

RAVENNA TOWNSHIP BOARD OF ZONING APPEALS

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

Jeff Gaynor called the meeting of February 10th, 2021 to order at 7:00 p.m.

R/C: , Remy Arness - here, Joann Mcewen, here, Claire Moore, here, Gary Long, here, Jeff Gaynor, here.

Jeff: The record will show that we have a quorum. Any old business? No old business. New business; conditional use request 2021 BZA 03, Ted Wynns of Cost U Less storage, 2904 St. Rt. 59, Ravenna, Ohio 44266, wishes to convert an existing building under construction into an inside storage business.

Jeff: Would Mr. Wynns step forward please. Do you need a microphone? Take a seat by this microphone please.

(Ted Wynns takes seat next to microphone)

Jeff: Briefly tell me the nature of your request.

Ted: The nature of the request? Uh, storage units inside the building.

Jeff: some sort of storage unit, I know we have the blueprints here.

Jeff: These are going to be individual units?

Ted: Yes.

Jeff: It appears that some of them will be accessible from outside, and some only from inside?

Ted: Yes, correct. Do you want me to show you?

Jeff: I can see the ones that have doors. I think we're ok with this. That's not really a major consideration.

Jeff: We do have some questions about the structure itself.

Ted: Ok.

Jeff: Those questions being, what happened after the collapse from the snow? We understand that it was repaired, but the pieces that were repaired look quite different from the pieces that had been there, the trusses.

Ted: I had to have them reinforced. The building department made me reinforce some of the trusses, which I did and then I had replace probably ten or twelve of the trusses, totally replace them.

Jeff: That's just in that center section? What about the rest of the building? That has the original ones?

Ted: I had the building inspector, he came out and looked at it.

Gary: Do you have paperwork for that?

Ted: Huh? What'd he say?

Jeff: Do you have paperwork for that? The section?

Ted: No, you can call the building department, I'm sure they'll tell you. They gave me a permit, they made me put up three fire walls.. On that building.

Jeff: Ok

Ted: And I've done that, and the inspector approved them and uh, he looked at the building and the other inspector, I can't remember his name, he came out and everything seems to be ok. Maybe this is the best solution for this, is this dry storage. But it is approved for the building department and they did approve it, the only thing I have to do now is the electric. They're going to reset the pole for the new telephone pole and they've got to set the transformer in the back. The electric is in there and they call it a light box, with all of the security lights and stuff like that. The electricians put it all in and the meters on the back. I don't plan on doing anything with the building. I don't plan on taking the windows out or the doors in the front of.

Ted: (Explains he can't lease out buildings due to pandemic and doesn't want them to sit vacant)

Jeff: Gary you had some questions that you wanted answers for?

Gary: I had questions about sections B, 2 and 3, restorations, approval for reconstruction and substitutions and extensions does not exceed the total property or fifteen percent of the value in total.

Joann: To change it must exceed more than fifteen percent of what the building costs.

Ted: No, I'm not changing anything.

Jeff: Another concern is trash control.

Ted: What did he say?

(Woman in audience reiterates the concern for trash control to Ted)

Jeff: What do you have planned for your trash?

Ted: The trash is on left hand side. Allen asked me to move that trash to the right hand side. What was happening was, everyone in the units were pushing their trash in and I always took care of it. The problem is, people keep putting their trash in there and he asked me to move so I moved it. The problem is, we just poured the concrete just before winter hit, there's still about sixty feet of concrete that has to be completed. And now that the concrete is down, I should be able to move it back and close it, just like I did on the left hand side.

Jeff: When are you going to do this?

Ted: This Spring. We just poured the concrete just before winter, and I really didn't want the heavy trucks to go on there. You need at least thirty days before you can drive a heavy truck on it.

Remy: I bring it up because on the East side if the storage unit, it does not look very presentable. The whole length of that thing does not look good at all. And that's what I'm talking about, not the garbage. It looks like a junkyard.

Ted: It's not on the East side, it's the West side.

(Remy confirms with Jim that it is the East side and not the West side)

Ted: That's owned by somebody else.

Remy: I know that. My point is, I don't want yours to look like that.

Ted: I don't want it to either. That'd why I'm going to put it in the back and screen it off.

Jeff: Let's come back to your thing, Jim that might be something you want to look into.

