

**RAVENNA TOWNSHIP  
BOARD OF ZONING APPEALS**

*JEFF GAYNOR, CHAIRMAN, REMY ARNESS  
GARY LONG, JOANN McEWEN, AND CLAIRE MOORE*

*6115 S. Spring St.  
Ravenna, Ohio 44266  
330-296-9616 phone  
330-297-1938 fax*

The Ravenna Township Board of Zoning Appeals met May 11, 2016 at 7:00p.m. at the Ravenna Township Trustee Meeting Room at 6115 S. Spring St., Ravenna, Ohio 44266.

Chairman, Jeff Gaynor brought the meeting to order at 7:00 p.m.

Roll call was made with board members present: Jeff Gaynor, Remy Arness, Joann McEwen, Gary Long, Claire Moore, Jim DiPaola, Zoning Inspector, and Carolyn Chambers, Zoning Secretary. Thank you, the record will show that we have a quorum.

Jeff: We have a number of items before us this evening so we will try to get through them expeditiously. Does anybody have an old business to bring up? Under new business, we have variance request 2016 BZA 05 Chad Bevilacqua of route 88 in Ravenna looking for an accessory structure that would set 25 feet at southeast side of the lot. Would Mr. Bevilacqua come forward please? My standard statement at this time is A. you need to be sworn in. Anything that you want to be placed in the record here, if you have comments that needs to be heard you must be up here and sworn in for comments to be in the record. Swears in Chad Bevilacqua, 7374 St. \$5. 88, Ravenna, Ohio

Jeff: You would like to place an accessory structure in a location that is prohibited by our Zoning Book and I understand by your application that you probably don't have room to put it behind the house.

Chad: There is room behind the house, I would have to cut into the grass part and going down one side because of the way the ground is and also the driveway.

Jeff: It says here you have some wetlands.

Chad: Yes

Jeff: Is that officially designated wetlands or just.....

Chad: It has always been like a swamp area, it's like a natural spring or whatever you want to call it.

Jeff: Not official wetland as administered by the US Army Corp of Engineers?

Chad: No

Jeff: Anybody on the Board have questions or comment about this. We don't have a picture of your proposed building do we?

Chad: Yes, I have one right here and I will get that out for you.

Jeff: Whereabouts on 88 is this located?

Chad: At the corner of Beechwood Road and St. Rt. 88 on the corner of that but my house faces 88.

Jeff: I'm sorry I don't know where that is.

Chad: The road after Peck Rd.

Jeff: Ok I know where you mean then.

Gary: How old is that oak tree?

Chad: Actually, where I want to put the structure, it is going to be an all steel building, I do have somebody that is going to be taken two of the trees out, because of where it's at. This is actually a rough estimate of what the building will look like on the other side of my turnaround, because my turnaround is actually 4 cars wide. (points to a picture)

Jeff: This is going to be an all steel building?

Chad: Yes, it's going to be an all steel building and I have pictures here on my turnaround. (Points to a picture of where he wants to make his turnaround)

Jeff: 90 degrees to where your current garage faces?

Chad: Yes, correct. There will be no electric in there....

Jeff: Where the ties are here will be the front of the garage?

Chad: About a foot in roughly, yes

Jeff: Ok, but basically speaking that would face that way?

Chad: The reason purposely mostly why I have been saving, I do have a couple of collector cars, motorcycles and UTV's. There are mostly right now everything is in storage. I only have a two car garage right now. This is mostly going to be a storage unit for my collectable stuff. I'm not going to work out of it, it's just a good rough overhead and I have the property to do it. I've actually had this property for over twenty years and the driveway's there, everything's there so I'm not losing any space there is nothing behind it, there is no neighbors. So it's not going to be in plain view of anybody to look out their window and try to look at my property.

Jeff: That is one of the concerns for the rule of not placing garages in the front of houses and the other is just basically overall appearance.

Chad: The color of the building is actually going to be the same color of the house and the roof. So everything is going all blend in.

Jeff: This is showing the property about 49 feet from St. Rt. 88. Your dimension here.

Chad: Ok, that was our.....

Gary: Is that from the road or the right a way?

Chad: We roughly did that. When we measured it. That is probably roughly, give or take a few feet, where it will possibly be. It might be a little further out because where it actually is the corner it is going to start a little bit further towards.....

Jeff: You may need to define that 49 feet more accurately. That's approaching the minimum to the right of way isn't the minimum 50 feet?

Gary: From the right of way.

Jeff: That's what this is. This is front yard

Chad: We measured it from the white line

Gary: That would be the edge of the road. The right of way would be in your yard really.

Jeff: The roads have either a 50 or 60 foot right of way from the center of the road, but often the road is not exactly where it's supposed to be.

Chad: We had a measuring tape we were just going by. So actually it would be even further then? Further back?

Jeff: No, it would be just the opposite. The road is wider than you were counting for.

Chad: Correct

Jeff: And at 49 from the edge of the road, the right of way is probably another ten feet out from that. 40 feet from the right of way, which is way to close, way to close. You have got to back that up from the right of way. You need to find the right of way, your property probably states somewhere.

Chad: Those are probably on the other side of the house. Which actually if it has to be that route, that's not a problem then we just move it back.

Gary: You just move it closer to that tree.

