
Mrs. Gardner closed the public comment portion of the hearing.

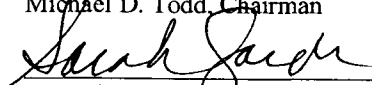
Mr. Jarrett motioned to accept the recommendation of the Zoning Commission and deny the proposal by Mr. Doraty as submitted. Mrs. Gardner seconded the motion. Roll call vote: Mr. Jarrett aye and Mrs. Gardner aye.

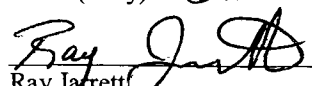
Mrs. Gardner closed the public hearing at 7:47 pm.



Therese George, Fiscal Officer



Michael D. Todd, Chairman


Sarah (Sally) Gardner


Ray Jarrett

1/99

Date Form Completed 10-6-08Name of Representative: William M. Doraty Bill Doraty Kia Owner
Name TitleAddress: 2925 Medina Rd Medina Ohio 44256
Street contact: Becky City State ZipPhone Number of Representative: 330-721-9500 330-350-0126
Home OfficeDescription of text affected: Article SEE ATTACHED
Section _____
Item _____
Number _____
Page _____

Request to amend zoning text to read: _____

We would like the opportunity to display an inflatable image at our store like every other home owner in Medina Township with out restrictions of time or duration.

Reason for request: _____

As per request from the trustee meeting.A statement on how the proposed amendment relates to the Comprehensive Plan:
to celebrate the holidays and events

All legal documents, drawings, correspondence, etc., pertinent to this request, shall be submitted to the Zoning Commission Secretary a minimum of twenty (20) days prior to the date of the public meeting. If not attached, state reason: _____

WM Doraty
Signature of Applicant10-6-08

Date

Kimberly Jerey
Signature of Township Representative

Date

Fee \$275.00

Check NO. 3056Medina Township
3799 Huffman Rd.
Medina, Ohio 44256

1/99

Date Form Completed 10-6-08Name of Representative: William M. Doraty Bill Doraty Ria Owner
Name TitleAddress: 2925 Medina Rd Medina Ohio 44256
Street contact: Becky City State ZipPhone Number of Representative: 330-721-9500 330-350-0126
Home OfficeDescription of text affected: Article V1
Section 603
Item 2
Number N/A
Page 71Request to amend zoning text to read: allow inflatable devices like
every other homeowner in the township.We would like the opportunity to display an inflatable
image at our store like every other home owner in
Medina Township with out restrictions of time or duration.

Reason for request: _____

As per request from the trustee meeting.A statement on how the proposed amendment relates to the Comprehensive Plan:
to celebrate the holidays and eventsAll legal documents, drawings, correspondence, etc., pertinent to this request,
shall be submitted to the Zoning Commission Secretary a minimum of twenty (20) days
prior to the date of the public meeting. If not attached, state reason:See attached photo, these inflatables will be holiday
related.WM Doraty

Signature of Applicant

10-6-08

Date

Kimberly Jerey

Signature of Township Representative

Date

Fee \$275.00

Check NO. 3056Medina Township
3799 Huffman Rd.
Medina, Ohio 44256
330-725-2945



PAUL W. HERTRICK
MICHAEL L. LARIBEE
RAY E. LARIBEE
CHRIS D. CAREY

LARIBEE & HERTRICK, LLP

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mll@laribee-hertrick.com

HENRY E. LARIBEE
1904-1982
RICHARD L. LARIBEE
1944-2002
CLARK R. COOPER
1918-2004
NEAL E. BOWERS
1925-2008

February 10, 2009

Medina Township
Zoning Commission
3799 Huffman Road
Medina, Ohio 44256

RECEIVED

FEB 11 2009 *all*

MEDINA TOWNSHIP

Attn: Kim Ferencz, Zoning Secretary

Re: Supplement to Application for Proposed Text Amendment
Bill Doraty Kia, 2925 Medina Road

Dear Ms. Ferencz:

As you are aware, this firm represents PHN Motors, LLC, dba Bill Doraty Kia. We are assisting Mr. Doraty with his proposed text amendment to the zoning ordinance with regard to inflatable displays. Please accept the following as a supplement to his application dated October 6, 2008.

