

The regular meeting of the ROOTSTOWN ZONING BOARD OF APPEALS was held on Tuesday, September 16, 2014 at 7:00 P.M. at the Rootstown Town Hall.

Those present:
Troy Cutright
Patricia Saillant
James Manion
Derek Ball
Jennifer Milnes
Gary Slocum

Those absent:

Also in attendance:
Zoning Inspector, Mark Tirpak
Zoning Assistant, Jordan Michael
ZBA Secretary, Mary Ann Greer

Mrs. Saillant called the meeting order. Mrs. Saillant introduced the Board members and explained the evenings' procedures.

The first item on the agenda was an application for a variance from Sections 420.07-B and 420.04-4 for a larger replacement sign that would allow the church to display all events for the community for property located at 3671 Tallmadge Road in an R-1 District submitted by:

Adams Signs agent for
Community Bible Church
1100 Industrial Ave.
Massillon, OH 44648

Mrs. Saillant swore in Rick Cain, Agent for Adams Sign/Community Bible Church, 1100 Industrial Ave., Massillon, Mark Robinson, 896 Blackfoot Trail, Jamestown, and Mark Tirpak, Zoning Inspector.

Mr. Cain explained the sign saying it was smaller than the one that was there now and would be able to do more things since it would be an electronic. It would be 5'9 feet by 8' long; a little smaller than the current sign. They would like to be able to put more messages out there pertaining to the church. Also they could put out notices as to what was going on in the community. Also there could be listed emergency things like amber alerts. Putting messages on the board is like sending an email.

Mr. Cutright asked if the sign could be turned off, since it was a residential area.

Mr. Cain said it could be turned off since it is programmable. It could be programmed to shut off at a certain time. Mr. Cutright said if he lived in that are, he would like it turned off during the night. Mr. Cain said it could be programmed to go off every night at a certain time and back on in the morning.

Mrs. Saillant swore in John Boyd, 2455 Clock Circle, Ravenna. Mr. Boyd said he has served on the church board as a Trustee and they had discussed turning off the sign during certain times. Mr. Cutright said he thought 10:00 P.M. was a reasonable hour to turn the sign off.

Mr. Ball said just to clarify the dimensions of the sign; from the ground to the top of the sign, the drawing is showing 8 foot 9 inches. Mr. Cain said that was right and they would be using the same poles for the new sign that the old sign was on. Mr. Cain said it would be no higher than the one that was there now.

Ms. Milnes asked the zoning inspector about the sign that was there but he did not know or find anything on it. They thought it was put up in the late 90''s

Mr. Manion had no questions.

Mr. Slocum asked what was the approximate luminous of this sign and was it the same as the one at the corner. Mr. Cain said it was exactly the same in stature. Mr. Slocum inquired about the neighbors being notified. All neighbors within 500 feet were notified.

Mrs. Saillant asked the audience if there were any questions, comments, or concerns.

Mr. Manion had a question for Mr. Tirpak. They were replacing a sign that was smaller than the one there now; why is a variance needed. Mr. Tirpak said they were asking for something that was not allowed in that district.

Resolution ZBA 2014-008. Mr. Manion made a motion to grant the variance as written with the hours for the sign to be on turned off from 10:00 P.M. to 6:00 A.M. Ms. Milnes seconded it. A vote was taken as follows: Ball – Yes Milnes - Yes Manion - Yes Cutright - Yes Saillant - Yes. The motion carried unanimously (5/0).

Next on the agenda was an application for two variances 1) to tear down and reconstruct the existing 3 car garage and 2) to remodel and reconstruct the combined square footage of the house and garage as a residential 3 bedroom house with an attached garage for property located at 4998 S. Prospect St. LI (Light Industrial) District submitted by:

Mark Robinson
896 Blackfoot Trail
Jamestown, OH 45335

Mr. Robinson said he was originally going to seek two variances but he came up and had a meeting with Mr. Tirpak, Zoning Inspector and they came up with a better solution to it. There is a little brick house in the corner lot. What he would like to do is incorporate the use of that house with the storage facility. The house is considered non-conforming; he would like to change it to become an accessory use to the storage complex. Mr. Tirpak was going to tell him how to do this. He would consolidate the parcels together. Mr. Tirpak said basically the house he has is non-conforming. He wants living quarters on the property for an onsite manager. If they surveyed and added that house to the storage unit, then the house could be considered an accessory building. He would then tear down the house and rebuild it with an attached two car garage but this would take a variance from the Board since houses are not allowed in a LI District.

Mrs. Saillant said the variance is not stated as such. Mr. Tirpak said this solution was worked out after the notice went to the paper. Mr. Manion said the house was on a lot that was separate from the storage lot. Mr. Robinson said he would have it surveyed and combined. Mrs. Saillant said she feels it should go in front of the public since that was not what was advertised. Mr. Manion thought that the properties should be surveyed and then brought before the Board.

A discussion was held on how it was advertised and how to handle the variances requested.

Mr. Robinson said he asking to tear down the existing two car garage and reconstruct that square footage on to the residential house. Mr. Robinson said as the storage units become bigger there is a need for an on site manager. There are 550 units on the storage site. They are currently managing it through Dillon Reality. Mr. Robinson said office space is permitted in a LI district but no living space.

Mr. Tirpak said Mr. Robinson would make it all one place and the house as an accessory building.

Mr. Cutright asked if it would hurt Mr. Robinson if the Board heard it as it was advertised tonight. He was afraid of changing the venue from what was not advertised and combining the two parcels and adding the living space. Mr. Robinson asked if it could be tabled and re-advertised with the way the Board would like it worded.

Mr. Robinson said a residential structure is a good accessory use which if you look up accessory use it is a secondary use. A secondary use is good for a large storage complex.

A discussion was held about the way it was advertised. Mr. Tirpak said the only difference that was in front of the Board was that he was going to combine the lots.

Resolution ZBA 2014-009. Mr. Cutright made a motion to turn down Sections 450.02 and 450.03 for the non-conforming use for property and the next motion add to that the reason. Ms. Milnes seconded it. A vote was taken as follows: Manion – Yes Ball – Yes Milnes – Yes Cutright – Yes Saillant – Yes. The motion carried unanimously (5/0).

Resolution ZBA 2014-010. Mr. Cutright made a motion that the owner to combine the non-conforming use property 4998 S. Prospect with the storage units property and they deem old property as accessory use to the storage unit property. Once the property is surveyed and combined Mr. Robinson may visit Mr. Tripek. Mr. Manion seconded it. A vote was taken as follows: Milnes – Yes Ball – Yes Manion – Yes Cutright – Yes Saillant – Yes. The motion carried unanimously (5/0).

Ms. Milnes made a motion to adjourn. Mr. Ball seconded it. A vote was taken with all Ayes. The motion carried unanimously (5/0).

Mrs. Saillant adjourned the meeting.

Patricia Saillant
ROOTSTOWN ZONING BOARD OF

APPEALS

Mary Ann Greer, Secretary BZA

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