Chad: Exactly, actually those two trees are going to come out. Not the big one by the garage. Not the one by the house no, these two (points to the picture again)

Jeff: But, you do have the problem... You are working on two things here, number one we don't like the garages in front of the house and two your probably way to close to the road by your dimensions. You need to find the right of way, actual, either surveyor stakes on your property, what's another method? Call the State of Ohio.

Gary: Do you know where your property stakes are?

Chad: They are way on the other side of the property.

Jeff: Where do you mean?

Chad: Right here (points to the picture again) They are way over here.

Jeff: Ok you don't have anything giving you.....

Everyone talking.

Chad: Nope, I own all that. There is no stakes up here other than the stop sign.....

Jeff: There probably was at one time, they seem to disappear over time.

Chad: That wouldn't be a problem if I had to do that, because the driveway's there and there is plenty of driveway space and it could come all the way back to where... I would have gravel here then and it would come back roughly about right here (points to picture) Where ever I'm allowed to put it, I don't have a problem.

Gary: Between the edge of the new building this would be the east side of the building. Do you have at least 20 feet between here and that tree?

Chad: Oh yea

Gary: Ok so you should be ok.

Chad: There is definitely 2 feet

Jeff: This is one 20 and this is 15 and the building is 30 then that puts us at 80 so that should be 40 feet or so.

Chad: There is plenty of property right there.

Jeff: You are going to have to back that up from the road as much as possible before we ever consider it and I don't know just how we should go about doing that.

Chad: I have no problem doing that, because I've been trying to get this building for about 2 month. I need it and whatever the case may be, if it has to be moved ten feet there is still another ten feet there to where the driveway is and there is still plenty of gravel there I'm not cutting into anything expense or anything. If it has to go back, it has to go back.

Gary: I personally don't have a problem with it, but before you build it, that western end of your new building, must be at least 50 feet clear between the edge of the building and the right of way. Not the street, the right of way.

Chad: There is definitely that.

Everyone talking

JoAnn: If we say it needs to be 50 feet from the right of way and he is going to move it back he has enough room to move it back, if we say that.

Chad: Actually that trailer that is sitting there that's a sixteen foot trailer so you figure if you put that sideways there, 2, 4 yes, there is definitely room there.

Jeff: Any other comments, questions from the Board?

Remy: Are you going to run electricity?

Chad: There is not going to be electricity or heat. Like I said it is going to be just a personal storage unit for my personal stuff. Unfortunately, with funds and everything else I'm not going to be doing that.

Jeff: Anybody else have anything to say on this matter?

Gary: I'll make a motion that we grant this variance with the stipulation that the western edge of the building must be minimum of 50 feet from the right of way. The right of way on St. Rt. 88.

JoAnn: I second it R/C: Claire Moore – yes, Gary Long – yes, JoAnn McEwen – yes, Remy Arness – yes, and Jeff Gaynor – no.

Jeff: Your request has been approved, there is an appeal period during which interested parties can make a legal appeal against this decision. Any actions you take within that time are at your risk. Other than that we are done

Chad: Can I speak one more time?

Jeff: Absolutely

Chad: Can I actually start making phone calls for the people that were going to process the concrete and get ahead of the game, because there is a 3 to 5 wait on the building when it actually comes and get delivered.

Jeff: Well, again it need to be 50 feet from the right of way so you need to find that and like I say there is that legal appeal period that probably not.....

Jeff: The next item on the agenda for this evening is BZA 2016 06 for Scot Nelson. Is Mr. Nelson here? Would you come forward please? Swears in Scot Nelson 6315 Greenleaf Rd. Ravenna, Ohio.

Jeff: What is the nature of your request?

Scot: Condition of Use

Jeff: You wish to have a car dealership, repair shop and your application shop states storage. What matter of storage are we talking about?

Scot: A lot of time people that rent that place have twin businesses. So the fenced in area is where they will store the cars until the people come and get them.

Jeff: Isn't there a dealership or something like that on there now?

Scot: Nope, it's vacant now.

Jeff: Oh, is it, ok. Things have been in and out.

Scot: The person that was in there left, I believe it was early December.

Jeff: All types of repairs?

Scot: Automotive repairs primarily.

Jeff: How many cars might you expect to be storing at any given time?

Scot: There is a possibility of 30 possibly more.

Jeff: And those can be within the fence?

Scot: Yes

Gary: Where will you be doing the repair work? In the garages that is back to the east of the fenced in area?

Scot: Yes, there is a lift in the back garage there and the main building out front and then there is three bays in the back pole building. Usually the primary is the front one there is two bays there and one has a lift.

Gary: And then the automotive sale would take place in front of the building?

Scot: Yes the front office.

Gary: How many vehicles would you surmise would be in that lot at any one time?

Scot: Not more than a dozen at one time, I would imagine. I don't think you could fit more than a dozen.

Gary: How long have you owned the property?

Scot: My family owned it more than twenty year. I've owned it since my Mother's death. That was 2009.

Claire: The paper work states that you would like to rent the property for this business

Scot: Yes

Claire: So you are not going to be operating it?

Scot: No, I'm not.

Claire: Is this the small building that they had cars in it not too long ago?

Scot: Yes, we're not changing these.

Jeff: Jim I'd like to swear you in. Swears in Jim DiPaola, Zoning Inspector. Do we give a Conditional Permit to a property owner not the business operator?

Jim: Yes, it goes with the property.

