

August 10th, 2023

McGlashan called the Board of Zoning Appeals Meeting to order at 6:32 pm. Roll call: McGlashan-here, Thur-absent, Heimberger-here, Kurtz-here, Perkowski-here, Alternate Rinkus-absent.

Guests- ZS Banfield, ZI Carr, Tim Molnar (5969 Seville Road), Melissa and Rob Riley (15132 Friendsville Rd, Burbank), Brad Lott, Starla Heimberger, Moses DeJesus (5735 Greenwich Rd), Trustee Horner.

Let it be known that there is not a full board, but a quorum is present. The applicants were offered to reschedule if they would prefer. Both applicants would like to move forward with the BZA public hearing.

Chairman McGlashan read the rules and procedures for the meeting. All members reviewed the application prior to the meeting. Attendees were asked to silence their cell phones.

Exhibit A- Zoning application
Exhibit B- newspaper publication

ZI Carr discussed the application of Timothy & Erica Molnar located at 5969 Seville Rd., Seville, OH, 44273, for a side yard setback.

Sworn in is the applicant, Timothy Molnar of 5969 Seville Rd. Seville, OH 44273. Mr. Molnar noted that the proposed placement is most convenient with the layout of the land and property features. Mr. Molnar noted that they are adding onto an existing building. The proposed addition would place the edge of the building ten (10) feet from the property line.

The board reviewed photos of property. The BZA questioned the applicant on the placement of the proposed building. All options were reviewed. Upon review of the application, the applicant was requesting to be ten (10) feet off the rear property line, fifteen (15) foot variance.

No contingent property owners were in attendance.

Chair McGlashan asked for any additional questions or comments from the board and public.

Heimberger made a motion to close the public participation portion of the meeting. Perkowski seconded the motion. Public Portion of the meeting adjourned.

All seven (7) Duncan Factors were reviewed and discussed.

Heimberger made a motion to grant the side yard variance of fifteen (15) feet for Timothy & Erica Molnar located at 5969 Seville Rd. Seville, OH 44273, as per Article 303, Section D-1 of the Zoning Regulations. Perkowski seconded the motion. Roll Call- Heimberger-yes, Perkowski-yes, Kurtz-yes, McGlashan- yes. **The variance is granted.**

Kurtz motioned to open the public portion of the meeting. Perkowski seconded the motion. The meeting started at 7:00pm.

ZI Carr discussed the next application submitted by Allison Carole Properties, Inc. This is a conditional use and Site Plan Review to allow outdoor boat, camper, and RV storage in designated spaces. The property is currently zoned as local commercial. Carr noted that per Article V, parking area design

(section 505) the current gravel parking lot does not meet zoning code. Per our current zoning code, the maximum number of parked vehicles is limited to twelve (12)

Exhibit A- Application

Exhibit B- Newspaper Publication

Exhibit C- Site Plan

Sworn in is the applicant, Rob Riley of 15132 Friendsville Rd., Burbank, OH 44214 and owner of the storage units located at 5730 Greenwich Road, Seville, OH 44273. Mr. Riley stated that he was storing campers at the property (against zoning code) up until he received a call and visit from ZI Carr. Mr. Riley states that he knew it was in violation of Township zoning but chose to store the campers there regardless. Riley states that they have security cameras up and functioning on the property. Riley states that there are small trees planted in the back of the property and that there is a large grass buffer in the front and rear of the property. Riley confirmed that the parking area is gravel. Riley noted that the parking spots are all pull-through.

Kurtz asked if there is an electronic gate to enter the property. Riley stated that there is a manual gate at the front of the property with a chain and padlock.

McGlashan asked how willing Mr. Riley is to work with the requests of the BZA. Carr stated that there is zoning language (section 505) that states that the parking area cannot be gravel if there are twelve (12) or more vehicles parked at any given time. Riley states that they plan to build more storage buildings in the next five (5) years and therefore they are not going to be paving the area now.