Remy: I was just there the other day and that whole thing is completely unacceptable for the community of Ravenna Township.

Ted: Which side are you talking? Left or right?

Remy: East but this is not your property.

Ted: In the spring, I plan on fixing that concrete on the East side. That's all I can say.

Jeff: (Inquires about storm drains on the property) where's the storm water going?

Ted: It goes all the way around back of the property, there's two retention walls.

Remy: Is there tile back there or a ditch?

Ted: No, there's probably one hundred and sixty feet by eighty feet wide retention wall.

Remy: How is the water getting there?

Ted: It goes up through the storm drains. (Explains drainage system)

Remy: You answered my question. Another concern is the landscaping on side properties, bushes, trees, shrubbery, etc.

Ted: I agree, there were bushes there and all across the front. He pulled them out and never put them back. I, in the spring, will probably put them back in.

Remy: Let the minutes show that I'm requesting the Zoning Inspector Jim that in the spring time, maybe early summer, that it should be completed and that you can inspect it and go accordingly. Inspect the property of both owners.

Ted: (agrees)

Jeff: Okay let's move on.

Jeff: "J" concerns parking. How many units, one hundred and thirty one?

Ted: Yes, one hundred and thirty

Jeff: We have to have 6 parking spaces per unit

Ted: There's tons of parking. About one hundred and fifty parking spaces.

Jeff: Anyone else on the board have any questions or comments at this time?

Remy: I have one, Jim you might be able to answer this. Mark the fire chief, has he inspected this, so he can get around this facility three hundred and sixty degrees?

Jim: Yes.

Remy: I think he approved that. I think he did that.

Jim: Yes he did.

Ted: I think the road is twenty-five feet wide.

Jeff: So you're expecting one hundred and thirty units, and no bathroom facilities or running water or anything?

Ted: No. There's just a kiosk machine in the back. I don't want to have someone sitting over there all day. I don't want none of that.

Jeff: How about exterior lighting?

Ted: I have twenty security cameras on that property and I have security lights all the way around it. The pole is in, I'm just waiting for Ohio Edison to set the pole. (Goes on to explain that he is unable to use the building for retail because of the pandemic)

Jeff: Yes, no one is going to put in retail at this point.

Ted: Everyone I've come into contact with is afraid and doesn't want to put any money into it.

Jeff: Do you have an office?

Ted: No. The only thing I will have is the kiosk. I'm not taking any doors or windows out of there.

Remy: So you're going to cover the windows and the doors?

Ted: Yes, I'm going to drywall the ceiling and put partitions up.

Jeff: Any questions or comments? Anyone from the audience wish to speak on this matter?

Member from audience: I'm the only one. I think he should stick with retail but that's just my opinion.

Jeff: If you want to say anything else, you have to get sworn in.

Audience: That's it.

Jeff: Okay thank you. And I never swore you in (talking about Ted Wynns) but we'll just have to live with that I guess.

Ted: Sworn in?

Jeff: Just say "I do."

Ted: I do.

Jeff: We're now married.

(Everyone laughs)

(Everyone talking at once)

Jeff: Apologizes for echo and explains they tried using microphones and it was not any better for the echo in the room.

Ted: I'm trying to do the best I can, I don't want to see the building sit empty. I put money into this thing thinking the virus was going to go away, but it is not going away.

Joan: When do you expect to be done with everything?

Jeff: When do you expect to be finished?

Ted: It will be completed and operational by the end of the summer.

Jeff: You've had two extensions on your original building permit. You're into your third two year section. We are not inclined to do that again.

Ted: I understand. I'm hoping to get this done by the end of the summer.

Jeff: You have a builder doing this? You're not doing all this yourself are you?

Ted: I hired someone to put the ceiling in and do the drywall. They're going to knock it out and get it done.

Jeff: Good. You'll be out there mowing there grass and trimming the bushes, right?

Ted: (Gestures to woman with him)

Jeff: I don't care, as long as someone does it.

Ted: I try to keep it clean and nice.

Jeff: Any other questions or comments?

Joann: I just want to be clear, you've had the final inspection and everything was approved?

Ted: What?

Jeff: Your building is fully inspected and permitted?

Ted: Yes. Well it has not had the final inspection, no.

Joan: From back when the snow caused it to collapse? And they came in and said that this is good?

Jeff: You're familiar with that too, right? The roof inspections.

