

Zoning Commission
Work Session Meeting
January 5, 2012
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Ch. Kamps called the meeting to order at 6:00 p.m.

Roll Found: Kamps, Siarkowski, Walrath, Powell, Spellman, Kman and Nehrenz present. Also present were Ms. Susan Hirsch and Trustee Catherwood, Trustee Schulte and Zoning Inspector Schaefer.

Ch. Kamps noted they will start with the review of Section 7, Conditional Zoning Certificate.

Mr. Kman asked if the word zone made sense in the 2nd sentence. All agreed it made more sense for it to read zoning district.

There were no other comments in Section 7. Section 7 is complete.

Ch. Kamps noted they will review Section 8, Non-Conforming Uses, Buildings, Lots and Structures.

There were no comments in Section 8. Section 8 is complete.

Ch. Kamps noted they will review Section 9, Parking.

Ms. Hirsch noted she sent the parking section from Hudson's zoning regulations for review. She felt it was a good short, concise section and a good compromise to the Hinckley regulations. She asked if anyone had a chance to review the standards she sent to the Board. Mr. Walrath and Mr. Powell noted they couldn't open the file. Ms. Hirsch noted that it went through the counts and how the parking requirements are formulated. She noted that Hinckley, if anything, is a little higher than the standards. She also noted that the Hudson regulations are more in the middle to lower area compared to the standards.

Mr. Powell asked Ms. Hirsch what she recommends. Ms. Hirsch noted she recommends using the regulations similar to Hudson. Ch. Kamps recommends removing pages 3-5 of the current Section 9 proposal and inserting the Hudson regulations. Discussion took place regarding this recommendation. Ms. Hirsch did note that the medical clinic in the Hudson regulations appeared higher than standard at 1 per 100SF where 1 per 200SF is the norm. Ch. Kamps noted that more spaces are better, in his opinion. Mr. Kman noted he liked the note at the top of the Hudson regulations and asked if Hinckley should reference it as well. Ms. Hirsch noted they could do that. After further discussion, it was agreed to insert the Hudson regulations and format it to the Hinckley section. All parties agreed except Mr. Walrath who felt the regulation was too obtrusive.

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Ms. Hirsch noted on page 6, section 900.6, Deferred Construction of Required Spaces, she added an alternative wording paragraph that would take place of items A-E. After review and discussion, it was agreed to remove A-E in 900.6 and insert the alternative wording as noted.

Section 900.7 was discussed. Mr. Walrath questioned if 900.7.B was a zoning issue or a traffic violation. Ch. Kamps noted that technically it is a police issue. Ms. Hirsch noted it is more for the design of the lot, not for citing violations afterward. After further discussion, it was agreed that the paragraph should note that “the plan shall not allow for waiting in the right-of-way.”

Mr. Walrath questioned Section 900.8 and if Hinckley will be enforcing ADA requirements and questioned if the zoning inspector is trained to know if the design meets ADA requirements. Ms. Hirsch noted she can get the regulations for Hinckley. After further discussion, if the county building department requires this, then Hinckley would not need to include this section.

Ms. Hirsch noted she added Section 900.9.C for snow storage as requested at the last meeting. After reviewing this wording and discussion, it was agreed that it is not needed and to take that paragraph out.

It was noted there were no issues with Sections 900.10 or 900.11.

Mr. Walrath questioned Section 900.12.D asking if this was more of a police issue than a zoning regulation issue. Trustee Catherwood noted that per ODOT, there can be parking in the right-of-way but not as a parking lot – one is permanent and one is temporary. Enforcement is dependent on where the right-of-way is. Discussion took place. After reviewing this section it was noted that this section is for off street loading only. It was then decided to replace the wording and state “Where a loading area is provided for in the design of a property, that design would demonstrate the loading area does not intrude on streets, sidewalks, etc.” or something similar to that statement.

Section 900.12 was removed. There were no issues with the removal of this section.

It was noted there were no issues with Sections 900.13, 900.14 or 900.15.

There were no further comments on Section 9.

Ch. Kamps noted they will review Section 12, Enforcement and Penalty.

There were no comments on Section 1200.1

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Ms. Hirsch noted she removed the BZA part from 1200.2 since there is a BZA section already. There were no comments on this section.

It was noted there were no comments in Sections 1200.3 and 1200.4.

Ms. Hirsch asked if Section 1200.5.B matched the application. Zoning Inspector Schaefer gave Ms. Hirsch a copy of the application for review. Mr. Kman asked if the (3) copies noted were ok. Ms. Hirsch noted that this is for the zoning certificate versus the plan review so it is ok. Ch. Kamps asked if the percent of driveway grade should be removed from B.9. All agreed to remove that part of B.9.

It was noted to leave in Section 1200.5.E and change building inspection to zoning inspection.

Mr. Walrath noted that the word Section should be added in front of 4.12 in Section 1200.5.F.

Zoning Inspector Schaefer noted it was acceptable to remove Section 1200.5.G.

There were no other comments in Section 12.

Ch. Kamps stated they will review Section 13, Township Board of Zoning Appeals.

Ms. Hirsch distributed Section 13 as well as ORC Section 519 which dictates the Board of Zoning Appeals.

Ms. Hirsch noted she tried to revise Section 13 to better match the ORC. Trustee Catherwood noted that ORC 519.13 notes that it is the Trustees responsibility to set the procedures for the BZA. It also states that the Trustees appoint the alternates and some clarification should be made with the BZA regarding the BZA alternates. She also noted that the Board should review this section and see if anything needs to be added to the section regarding procedural operations.

Mr. Walrath questioned if the BZA alternates are part of the BZA Board. Trustee Catherwood noted they are alternate members to the Board and are replacements in the absence of a Board member. She also noted that they hold hearings and they act as board members at the hearing. It is a 5 person Board making the decisions at the hearings, not a 7 person board. So it is the prosecutor's office opinion that the alternates should just sit in the audience and be observers and not participate unless called up to replace the Board. Trustee Catherwood noted that the trustees need to work out the details of what the regulations should state regarding alternates to better define their role in the BZA. Trustee Catherwood will get something to Ms. Hirsch regarding alternate members for the BZA once this is decided.

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Ch. Kamps noted that the next meeting will be held on February 2, 2012.

Ms. Hirsch noted that The Medina County Soil & Water Conservation District is having a seminar on Tuesday, January 31, 2012 at 6:30pm and she is one of the presenters. Ch. Kamps noted that anyone interested in attending should contact Suzanne Peterlin so she can register you.

Meeting was adjourned at 8:02 p.m.

Todd Gienger, Recording Secretary

Minutes Approved: _____, 2012

Jim Kamps, Chairman

Karen Siarkowski, Vice Chairman

Terry Walrath, Member

Calvin Powell, Member

William Spellman, Member

Mel Kman, Alternate Member

John Nehrenz, Alternate Member