Jeff: Ok just wanted to make sure. So this is a request in that line. Other questions or comments from the Board?

Gary: Just one that I would like to have on the record. We have granted businesses of this nature in the past and quite frankly they have ended up as junk yards. The person that owns the building was not able to control or enforce the rules and regulations to the person that was renting. That's a very big concern of mine, very big concern of mine.

Jeff: Yes, we have been fighting with one particular one at some time and it is slightly better. But I don't think we have won that one yet. We don't want this whole end of Ravenna starting to look like used auto mile. That is what this property has done for quite a few years though.

Scot: I don't ever remember it being a junk yard.

Jeff: No, I mean the car sales and repair and so forth.

Gary: We are not addressing that particular property. We're telling you what we are faced within the neighborhood.

Scot: Well, Mr. DiPaola, being in his position, I'm sure we'll make sure that is not a condition. I'm sure he will make sure that didn't happen.

JoAnn: What will you do to oversee the person that is renting off of you to make sure that doesn't happen yourself?

Scot: They will meet the Zoning requirements.

Remy: Will you make sure they are licensed and have all the appropriate permits on the property?

Scot: Yes, I will ask them to obtain all that stuff, that's just good business.

Remy: Like used oil, outside storage, waste containers, and tires. Quite a few regulations regarding all of that.

Scot: All of this has to be addressed, yes.

Jeff: Who else wishes to speak on this matter? Could I ask you to step back please and remember you are still under oath? Swears in Richard Rosenjack, 844 Circlewood Dr. Aurora, Ohio 44202 Do you own property in this area?

Richard: Right next to the property you are speaking of.

Jeff: East or West?

Richard: Between the custom trim shop and the place that was the auto sales.

Jeff: That would be the west of the property in question this evening. The nature of your concern?

Richard: We have had that property for many years, it used to be a crack house turned into a home for alcoholics that could have a place to go get a cup of coffee and then it closed down and it was burglarized and torn down. But, as we were there, I had to go out every single day to pull junk out of the back yard and give it back to the owners of the establishment next door.

Jeff: Junk of what nature?

Richard: Wheels, tires, engine pieces and parts all kind of things and we talked to the people that were there and they would do nothing about it

Jeff: Is this your property here? (points to the map)

Richard: Yes

Jeff: The first property west of Mr. Nelson's property.

Richard: My main concern is the gentleman that owns the custom trim shop had been endeavoring to purchase property and to make that area like much more than what the township wants it to look and if we continue to have junk yards, you don't store 30 cars for storage purposed out in the open unless you are going to be using them for parts to repair the other vehicles.

Scot: No, this would be a towing service.

Richard: That is not how it was before. There was nobody from the owners that ever talked to those people about keeping it clean and my thought is we spent \$8,000 to tear that house down to make it look half way decent down there and I would hate to see another junk yard appear, because that is what it was.

Jeff: Your concern is cars being stored outside. Mr. Nelson has stated that all the cars that would be stored within the fence. There might be cars for sale other than those being stored.

Richard: Yes, but if you store cars within the fence, it becomes a junk yard.

Jeff: Well, it sort of depends on your definition of junk yard, the cars that is being stored for others, waiting repairs and things like that.

Richard: That is an awful lot of cars waiting for repairs I would think that the repair shop could not keep up and would not be able to cope with it.

Jeff: How well somebody conducts their business is outside the realm of this board unfortunately.

Richard: They never cared about the property before then I can't visualize it caring about it now.

Jeff: That is something we would have to police vigorously should we grant this request this evening. Thank you, anyone else? Swears in Linda Rosenjack, 844 Circlewood Dr. Aurora, Ohio. Your comments?

Linda: I would like to add that our property sets lower than the other property and because of that they would dump everything over the side of the hill and it would be

heavy metal stuff etc. I am also concerned about drainage, maybe fuel oil and other things that might be dumped over the side and with our property being lower I'm concerned about what could happen.

Jeff: There are a lot of government regulations as far as that goes.

Linda: Yes, but how is it policed? It wasn't taken care of before. When we took down the house you should have seen the mess we had that we had to clean up because of them and the fact is I didn't think you wanted route 59 to look like that. I thought you wanted the area to be better looking.

Jeff: We would like that whole end to look better but a car repair and dealership is a conditionally permitted use on this property. Which makes it possible for us to set conditions concerning that particular usage.

Linda: When they talk about storage you have no idea what is going to be stored there out in the open. I had a man from the railroad come to me and complain because of things that were being dumped behind my property that were hazard material that was being dumped back there and I had no idea what he was talking about we don't know where it was coming from, but there is a beauty shop next door and we think it was coming from there? What about an auto repair shop next door? I don't know but.....

Jeff: There were other people that are no longer involved running the business there. Mr. Nelson as a landlord has some control of what goes on, but he can't be there 24 hours a day either. At that point, it would be up to you if our Zoning Inspector happened to be there or other responsible person to call the EPA, call the Sheriff's department if it looks like stuff that shouldn't be on your property.

Linda: So do that it is going to be up to us and not for the township? But, is the township going to watch it? That's what I want to know, is the township going to watch the limitations. That's my bottom line.

Jim: No, we don't have the time or the man power and that's not my job. My job is to act on the complaint and complains only. If I see something out of whack yes. But as a policing agency that is not something the township does.