Request to amend zoning text to read: Enclosed you will see the proposed language for a new section under Article VI of the zoning ordinance: **Section 605.1 Holiday Inflatable Displays.**

Description of the text affected: The new section has been drafted to exclusively control and govern the use of inflatable displays in the business districts of Medina Township. Arguably, the current zoning code does not clearly or directly address inflatable displays. There is a question whether inflatable displays are actually signs and whether Sections 603 (E) ("Movement") and 605 (I) ("Wall Roof and Awning Signs") prohibit or limit their use. It is our intent to resolve that debate in favor of a new section which defines, regulates and limits the use of holiday inflatable displays in business districts through a permit-based system.

Reason for request/how the proposed amendment relates to the Comprehensive Plan: It is clear that inflatable devices have become increasingly more popular in the past several years. The Medina County Planning Commission recognized this fact in their staff report to this Zoning Commission dated December 4, 2008. The proposed section would permit businesses to celebrate recognized holidays in a uniform and regulated manner. The use of holiday inflatable displays by businesses will promote and celebrate the common morals, principles and national pride of township residents. The proposed amendment is also consistent with the use of business district lands with regard to their character and suitability. Moreover, it promotes economic stability of the businesses which have chosen to locate in Medina Township.

Kindly contact me if you need anything further in support of this application. Further, kindly notify our firm of hearings or meetings so that we may attend. Thank you for your consideration.

Very truly yours,

LARIBEE & HERTRICK, LLP

A handwritten signature in black ink, appearing to read "Michael L. Laribee", is written over the printed name. The signature is fluid and cursive, with a large loop at the end.

Michael L. Laribee

MLL/daf

Enclosure

cc Medina County Assistant prosecutor, David J. Folk, via e-mail
PHN Motors, LLC, dba Bill Doraty Kia

Proposed Text Amendment:

Section 605.1 HOLIDAY INFLATABLE DISPLAYS

Inflatable displays referenced in this section pertain to all seasonal inflatable structures, balloons, figures, play equipment and sculptures not intended for human occupancy which exhibit holiday symbols, insignias or themes incidental to and customarily associated with recognized holidays. Inflatable displays shall be permitted in all business districts and in accordance with the following regulations:

- (a) The installer of the inflatable displays must be a properly registered and licensed contractor and provide a certificate of insurance in the amount of Two Million Dollars (\$2,000,000.00). No bond is required. The contractor shall accept full responsibility for the imposed display loads and anchoring devices, whether ground-mounted or rooftop.
- (b) Inflatable displays shall be made of flame retardant material and shall be secured and maintained in a safe, approved manner so as not to encroach upon the air rights of adjoining properties, including street right-of-way.
- (c) Inflatable displays shall not be installed below or within ten feet (10') horizontally of any electrical, phone, CATV, or fire alarm conductors or any other similar installations.
- (d) Each inflatable display shall be no more than thirty feet (30') tall. Each display shall be ground-mounted or securely attached to the building roof which shall be sufficient to support the live load used in the display. No inflatable display may be located within twenty feet (20') of any road right-of-way or within forty feet (40') of an adjacent property.
- (e) Each applicant must pay a fee of \$10.00 to obtain an inflatable display permit.

The duration of each inflatable display permit shall not exceed thirty (30) days. The total number of permits issued by the Township shall not exceed five (5) for any one holiday regardless of business location. Permits shall be issued in the same order applications are received on a form prescribed and approved by the zoning commission.

- (f) Inflatable display permits may be issued for the following holidays:
 - 1. New Years Eve / New Years Day
 - 2. Valentine's Day
 - 3. St. Patrick's Day
 - 4. Easter
 - 5. Memorial Day
 - 6. Independence Day
 - 7. Halloween
 - 8. Thanksgiving
 - 9. Christmas / Hanukah / Kwanzaa
- (g) Lettering on any inflatable display shall be restricted to a holiday-related message consisting of not more than two (2) lines.
- (h) This section shall exclusively control and govern the use of inflatable displays; the regulations of this section shall control in the event of any conflict with other sections of this zoning resolution. Inflatable displays shall not otherwise be restricted by the signage regulations of this zoning resolution.