Kurtz states that our current zoning does not define parking as short-term or long-term.

Riley confirmed that the lighting is pointing downward and not out towards the properties surrounding the property. Riley noted that there are five (5) lights in the rear of the property that are up and functioning. Riley also noted that the lights are motion-sensing.

Carr stated that the property was originally approved only for inside storage.

No contiguous property owners in attendance.

The board reviewed the application, and the site plan of the Local Commercial property on Greenwich Road.

Perkowski made a motion to close the public input portion of the meeting. Heimberger seconded the motion. Roll call: Perkowski- yes, Heimberger-yes, Kurtz-yes, McGlashan-yes. The public hearing portion of the meeting adjourned.

The BZA discussed the site plan checklist. Site plan is not drawn to scale (should not less than 1 inch=20 feet). North arrow location is documented appropriately. The map scale and date are listed appropriately. Preparer is identified correctly. Boundary survey, existing topography and proposed finished grades for the natural contour are appropriate. Proposed setbacks are appropriate. Easements do not apply. Riley noted there is a gas line in front of the property.

*Please note that the site plan drawing does not meet the scale requirements. The scale is 1 inch=30 feet. Scale circled on file copy of the site plan.

Heimberger voiced concerns about the lack of screening and security for the proposed use of the property.

Riley stated that they are looking to “finish out” and will most likely be selling their business in the next few years. He again reiterated that they will not be paving the parking area.

Kurtz raised concern about the possibility of storing RVs in the lot as they are at risk of having burglaries/stealing of the catalytic converters. Riley then stated that there will be no motorized vehicles stored at the property.

The BZA discussed potential conditions to be approved. They discussed approving the conditional use of a one (1) year time frame, gravel parking (although the BZA noted that the parking area should be paved), vegetation will remain the same and nineteen spots to be approved (with NO motorized vehicles). It is the expectation of the BZA that in one (1) year the applicant will return to the BZA.

The board discussed the general standards below that apply to all conditional use variance requests.

1. Will be harmonious with and in accordance with the general objectives or with any specific objective of the land use and thoroughfare plan of current adoption.
2. Will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area.
3. Will not be hazardous or disturbing to existing or future neighboring uses.
4. Will not be detrimental to property in the immediate vicinity or to the community as a whole.
5. Will be served adequately by essential public facilities and services such as highways, roads, police and fire protection, drainage structure, refuse disposal and schools, or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such service.
6. Will be in compliance with State, County and Township regulations.
7. Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public streets or roads.

The board voted on these general standards. The conditional use variance will be or will not be based on 1-7 listed above.

Perkowski motions to grant the Conditional Use Site Plan Review (per Article 807 D 1-3) as presented by Allison Carole Properties, Inc., located at 5730 Greenwich Rd. Seville, OH, 44273 with the following conditions: these conditions stand for one (1) year only, vegetation will remain the same, allowing gravel parking lot surface (noting that the zoning language does specify that it should be paved), nineteen (19) parking spaces are approved (noting that the zoning language does specify twelve parking spots only) for non-motorized vehicles only; seconded by Heimberger. Roll call: McGlashan-aye, Heimberger-aye, Perkowski-aye, Kurtz-aye.

Minutes to be Approved:

May 23rd, 2023- ***Perkowski motions to approve the minutes as presented; seconded by Heimberger. Roll call: McGlashan- aye, Heimberger-aye, Perkowski-aye, Kurtz-aye. Motion passes.***

Announcements

Next Meeting as needed.

Perkowski motions to adjourn the meeting; seconded by Heimberger. Roll call: McGlashan- aye, Heimberger-aye, Perkowski-aye, Kurtz-aye. Meeting adjourned at 8:35 pm.

Respectfully submitted,

Amy M. Banfield, Zoning Secretary

Greg McGlashan, Chair

Andrew Thur, Vice-Chair

Greg Heimberger

Dale Perkowski

Jack Kurtz