Jeff: Either the Sheriff's department, Ohio EPA that sort of thing.

Jim: Just to help you feel a little bit more at ease, one of the things that have changed in Portage County is the sheriff's department has now assigned a deputy to the Portage County Solid Waste dept. and what that gentleman's ability is, is to go on the property and investigate of dumping like that. I can only site in civil court. Dumping on property is a felony and he can arrest people and site them into court as a felony, I can't. He has more teeth than I do and we have used him a lot. When I go in to investigate a complaint now I take the sheriff's deputy with me, the investigator from the health department and if I see something looks like it was dumping I will also notify the EPA. That's what I can do. As far as just checking it all the time, there isn't enough of me to be able to do that. But we have more enforcement tools now than we did back when we were dealing with your building.

Linda: I'm really concerned about the dumping on the side of the hill and like I said before.

Claire: Have you made complaints before regarding the other property?

Linda: Yes, we did

Claire: And did you talk with the owner at that point?

Richard: Yes, they did nothing and the owners did nothing. I never saw the owner around there. It was just a junk yard as you well know.

Jeff: You need legal enforcement for something like that.

Linda: They made our property a junk yard. But, I'm also concerned about motor oil and everything else like that, that can be dumped over the side and I didn't think you wanted Route 59 to be like that. You have no guarantee. That's a lot of cars to store. If anything you should greatly limit the amount of cars being stored.

Jeff: You can fit 30 within the fence should that occur.

Linda: What height fence and what kind of fence, is it going to show? Nothing was said about any kind of required fencing.

Gary: I think we are talking about the fencing that is already in existence?

Richard: You are going to have 30 cars with dripping oil pans, leaky radiators that is going to everything else that is going to have the ground even more pretty soon you are going to have the EPA on your butts to get in there with you diggers and dig it all up.

Jeff? Well, that's the thing to do if it gets bad, if it looks like it is draining on your property, call the EPA, call the sheriff's department. We are not the enforcement agency here.

Gary: I would like to ask Mr. Nelson one more question. Do you understand the difference between pervious and non-pervious surfaces?

Scot: Yes, weather it will absorb or not.

Gary: This surface of where you are going to have your vehicles that you are going to resale, that's out front? What surface is that?

Scot: That's blacktop.

Gary: That's blacktop, what is the surface behind the fence?

Scot: That's gravel. That's an issue too, but as far as people we get in there, we try to get them to use the or get the motor oil recycled, the radiator fill and all that stuff, that's an EPA rule, that's what should be done.

Gary: If you have thirty cars behind the fence you are planning on what? Repairing them?

Scot: Well, that would be hypothetic again would be storage for towing, but they get a contract with of the restaurants there on the main drag in front of the university to tow cars. They could end up grabbing five cars a night and put them behind the fence, getting it towed the next day or that week.

Jeff: Would you come back up her please so we will be sure to get your comments.

Gary: So those vehicles could have broken radiators or broken crank case?

Scot: No, usually these cars are very much in tacked. They have been parked in the wrong tow away spot and grabbed and towed and held for basically ransom and held for a fee and then turned back over to the owner usually n a day or two.

Jeff: You are not filling it up with old junk cars?

Scot: I don't want that any more than they do.

Jeff: These are cars that are functioning and probably parked illegally basically.

Claire: I have a question about the previous spot that you were talking about. Were you the owner then?

Scot: My family was, yes

Claire: You are aware of the issues?

Scot: Yea and we would try to go back and police it and stuff like that usually it took an eviction to get them out and change things.

Remy: How many tenants have you had over say 20 years you said you have had the property?

Scot: I would have to look and give you an accurate number, but I'm thinking at least 8.

Remy: What's the longest time somebody has rented it out?

Scot: Probably five to six years, there again I'm just pulling it off of the top of my head.

JoAnn: I don't see anything specifically where it says towed vehicles. It says garage to repair vehicles, building storage for part and enclosed area for outside storage, but it doesn't say that you're specifically looking for towing vehicles and just storing them until the owner picks them up.

Scot: It depends on who rents the property.

Claire: Do you have someone that wants to rent that property now?

Scot: I can't rent it until we get through this process.

Clarrie: But, do you have someone in mind?

Scot: I have several someone's in mind. We just have to get through this first.

Richard: Does the township have power to call the EPA and have them inspect the property now to see if it is even suitable for even humans to walk on?

Gary: I don't think I can answer that question, but in my personal opinion is that the answer is no.

Jim: On behave of the township, no.

Jeff: If that is your concern, as a citizen you should contact the EPA and say we see this, we see this and ask somebody to come out and check it. Again we are not a police organization here.

Claire: That would typically fall upon the neighbors or someone in the neighborhood.

Richard: What about the gas station that is down the road and when that gas station goes defunct there is usually inspected by somebody and 9 out of 10 times those tanks are taken away and new dirt put in because of the contamination of the old vehicles which are all hazard, everything that drips is a hazard.

Linda: There is no guarantee, because it doesn't say only towed vehicles for a very short period.

Richard: There is no guarantee what they are going to do and what he's going to have power over them.

Jeff: We don't know what business might move into that property at this point.

Linda: Well, how can they improve it?

Richard: The property is already contaminated that thing has been there for how long, that car dealership, twenty year with dripping junk that was in the yard. Trucks, cars, motorcycles, lawnmowers dripping all over the ground.

