

Mr. Zeleznak who was made chairman pro-tem on January 10, 2007 called the meeting to order at 7:30 pm.

Roll found: Huff, Fox, Hoop, and Zeleznak present. V. Ch. Tamulewicz and Ch. Manley both had excused absences. Mr. Bill Schaffer, assistant zoning inspector, Mr. Marini and 5 guests in the audience were also present.

Mr. Zeleznak polled each member of the Board of Zoning Appeals to respond yes if they have received and reviewed the contents of the application submitted by Mr. Marini.

Response: Fox – yes Huff – yes Zeleznak – yes Hoop – yes

There were no site inspections. The property will be inspected at a later date.

Mr. Zeleznak stated that the Hinckley Township Board of Zoning Appeals acts within the regulation of Section 519 of The Ohio Revised Code and exercises its powers as provided under Section 7 & 13 of The Hinckley Township Zoning Regulations.

Mr. Zeleznak asked Clerk Garrett whether the zoning office received any written or verbal communication pertaining to this hearing. Ms. Garrett reported receiving no additional correspondence.

Mr. Zeleznak noted for the record that the Board of Appeals as testimony does not accept non-written communication made by known or unknown persons, not under oath at a properly noticed hearing. He explained to those present that the meeting is being taped for the record. In addition he noted for the record that the documents that relate to this application might include written communications from persons who are not present this evening.

Mr. Zeleznak also announced that written communications from persons not present this evening include communications that are not made by affidavit. Because persons not under oath make these communications, this Board does not accept them. He also noted that written communications might include some writing by affidavit, by persons that are not present this evening and, therefore cannot be subjected to cross-examination. These affidavits, therefore, will not be given much weight, if any, in the decision of the Board on this matter. In addition, the audience was informed that they must state their name, address, and be sworn in. All testimony will be given from the podium.

Clerk Garrett read the legal notice as it appeared in the Medina Gazette.

Mr. Hoop made a motion to continue the hearing to February 28, 2007 beginning at 7:30 pm due to the absence of Ch. Manley and V. Ch. Tamulewicz.

Mrs. Fox second.

There was no further discussion.

Board of Zoning Appeals
Marini– Conditional Use Permit
January 24, 2007
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Vote: Fox – yes Huff – yes Zeleznak – yes Hoop – yes

Mr. Zeleznak stated the hearing will continue on February 28, 2007 beginning at 7:30 pm. The Board of Zoning Appeals will inspect the Marini property on Saturday, February 24, 2007 at 10:00 am.

Mr. Zeleznak recessed the hearing at 7:42 pm.

Patty Garrett, Zoning Clerk

Minutes Approved: _____, 2007

absent

David Manley, Chairman

absent

Tom Tamulewicz, Vice Chairman

Jeff Hoop, Member

David Zeleznak, Member

Dottie Fox, Member

Melissa Huff, Alternate Member