Jim: Somewhat.

Ted: The inspectors were down there, they saw the building.

Joann: But you have the approval? I want to make sure the building is safe.

Ted: You can't get an approval until everything is done. You can call the building department, they'll verify it. He came out and looked at the firewall and everything.

Joann: That's what I'm trying to figure out.

Claire: She wants to make sure they came out and looked at everything. Including the trusses.

Ted: Yes, they came out.

Ted: I had to replace of the trusses that were cracked. The other trusses are brand-new, I had to redo them altogether. Yes, it's safe.

Jeff: Is there flooring in this room?

Ted: Yes.

Remy: Just to clarify, you to replace a couple of trusses.

Ted: No I had to replace ten or eleven.

Remy: Well you said something about having to reinforce them.

Ted: I had to reinforce two of them.

Jeff: Did you do anything to the trusses that did not collapse?

Ted: No. only two of them. I had to put additional trusses on each side.

Joann: I would like to see the permit and the authorization that everything's is approved.

Ted: I didn't bring them with me.

Joann: Bottom line is I want it to be safe and not an eye sore. I don't want it to be junky.

Jeff: Before we approve anything here, we need to make sure the building is safe. We need to see the permits.

Jim: I agree.

Jeff: Are people going to park by the overhead doors and load stuff in and out?

Ted: Yes.

Jeff: That's supposed to be an access road.

Ted: There's sixteen to nineteen feet before you get to the drive.

Jeff: The road itself has to be a certain width.

Remy: You're not allowed to park or do anything within that width. So people cannot park there, to load and unload. They have to do that elsewhere.

Ted: From the road to the building is eighteen feet.

Remy: Okay.

Ted: The driveway is twenty seven feet wide.

Remy: For traffic coming and going, that traffic has to be a certain width.

Ted: The buildings back there are closer to the easement than me. There's plenty of space from the building to the road.

Jim: I'm not satisfied until I Talk to the building department. I want to make sure Mark the fire chief is in on this and he will be back tomorrow. I also have more questions to ask the building department.

Jeff: Have they been reluctant to come forward with things that you want?

Ted: No. You can call the building department and ask.

Jeff: I don't think that a phone call will be satisfactory. We want to see something in a written document.

Ted: I don't have a problem with that.

Jeff: Normally when the building department comes out to inspect, they have something that they write down. When they looked at the trusses, they should have given you some documentation saying this is ok.

Jim: I will check with them tomorrow.

Jeff: Based on the fact that we don't have any of that documentation, we can't make a decision. Does the board agree with me on that?

Remy, Claire, Joanne, Gary: Yes.

Jeff: We will have to hold off on this until after the building department gets us this information.

Remy: Anything else from the board? Let the minutes show that we would like to have some written documentation saying the structure has been approved and that the fire protection and everything is adequate, as far as having access all the way around the building. Until we have those subjects covered, we'll leave this in limbo and have to meet again.

Remy: When you talk to the building department, can you note that they will have to notify Ted so he can meet them there.

Jim: Yes.

Jeff: The board has not reached a decision, so we are done.

(Jim and Jeff discuss scheduling the next meeting and approving the minutes)

Man from audience: Your meeting is officially over, right?

Jeff: Not quite, we're discussing our next meeting.

Jeff: Are we ready to adjourn?

Man from audience: (inaudible)

Jeff: Do you wish this to be on the record as an official comment?

Man from audience: Yes.

Jeff: You'll have to come forward so the microphone can pick you up and be sworn in.

Jeff: Do you swear that the statements you're about to make before this court are the truth?

Man from audience: Yes.

Jeff: Name and address please.

Doug: Doug McGee, PO box 11211 Brady Lake Ravenna. I own the property behind all of this.

Jeff: Not the self-storage property behind this?

Doug: Behind the self-storage, I own it with the YMCA, 80% is owned by the Y, I represent them as well.

Doug: That court case, which has been a headache to me for ten years, the court finally threatened him with jail if he didn't settle and he settled. That right of way is within six inches of his building.

Jeff: Is this to the East of the building?