Jeff: We are rehashing the same stuff over and over.

Linda: They knew about the problems, but no one came over and cleaned up all the metal and all the grass and all the stuff that was put on our property, tires, you name it.

Jeff: Did you ever call the law agency?

Richard: Yes, several times and they did nothing

Jeff: Well, your complaint is with the sheriff, not us.

Linda: If they knew about it then why didn't they come and clean it up?

Jeff: He's the landlord of this property, he is not going to go over here and clean up this property.

Richard: But, he should take responsibility for it and offer to.

Linda: We don't want the same mess as before.

Richard: If dumped stuff in your yard how would you feel? You're the property owner isn't it your responsibility?

Jeff: I'd call the sheriff's department every day until they sent somebody out and took care of it. As our Zoning Inspector said something dumped on someone else's property is a felony. Any other questions from the board or Zoning Inspector or any other comments? Chair will entertain a motion pertaining to this request.

Remy: Does the Zoning Inspector have any considerations regarding this?

Jim: I think Mr. Nelson is somebody we can work with. We need to come forward and address some of the issues we have had in the past with this and he is trying to make it right by the zoning code.

Remy: Mr. Nelson, how often will you be at this property checking to make sure you do some self-policing?

Scot: It will either be myself or my oldest son Luke, once a month.

Remy: A minimum of once a month? Will you stipulate in your rent or lease agreement? They have to meet all the EPA codes and any violations.

Scot: Absolutely, in the leases that is what we've done, you have to because they will try anything they can.

Clarrie: Do you have other properties with this same type of business on them?

Scot: We used to. It is something that you have to deal with, it has to be policed and monitored.

Claire: But, nothing current?

Scot: No, we have the garage down there on the corner, Blackhorse Auto. Doug Ford's place there on the corner.

Claire: Used to be the old gas station?

Scot: Yep

Gary: That's where the concrete pilings are, that they put in the driveway on Brady Lake Road?

Scot: Yes,

Jeff: We told them we didn't want access on Brady Lake that there is too much congestion there.

Scot: Recently there was some issues and I think he got them taken care of.

Jim: No, Doug basically told me that he's not going to do what he needs to do. As the property owner you are my next contact.

Scot: Ok, you'll have to contact me and we'll get it taken care of.

Linda: I have one more question. Will the contract that he give to someone stipulate that it will be towed cars only there for very limited time?

Jeff: I don't think we can do that

Jim: The Board has the ability to set whatever stipulations you want.

Jeff: You're right. But, we don't know what kind of business is going to be there.

Would the rest of the folks think about a stipulation? Towed cars taken in because of whatever reason, not long term storage.

Linda: That's what he said that there were only going to be towed cars. Otherwise you are talking possibility of long term storage of junk cars.

Richard: Only ones that make out is the money that they are going to collect for the towing fee and then the person is going to go back and pay \$500.00 to get their car and most people can't afford it. It's been experienced all over the world people can't afford to get their cars back.....

Everyone talking.....

Gary: Mr. Nelson the back of the property I think there is a three door garage back there?

Scot: Yes

Gary: That is where you are going to do the repair work?

Scot: That is one of the buildings, usually they use that one for storage that they have done repairs there in the past.

Gary: The vehicles that you are going to be repairing, those are going to be off the road customers that want something done?

Scot: Yea, but usually that building they will use for detailing or just cleaning up the car and stuff like that.

Gary: Are you going to be purchasing, or your client going to be purchasing any vehicles that are in need of repair that he is going to repair them and then resale them?

Scot: Yes, if it is used as a used car lot, yes. They could be doing repairs there.

Richard: I don't think you want that in your township.

Jim: To further answer your question, if it's an automotive sales they are licensed by the State of Ohio and the State of Ohio will inspect it before they issue an license to operate out of that facility.

Jeff: And can revoke that license?

Jim: They can revoke it if things aren't met.

Gary: From a sales standpoint?

Jim: From a sales standpoint. As far as a salvage yard that still requires a State of Ohio license. That is inspected too.

Jeff: Another thing to remember if it is auto sales or auto salvage, which we are not expecting, the State of Ohio issues both of those and if you were to contact the State and report violations to them it would be another way you could insure that the property stays in good condition. Again that is not our responsibility, we are not the police here.

Claire: Jim, if they are going to sell cars do they have to have a certain number of cars before they have to be licensed?

Jim: State of Ohio set those, but I would imagine, I don't know.

Scot: They will set, when they come out and inspect they will set the number of cars that can be sold on that lot. A maximum number of cars that can be sold.

Jeff: But you also have to sell so many before you need such a license. I think it's about six a year or something like that. I think it is quite low. Ok we are not going to make everybody happy.

Remy: What is the maximum number of cars that can be stored in the screened area?

Scot: I'm estimating thirty. It could be, I would hope it would be less than that, but that would be probably maximum

Jim: That is something we can look at in the Zoning Code, because we do have a section of off street parking and storage like that.

Scot: Well, if there is a change in that number, we can make sure that number is ok.

Jeff: Ok, the chair is ready for a motion.

Remy: I move we accept the proposal, the motion before us with stipulations that number of vehicles is capped at thirty and also depending based on our Inspector view of the Zoning Code it could be lower base on that, that the area for whatever use, does mean page 156 of our Zoning Book Section 485 a gas station or auto repair including lighting for safety plus the paved lots, which is already there, I would like to give the maximum of 12 cars for sale at any time that the State of Ohio would set that limitation.

