



The regular meeting of the ROOTSTOWN ZONING BOARD OF APPEALS was held on Tuesday, July 19, 2016 at 7:00 P.M. at the Rootstown Town Hall.

Those present:

Troy Cutright  
Jennifer Milnes  
Patricia Saillant  
Gary Slocum  
Robert Stefanik

Those absent:

Derek Ball

Also in attendance:

Zoning Inspector, Mark Tirpak  
Assistant Zoning Inspector, Jordan Michael

Mr. Cutright called the meeting to order. Mr. Cutright introduced the Board members and explained the evening's procedures.

The first and only item on the agenda was an application for a Conditional Use Permit for outdoor storage, at property on 4116-B August Avenue in a C-2 district, submitted by:

Schumann's Roadside  
4116-B August Avenue  
Rootstown, OH 44272

Mr. Cutright swore in Stace Schumann.

Mr. Schumann said his application is for limited storage for motor vehicles involved in accidents, and for tow trucks to sit overnight. A motorcycle trailer and open car hauler would also be stored there. They do private/public insurance towing, no repossessions or private property towing. Some vehicles become damaged at the scene of the accident and the fluids have leaked out 90 percent of the times they arrive on scene. Most cars leave the lot within seven days; any that

stay over 30 days are transferred to their Deerfield lot.

Mr. Cutright read a letter from Portage County, as a neighboring property owner. The letter states that the conditional use request is not going to affect their sewer pump station.

Ms. Saillant asked if the storage lot will be secured. Mr. Schumann said he has acquired a fence permit. So far half of the fence is put up. Ms. Saillant asked if there will be any additional lighting. Mr. Schumann said he does not want to draw attention to the lot.

Mr. Stefanik discussed Mr. Schumann's previous application last year, in which he was asked if his other lots will be kept open. Mr. Schumann said he has another lot in Kent, specifically for the Kent City Police Department, and another in Deerfield. Mr. Stefanik asked if he would ever increase this fenced-in lot. Mr. Schumann said no.

Ms. Milnes asked how many cars he anticipates being stored. Mr. Schumann said about 10 cars. Ms. Milnes asked what size is the area where he would store cars. Mr. Schumann said approximately 145 feet by 80 feet.

Mr. Slocum asked what has changed between the previous hearing last February and now. Mr. Schumann said his original request was for auto sales, which was the wrong section. Mr. Cutright said it was still a request for towing and roadside assistance. Mr. Slocum asked if the application is different this time. Mr. Cutright said in his opinion, no, but the one-year waiting period has passed. Mr. Schumann said he currently has an occupancy permit for auto service, retail and office. Mr. Slocum said last year's application was for Section 350.03 E, and this one is for Section 350.03 C7. Mr. Cutright said a lot of it is covered under Section 390.06.

Ms. Milnes asked if there is any new evidence. Mr. Schumann said he got a zoning permit for a fence and then received a violation for outdoor storage. Mr. Cutright said he had permission to put up a fence but not to have the storage lot.

Ms. Milnes asked the audience if there were any questions, comments, or concerns. Mr. Cutright swore in the following people:

Jolan Cutright, 4905 Fairmount Street, Ravenna, OH 44266

Woodie Goodnight, 4688 Gerland Circle, Ravenna, OH 44266

Ms. Cutright said she can't see any reason why he can't move out of town. She

doesn't want to see Rootstown go downhill.

Mr. Goodnight said Mr. Schumann has a well-kept, well-organized business. His lots in Kent and Deerfield are just as perfect, and he's a Rootstown resident too.

Mr. Slocum asked Mr. Schumann if he can assure the board that he will not store vehicles for more than 15 days at that location. Mr. Schumann said he keeps a running log that the board can inspect. Mr. Cutright asked how many cars are stored there currently. Mr. Schumann said there are six. Mr. Cutright asked if those cars are following the Rootstown code. Mr. Schumann said no.

Mr. Stefanik asked how the business is going to affect surrounding property. Mr. Schumann said the fence and landscaping will make it more visibly appropriate.

Mr. Slocum asked what the best management practice is for fluid leaks. Mr. Schumann said they use PIG socks. 90 percent of the time the fluids have already leaked by the time they arrive. They also use a powder that is EPA-certified. Mr. Slocum asked under what conditions a water/oil separator would be needed. Mr. Schumann said if he was working on cars inside the garage. The EPA said they do not emit enough fluids to pose a threat to any wetlands.

Mr. Stefanik asked what any future uses of the property might be. Ms. Milnes said it is zoned General Commercial (C-2). Mr. Cutright said permitted uses include retail, personal services, automated teller machines, banks, restaurants, banquet facilities, and studios.

Mr. Cutright asked if the audience had any more comments. Mr. Goodnight asked if Leppo had outdoor storage on the property in front of Schumann's. Mr. Cutright said yes. Mr. Goodnight asked if there was any difference. Mr. Cutright said the equipment there was in running condition and being rented.

Ms. Saillant asked Mr. Schumann what kind of fence he is putting up. Mr. Schumann said it is 6-foot wood. Mr. Cutright asked if denying this storage lot would cause him any hardship. Mr. Schumann said he would lose business from the Highway Patrol and Ravenna City.

Mr. Slocum asked the board what Mr. Schumann could do to satisfy their concerns. Mr. Cutright said he thinks all vehicles should be parked behind the fence at all times.

**Resolution ZBA 2016-013.** Mr. Stefanik made a motion to reject the Conditional Use Permit as written for Zoning Resolution 350.03 C7. Mr. Cutright seconded the motion. A vote was taken as follows: Slocum – No Milnes - Yes Stefanik - Yes Saillant - No Cutright - Yes. The motion carried by a vote of 3/2.

**Resolution ZBA 2016-014.** Mr. Stefanik made a motion to approve the minutes from June 21, 2016. Mr. Slocum seconded the motion. A vote was taken as follows: Slocum – Yes Milnes - Abstain Stefanik - Yes Saillant - Abstain Cutright - Yes. The motion carried by a vote of 3/0, with 2 abstaining.

Ms. Saillant made a motion to adjourn. It was seconded by Ms. Milnes.

Mr. Cutright adjourned the meeting.

Troy Cutright, Chairman  
ROOTSTOWN ZONING BOARD OF APPEALS

Jordan Michael, Secretary  
ROOTSTOWN ZONING BOARD OF APPEALS