

BOSTON TOWNSHIP ZONING

Board of Zoning Appeals – Tuesday, June 22, 2021

Present:	Paul Kaczmarski	Jerry Ritch
	Ron Summers	Ray Hach
	David Calaway	Jay Littler (alternate)

Secretary: Pamela Schneider
Trustees: Randy Bergdorf
Zoning Inspector: John Schneider
Legal Counsel: David Randolph

Paul Kaczmarski called meeting to order at 6:33pm.

MOTION by Calaway, seconded Kaczmarski to approve the minutes for the May 25, 2021 meeting as proposed and additions as submitted. Voting: All yes.

Addition to May 25, 2021 Minutes: The Kamper City section of the minutes (3rd Item Zoning Inspector) needs to state there was discussion regarding proposals/projects in the business corridor district requiring review by the zoning boards prior to the issuance of a zoning certificate.

Kaczmarski stated that would start the Public Hearing at 6:36pm.

Tonight, the Boston Township Board of Appeals will conduct a public hearing in regard to the Business Corridor District Zoning Application filed by 4694 LLC, property owner Christopher White, the applicant, whose address is 2982 Silverview Drive, Stow, Ohio 44224.

The property in Boston Township as set forth in the application is located at 5374 Akron Cleveland Road, Peninsula, OH 44264. According to the zoning application, the property is owned by Christopher White.

Mr. White's application sets forth that the owner is "Seeking Indoor and Outdoor storage.

The Applicant is requesting a zoning certificate allowing the storage of materials both indoor and outdoor.

Kaczmarski stated – The Board of Zoning Appeals has been vested with the power to hear and to authorize an application for a conditional use permit as delineated in Sections 800 through 807 of the Boston Township Zoning Resolution. All Conditional use requests shall conform to the procedures and requirements of Section 800 through 807inclusively. Applicant cites the Boston Township Zoning Resolution Section 702, indoor and outdoor storage.

Only upon conclusion of the public hearing procedures relative to the filed application may the Board of Zoning Appeals consider the conditional zoning certificate.

Within thirty (30) days after the public hearing required by the zoning resolution, the Board of Zoning appeals shall approve, approve with supplementary conditions, or disapprove the conditional use application.

If approved, the applicant shall sign the conditional zoning certificate, thereby acknowledging the conditions and requirements specified thereon. The breach of any condition, safeguard, or

requirement shall automatically invalidate the certificate granted, and shall constitute a violation of zoning code. (Section 800.6).

No application for a conditional zoning certificate, which has been denied wholly or in part by the Board of Zoning Appeals, shall be resubmitted until the expiration of one (1) year or more from the date of such denial, except on the grounds of newly discovered evidence or proof of changed conditions which would be sufficient to justify reconsideration by the Board of Zoning Appeals. (Section 800.7)

Notice of tonight's meeting was given by ordinary US mail as required. Further, notice of the hearing was published in the Westside Leader, a newspaper of general circulation in the community on June 10, 2021.

For the record the entire hearing will be transcribed by the Court Reporter.

All persons wishing to speak tonight, in regard to the conditional use zoning request for the property located at 5374 Akron Cleveland Road, Peninsula, OH should sign the witness sheet if they have not done so yet

The Court Reporter will administer the oath and/or affirmation to each witness prior to the witness giving his/her testimony.

New updated site plans were distributed to the Board before the start of the hearing.

The Zoning Inspector introduced the following exhibits:

Exhibit A – Application

Exhibit B – Site Plan – showing roof, landscaping, ground sign, lighting on buildings, decorative fence

Exhibit C – Picture of decorative aluminum fence to be placed on front of property

Exhibit D – Aerial View of property

Exhibit F – Picture of building view

Kaczmarski added the following exhibit

Exhibit E – Google Map aerial view of property

Recommendations from the zoning commission:

1. Make sure retention ponds stay and signage for the business must adhere to the current zoning

Property owner Christopher White was sworn in by the Court Reporter. Mr. White stated what kind of storage buildings he planned to put up. The buildings will be accessed by an app on a phone. He plans to put-up chain-link fence around the property except across the front of the property by the road. He will have an electronic gate at the entrance and security cameras will be in place.

There will be no doors facing Akron-Cleveland Road on the front buildings.

He is currently leasing part of the property to shed sales. The lease is to be determined when it will end. Depending on when he decides to add the additional buildings to the property.

MOTION by Kaczmarski, seconded by Summers to approve the conditional use permit for Mr. White, 4694 LLC at 5155 Akron Cleveland Road.

With the following conditions:

- 1.) Limited to buildings 1, 2, and 4 as on-site plan.
- 2.) Signage must go through the zoning inspector for approval.
- 3.) Lighting conforms to lighting requirements.
- 4.) Landscaping conforms to Section 704.
- 5.) No hazardous materials shall be stored there as per contracts.
- 6.) Shed sales continue until future plans are submitted and future phases go through the same review as Phase I.

Summers – Yes; Kaczmariski – Yes; Hach – Yes; Ritch– Yes; Calaway – Yes
Motion passed 5-0.

Kaczmariski advised Mr. White that zoning inspector John Schneider would get him conditions once they have been typed up for him to sign.

Kaczmariski closed the public hearing portion of hearing at 7:10pm.

Regular meeting continued at 7:10pm

Schneider stated he talked to John Carse (realtor) about the six acres on Akron-Cleveland Road (between Doug's Dinner Bucket and CT Taylor). Apparently, someone wants to put a campground on the property.

The property at 135 Kendall Park Road has been mowed.

Motion by Kaczmariski, second by Ritch to adjourn at 7:27pm.

Minutes taken and prepared by Pamela Schneider.

Approvals: _____
Paul Kaczmariski
BZA Chairperson

Pamela Schneider
Zoning Secretary