Jeff: We would just add to the motion that they would have to follow the Ohio laws as to the number of cars.

Remy: The State of Ohio limitation and hazardous waste and I guess motor vehicle parts anything removed from other vehicles will remain on the property in a safe manor, whether it is licensed contract or whatever is required for hazardous material.

Do we have a second for the motion?

Jeff: The chair seconds the motion R/C: Gary Long – no, Claire Moore – no, JoAnn McEwen – no, Remy Arness – yes, and Jeff Gaynor – yes.

Jeff: Your request has been denied.

Scot: Do I get an attorney?

Jim: That's correct you have thirty days to file in Common Pleas Court on our decision.

Scot: What are you basing your denial on exactly?

Claire: If it's ok to say, I remember the property that you are talking about and it was atrocious. I understand their concern.

Scot: You realize there was junk in that house when that house was derelict? That wasn't our trash.

Claire: That is a main thorough fare into our township and to our city. I think Ravenna Township has been working very hard at trying to get the entry ways to the city cleaned up. Also being that you are the owner of the property down here that place doesn't look good either and you being the owner you probably pass by there quite often. I think there should be a little pride in it. I don't see that.

Jeff: I sort of agree, I wouldn't be happy owning that property either as landlord, I know you are somewhat limited at what you can do, but there are lots of other businesses that would be permitted on that property. It is zoned for business. That's it for this evening. It would be nice if another type of business would be in there.

Jeff: We have a request for some sign variances for the new Get Go gas station and restaurant at the intersection of route 59 and route 14. Swears in Linda Nichols Ladd Sign and lighting, 830 Moe Drive, Akron, Ohio. Swear in Todd Waldo, Giant Eagle, 261 Kappa Drive, Pittsburgh Pa.

Gary: Before we get started, BZA 07 and BZA 08, we are asking for two different signs is that correct?

Linda Nichols: yes

Jeff: Ok, let's take these one at a time. BZA 07, nature of this request is height of sign and square footage of sign variance. Our zoning book allows what 32 square foot high is that correct?

Gary: Correct, the overall height shall be no greater than six foot. Page 214 C - 2

Jeff: Many, many businesses have signs over six feet tall. How do we regulate them to six feet?

Jim: Change was made in the zoning code in 2009.

Todd: If I could go on the record, I would like to pass out some photos. Actual photos of the intersection of some other signs that are in existence today and one of the signs that is no longer in existence, which belonged to East Park Restaurant was so kindly donated to one of the other local business that does restoration.

Jeff: I was hoping that someone would save that, kind of an interesting piece.

Todd: The caption in that photo is Circle K signs, McDonald's signs the old East Park Restaurant signs

Gary: But, this evening we are going to be dealing with Get Go signs? What happens in yesteryear does not pertain to your case.

Todd: Understood. The variance request is the purposed signs and there are two of them at this location, one being on St. Rt. 14 near our newly purposed right in and right out driveway and the other one is located at the intersection of 14 and 59 very close to the same location to where East Park restaurant use to be and one of the reasons behind this is sits within the commercial corridor of that environment with that particular sign that is being purposed with that height, the amount of signage and the other reasoning here is that we are trying to establish a new business in the township. The concept for Get Go café and market is a very highly visible location lots of traffic, I assume everyone know what ODOT is doing out there now to improve that intersection. But there is still a high volume of traffic and a lot of that is southbound and you're going east, west quite a bit on 59. This gives us the opportunity to effectively and safely have enough signage at a height where motorist can safely see that and they can make their decision before approaching one of the driveway entrances. Especially at the intersection of 59 and 14. We have found in the past that smaller monument types of signs are more difficult to see for motorist especially based on height limitations and they have become lost especially at a large intersection where cars park and the volume of traffic is not readily visible to the motorist in time to make a decision in which to turn into the business, but primarily again it is something within the context of the surroundings. We do have another one that is being purposed on 14 again there is a high volume of traffic that is traveling south bound, because of the limitation of access for these driveways, if you will notice that the two driveways that we have on state access roads, ODOT roads, those are right in right out they're limited access not full access it divides on 14 so the approach is a little bit different with not having full access in the direction of the traffic. Obviously, we are relying on Hazel with limitation of access again with visibility to a motorist is even more important. You have to make a decision in time to turn especially with a competitor across the street, pricing of fuel becomes more competitive to benefit our consumer and having that ability to reach the customer with the visibility standpoint is critical for the business.

Remy: These signs and height standard for this type of operation for Get Go operations

Todd: We try to achieve this height. We feel this is the most effective for reaching the customer all locations are different, accessibility, visibility they are all different in this regards, because this is a very high volume intersection that is going through a reconstruction even that much more important to have a larger sign so that again clear visibility.

Jeff: If you put the sign the lowest part of the body of the sign is ten feet 5 inches here, if you put that much lower you start effecting visibility seems like. Do you run into questions like that?

Todd: Especially when we call site triangles and blocking intersections and motorist being able to safely navigate road and structure, yes that is needed to elevate itself above the existing grade and also with the purposed landscaping that may be planted in conjunction with this project as well.