Doug: To the East of the building, the Ravenna side, is within six inches of the right of way and.. they're going to have trucks right there...(Inaudible) I've already talked to the county engineer, he says he's going to let most of the pavement be to the left side of the building, closer to the road. He said the roads... just cutting him some slack and assuming he's talking about the pavement, is eighteen feet. He doesn't know that. But if you look at it, eighteen feet, and then the pavement is twenty four. Twenty-four, thirty-four, that's forty-two feet already. He's trying to push the road closer to the wet lands, the county engineer saying the road is closer to the buildings. So we're away from the wetlands and won't have to mess with the wetlands.

Remy: You're talking feet from the group of buildings?

Doug: The right of way is east of the buildings.

Remy: Okay because the last court report we got when we finally Okayed, the right of way was wet.

Doug: That's not true.

(Inaudible due to multiple people talking at once)

Doug: It's not on the West side of the building, it's on the East side of the building.

Jeff: That's what you folks have been fighting over for ten years.

Doug: I've been spending money for ten years and he's been fighting me in court and the court finally threatened him with jail.

Jeff: Does anyone remember that? When we got the paperwork and finally Okayed all of this? It showed the right away to the left, and they were upset because it was too close to, or encroaching on the wetlands?

Jim: That was before the court case decided.

Doug: Yes.

Jim: Because it was just decided last year.

Doug: The East side of the building, the Ravenna side, the Ravenna side is where the new road has to go because it was in the wetland on the West side. That's why we appealed it and had to go through the attorney surveys, all kinds of stuff. We've had to spend like a million and eight to build it in the wetlands, and that's assuming it would be allowed. They said no, we're not going to let you building it in the wetland.

Jim: (Inaudible)

Doug: The point is, I knew they were going to say no. The magistrate, he didn't want to approve that. (Inaudible due to echo)

Jeff: This is the right of way to get to your property behind the self-storage unit?

Doug: That's right.

Jeff: Okay.

Doug: The deed says that there has to be a right of way in there and he knew that and took it out and recorded it without that in it. We proved it was in the deed he got and it disappeared and he has to explain that and the court never required him to explain that but the point is, that his personal deed doesn't matter, it was what was recorded. Anyway, point being, the East side is what we settled on. We were allowed to put our road in as long as we skew it toward the buildings, not the other way because (inaudible due to echo), which doesn't matter because of right of way concerns as long as we don't put a road within ten feet. That really pushes it towards a fifty foot right of way. (Inaudible due to echo) because there's going to be electric lines that go down the side of the road. For safety, you have to have space on both sides of the road. I don't know where he's getting this eighteen feet from, there's nothing that says there's eighteen feet there. The road is only six inches from the building.

Remy: And it doesn't show anything on the drawing saying there's eighteen feet between the road and the building.

Doug: Correct.

Remy: This is his drawing done by his architect.

Doug: He says what he wants to say hoping he can lie to you. We're about ten feet in the back where the storage units are, we're within at the most, twelve feet. That's what the right of way is, about twelve feet away. And the judge finally pushed him to where he had to sign the settlement. He signed it the day after he sold the back piece. He never told the guy that there was a court case going on with the right of way, so the guy had no idea. I talked to him about it about an hour ago.

Remy: So both of you were going to be here?

Doug: Yes.

Jim: Because, he let everybody know that the gentlemen knows the storage units that

Ted sold to, he went to Ted earlier and said "I would like to buy your building." And the gentleman not really aware of Ted's dealings. Ted asked him why he wanted to buy it, the gentleman said "I want to put inside storage units in that building and the guy called me and asked what he would have to do for zoning. The day after I talked to the guy, Ted came in and said "I want to change this into an inside storage unit." So the guy gave Ted the idea, because Ted doesn't want to sell his building to this gentlemen because he's asking too much money, it's not worth what Ted thinks it is.

Doug: He still had the higher price by several hundred thousand.

Jim: Yes, it's out there. And from what the gentlemen told me, he took a contractor to the building and they went inside and looked at it and his contractor told him those trusses are the wrong trusses to be in there. And I told this to the building department. He said those trusses are not supposed to be three feet on center, they're supposed to be one foot on center.

Jeff: Well it looks like we're going to have an interesting meeting on March the tenth.

Jim: That gentlemen that owns the store behind Ted's building is going to have to come here, or he has to provide us with something.

Doug: I talked to him and asked him if he was coming, he said no, I'm hoping they'll just turn him down. Maybe he'll get reasonable and then we can come in (inaudible due to echo)

Jim: That's Allen Farris?

Doug: Yes.

