

Zoning Commission

Public Hearing – Section 10: Signs

March 1, 2007

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V. Ch. Pope called the hearing to order at 7:00 pm.

Roll found: Pope, Walrath, Siarkowski and Ascherl present. Mr. Powell and Ch. Kamps had excused absences. Mrs. Pajk is on medical leave until April. Trustee Schulte, Bill Shaffer also present.

V. Ch. Pope explained that purpose of tonight's public hearing is to hear public comment on the proposed changes to "Section 10: Signs" in the Hinckley Township Zoning Regulations.

Clerk Garrett read the legal notice. Clerk Garrett reported that there have been no comments from the public on these proposed amendments.

V. Ch. Pope stated that Ch. Kamps had requested that the Medina County Department of Planning Services review the proposed text amendment and make recommendations on that proposal. The Board received a letter with comments and recommendations from the Medina County Department of Planning Services. (See complete letter dated March 7, 2007 attached).

V. Ch. Pope read a letter from Assistant Prosecutor James Bennett. (See attached letter dated Feb 28, 2007) Mr. Bennett's letter states that he reviewed the recommendations submitted by the Medina County Planning Commission and concurs with the comments and recommendations made by the Planning Commission staff. He further states that many of the proposals are not content-neutral and are therefore illegal and unenforceable. He suggests that the corrections recommended by the Medina County Planning Commission be made. In his letter, Mr. Bennett stated these additional comments:

1. *These regulations appear to prohibit a person from obtaining any temporary sign permits for a period of thirty(30) days after the expiration of a temporary sign permit regardless of whether the signs are the same or different, This does not appear reasonable and this office would recommend eliminating this provision.*
2. *If you consider political signs to be temporary, you cannot require a permit for such signs or limit them to thirty days.*
3. *These regulations try to regulate political signs on property owned by the township. This is **not** a function of the Zoning Resolution or the Zoning Commission. Rather, this is a decision for the Hinckley Township Board of Trustees as the owner of the property, The trustees can decide to prohibit political signs on their property or allow all political signs on their property, However they cannot choose some, but not all, political signs. Therefore, they cannot limit access to their property to only political signs for local issues,*

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4. *Other regulations currently existing in your zoning code which are not affected by these changes may be illegal and unenforceable due to changes in the law. This office would recommend meeting with the Planning Commission Staff and/or this office to obtain assistance in drafting legal, enforceable regulations.*

V. Ch. Pope distributed information regarding the definition of “content neutral” signs. He informed the Board that he or Ch. Kamps will contact the Medina County Planning Commission and Mr. Bennett to discuss the changes that need to be made in the proposal.

V. Ch. Pope began to discuss the Planning Commission Staff Comments on the proposal that was submitted for their review. At this time Mr. Walrath commented that since the Commission’s critique was so varied and vast, he suggested that the Board not proceed further on the amendments until the Board gets input from the prosecutor’s office, since the prosecutor’s office has offered to work with the Board to draft a new, compliant regulation for the Township. V. Ch. Pope and the Board members concurred with this opinion.

V. Ch. Pope would like to see verbiage added that addresses the need for electric illuminated signs be installed and maintained to the County’s electrical code, and that signs should be prohibited on roofs.

V. Ch. Pope recessed the public hearing until the time that the prosecutor can give his legal input and reword the verbiage in the proposal.

Mr. Schaffer asked if pole signs were discussed with Mr. Bennett.

V. Ch. Pope responded that pole signs were not discussed but if a particular item is not specifically included in the zoning regulations then that item is not permitted.

V. Ch. Pope recessed the public meeting at 7:20 pm to a date that will be announced at a later date.

Signatures on the following page

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Patty Garrett, Zoning Clerk

Minutes Approved: _____, 2007

 absent
Jim Kamps, Chairman

Chuck Pope, Vice-Chairman

 absent
Diane Pajk, Member

Terry Walrath, Member

 absent
Calvin Powell, Member

Toni Ascherl, Alternate Member

Karen Siarkowski, Alternate Member