Gary: First of all, I'm glad that you are building the facility. Second of all, I don't have any problems with this, third of all and most importantly, we violate every part of the regulation not more than one, you violated that, over size, you violated that, the height, you've violated that, and that's my issue.

Jeff: That's understandable, whether or not we agree with the rules that's how it was agreed upon by the Township Trustees. But, we did give Dollar General permission for a sign that was over sized and to tall, but they only wanted one.

JoAnn: Dollar General isn't on the corner. Where they are on the corner.

Todd: It is very critical that visibility especially on the corner section and again with the visibility that we have approved threw ODOT limiting the access with the driveways on 14 and 59.

Jeff: Gary you wrote down on the map the location of the two. (Looking at the site plan and map)

Todd: They are labeled as item B on the site plan and again one is at the intersection of the southeast corner of the property and the other one is along the eastern property boundary on the northern side the right in and right out.

Jeff: The more northern one would face perpendicular to route 14 and the one at the southeast corner would be perpendicular to route 59.

Todd: Yes, sir. The visibility again if you are traveling northbound on 14 you will somewhat see that sign at a specific location, but primarily the visibility would be traveling east to west on 59. If you are traveling south bound on 14 obviously you would be able to see the sign and if you are traveling north bound you would be able to see the sign. You wouldn't be able to enter at that location but you could turn into Hazel and limp around and get into the facility at that location.

Claire: So if this is denied, then what would you have to go with?

Todd: The Code that is six foot tall sign, which I think is we can all agree that would be very lost especially at the intersection. That it will with the traffic signalation the mast arms the electrical lines pole and what not. It will be lost at that intersection and also want to point out, you can see on the site plans there is quite a bit of ODOT right of way, that ODOT intersection, so not only is the sign needed a setback to the ordinance from the property boundary that it is even further away from the roadway because of that ODOT right of way. So another thing to take into consideration is that we are much further away from a general type of situation because of that additional right of way. That is essentially the cedar plan, this is the property boundary (points to the map) for the Zoning Code we have the setback for the sign from that property boundary. Then there is this additional right of way that is owned by ODOT that is more than doubles the setback requirements.

Claire: Jim, what are the other signs in that area? The one of Circle K, what was that one? Does anyone know?

Jim: You are talking 15 to 20 feet in that area with that and Dollar General and whatever else. Currently the sign requirements for commercial and industrial are being looked at in the Zoning Commission right now and they are going to raise them up, they're going

to be higher. The last wording that we went through is that the base of the sign will be at least six feet off the ground. Like they have 10 feet here to keep that open as far as visibility and they are looking in the 20 to put the maximum height for commercial area and this something that we talked to the planner at Regional Planning about is that sign height and specially changing it for commercial and industrial areas because you need to be up in the air.

Claire: Is that in planning Commission now?

Jim: That's in Zoning Commission right now and the final draft will be done in June.

Jeff: My feeling about Zoning is that one of things we attempt to do is maintain a continuity, you know you don't put a high rise next to a bunch of ranch type houses and things like that. A taller pedestal sign, is that what this is?

Todd: Pylon

Jeff: Pylon that's what this is would fit into the area. Back up here is the Dollar General, McDonalds, BP has, what is the BP sign is that part of this or not?

Todd: BP is actually part of the McDonald sign.

(Looking at the map)

Jeff: Does anybody else wish to comment on this?

Remy: Does the Zoning Inspector have any comments regarding that signage?

Jim: this is a good layout. It took me at least a day to get through everything, but it is laid out real nice and the request is appropriate and it will be changed to six feet and not four foot and that is why all the signs we have put in probably in the last five, well since I've been here have been variances.

Claire: They have six foot signs in Hilton Head and you can't find where anything is.

Jim: You are driving down the road and you want to see something. That is another thing we talk about at Regional Planning is the safety issue. If you can't see you are going to make some bad decisions on driving.

Jeff: A six foot sign is going to block any car at least a little bit.

Gary: I think the whole project is great and I'm glad to see that it is coming into Ravenna and with that I will make a motion for BZA 07 and 08 that we approve the variances for the sign and the quantity for the signs as presented to us

JoAnn: I second it R/C: Remy Arness – yes, Jeff Gaynor – yes, JoAnn McEwen – yes, Claire Moore – yes, and Gary Long – yes.

Jeff: Ok, we've past your request to put in these two 25 foot tall Get Go and Market signs and as I have said before there is an appeal period during which interested parties can act against that decision and anything that you do within that time is at your own risk. Now we have BZA 09. What is the nature of 09? Multiple signs on the building walls. How many counts are multiple on this particular case?

Todd: I believe four. I believe only one wall sign is permitted

Jim: Yes, only one wall sign is permitted

Gary: You are asking for four?

Jim: Multiple signs on all four sides.