Jeff: I was hoping it would get approved so something would get done with that building.

Doug: As long as he's involved (referring to Ted), there's going to be a major problem.

Jeff: We're worried about those trusses, because they're not the right ones. This section fell down, so they put new trusses in that section. They were different types, they had triangulation cross bracing and so forth and the other trusses don't have that.

Joann: (Inaudible due to echo) I don't want to be responsible if people are in the building and it collapses.

Jim: That's what I want to see from the building department, I want to see the paperwork that says he approved it.

Joann: Yes, its pass or fail and you get a piece of paper saying so.

Jim: Yes you do.

Remy: The building department have to approve that drive? The street you're on.

Jim: The building department is telling Ted is don't come to us with prints until you have a zoning certificate in hand.

Remy: So he's playing once against the other.

Jim: Yes.

Doug: He's telling you that they're ok with it and them that you're okay with it and hoping someone approves it.

Jeff: I always say that everyone that comes before the board lies, and some people might not but he makes up for it.

Jeff: Well I don't know what else we can say tonight. We're not going to say its okay until we get an approval from the building department that the building is safe. That's the way it's going to be.

Jim: If that's what the board wants, that's what I have to make happen.

Jeff: If you're in a public position, you know you need something (inaudible due to echo)

Doug: Yes, you could get into trouble.

Jeff: Could you ask the building department?

Jim: That's what I'm going to do.

Joann: I'm not going to agree to something that I don't feel comfortable with. Not going to happen.

Doug: I understand that.

Doug: I have one question for you, its semi related but it's a completely different project. We're looking into senior citizen housing in the back and your commercial district doesn't allow that and I see what you're saying, that the if we apply for a variance, the board of zoning appeals, it looks like will have, it looks like it says for consumer use, that the board of appeals can approve it, and that's probably something with you guys right? That seems to be an easier and quicker way of getting it done. But also, what I'm concerned with is that, this is something that happened before and it looks like, you're trying to approve something that, what he's asking for is it listed as those storage units?

Jim: Yes.

Doug: So he can change the use?

Jim: The storage units are listed as a conditionally permitted use.

Doug: Okay. What I'm asking (inaudible) housing developments, I was involved with the (inaudible) and there were like three lots right out in front of the main road, the owner had a church come out and ask if they could buy that and build a church. He said it's not listed in the code but he knows the owner and will see if they're interested. They gave them a variance. They approved it. They didn't approve it based on how the code was written, but how they wanted to see it used. They approved it and now that church is up now and it's functioning very well. Now that was a case where there wasn't anything in the code saying they could do that. But I see what you're saying, the board of appeals can approve a use if it's similar to things that are being approved in the area.

Jim: As long as it's listed in the code. If it's not, then you have to get a variance.

Jeff: As long as the code doesn't say you can't do it.

(Inaudible)

Doug: I forget what it is. But I'm not submitting that today. When we first did this twelve years ago when I had buyers looking at it, they laid it out to be at least two hundred, two hundred and sixty apartments for senior citizens and there was a walkway around outside, the wetlands there by the lake, in the middle and your sole access to that property is this easement.

Jeff: On the report, it is public record.

Doug: I've been working on getting the YMCA to agree, it took six months to get all that done and three months to get them to agree that it's going to be an acceptable type of thing. And my point is, I'm sure, I'm just asking for your opinion. Would you think.. I think it's a good use for the community, to have senior citizen housing. We have don't have enough senior citizen housing here. Do you think that's a good area for senior citizen housing? Back in the field there?

Jeff: I can't really say. I've not yet been involved with senior citizen housing.

Doug: This will be senior citizen housing market rent. We're not going to put it in through the housing authority. Market rent.

Joann: We have to look at everything as a whole.

(Inaudible due to multiple people talking at once)

Doug: Do you think that concept is something (inaudible due to echo)

Joann: Certainly, we have to take care of our senior citizens, we have to make sure they have places to live, but again, we have to look at the whole situation as a whole, not just...

Doug: Looking at less traffic, because senior citizens have fewer cars than the average...

Jeff: And more accidents. Talking hypothetical is a tough sort of thing and that's what you're after right now. So, you'll need more definite information and we can look at it then. Right now, we need to get home. We're about to miss jeopardy.

Jeff: Anything else?

Jeff: We stand adjourned.