Todd: So pretty much just as the site plan that was verbal last year was that because of the configuration of the property and trying to learn nature, we have had to do a site lay out here that is not very difficult. You usually have parking all the way around the building circulation all the way around the building we don't have that here. What we have chosen to do is instead of having the fuel center in the center like Circle K or Sheets

or others, we have arranged the project so that we push the actually Get Go building closer to the right of way for more curb appeal and put the fuel canopy off to the side and then worked out the internal circulation from that standpoint. Now what is also new to the Get Go café and market is that we have multiple entrances and multiple sign. Two main customer entry point, one being on the south elevation facing 59 and we try to distinguish these and there is also another one on the west side facing the fuel canopy and we try to distinguish these although it doesn't always happen that way, but the main customary on the south side is primarily patrons that will be using the café and the market portion of it and the other one caters more to the fuel customer. That is intermingled but that's the intent of it. If you are at the pump and most people pay at the pump now a day, but some people don't. They come to make a quick purchase sometime unfortunately while their car is parked at the fuel dispenser, but it is still an easier way for them to navigate safely from their vehicle into the store and likewise from the front of the building. So, from that aspect it is important to appropriately sign those customary signs so people know where to go. Some of our new locations that we have done we did not have this additional signs on the side door and we have found that surprisingly people tend to navigator towards where that sign is to enter the store. Once they are in they can tell they can exit that way, but we want to clearly identify that is customer entrance. The other option again for the other sides of the building, hides the ability frontage on main roads the west elevation we have again a logo that is part of the corporate branding that give us visibly from that location as well. People will see the fuel canopy, people will see the pylon sign obviously for fuel pricing, that's what they will be attracted to, but when they are driving in their vehicle and they are closer to the facility they won't be able to see those taller pylons, they will be looking out their window at the building to confirm is this the Get Go building itself. So that's the proposal that we have the signage on all four signs. Customer entry, locating those and also identification for the roadway for motorist that are trying to find the building. Pretty mini signs are great from a distance but once you are close to them you can't see them as well.

Gary: Just for clarification, the west side of the store are you classifying that as the back side?

Todd: No, that is actually the side of the building.

Gary: What is the front?

Todd: The front faces route 59. The back of the building is the north side and these signs we are talking about are label as E on the north, south, west and the other one is labeled as G-1.

Jeff: The G-1 signs are part of the logo and these arrows are part of the sign? They kind of indicate movement in the sign.

Todd: Won't be a moving sign.

Jeff: Any other questions, comments from the board? I understand your signing the three sides where you would normally do that much on a building, but other than that each side is probably going to look kind of standard for your Get Go? This is what you do normally?

Todd: Yes, in this application signage on the side of the building and the rear of the building is more important giving the context.

Gary: What is the length of your lease?

Todd: I believe it is a 15 or 20 year lease, a long term lease, we are not the property owners I think everybody is aware of that. Ravenna Investors LLC are the property owners and we have a long term ground lease with them.

Jeff: Any idea why this didn't get started last year?

Todd: We were building seven new facilities that are all of this new café market type so we wanted to build those to evaluate those. We have actually made some changes to what was built last year incorporated into this new facility so it is new and improved so to speak. We have taken some learnings from customer feedback and honestly critiques from professional involvement of the building itself. It's been incorporated to make a better facility. From a customer perspective, from an operation perspective and all that is incorporated to this facility.

Jeff: Thank you, questions, comments? Neighbors, anything else from our zoning Inspector?

Jim: No, that is pretty much standard. We went through the same thing with Wal Mart and some of the others place that have multiple signs

Jeff: Wal Marts signs are in the township?

Jim: Yes, the building is totally in Ravenna Township

Jeff: Chair is ready for a motion for this request.

Claire: I move that we accept variance request 2016 BZA 09 as written.

Gary: Second R/C: Gary Long – yes, Claire Moore – yes, Remy Arness – yes, JoAnn McEwen – yes, and Jeff Gaynor – yes

Jeff: Thank you. Do I hear a motion to journalize the motion we made on 2016 BZA 05

Remy: I so move

Gary: Second R/C: Claire Moore – yes, JoAnn McEwen – yes, Gary Long –yes, Remy Arness-yes, and Jeff Gaynor – yes.

Jeff: A motion to journalize 2016 BZA 06?

Gary: So move

Jeff: I second it R/C: Jeff Gaynor – yes, JoAnn McEwen – yes, Remy Arness – yes, Claire Moore – yes and Gary Long – yes.

Jeff: A motion to journalize 2016 BZA 07

Claire: I so move

Remy: I second R/C: Remy Arness – yes, JoAnn McEwen – yes, Gary Long – yes, Jeff Gaynor – yes and Claire Moore – yes

Jeff: Motion to journalize 2016 BZA 08

Gary: So move

JoAnn: Second R/C: JoAnn McEwen – yes, Claire Moore – yes, Gary Long – yes, Jeff Gaynor – yes, and Remy Arness – yes.

Jeff: Motion to journalize 2016 BZA 09

Claire: So move

Remy: Second R/C: JoAnn McEwen – yes, Claire Moore – yes, Remy Arness – yes Jeff Gaynor – yes, and Gary Long – yes.

Jeff: We need to discuss the minutes as presented to us from the last meeting and prior to that I would like to heartily congratulate and thank our secretary for doing such a masterful job of interpreting whatever language it was those people were speaking.

Jeff: Do I hear a motion pertaining to the minutes of the last meeting as presented to us?

Gary: So move as written

JoAnn: Second R/C: Claire Moore –yes, JoAnn McEwen – yes, Gary Long – yes, Remy Arness – yes, and Jeff Gaynor – yes

Jeff: Do I hear a motion to adjourn?

Remy: I so move

Meeting adjourned at 8:25 p.m.

Respectfully submitted by

Carolyn Chambers

Zoning Secretary

CC: Trustees (3)

BZA (5)

Zoning Inspector

File